

Trial Hearing
WITNESS: CAR-D30-P-4720

(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
7 Judge Chang-ho Chung
8 Trial Hearing - Courtroom 1
9 Wednesday, 24 April 2024
10 (The hearing starts in open session at 9.32 a.m.)
11 THE COURT USHER: [9:32:19] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:32:38] Good morning, everyone.
15 Good morