

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 International Criminal Court

2 Trial Chamber V

3 Situation: Central African Republic II

4 In the case of The Prosecutor v. Alfred Yekatom and Patrice-Edouard

5 Ngaïssona - ICC-01/14-01/18

6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and Judge Chang-ho Chung

7 Trial Hearing - Courtroom 1

8 Monday, 17 April 2023

9 (The hearing starts in open session at 9.30 a.m.)

10 THE COURT USHER: [9:30:35] All rise. The International Criminal Court is now
11 in session. Please be seated.

12 PRESIDING JUDGE SCHMITT: [9:30:57] Good morning, everyone. Court officer,
13 please call the case.

14 THE COURT OFFICER: [9:31:07] Good morning, Mr President, your Honours.

15 Situation in the Central African Republic II in the case of the Prosecutor versus Alfred
16 Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.

17 And for the record, we are in open session

18 PRESIDING JUDGE SCHMITT: [9:31:22] Thank you. I ask for the appearances of
19 the parties. We start with the Prosecution.

20 MR VANDERPUYE: [9:31:29] Good morning, Mr President. Good morning, your
21 Honours. Good morning, everyone. Good morning, Mr Witness. Today the
22 Prosecution is represented by Irina Galupa, Yassin Mostfa and myself, Kweku
23 Vanderpuye. Good morning.

24 PRESIDING JUDGE SCHMITT: [9:31:38] Thank you.

25 The representatives of the victims, Ms Massidda first.

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 MS MASSIDDA: [9:31:43] Good morning, Mr President, your Honours. For the
2 victims of the other crimes, appearing today Mr Enrique Carnero Rojo and myself
3 Paolina Massidda.

4 PRESIDING JUDGE SCHMITT: [9:31:52] Thank you.
5 Mr Suprun, next.

6 MR SUPRUN: [9:31:55] Good morning, Mr President. Good morning,
7 your Honours. The former child soldiers are represented by myself, Dmytro Suprun.
8 Thank you.

9 PRESIDING JUDGE SCHMITT: [9:32:02] Thank you.
10 I turn to the Defence and we start with the Defence of Mr Yekatom.
11 Ms Dimitri, please.

12 MS DIMITRI: [9:32:07] Thank you. Good morning, Mr President. Good morning,
13 your Honours. Good morning, everyone. Mr Yekatom is present in the courtroom,
14 and he is represented today by Ms Anta Guissé, Ms Laurence Hortas-Laberge, Ms
15 Yousra Lamqaddam, Ms Sabrine Bayssat and Ms Fiona Houdin as well as myself,
16 Mylène Dimitri.

17 PRESIDING JUDGE SCHMITT: [9:32:33] Thank you.
18 Mr Knoops.

19 MR KNOOPS: [9:32:35] Very good morning, Mr President. Your Honours, good
20 morning. Good morning, everyone in the courtroom. Our team today consists of
21 Ms Chiara Giudici, on my right side; second row, Ms Sara Pedroso and Mr Mathias
22 Goffe, and Mr Ngaïssona is also in the courtroom, Mr President.

23 PRESIDING JUDGE SCHMITT: [9:32:49] Thank you very much. We will now start
24 with the testimony of Prosecution witness P-2018.

25 Mr Witness, good morning. Can you hear and understand me well?

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 WITNESS: CAR-OTP-P-2018

2 (The witness speaks French)

3 (The witness gives evidence via video link)

4 THE WITNESS: [9:33:05] (Interpretation) Yes, good morning.

5 PRESIDING JUDGE SCHMITT: [9:33:06] That's good news that we have a good
6 connection. On behalf of the Chamber, Mr Witness, I would like to welcome you to
7 the courtroom. You are called to testify to assist this Chamber in the case of the
8 Prosecutor against Mr Yekatom and Mr Ngaïssona. There are protective measures
9 in place so that your identity is not revealed. You have been informed about that, I
10 don't have to dwell into that further.

11 Mr Witness, there should be a card on the desk in front of you with a solemn
12 undertaking to tell the truth. Could you please read out loud the content of this
13 card.

14 THE WITNESS: [9:33:48](Interpretation) I solemnly declare that I shall tell the truth,
15 the whole truth and nothing but the truth.

16 PRESIDING JUDGE SCHMITT: [9:34:07] Thank you, Mr Witness. You are now
17 under oath. Before we start with the questioning by the parties, I would like to
18 inform you that because of the translation that we have and the interpretation, we
19 have to speak at a rather slower pace than we perhaps normally would do, and please,
20 Mr Witness, only start answering when the person that has asked you the question
21 has finished, so that everybody can catch up because of the interpretation.

22 I will give now the floor to the Prosecution.

23 Mr Vanderpuye.

24 MR VANDERPUYE: [9:34:45] Thank you very much, Mr President. Good morning
25 to you again.

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 QUESTIONED BY MR VANDERPUYE:

2 Q. [9:34:49] Good morning to you, Mr Witness. We met not too long ago, so let
3 me reintroduce myself. My name is Kweku Vanderpuye. I'm a member of the
4 Prosecution team, and I'll be posing some questions to you today in respect of your
5 evidence. As Mr President has indicated, you are testifying with protective
6 measures; so that means that information which may tend to reveal your identity will
7 be withheld from the public. There may be some questions that I ask you that might
8 tend to reveal your identity, and I've tried to organise my examination in a way that
9 avoids that, but just to reassure you, should any inadvertence occur and your identity
10 is mentioned in the public record, there are measures that the Court and the Chamber
11 can undertake to make sure that it is not divulged or expunged.

12 If you think there's an answer to a question that I ask you that might tend to reveal
13 your identity as well, just let us know -- just let us know that you have something
14 further to say or you have that concern and I will ask the presiding judge whether we
15 can proceed in private session. Private session simply means that for a temporary
16 period of time, we will be able to conduct your examination completely outside the
17 public realm.

18 If there is anything that I ask you that is not clear, please do not hesitate to let me
19 know. I will do my best to rephrase my question or reword it in a way that we can
20 better understand one another.

21 And, as Mr President has said, because our answers are being interpreted, it is
22 best -- questions and answers, rather, being interpreted, it's best that we try to pause
23 and speak a little bit more slowly than we might otherwise do. It's also important to
24 understand that because our questions and answers are being interpreted, there may
25 be different nuances or understandings about what is being asked and what is being

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 answered; so that may entail some repetition as well, just to be clear for the purposes
2 of the record.

3 Are you with me so far?

4 A. [9:37:37] Yes, I understand just fine.

5 Q. [9:37:43] I would like to start with some biographical information, and for that I
6 will ask Mr President to go into private session.

7 PRESIDING JUDGE SCHMITT: [9:37:52] Of course, private session.

8 (Private session at 9.38 a.m.)

9 THE COURT OFFICER: [9:38:00] We are in private session, Mr President.

10 MR VANDERPUYE: [9:38:16] Thank you.

11 Q. [9:38:19] Mr Witness, we are now in private session. Can you please state your
12 full name for the record.

13 Can you hear me okay?

14 A. [9:38:51] Yes, I can hear you just fine.

15 Q. [9:38:53] All right, can you please state your full name for the record.

16 A. [9:38:59] Yes, I can. I can -- may I go ahead?

17 Q. [9:39:08] Yes, please.

18 A. [9:39:11] Thank you. I am (Redacted).

19 I was born (Redacted).

20 Q. [9:39:28] If you could tell the Chamber what is your religion and what is your
21 ethnicity, please.

22 A. [9:39:39] I'm a Catholic, and I'm from the (Redacted) ethnic group.

23 Q. [9:39:52] I would just like to ask you a few questions about your current
24 situation, in particular, whether you have any concerns about your security regarding
25 your involvement in these proceedings. Do you have any such concerns?

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 A. [9:40:21] No, I don't have any security issues or concerns about my testimony.

2 Q. [9:40:28] Has anyone approached you regarding your possible cooperation or
3 testimony in this case?

4 A. [9:40:45] For now, no.

5 Q. [9:40:54] Have you been in contact with anybody that is associated with either of
6 the accused in this case or the Anti-Balaka as a group prior to your testimony today?

7 A. [9:41:19] Well, up until now, no. I have been in touch with a few *ComZones,
8 but not for the time being.

9 Q. [9:41:32] Thank you for that.

10 Let me ask you a bit about your background. I understand from your statement that
11 you attended (Redacted); is that right?

12 A. [9:41:47] Yes.

13 Q. [9:41:57] What did you study there?

14 A. [9:42:03] (Redacted)

15 (Redacted)

16 (Overlapping microphones)

17 Q. [9:42:22] When did you finish your studies?

18 PRESIDING JUDGE SCHMITT: [9:42:23] Mr Vanderpuye, can you please repeat,

19 there was overlap. So you were the first, yes, you know, not the last -- surely not the
20 last but the first.

21 MR VANDERPUYE: [9:42:35] It's early.

22 PRESIDING JUDGE SCHMITT: [9:42:36] Yes.

23 MR VANDERPUYE: [9:42:37]

24 Q. [9:42:38] When did you -- when did you finish your studies there?

25 A. [9:42:49] I think 2009 was when I finished studying at the University (Redacted).

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

- 1 Q. [9:43:02] (Redacted)
- 2 A. [9:43:13] Yes, that's correct.
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 (Redacted)
- 21 (Redacted) the protection of children.
- 22 (Redacted)
- 23 also violations of rights; (Redacted)
- 24 (Redacted)
- 25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 let's say, on a day-to-day basis?

2 A. [9:47:15] (Redacted) to protect children,

3 (Redacted) surveillance within the community, (Redacted) documented cases of

4 violation of children's rights; (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 A. [9:50:23] Yes. I believe that we were working in full cooperation with other

22 organisations involved in protection. We worked in partnership with other

23 organisations at the time.

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted) and so I would see them.
- 12 They would ask me questions and I, too, would ask them questions trying to
- 13 understand their situations -- their respective situations.
- 14 Q. [9:53:16] And did you continue to maintain contact with some (Redacted)
- 15 (Redacted)
- 16 A. [9:53:26] Yes, up until now I still have contact with (Redacted). We meet one
- 17 another, and I try to find out more about their situation; (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 (Redacted)
- 21 A. [9:54:12] (Redacted)
- 22 We meet with them and I ask them questions. I ask them how they're doing, and
- 23 they ask me questions, but I wouldn't say that there's a specific frequency at which we
- 24 meet.
- 25 Q. [9:54:42] Okay, that's helpful.

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 Do you know if (Redacted) also follow some (Redacted)

2 (Redacted)

3 A. [9:55:00] I don't know. But I can tell you what I know about my own activities,

4 (Redacted)

5 Q. [9:55:20] Okay, that's helpful.

6 Mr President, I think -- I'm going to ask some questions just about the statement in

7 general terms, I think that's about all I can do in open session at the moment. Then I

8 will have to go back into private session

9 PRESIDING JUDGE SCHMITT: [9:55:39] Yes, I think you are right, yes, okay. So

10 we can go to open session for the -- let's say, formal requirements.

11 MR VANDERPUYE: [9:55:48] Well, I don't think there are formal requirements in

12 this one.

13 PRESIDING JUDGE SCHMITT: [9:55:53] No, okay, yes, you're right. You're right.

14 Open session.

15 MR VANDERPUYE: [9:55:58] Thank you, Mr President.

16 PRESIDING JUDGE SCHMITT: [9:56:00] Not at all.

17 (Open session at 9.56 a.m.)

18 THE COURT OFFICER: [9:56:05] We are in open session, Mr President.

19 PRESIDING JUDGE SCHMITT: [9:56:20] Thank you.

20 MR VANDERPUYE: [9:56:23] Thank you.

21 Q. [9:56:25] Mr Witness, we're in open --

22 PRESIDING JUDGE SCHMITT: [9:56:32] If I may, because you said that would be

23 the only area that could be discussed in open session, but I could envision that you

24 are also discussing perhaps some photographs, videos or so. Wouldn't that be

25 a potential to do this in open session?

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 MR VANDERPUYE: [9:56:45] It could be. I have a note to myself to try to do that

2 and then follow with the questions in private session. But I will have to see how it --

3 PRESIDING JUDGE SCHMITT: [9:56:55] Okay, fine. Please continue.

4 MR VANDERPUYE: [9:56:59]

5 Q. [9:56:59] Mr Witness, we are in open session now, just to remind you not to say

6 anything that might identify you. I'm just going to ask you some questions about the

7 statement that you previously gave to the Office of the Prosecutor, which should not

8 identify you, so just be aware of that.

9 First thing is, do you recall meeting with the Office of the Prosecutor investigators in

10 March 2018?

11 A. [9:57:36] Yes, I do remember.

12 Q. [9:57:42] And do you recall that that took place in Bangui over the course of

13 several days in early March?

14 A. [9:57:55] Yes.

15 Q. [9:58:03] Do you recall providing certain documents to the investigators during

16 the time of your interview?

17 A. [9:58:16] Yes. Yes, I remember providing documents.

18 Q. [9:58:30] And do you confirm that at the time that you were interviewed, the

19 information you provided to the investigators was true and accurate to the best of

20 your knowledge?

21 A. [9:58:53] Yes. All the information that I provided is true and

22 accurate -- *everything that I provided was what I experienced.

23 Q. [9:59:09] I understand that you had an opportunity to read the statement which

24 resulted from your interview and that you made certain limited, I would say,

25 corrections to that statement recently. Is that right?

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 A. [9:59:37] Yes, that's correct.

2 Q. [9:59:41] Okay. Just to reassure you that we all have those corrections and we
3 have seen them here -- for the record, Mr President, they refer to CAR-OTP-0000-1378,
4 0001. It's a one-page document that refers to several corrections at various
5 paragraphs in the underlying statement, which is at tab 2 of the Prosecution binder,
6 CAR-OTP-2071-0259. Mr Witness, would you say that subject to the corrections that
7 you made, your statement from March 2018 reflects truthfully and accurately the
8 information that you conveyed during the course of your interview?

9 A. [10:00:57] Yes. When I looked over the information I provided, I saw that it
10 was accurate.

11 Q. [10:01:07] Okay, thank you for that. Now just as a point of clarification,
12 because it's not always clear for witnesses that testify, in this instance your oral
13 testimony in the court from today forward is the evidence that the Chamber will
14 consider in this case as opposed to your statement normally. And what that means
15 is, I may ask you questions that sound exactly like the questions you were asked
16 during your interview and may sound repetitive - and you may feel that you have
17 already answered them in the context of your statement - but the reason why I'm
18 asking those questions is because the evidence that you are giving orally is the
19 evidence that will be in the record of the case. So forgive me if I sound repetitive
20 when I ask you these questions.

21 Are you with me?

22 A. [10:02:18] I understand fully.

23 Q. [10:02:24] I would like to ask you some questions - and I think we can stay in
24 open session - about Mbaiki and, in particular, what Mbaiki was like at the end of
25 2013 into 2014. First of all, were you in Mbaiki at the time that the Anti-Balaka

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 arrived?

2 A. [10:02:59] I was in Mbaïki, yes.

3 Q. [10:03:09] And without telling us exactly what you were doing at that time, were
4 you in a position to observe when the Anti-Balaka arrived and the circumstances
5 surrounding that arrival?

6 A. [10:03:30] Thank you. I think that the circumstances when the Anti-Balaka
7 arrived in Mbaïki was at the moment when Djotodia, after he resigned, and when the
8 Seleka started to leave Mbaïki, there was a wave of Anti-Balaka who arrived. Once
9 the Muslims left Mbaïki, they set themselves up in the town of Mbaïki where they
10 were welcomed by the population. That's what happened in Mbaïki. That is what I
11 can tell you as regards the circumstances when the Anti-Balaka arrived in the town of
12 Mbaïki.

13 Q. [10:04:29] When the Anti-Balaka arrived in Mbaïki, what were the circumstances
14 facing the Muslim population that were living there at that time?

15 A. [10:04:54] Indeed, when they arrived in Mbaïki -- well, I think there was
16 a climate of revenge because in the beginning when the Seleka were there, and once
17 the Anti-Balaka arrived, the Christian population thought this was an opportunity to
18 give way to revenge. So all of a sudden the Muslims lost lots of their rights. That is
19 what I can tell you about the situation at that time.

20 Q. [10:05:37] Did the Anti-Balaka target the Muslim population in Mbaïki?

21 A. [10:05:53] Well, I think that it's true, there were some acts of revenge which took
22 place, but at a certain point of time that didn't last. *There was a military Chadian
23 contingent who came to Mbaïki with the aim of deporting these Muslim populations.

24 Q. [10:06:34] Did you notice or know of what happened to the houses that
25 belonged to Muslims in Mbaïki at around that time?

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 A. [10:06:51] The houses -- they were the houses of the Muslims. When they were
2 about to leave, other Muslims handed over their houses to individuals where they
3 had made some statement so that they could give their houses to other parties, but
4 other houses of the Muslims were taken over by Christians. That's what I myself
5 experienced. There were Muslims who made statements to hand over their houses
6 to other individuals, but other Muslims and their houses were taken over by the
7 Anti-Balaka and the Christians.

8 Q. [10:07:40] Were any houses damaged or destroyed?

9 A. [10:07:50] Yes. I think the mosque of Mbaïki, the central mosque, was
10 destroyed. Also, some houses were destroyed.

11 Q. [10:08:08] By whom?

12 A. [10:08:11] I think the destruction of the mosque was done by the Anti-Balaka,
13 but also perhaps there were some Christians involved as well.

14 Q. [10:08:29] You mentioned that the Muslim population left Mbaïki at some point.
15 Did you actually see the population leaving the town?

16 A. [10:08:47] Yes. I was even present when the Muslims left Mbaïki. At the
17 point of time when the military Chadian contingent came and provided vehicles to
18 transport them, I was present when they were being embarked onto the vehicles.

19 Q. [10:09:11] And what did you see? What kind of vehicles were involved and
20 how many people were involved, if you can recall?

21 A. [10:09:28] *The vehicles were large lorries, they were CBH with Chadian soldiers.
22 They had come to take away this Muslim population. There were big vehicles, big
23 lorries, CBH.

24 Q. [10:09:55] How many trucks would you say you saw?

25 A. [10:10:02] There were many trucks. I can't really tell you the number, but there

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 were many of them.

2 Q. [10:10:17] And how many Muslims would you say were on those trucks, or left
3 the town?

4 A. [10:10:32] Well, I don't know the exact number. I don't have the exact number,
5 but there were many because all the Muslims of the eight communities of Mbaïki
6 were in the port -- were about to leave. So there were many, many Muslims who
7 were leaving.

8 Q. [10:11:01] Did you at any point before this have dealings with members of the
9 Muslim community?

10 A. [10:11:20] Yes, but before these events, with the members of the Muslim
11 community, we lived happily together. We -- we got on very well.

12 Q. [10:11:45] Before the Muslims were evacuated from Mbaïki, were you aware if
13 Muslims were coming into Mbaïki from nearby villages and towns?

14 A. [10:12:07] Yes, because when the Seleka left, *when the Anti-Balaka came into
15 Mbaïki and suddenly all the Muslims of the surrounding areas came because they
16 wanted to be evacuated. They focused in the town of Mbaïki. They concentrated
17 themselves there.

18 Q. [10:12:39] And are you able to estimate the numbers of Muslims that might have
19 been involved?

20 A. [10:12:53] These are figures -- these are numbers I don't know. I can't tell you
21 precise figures.

22 Q. [10:13:13] Okay, that's fair enough. Thank you -- thank you for that. You said
23 that when the Anti-Balaka -- at a certain point the Anti-Balaka installed themselves in
24 the town, in a particular location. Do you recall where they -- where they installed
25 themselves once -- when they arrived in Mbaïki?

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 A. [10:13:41] *I think when they arrived in Mbaïki, they stayed close to the town
2 hall, they had taken the former telecommunication building as their base just next to
3 the town hall of Mbaïki.

4 Q. [10:14:08] Do you have an indication or can you estimate the number of
5 Anti-Balaka that arrived and stayed in those areas?

6 A. [10:14:27] There were many of them. There were many of them. I think that
7 there are quite a lot of them.

8 Q. [10:14:41] Okay, that's helpful. Now, the town hall, what was that normally used
9 for before the Anti-Balaka arrived?

10 MS DIMITRI: [10:14:59] I'm sorry.

11 PRESIDING JUDGE SCHMITT: [10:14:59] Yes.

12 MS DIMITRI: [10:15:01] Just a clarification. The witness didn't say the "town hall".
13 He said it's the building used for telecommunication "next to the town hall". That's
14 what I heard in French.

15 PRESIDING JUDGE SCHMITT: [10:15:09] Well, there's a difference, of course.

16 Thank you very much. Exactly, I have it also here in the transcript, yes.

17 MR VANDERPUYE: [10:15:22] Yes, in English it says that, and, "also the
18 telecommunication building [...]" But maybe he can clarify it. That's what it was in
19 English anyway.

20 PRESIDING JUDGE SCHMITT: [10:15:32] Perhaps we can ask the witness.

21 MR VANDERPUYE: [10:15:34] No problem.

22 Q. [10:15:35] Mr Witness, can you clarify where it is that the Anti-Balaka stayed
23 after they arrived in Mbaïki?

24 A. [10:15:48] I think when they arrived in Mbaïki, in the beginning, they set
25 themselves up because there was an old building of the telecommunications which

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 was next to the town hall. When they arrived, they stayed over there and then they
2 scattered to the different neighbourhoods to other buildings, which they took over so
3 that they could have shelter in those various buildings.

4 Q. [10:16:20] Okay, that's helpful as well. I think my question was before -- first of
5 all, how close to the town hall was this telecommunications building?

6 A. [10:16:44] The distance -- well, it might be 50 to 100 metres. *These buildings are
7 very close.

8 Q. [10:17:07] Where was the mayor's office located?

9 A. [10:17:18] The mayor's office was in the town hall of Mbaïki.

10 Q. [10:17:27] And what about the deputy mayor's office?

11 A. [10:17:36] *All the offices of the members of the team of the municipality were
12 housed in the town hall of Mbaïki.

13 Q. [10:17:51] I see. I'd like to ask you about an event concerning the second
14 deputy mayor of Mbaïki, in particular, his death at the end of February 2014. Do
15 you know about the death of Djido Saleh?

16 A. [10:18:36] I was in Mbaïki when the Anti-Balaka assassinated or killed Saleh.
17 And was at the crossroads of the roundabout in moving towards the prefecture.
18 That's where they killed Djido Saleh and I was in that neighbourhood.

19 PRESIDING JUDGE SCHMITT: [10:19:07] Ms Guissé.

20 MS GUISSÉ: [10:19:13](Interpretation) Thank you, your Honour. I note that as far
21 as this subject is concerned as regards Mbaïki, it has not been put in the statement, so
22 I didn't know that he was going to talk about it with this witness. So I don't know
23 how long the Prosecution is going to talk about this subject and what is his line of
24 questioning on that, but you should be bear in mind the time which was mentioned
25 by the Prosecution and, obviously, the impact that it will have on us, because we

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 could not anticipate that question.

2 PRESIDING JUDGE SCHMITT: [10:19:48] You know, it's a sort of a service when the
3 parties give everyone -- the judges and the other party -- an indication what they are
4 going to ask. But if we have a witness here in the room who might have information
5 on a subject that might be of interest for the Court to determine the truth, we do not
6 shut our ears and blind our eyes so to speak.

7 Mr Vanderpuye, it's clear that you will have one or two follow-up questions on that;
8 for example, what did he really see, where did this information come from and that's
9 it on that subject. And, of course, you will have the time to dwell into that too.

10 Yes, please, Mr Vanderpuye.

11 MR VANDERPUYE: [10:20:35] Thank you, Mr President.

12 Q. [10:20:38] Mr Witness, I think you've heard the concerns expressed both by the
13 Defence lawyer and Mr President.

14 PRESIDING JUDGE SCHMITT: [10:20:48] That was not a concern what I --

15 MR VANDERPUYE: [10:20:51] Instruction.

16 PRESIDING JUDGE SCHMITT: [10:20:53] Yes, indeed. I would have worded it
17 this way, yes.

18 MR VANDERPUYE: [10:20:57] Yes.

19 Q. [10:20:58] How is it that you came to know about the death of Djido Saleh and,
20 in particular, that the Anti-Balaka had to do with his murder?

21 A. [10:21:18] *I think that we were in the neighbourhood at the time when the
22 second deputy mayor Djido... so according to rumours that we had heard in the
23 neighbourhood, we had heard that the Anti-Balaka had taken the second deputy
24 mayor, Djido, and killed him. And they even took his penis. They cut it. There
25 were some women who were amongst the Anti-Balaka, ... killed ... And after they

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 cut off his penis, and they took that and walked around with it. And the people who
2 said what was happening -- and, that's how we all learnt what was happening and
3 that Djido had been killed by the Anti-Balaka. And they also walked around with
4 his penis, and that's how we knew what had happened.

5 PRESIDING JUDGE SCHMITT: [10:22:22] So we can take it from that, that the
6 witness is not an eyewitness. Mr Witness, you had not seen the events yourself, is
7 that correct?

8 THE WITNESS: [10:22:35](Interpretation) That's true.

9 PRESIDING JUDGE SCHMITT: [10:22:38] Can you be perhaps a little bit more
10 specific, where you did get the information from? Were these people from the
11 neighbourhood? You know what I mean. Were these friends, whoever? Do you
12 know who told you what had happened?

13 THE WITNESS: [10:23:00](Interpretation) As I said, I was in the neighbourhood
14 when he was killed. Everyone -- the majority of the population was aware of his
15 death, and we were in the forest and we were told that Djido has been assassinated or
16 killed by the Anti-Balaka. His body was left at the crossroads, and perhaps
17 somebody came there and ordered to bury him and that's -- some elements of the Red
18 Cross came and -- in order to bury him, and that's how we got to know about what
19 had happened when we were in the forest.

20 PRESIDING JUDGE SCHMITT: [10:23:52] Thank you, Mr Witness.
21 Mr Vanderpuye, please.

22 MR VANDERPUYE: [10:23:57] Just one question.

23 PRESIDING JUDGE SCHMITT: [10:23:58] Yes, of course, I can imagine.

24 MR VANDERPUYE: [10:23:58]

25 Q. [10:23:59] The people or -- the people that brought that information to you, were

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 these people who were present at the time that he was killed?

2 A. [10:24:17] Well, you know, when he was killed, there were some people who
3 came to look and it's those people who left and informed everybody in the
4 neighbourhood, "Look, he's been killed and the body is at the crossroads of the
5 roundabout." And that's how we all got to hear -- got to hear about his death.

6 Q. [10:24:44] Okay, that's helpful.

7 After you heard about his death, is this something that you ever discussed with say,
8 members of the Anti-Balaka at a later point?

9 A. [10:25:04] I didn't understand the question fully. Could you please repeat it.

10 Q. [10:25:17] I'll ask it, but I think I would like to go into private session, if I could,
11 Mr President.

12 PRESIDING JUDGE SCHMITT: [10:25:27] Yes, I think that is safer. Private session.
13 (Private session at 10.25 a.m.)

14 THE COURT OFFICER: [10:25:39] We are in private session, Mr President.

15 PRESIDING JUDGE SCHMITT: [10:25:52] Perhaps, Mr Vanderpuye, if you allow
16 me to just -- I think it can be hopefully done quick. Mr Witness, we know from your
17 statement that (Redacted)

18 (Redacted) Did you at any point in time discuss this murder of Djido Saleh with any
19 of them?

20 THE WITNESS: [10:26:21](Interpretation) No. I didn't talk to any members as
21 regards the death of Djido. They were very influential, so I couldn't ask them these
22 types of questions.

23 PRESIDING JUDGE SCHMITT: [10:26:39] Okay.

24 Mr Vanderpuye, can we go back to open session? Or do you prefer to --

25 MR VANDERPUYE: [10:26:45] Yes, I was actually going to go into now his --

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 PRESIDING JUDGE SCHMITT: [10:26:48] Okay. Then please continue here, now
2 in private session.

3 MR VANDERPUYE: [10:26:51] Thank you, Mr President.

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 Q. [10:30:44] (Redacted)

5 (Redacted). What specifically did UNICEF (Redacted)

6 A. [10:31:24] UNICEF wanted (Redacted) the withdrawal of these children from the

7 Anti-Balaka so that these children might return to their families. So we were to help

8 with -- we were to withdraw these children or take these children from the

9 Anti-Balaka and ensure that they went back to their families.

10 Q. [10:32:00] Did they give you any indication as to the ages of the children that

11 they were interested in, (Redacted)

12 for anyone who was not of the age of majority?

13 A. [10:32:20] I believe that (Redacted) with all the children under the age of

14 majority -- under 18. They were to be taken away from the group -- removed from

15 the group.

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 Q. [10:33:48] To your knowledge, (Redacted)

23 that was engaged by UNICEF in order to remove children from the Anti-Balaka or

24 other armed groups?

25 A. [10:34:10] Well, there were many institutions from civil society. (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted) UNICEF had signed two contacts (Redacted) and with the ministry of
2 social affairs through the -- (Redacted)
3 (Redacted)

4 So UNICEF had signed memorandums of agreements with these two
5 organisations -- (Redacted) the ministry of social affairs.

6 Q. [10:35:17] Okay, that's helpful.

7 You mentioned a moment ago that at some point you went to (Redacted).

8 A. [10:35:34] Yes.

9 Q. [10:35:35] Can you tell the Chamber what you saw there?

10 A. [10:35:50] When I got to (Redacted), indeed, there were children at the
11 roadblocks -- children at the roadblocks. Once -- given the presence of these children,
12 I contacted (Redacted)

13 I got into touch (Redacted) and I tried to talk to him about the presence of the children
14 (Redacted)

15 (Redacted)

16 (Redacted)

17 THE INTERPRETER: [10:36:58] "(Redacted)" -- correction from the booth.

18 MR VANDERPUYE: [10:37:00]

19 Q. [10:37:01] Okay. And before we get to that, let me just ask you about these
20 children that you saw at the roadblocks or at the roadblock.

21 First of all, do you recall how many children you saw approximately?

22 A. [10:37:28] In principle, at first I believe I saw about 50 children when I was in
23 (Redacted). I would say about 50. I saw those children with my own eyes. There
24 were also children within the camps because you see there were the various
25 roadblocks. So I would say (Redacted), I saw about 50 children and I met with them

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 at first -- (Redacted)

2 Q. [10:37:56] And what led you to the conclusion that they were associated with the
3 Anti-Balaka?

4 A. [10:38:18] They were amongst them. Some were at the roadblocks, some
5 were -- some of them were running errands. There were many of them. So there
6 were many children amongst them; some were spies and -- so several children, many
7 children were active amongst them.

8 Q. [10:38:45] How were they dressed? Were they in uniform? Were they in
9 civilian clothes? Were they, you know, ordinary looking or did they look like they
10 had been in the group in any other particular way?

11 A. [10:39:16] Some children were wearing military garb, they were wearing
12 gris-gris. So they had military clothes and they also had gris-gris -- they were
13 wearing gris-gris.

14 Q. [10:39:37] What, if anything, did you see them doing at the roadblock,
15 specifically at the time that you saw --

16 A. [10:39:47] Could you repeat the question.

17 Q. [10:39:51] Yes, sorry.

18 What did you see them doing specifically at the roadblock when you were there?

19 A. [10:40:07] At the roadblocks, the children were sometimes extorting people for
20 money. People would go by and they would hit them up for money -- extort money
21 from them. So they were there to collect money from people, so that they could
22 provide food to other children and other Anti-Balaka members in the camp. So that
23 is what they were doing at the roadblocks.

24 Q. [10:40:45] Did you have an opportunity on that occasion to speak to any of the
25 children?

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 A. [10:41:00] At the time, it was not easy to speak to these children. As I told you,
2 they played multiple roles, some were spies; so it wasn't easy to speak to those
3 children. It wasn't easy to speak to those children at the time.

4 Q. [10:41:27] And if you are able to estimate, what would you say was the range of
5 ages of the children that you saw?

6 A. [10:41:47] The range of ages, as far as I know, there were children who might
7 have been 14 or 15 or 16 -- 13, 14, 15, let's say 16. That was the range.

8 Q. [10:42:13] And how do you come to that conclusion? Was it the way they
9 looked? Was it things that they said? How did you draw the conclusion that the
10 kids ranged from 13 to 16?

11 A. [10:42:41] It wasn't a conclusion. The children were questioned and they
12 themselves gave their ages. So at the time it -- it was not an easy matter to actually
13 find a child's birth certificate; so the children would say, I'm 14, I'm 15. (Redacted)
14 (Redacted)

15 PRESIDING JUDGE SCHMITT: [10:43:14] Before the next question, Ms Guissé,
16 please.

17 MS GUISSÉ: [10:43:18](Interpretation) Thank you, your Honour. Just to clarify one
18 point. It may not be clear to the witness, judging by his answer -- the Prosecutor was
19 asking him about the roadblocks and when he saw the children, and judging by his
20 answer, he said that he didn't interact -- he didn't speak to the children. And now he
21 seems to be giving information he received later.

22 So perhaps we should clarify the actual time with the witness so that we don't have
23 any misunderstandings.

24 PRESIDING JUDGE SCHMITT: [10:43:58] Yes, I appreciate that, but you could also
25 say that the witness's knowledge or not knowledge or assumption of the age of the

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 children -- the young people, derived from what they told him; so -- but we can -- but
2 I agree that we can still be more specific here.

3 Mr Vanderpuye, you can ask specifically, a roadblock -- because when we come to the
4 roadblocks, the information that he, so to speak, absorbs might be different than when
5 it comes to the children (Redacted). So I think this is what you are heading at, so I
6 agree with you.

7 Yes, Mr Vanderpuye.

8 MR VANDERPUYE: [10:44:49] Thank you.

9 Q. [10:44:50] Yes, Mr Witness, what I'm referring to at this moment, is, what your
10 impressions of those children were when you first saw them at the roadblock. So
11 with respect to when you first saw them at the roadblock at (Redacted), if you were
12 able to estimate the range of ages of the kids you saw.

13 A. [10:45:18] Thank you. I believe that the estimate -- well, I saw some children
14 who were 14, children who were 15, children who were 16 amongst them. That is
15 what I saw with my own eyes.

16 Q. [10:45:39] Thank you, that's --

17 PRESIDING JUDGE SCHMITT: [10:45:40] And then perhaps, Mr Witness, when you
18 say you saw it with your own eyes - and we are not talking about now about
19 information that you got from the children (Redacted)
20 (Redacted) but is this based on your personal impression of them, you know,
21 appearance? Like Mr Vanderpuye already indicated, you see what I mean? Where
22 does this impression come from? How did you figure that out for yourself?

23 THE WITNESS: [10:46:20](Interpretation) (Redacted)

24 (Redacted) removed them from the groups and placed them (Redacted) - I believe
25 they were all brought to doctors, so that they might confirm the children's ages - but

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 at first when I saw them, this is what I told you, (Redacted) removed them from the
2 groups -- from these armed groups, (Redacted)
3 and there was a doctor (Redacted) he provided a* certificate of apparent age for each
4 child. (Redacted)

5 PRESIDING JUDGE SCHMITT: [10:47:19] So we have a sort a holistic assessment,
6 but the first impression was by appearance, like what we all would do if we
7 would -- if we didn't have any other information, that it would be asked later on.
8 Mr Vanderpuye.

9 MR VANDERPUYE: [10:47:33] Thank you, Mr President.

10 Q. [10:47:35] Thank you, Mr Witness, for that clarification.

11 I'm going to try and go step by step through the -- through the process with you.
12 So you've seen them at the roadblock. You've seen them wearing uniforms and
13 gris-gris. (Redacted)

14 A. [10:48:02] *Indeed. After getting that information, they were wearing gris-gris
15 and (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted) UNICEF and the ministry of social affairs; (Redacted) to certify the
19 presence of these children.

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 A. [10:49:20] (Redacted) After the UNICEF report, (Redacted)

24 an identification form (Redacted)

25 It was a form that would allow the armed groups, if they had children amongst them,

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 to fill out the form and -- so you see, UNICEF (Redacted) with these identification
2 forms (Redacted)
3 (Redacted)
4 (Redacted)
5 A. [10:50:14] *Thank you. I believe -- well, it was just in passing, that is when I
6 met (Redacted)
7 (Redacted)
8 (Redacted) for child protection. And we said that during armed conflicts, children must
9 not take part and that I said, "Well, we hear that there are children amongst you."
10 (Redacted)
11 (Redacted)
12 (Redacted)
13 (Redacted)
14 (Redacted)
15 (Redacted)
16 (Redacted)
17 A. [10:51:45] (Redacted)
18 (Redacted) the various identification forms.
19 (Redacted)
20 the forms (Redacted), "These are the identification forms for the children that are
21 being used by the armed groups."
22 (Redacted)
23 and identify these children himself, and then they would draw up a list (Redacted)
24 (Redacted)
25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 Q. [10:53:15] (Redacted)

6 were aware that there were children in the group, (Redacted)

7 (Redacted)

8 A. [10:53:38] (Redacted)

9 but in principle children were not supposed to be in their areas. (Redacted)

10 (Redacted) and so (Redacted) release some children.

11 (Redacted)

12 (Redacted)

13 PRESIDING JUDGE SCHMITT: [10:54:14] May I, Mr Vanderpuye. (Redacted)

14 (Redacted)

15 how these children, (Redacted) end up in the group? (Redacted), how they became

16 part of the group? (Redacted)

17 THE WITNESS: [10:54:38](Interpretation) (Redacted)

18 (Redacted) that other children, that they themselves had enlisted to get

19 revenge -- vengeance for what had happened to their parents. *But now other

20 children had themselves recruited these children. Those (Redacted)

21 (Redacted)

22 So when it came to forced -- it was not a case of a forcible enrolment; rather, the

23 children came to get revenge for what had happened to their parents who were

24 massacred -- killed by the Muslims.

25 PRESIDING JUDGE SCHMITT: [10:55:39] Thank you, Mr Witness.

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 Mr Vanderpuye.

2 MR VANDERPUYE: [10:55:44] Thank you, Mr President.

3 Q. [10:55:48] (Redacted) how many children were in the group, more or less?

4 A. [10:55:59] Initially, (Redacted) give the exact number. (Redacted)

5 (Redacted)

6 (Redacted) with a particular -- a particular number, 195 children.

7 (Redacted)

8 so we were looking at a number of 195 children.

9 Q. [10:56:39] (Redacted)

10 (Redacted) the number of children (Redacted)

11 were their ages discussed? Did he say how old they were?

12 A. [10:57:19] (Redacted)

13 "All the children aged between 0 and 18 years, children of those ages are not

14 supposed to be within -- with them. All children aged 0 to 18 needed (Redacted)."

15 And, (Redacted) ESF, (Redacted) in the process for identifying children, the children

16 could be identified (Redacted). And after identification, (Redacted) the certification,

17 and, you see, (Redacted) to determine whether those children had been enrolled or

18 not and (Redacted) determine the true number of children.

19 Q. [10:58:28] Do you remember an individual named (Redacted)?

20 A. [10:58:46] *Yes. They were all ComZones and (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 PRESIDING JUDGE SCHMITT: [10:59:23] I think this will be a line of questioning

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 which will not be finished in, I think, in one minute, I would assume. So can we
2 defer that until after the break?

3 MR VANDERPUYE: [10:59:35] Yes, Mr President.

4 PRESIDING JUDGE SCHMITT: [10:59:36] Okay, then let's have the coffee break
5 until 11.30. Thank you.

6 THE COURT USHER: [10:59:42] All rise.

7 (Recess taken at 10.59 a.m.)

8 (Upon resuming in private session at 11.33 a.m.)

9 THE COURT USHER: [11:33:38] All rise. Please be seated.

10 PRESIDING JUDGE SCHMITT: [11:33:53] Mr Vanderpuye, you still have the floor.

11 MR VANDERPUYE: [11:34:04] Thank you, Mr President.

12 Q. [11:34:07] Good morning, again, Mr Witness.

13 A. [11:34:12] Thank you.

14 PRESIDING JUDGE SCHMITT: [11:34:15] If I may, Mr Vanderpuye, please keep in
15 mind when we can have chunks of open session. Well, I'm just trying --

16 MR VANDERPUYE: [11:34:31] It's a bit difficult, to be honest with you.

17 PRESIDING JUDGE SCHMITT: [11:34:34] Yes, I understand.

18 MR VANDERPUYE: [11:34:35]

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 THE WITNESS: [11:47:26](Interpretation) (Redacted)

20 (Redacted) What is the definition of a child?

21 According to UNICEF, the children -- so with those ideas (Redacted) liberate those
22 children.

23 PRESIDING JUDGE SCHMITT: [11:47:55] And now if -- can you be perhaps a little
24 bit more concrete, because that's indeed a very good question that you also indicate in
25 your answer, what is a child? And what was about -- (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted) what age range (Redacted) referring to when (Redacted)

2 (Redacted)

3 THE WITNESS: [11:48:21](Interpretation) Indeed, I think that (Redacted)

4 (Redacted) as regards the idea of a child, and (Redacted)

5 (Redacted) with the releasing of those children."

6 PRESIDING JUDGE SCHMITT: [11:48:47] Well, we still don't have an age range, but

7 perhaps the Defence will pick that up again and -- you don't? Okay, good.

8 MS GUISSÉ: [11:49:02](Interpretation) Your Honour? Sorry. For the records, it

9 was very clear. The witness said that for him, these children were children less of 18

10 years old. I think that, perhaps, that we don't get another answer because that's just

11 what he said previously.

12 PRESIDING JUDGE SCHMITT: [11:49:17] Indeed, and -- but it's also, of course, of

13 importance what your client might have thought or what to understand by children,

14 but we are not more specific here. We don't -- I think we don't get to hear a more

15 clear answer, but of course we have recognised his answer that 0 to 18 was the

16 understanding.

17 Yes, Mr Vanderpuye.

18 MR VANDERPUYE: [11:49:44] Thank you, Mr President.

19 Q. [11:49:50] (Redacted) that you had seen children from 13, 14, 15, 16 at the

20 checkpoint? (Redacted)

21 A. [11:50:10] Yes. (Redacted) the presence of the children.

22 (Redacted) everything about the different age ranges, (Redacted).

23 Q. [11:50:32] (Redacted)

24 A. [11:50:38] (Redacted) there were children within the group and those children

25 played different roles. (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 the liberation or the release of those children.

2 Q. [11:51:05] (Redacted)

3 advantage there would be in releasing those children or not?

4 A. [11:51:34] (Redacted)

5 We talked about the advantages of releasing the children, because the children who
6 were there -- (Redacted) that the children be liberated or released so that they would
7 have a future in the country.

8 PRESIDING JUDGE SCHMITT: [11:52:00] (Redacted)

9 (Redacted) that an advantage would be that the children would have a future, a better
10 future?

11 (Redacted)

12 THE WITNESS: [11:52:21](Interpretation) I don't know what (Redacted) motivation
13 was (Redacted)

14 the importance for the children, for the country, (Redacted)
15 to the release of those children.

16 PRESIDING JUDGE SCHMITT: [11:52:47] Thank you for this very differentiated
17 answer, I have to say.

18 Mr Vanderpuye, please.

19 MR VANDERPUYE: [11:52:55] Thank you, Mr President.

20 Q. [11:52:56] Was there any (Redacted)

21 (Redacted) to the group itself?

22 Never mind the kids, never mind the society, never mind peace, but to the group
23 itself, was there any advantage for them to surrender those children?

24 A. [11:53:31] No, there wasn't an advantage. No, there wasn't an advantage. It
25 was only a question of the future of our society and our country; that was the issue.

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 Q. [11:53:50] Okay. (Redacted)

2 -- that is, the possible advantage to the group itself?

3 A. [11:54:08] No. There was no advantage of the Anti-Balaka (Redacted)

4 (Redacted) will the children have any compensation?

5 (Redacted)

6 it was a question of reintegration.

7 Q. [11:54:32] What do you mean by "compensation", and who raised that issue?

8 A. [11:54:47] I think the question was raised (Redacted)

9 "Will UNICEF -- thought about a sum of money for compensation of the children?"

10 (Redacted) give a sum of money for each child and (Redacted),

11 "No. This is a (Redacted) of social care and a (Redacted) of reintegration."

12 So it wasn't a question of indemnity or compensation for the children, (Redacted),

13 "No. This is a (Redacted) of caring and of support for the children and also for their

14 reintegration into society."

15 Q. [11:55:40] Okay. I'd like to ask you some questions about the identification

16 forms. Let me show you tab 4 of the Prosecution binder, (Redacted).

17 Can you see the document on the screen in front of you now?

18 A. [11:56:41] Yes, I can see the document.

19 Q. [11:56:50] Is this the identification form that you referred to?

20 A. [11:57:02] Yes.

21 Q. [11:57:07] And this is the type of form (Redacted)

22 (Redacted)

23 A. [11:57:22] That's right. That is the sheet (Redacted).

24 Q. [11:57:28] Can you tell us who developed this form, if you know?

25 A. [11:57:37] It's UNICEF, it's the United Nations who created this form and made

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 it available to all the organisations who were working in the area of the protection of
2 the child. It's UNICEF (Redacted).

3 Q. [11:58:02] Okay. And so it was the zone commanders and such who filled in
4 the information in these forms, is that right?

5 A. [11:58:24] Yes, indeed. (Redacted)

6 (Redacted)

7 (Redacted) were responsible to fill in the form. (Redacted)

8 (Redacted) a briefing to the different ComZones who had the forms

9 and -- (Redacted)

10 (Redacted)

11 Q. [11:59:04] I see. And so (Redacted) how to fill out the form,
12 is that it?

13 A. [11:59:15] Yes.

14 Q. [11:59:19] On the right top of this screen in front of you, is an indication for the
15 name of the commander of the battalion or the protection agent -- child protection
16 agent, what is that supposed to denote?

17 A. [11:59:40] Yes. May I answer?

18 Q. [11:59:50] Yes, please.

19 A. [11:59:53] In the sheet, if it is the commander of the ComZone, he would put his
20 name down. (Redacted)

21 (Redacted) That -- we had two blocks, so if the ComZone was doing it himself, he
22 would put his own name there.

23 Q. [12:00:32] And if the ComZone wasn't the one doing it, whose name would go
24 there?

25 A. [12:00:43] Within their groups -- (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted) It was someone who was educated. So that person would go from one
2 locality to the next to help fill out these forms. (Redacted)

3 (Redacted) and he was in charge of filling out the forms in the various localities.

4 (Redacted) So these were educated people who could help filling out the forms.

5 (Redacted)

6 Q. [12:01:37] Once these forms were filled out and the children -- their names listed
7 in these forms, was it then that it was provided (Redacted) by the zone commanders
8 or the group itself?

9 A. [12:02:03] *I believe that once they had filled out the forms, (Redacted)

10 (Redacted) I had come to submit the forms to UNICEF. So that, that is just an
11 identification form. The difference, you see, is that this form was to determine
12 whether the children were within their area. (Redacted) submit these forms to
13 UNICEF.

14 Afterwards UNICEF trained us in certification techniques. Because it's possible to
15 identify a child, but during certification we wanted to determine whether the child
16 met the criteria, whether the child had been recruited, --his age, whether he was
17 under 18; so after identification there was a lot of information that (Redacted)
18 obtain for certification. (Redacted) to file all of the identify forms with UNICEF
19 where they remain to this day.

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 Q. [12:38:16] Among the children (Redacted),

12 did you see children that corresponded to the age range (Redacted), between 12, say,

13 and 17 or 18?

14 A. [12:38:35] Yes.

15 Q. [12:38:42] Did you see children that were about 12 years old to your estimation?

16 A. [12:38:53] Yes.

17 Q. [12:38:56] About how many children of about that age did you see at that time?

18 A. [12:39:11] I can't give you a precise figure for the moment.

19 Q. [12:39:18] And insofar as your estimation or impression of their age, what was

20 that based on? Just their size? Or anything else?

21 A. [12:39:39] Their size as well, but when you looked at them, physically, they were

22 small children. Size, also their physical aspect. They were small children.

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 Q. [12:44:14] I'd like to ask you some questions about the verification process which
10 you indicated followed the identification process, which required the ComZones and
11 the zone commanders to fill out certain forms (Redacted).

12 So for the purposes of the verification, can you tell the Chamber, just outline what the
13 process was on (Redacted) if the identified children were associated with the group.
14 (Redacted) -- how was that done?

15 A. [12:44:54] Thank you. I think there's a difference between the process of
16 verification and that of identification. So verification, when I said in the beginning
17 UNICEF (Redacted) so that we could certify a fact, whether it was recruited in an
18 armed group or whether that child was not recruited.

19 So during this verification process, (Redacted)

20 (Redacted)

21 (Redacted) gather all these children together in an area where each verifier could have
22 an interview with the child.

23 After that, the verifier would make sure whether the child responded to the criteria,

24 because a series of questions would be put to each child to see whether -- how the

25 child was recruited, whether it played a military role, what that child did in the group.

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 So after having gathered all this information, the verifier would say that this is a child
2 that was recruited or was not recruited. (Redacted)

3 (Redacted)

4 That's the difference.

5 Q. [12:46:54] That's very helpful.

6 With respect to -- I just want to clarify something. In your last answer, you said that:

7 (Redacted)

8 (Redacted)

9 So with respect to getting the children in an area where they could be interviewed,
10 how did that occur? (Redacted)

11 A. [12:47:42] I think that by carrying out the verification in each locality -

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 an interview for each child with the verifier. (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 Q. [12:49:27] Okay, thank you, that makes it clearer.

2 (Redacted)

3 (Redacted)

4 A. [12:49:50] Yes. This was under the aegis of UNICEF. UNICEF was there,

5 (Redacted)

6 That's how we organised this verification process, (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 A. [12:50:52] I think during the verification process, (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 So the ComZones were not involved in the verification process. (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 Q. [12:54:18] Let me just show you a document, it's at tab 5, CAR-OTP-2071-0278.

17 Can you see the document on the screen in front of you now?

18 A. [12:54:53] Yes, I can see it.

19 Q. [12:54:58] Okay. What is it? (Redacted)

20 (Overlapping microphones)

21 A. [12:55:06] That is -- is the verification sheet for the individual of each child
22 associated with the armed groups. This is the verification form or the certification
23 form. So this has two different names, either individual verification sheet or
24 certification sheet.

25 Q. [12:55:34] Okay. And this is what is required to be filled out by the verifiers

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 with respect to each child, is that right?

2 A. [12:55:46] Yes. Yes, yes, yes, that's correct, for each child.

3 Q. [12:55:57] These verification sheets, once they were completed, what was done
4 with them?

5 A. [12:56:04] Very well. Once the verifier had filled in the form, there was a part
6 of a conclusion at the bottom of the sheet. At the bottom, the verifier will say
7 whether the child meets the criteria and can enter into the process. So there's
8 the -- at the bottom of the interview, the verifier will tick yes or no. If yes, then the
9 child (Redacted). If no, perhaps the child was older, so the child was not recruited
10 and that -- then the verifier would say no at the end. And after that, they will look at
11 the number of the children that were certified who would enter into the (Redacted) of
12 reintegration.

13 PRESIDING JUDGE SCHMITT: [12:57:02] And Mr Witness, do you know
14 where these forms, when they were filled out, also with the result, (Redacted)
15 (Redacted)

16 THE WITNESS: [12:57:25](Interpretation) (Redacted)
17 (Redacted). The sheets were all compiled and were handed over to UNICEF.

18 PRESIDING JUDGE SCHMITT: [12:57:34] And I think the same would be of interest
19 with regard to the identification sheets. Mr Witness, you know, we are now speaking
20 about the verification sheets, but earlier on we discussed the identification sheets. Do
21 you know what happened to them? Did they also end up with UNICEF?

22 THE WITNESS: [12:57:56](Interpretation) Yes. All the sheets -- all the forms ended
23 up with UNICEF.

24 PRESIDING JUDGE SCHMITT: [12:58:04] Thank you.
25 Mr Vanderpuye.

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 MR VANDERPUYE: [12:58:08] Thank you, Mr President.

2 Q. [12:58:10] Just one follow-up on that, with respect to these two types of sheets,
3 the identification form and the verification form, (Redacted)?

4 A. [12:58:32] Yes, indeed. (Redacted)

5 since UNICEF has the mandate, (Redacted) that were handed over and given to
6 UNICEF.

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 MR VANDERPUYE: [12:59:55] Just two quick questions before --

17 PRESIDING JUDGE SCHMITT: [12:59:57] Of course, of course, yes.

18 MR VANDERPUYE: [12:59:59]

19 Q. [12:59:59] You referred to information at the bottom of the sheet, so maybe we
20 can go to the bottom of the sheet and take a look at it. Here, I can see --
21 Just a little bit up, that's perfect.

22 Here, I can see a date of verification at the bottom on the left, the name of the verifier,
23 the organisation and the signature of the verifier. For each sheet that
24 information -- was that information filled in (Redacted)?

25 A. [13:00:39] Yes. All that information was filled in on each form. So in principle,

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 what's very important is that at the bottom of the page, you have the NB, nota bene,
2 and there, it says: "Refer to the list" -- sorry, it's a bit hazy.
3 Do you see that point? Go down a bit, "NOTA BENE". No, go up a bit. "NOTA
4 BENE", that part, the verifier -- it says:
5 "NOTA BENE: Refer to the list of questions -- (Redacted)".
6 And then there's a "Category" and you also see "Orientation". You see adult or
7 a child that's separated and not accompanied; a child that's separated and
8 accompanied. There's the various categories, and you check the box and that
9 determines whether the person is -- whether the child is eligible or not for the
10 programme. I was telling you about that earlier.

11 PRESIDING JUDGE SCHMITT: [13:02:06] I think -- yes, thank you very much for
12 showing us this nota bene. And in there, there is referred to a list of questions of
13 verification, and I understand that this is a list of questions that is apart from this
14 document here, is this a correct understanding? That there were specific questions
15 that were to be put to the children?

16 THE WITNESS: [13:02:39](Interpretation) Yes.

17 PRESIDING JUDGE SCHMITT: [13:02:40] Do we have a document, Mr Vanderpuye,
18 where these -- okay. It would be interesting, actually, it would be interesting I have
19 to say if we had it. (Redacted) -- if UNICEF, they must -- this list of questions must
20 be somewhere, obviously. I don't know how important it is, but potentially --
21 I think everybody will agree, potentially it could be of interest at least to put it this
22 way.

23 MR VANDERPUYE: [13:03:13] Indeed, Mr President. Many of these documents
24 are the subject of, shall we say, cooperation issues, but perhaps there is a copy
25 available somewhere.

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 THE WITNESS: [13:03:42](Interpretation) Well, well, it was a long time ago, but for
5 now -- well, I must say all of this was a long time ago.

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 PRESIDING JUDGE SCHMITT: [13:04:25] Okay. No, I understand, it was a try, to
13 put it this way.

14 So we have now the break until 2.30.

15 THE COURT USHER: [13:04:33] All rise.

16 (Recess taken at 1.04 p.m.)

17 (Upon resuming in private session at 2.31 p.m.)

18 THE COURT USHER: [14:31:27] All rise.

19 Please be seated.

20 PRESIDING JUDGE SCHMITT: [14:31:52] Good afternoon, everyone. We are in
21 private session, yes, and Mr Vanderpuye has the floor.

22 MR VANDERPUYE: [14:32:02] Thank you, Mr President.

23 Q. [14:32:06] Good afternoon, Mr Witness.

24 A. [14:32:11] Afternoon.

25 Q. [14:32:13] Just to follow up on where we left off before, I had shown you the

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 verification form, and we'd gone through some of the entries you'd made -- some of
2 the entries that are required to be filled in by commanders who are ComZones -- not
3 the commanders who are ComZones, rather their verifiers. If we could just have
4 that up briefly. I think it was tab 5 CAR-OTP-2071-0278. And you were looking at
5 the bottom of the form, you indicated an area which was designated *nota bene*. And
6 beneath that you can see an entry for certain categories, "*adulte*", "*séparé non*
7 *accompagné*", "*séparé accompagné*", "*non-séparé*". And then it says "*Enfant séparé simple*".
8 Could you just explain what those categories mean and whether they correspond to
9 (Redacted) and information (Redacted) from UNICEF?

10 A. [14:33:50] *I think the "nota bene" refers to the fact that once the verifier has put
11 a certain series of questions to the children, that's one thing, but after the interview, if
12 the verifier understood that the child in actual fact is beyond 18 in age, then he will
13 tick the adult box. Now on the right, "orientation", what does that mean? This
14 means that the child will not go into the "reference to the government", so then it's the
15 adult DDR programme. But if the child in a second case, separated and
16 unaccompanied EAFGA, what does that mean? Well, it means that these are
17 children who are -- who were recruited in (Redacted), but don't have their parents in
18 (Redacted). So once that child, if it's realised ultimately that he no longer has his
19 biological parents in the vicinity, well, that child will be with -- will be withdrawn
20 and (Redacted). But if he is recruited in (Redacted), let's say, where his parents are,
21 or (Redacted), for example, then that child instead of putting him into (Redacted),
22 well, then he'll be returned to his vicinity and he'll be there for -- given support for
23 being looked after. Now, if you have a child that hasn't been separated -- in other
24 words, he's got his own parents -- EAFGA, he will be -- will be put into a
25 reintegration programme but stay in that vicinity for a programme designed for his

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

- 1 profile. So these are the various categories (Redacted) and this sheet clarifies that.
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 Q. [14:39:07] If we go back to the first page at 0298, where we started out, at item
- 21 number III at the bottom, you can see a certain instruction there --
- 22 A. [14:39:30] Number III?
- 23 Q. [14:39:32] Mm-hmm, please.
- 24 A. [14:39:48] Can I speak?
- 25 Q. [14:39:50] Yes.

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 A. [14:39:56] *What we have here is this -- this categorisation. There are separated
2 accompanied children and there are unaccompanied children. That's what we've got
3 here. (Redacted) so there are children sometimes when there's a conflict, sometimes
4 they're separated from their biological parents and they find themselves in another
5 locality. They have not found any member of their family. So in protection jargon,
6 these are called separated unaccompanied children. Now, when children meet up
7 with their parents, then it's a -- a different category.

8 Q. [14:41:05] I didn't catch the last part of your answer. Could you please repeat
9 that?

10 A. [14:41:17] Okay. I was saying that this (Redacted)
11 (Redacted) just clarifying terms here, a specific case, unaccompanied and separated
12 children. So when a child leaves a particular location to go to somewhere else and
13 there is no biological member of his family there, that child was with the
14 unaccompanied children. But when that person goes to -- from (Redacted) or goes to
15 (Redacted), and there is a member of that person's family, then it's an unaccompanied
16 child. But when a child goes from (Redacted) and then is at (Redacted) and meets
17 up with a member of his biological family, well, (Redacted)
18 (Redacted)

19 Q. [14:42:21] Okay, that's very helpful. If we could go to the next page, you'll
20 see -- you'll see information similar with what -- to what you've just said, and it refers
21 to two things. One is "*Enfants non-accompagnés*" (Interpretation) "unaccompanied
22 child". (Speaks English) And it defines what that is and it indicates certain focal
23 points to contact. And then beneath that you can see "*Enfants associés aux forces et aux*
24 *groupes armés*". (Interpretation) Children associated with forces or armed groups.
25 (Speaks English) And describes certain kinds of behaviour --

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 A. [14:43:04] That's right.

2 Q. [14:43:07] Okay. It describes certain kinds of behaviour or roles you might see
3 that those children perform. Is this information that was provided (Redacted) by
4 UNICEF?

5 A. [14:43:25] Yes, that's right. UNICEF gave (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 PRESIDING JUDGE SCHMITT: [14:47:45] There were two things. First of all, I -- I
16 did not hear you. Secondly -- secondly, for once it doesn't matter, Mr Vanderpuye,
17 because we want to hear first, Ms Guissé.

18 MS GUISSÉ: [14:48:01](Interpretation) Thank you very much, your Honour. I'd
19 just like to make an objection about the way this is unfolding. I've got no problem
20 about putting to the witness some documents. This is a witness who is not a 68(3),
21 however, so I think it's worthwhile laying down some questions -- some foundational
22 questions before going (Redacted), like saying (Redacted)
23 (Redacted) instead of referring the witness directly (Redacted)
24 (Redacted) because this is the in-chief from the Prosecution. So I think we need to
25 avoid questions that are too directed, too leading.

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 Now, on the principle, because I would imagine potentially there will be other
2 documents that will be shown, but I think at this juncture it's important to know what
3 the witness remembers. Now, if he doesn't remember, (Redacted), but not having
4 read the documents and then have him make a comment.

5 We're not talking about test commentary here.

6 PRESIDING JUDGE SCHMITT: [14:49:03] Well, I think there is -- eventually there'll
7 be no problem at all. But, Mr Vanderpuye, you can address it in a more generic way
8 first, but I think it only loses time, I would say. (Redacted)

9 (Redacted)

10 I tend to say that we simply continue to save time here.

11 MR VANDERPUYE: [14:49:32] Thank you, Mr President.

12 Q. [14:49:37] (Redacted)

13 (Redacted)

14 "Out of 222 child soldiers affiliated (Redacted), of that only 133 were verified and
15 identified. Among these people, among these child soldiers, there were two girls."

16 A. [14:50:38] I didn't see the sentence.

17 Q. [14:50:43] Okay. It should be right in the middle of the screen in front of you.
18 It starts with 222. Do you see that number in front of you now?

19 A. [14:50:55] Yes, I can see that.

20 Q. [14:50:59] Okay. What it seems to say -- first of all, (Redacted) that
21 approximately that many individuals or kids were identified or (Redacted)

22 (Redacted)

23 (Redacted)

24 Q. [14:51:31] And here, it's indicated that only 133 were verified and identified. It
25 describes two girls among them and it says 43 were declared ineligible for an

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 orientation. (Redacted)

2 MS DIMITRI: [14:52:01] Mr President?

3 PRESIDING JUDGE SCHMITT: [14:52:02] Yes.

4 MS DIMITRI: [14:52:08] I understand you ruled out Ms Guissé's objection, but just
5 for the record, I object again. It's extremely leading and you know that a point -- a
6 point of contention regarding ESF is the various numbers that we have.

7 PRESIDING JUDGE SCHMITT: [14:52:19] Yeah, so, Mr Witness, do these figures
8 (Redacted)

9 THE WITNESS: [14:52:36] (Interpretation) Yes, (Redacted)

10 As I said, in the report, 40 children were seen as eligible for (Redacted)

11 Now, in the verification sheet, (Redacted) whether the children who were recruited,
12 did they have their parents in the locality and they would stay in the locality.

13 But if in the verification sheet (Redacted) that those children didn't have their
14 biological children in the vicinity, well, then they would be taken to (Redacted)
15 (Redacted)

16 And that's why the -- we have 43 eligible children with these two girls.

17 But others will have their parents, their biological parents, in the vicinity
18 and they won't be, therefore, taken over (Redacted), and that's the distinction that
19 (Redacted)

20 PRESIDING JUDGE SCHMITT: [14:53:48] So, obviously, the witness has a clear
21 recollection which has been triggered, I have to say, by this report and (Redacted), so I
22 don't see any problem with that.

23 Please continue, Mr Vanderpuye.

24 MR VANDERPUYE: [14:54:03]

25 Q. [14:54:03] Do you remember if Mr Yekatom was present during the course of

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 that mission?

2 A. [14:54:16] He wasn't present at that mission. He'd already made his report, but
3 he wasn't actually there at that particular mission, no.

4 THE INTERPRETER: [14:54:24] He'd already given his agreement, his assent,
5 corrects the interpreter, not his report.

6 MR VANDERPUYE: [14:54:36]

7 Q. [14:54:36] And if Mr Yekatom wasn't there, was there anybody there from his
8 group, commander or ComZone, similar to what we've -- what you've mentioned
9 before?

10 A. [14:54:52] Yes. There was the secretary from the movement, and UNICEF had
11 him pay the transportation to take us around the vicinity because the mandate was
12 such that the UN people couldn't be in the same vehicle as he was, so he had to pay
13 for motorisation. So he would go off on his own with the ComZone, go to -- in -- the
14 place, the appointed place, and assemble the children, and then we would go with the
15 UNICEF people to do the verification procedure and that's how we operated.

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 MR VANDERPUYE: [14:58:30]

13 Q. [14:58:30] All right. Let me ask you about the demobilisation that took

14 place -- the ceremony, or about the ceremony that took place in August 2014.

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 Q. [15:00:11] All right. And -- okay. I want to show you a couple of -- a
2 document and then I want to show you a video, (Redacted)
3 (Redacted)

4 PRESIDING JUDGE SCHMITT: [15:00:33] Well, let's see. So can we go now to
5 open session or after?

6 MR VANDERPUYE: [15:00:38] Yes, Mr President.

7 PRESIDING JUDGE SCHMITT: [15:00:40] Yes, We go to open session.
8 (Open session at 3.00 p.m.)

9 THE COURT OFFICER: [15:00:57] We are in open session, Mr President.

10 MR VANDERPUYE: [15:01:03] Okay, thank you.

11 Q. [15:01:04] Mr Witness, we're in open session. That means just to be aware not
12 to say anything that might identify you. As I said, I want to show you a document
13 and then a video. The document I'll show you is at tab 16, CAR-OTP-2128-1373, and
14 it can be broadcast.

15 PRESIDING JUDGE SCHMITT: [15:01:39] Ms Guissé.

16 MS GUISSÉ: [15:01:42](Interpretation) Your Honour, I'm sorry. I have the same
17 problem with the procedure. I think before showing a document to the witness, for
18 a witness who does not have the Rule 68(3), firstly, he must ask him what he
19 remembers. He must ask him open questions and then you can show him the
20 document; otherwise, we don't need to have a witness coming before us in The
21 Hague.

22 PRESIDING JUDGE SCHMITT: [15:02:09] Mr Vanderpuye, what is your stance on
23 that?

24 MR VANDERPUYE: [15:02:13] I think it's pretty clear that {PFR: (Redacted)
25 (Redacted)} the Defence, obviously, concedes that Mr Yekatom was

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 present at. That's number one.

2 Number two is that the date and location of that is indicated on the document, which
3 is a fair question, to ask the witness if it's accurate, to his recollection of when the
4 thing took place and what occurred.

5 PRESIDING JUDGE SCHMITT: [15:02:40] You can, so that we perhaps avoid further
6 objections, you can perhaps put one or two generic questions if he recalls the --

7 MR VANDERPUYE: [15:02:53](Microphone not activated) I'm sorry, Mr President.
8 I didn't mean to interrupt you. It's a bit of a problem to put it in open session. I
9 think they know that.

10 PRESIDING JUDGE SCHMITT: [15:03:06] I don't think that's a problem -- I don't
11 think that's a problem to put that in open. You can ask if he knows and he should
12 not say why -- why he knows that and in what capacity he came to know that. You
13 can do that. I think there is no problem.

14 MR VANDERPUYE: [15:03:23] I'll give it a shot.

15 PRESIDING JUDGE SCHMITT: [15:03:28] Yeah, give it a shot, please.

16 MS DIMITRI: [15:03:33] Perhaps the Registry can remove the document.

17 MR VANDERPUYE: [15:03:38] We can go back around on this for a long time, but
18 let's do it this way.

19 Q. [15:03:43] The ceremony that took place in Pissa, can you tell the Chamber, if
20 you know, what took place that day? What did it consist of?

21 A. [15:04:13] Thank you. This ceremony was made up to sign a document where
22 Yekatom Rambo arrived. He gave his signature in a document which he said would
23 release the children for the demobilisation programme. It was in the hearing room,
24 or the large room of the town hall in Pissa. And when he signed the document, {ICR:
25 (Redacted)} and he signed it {PFR: (Redacted)}

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 (Redacted)}

2 After the signature, the children who were ineligible for transition to Mbaïki, {PFR:

3 (Redacted)} started to take these children so that they could start a programme of

4 assistance in the transitional centre in Mbaïki. {ICR: (Redacted)}.

5 PRESIDING JUDGE SCHMITT: [15:05:23] Thank you, Mr Witness. And I

6 think -- no, actually. Well, in theory you're right, Mr Guissé -- Ms Dimitri, but, well,

7 it's, you know we have also an impression of the witness and we have the document

8 here, so it was not absolutely necessary. Okay.

9 Mr Vanderpuye, I think now we can show the document to the witness, if you still

10 want to do it.

11 MS GUISSÉ: [15:05:49](Interpretation) I do apologise, your Honour. Before

12 showing the document, if you haven't said that, can we ask him if he remembers how

13 many children were affected by this document, so at least we have some statement

14 before providing him with that information.

15 PRESIDING JUDGE SCHMITT: [15:06:08] Yes, well, here you are right. Actually

16 you're right on that point, absolutely.

17 So, Mr Witness, do you recall about how many children we are talking here?

18 THE WITNESS: [15:06:24] (Interpretation) In principle, there should be 60 children

19 who would be ineligible for the transitional ceremony in Mbaïki during the ceremony

20 {ICR: (Redacted)}

21 PRESIDING JUDGE SCHMITT: [15:06:39] In Pissa, yes. So we have -- we have a

22 figure here, which is not the figure that is in the document, so we have now more

23 than enough reason to show the document to the witness and ask him about that.

24 Mr Vanderpuye.

25 MR VANDERPUYE: [15:06:55] Thank you, Mr President. Perhaps we can have it

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 back up on the screen.

2 Q. [15:07:10] Do you see the document on the screen in front of you, sir?

3 A. [15:07:20] Yes, I can see it.

4 Q. [15:07:22] Do you recognise it?

5 A. [15:07:27] Yes, I recognise it.

6 Q. [15:07:31] And what do you recognise it to be?

7 A. [15:07:38] This is a document of waiver for the release of these children.

8 Q. [15:07:46] And in this document, it's -- it's an undertaking that refers to the
9 liberation of 153 children associated with the movement, and it says, "These children
10 were identified at the localities of Pissa, Mbata, Batalimo and Mongoumba."
11 Where it says here that the children were identified, does that also mean that they
12 were verified?

13 A. [15:08:41] Yes. When I said these children, these are the children who were
14 verified. But now the problem which we faced is they talk about 153 children who
15 were in the transit centre in Mbaïki. Amongst these 153 children, during the
16 certification process the children who didn't have parents, biological parents, in the
17 locality, there were 60 of them, and {ICR: (Redacted)} the centre in Mbaïki. And the
18 other children who had their own parents stayed in their own areas of Pissa and
19 Mongoumba and Batalimo in order to have them look after them.

20 Q. [15:09:31] Okay. Thank you for that clarification. I'd like to show you a video
21 and this is at tab 17, CAR-OTP-2068-0586. The first part I'll play is just from zero
22 through, I think, it's 34 seconds, so the translation is not necessary there because
23 there's no real speaking. And then I'll follow that with a second segment and then
24 I'll ask you some questions probably in private session.

25 So if we could start with the video at tab 17.

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 (Viewing of the video excerpt)

2 I'm now going to show you a second part of this video. This will play from 4:50 to
3 5:46. This will need translation. The translation is at tab 18, CAR-OTP-2118-5710,
4 at page 5713, lines 77, through 5714, line 97.

5 So if you could just let me know in the booth if you have found that and if we're
6 ready to go.

7 THE INTERPRETER: [15:11:50] We've got it in the English booth.

8 MR VANDERPUYE: [15:11:55]

9 Q. [15:11:57] All right. Mr Witness, we're going to play this section. I just want
10 you to listen carefully to it. I'll ask you some questions about it in a little while.

11 (Viewing of the video excerpt)

12 THE INTERPRETER: [15:12:14] (Interpretation of the video excerpt) "Is it you that's
13 been hearing? We have listened [...]"

14 Sorry, we only can hear it in Sango but not in French.

15 PRESIDING JUDGE SCHMITT: [15:12:30] We have to start it all over again. It's
16 impossible to interpret if it's only in Sango, so how can we do that?

17 So I think we can start it now, again. We have a thumbs up from the interpretation
18 booth. Okay, so we start it again, no problem. That can happen. So please from
19 the start.

20 (Viewing of the video excerpt)

21 THE INTERPRETER: [15:13:04] (Interpretation of the video excerpt) "Have you
22 listened to me carefully, my big brother. Thank you very much. As from today, I
23 will contact UNICEF, but you on your side, you must contact the general coordinator,
24 Patrice-Édouard Ngaïssona, so he knows what work we're doing here, and I would
25 like -- I'm prepared to meet him. I would like to do everything. I would like to go

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Open Session)

ICC-01/14-01/18

1 to all the areas where these children are in order to help them. I think he, too will
2 have a copy of this document. I will give him a copy. I'll give a copy to our group
3 and the treasury. They will make a photocopy and they will pass it on. He must
4 have a copy of this document. You have to give me the original so that I can make
5 copies of it."

6 PRESIDING JUDGE SCHMITT: [15:14:03] Thank you very much. That's -- you
7 could put questions to the witness if you want to. I'm not sure if you want to do it in
8 open session or if it's even possible to do in open session.

9 MR VANDERPUYE: [15:14:31] The reason why it was puzzling is because through
10 96 and 97 I didn't see translations of it in the transcript, so I wasn't sure that it was
11 finished. But what I could see in the transcription is:

12 "OK. Dès que je sors, je vais ... imprimer d'autres copies, et puis vous allez".

13 And the response by Mr Yekatom:

14 "Oui, il faut m'envoyer cela, et je vais signer." (Interpretation) "And the response of
15 Yekatom was, "Yes, you must send me that and I'll sign it."

16 PRESIDING JUDGE SCHMITT: [15:15:09] Well, that was not translated, indeed.
17 You're right.

18 MR VANDERPUYE: [15:15:13] Okay. Now, I think, I would like to go into private
19 session, Mr President.

20 PRESIDING JUDGE SCHMITT: [15:15:20] And for the audience, you have already
21 recognised that we have a protected witness here and whenever issues are discussed
22 where the answer of the witness could identify him, we have to do that, obviously, in
23 private session, so that you can't listen. So that is -- apologise for that, but that's
24 inevitable.

25 We go to private session.

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Private session at 3.15 p.m.)

2 THE COURT OFFICER: [15:15:58] We're in private session, Mr President.

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 PRESIDING JUDGE SCHMITT: [15:33:27] (Redacted)

21 (Redacted)

22 (Redacted)

23 We don't go to the front row, Ms Guissé?

24 MS GUISSÉ: [15:33:42](Interpretation) Yes, your Honour, but I was saying possibly

25 with modern techniques we could assist by having maybe the arrow on the mouse for

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 the witness, so we could pick out somebody and then put the question to the witness.

2 That's just a practical suggestion.

3 PRESIDING JUDGE SCHMITT: [15:33:58] That is extremely modern for me, but it's

4 a very good suggestion. So we have now this small arrow, Mr Witness, on the

5 young person in the front row with green and blue. So who is that? Please repeat it.

6 Please be so kind.

7 THE WITNESS: [15:34:27] (Interpretation) (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

- 1 MR VANDERPUYE: [15:38:57] Sorry, tab 11. Thank you, Mr President.
- 2 PRESIDING JUDGE SCHMITT: [15:39:04] We've had it already, yeah?
- 3 MR VANDERPUYE: [15:39:06] Indeed; yes, indeed.
- 4 PRESIDING JUDGE SCHMITT: [15:39:08] Public?
- 5 MR VANDERPUYE: [15:39:12] No, I don't think so.
- 6 PRESIDING JUDGE SCHMITT: [15:39:14] No. You know I'm trying -- you
- 7 know every -- in a certain rhythm, so to speak, I'm trying, to no avail as I see.
- 8 MR VANDERPUYE: [15:39:29]
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 (Redacted)
- 21 (Redacted)
- 22 (Redacted)
- 23 (Redacted)
- 24 (Redacted)
- 25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 PRESIDING JUDGE SCHMITT: [16:02:36] Mr Vanderpuye, you are halfway
23 through --

24 MR VANDERPUYE: [16:02:42] The list.

25 PRESIDING JUDGE SCHMITT: [16:02:44] The list. The list -- well...

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 MR VANDERPUYE: [16:02:45] Yes.

2 PRESIDING JUDGE SCHMITT: [16:02:46] Well, I take it that you're halfway through
3 the list.

4 MR VANDERPUYE: [16:02:48] I'm halfway through the list, Mr President. I think I
5 can -- well, no.

6 I think we can go into tomorrow and I think I can finish within 40 minutes or
7 something. Is that okay with the Defence? I don't know.

8 PRESIDING JUDGE SCHMITT: [16:03:06] We can always shorten lunch breaks and
9 things like that so I don't think -- yeah.

10 MS GUISSÉ: [16:03:15](Interpretation) Your Honour, it's possible. I'm not going
11 to question my learned counsel, but I'd like to say we have a lot of questions we'd like
12 to put to the witness, so I can't commit myself to any time other than the one -- it'll be
13 that we won't go beyond the time we've said, but it won't be much less either. It
14 might even be a little bit more having heard what the information that we've received
15 today.

16 PRESIDING JUDGE SCHMITT: [16:03:49] Yes, I understand that. So, when you
17 say 40 minutes, 45 minutes, you -- we don't finish today anyway, so.

18 MR VANDERPUYE: [16:03:57] I could finish the list today, for sure, and then I have
19 a few documents -- (Overlapping speakers)

20 PRESIDING JUDGE SCHMITT: [16:04:02] Perhaps let's finish the list today, so let's
21 do that so we have a clean finish for today, yeah.

22 MR VANDERPUYE: [16:04:11] Thank you, Mr President.

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CAR-OTP-P-2018

(Private Session)

ICC-01/14-01/18

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 MR VANDERPUYE: [16:14:33] Mr President, I'm done with the list.

10 PRESIDING JUDGE SCHMITT: [16:14:36] Very good. So, but I think it was worth
11 it really to finish that list now today.

12 MR VANDERPUYE: [16:14:41] Thank you.

13 PRESIDING JUDGE SCHMITT: [16:14:42] So we are finished for today.

14 Thank you very much, Mr Witness.

15 We meet again tomorrow at 9:30.

16 THE COURT USHER: [16:14:52] All rise.

17 (The hearing ends in private session at 4.14 p.m.)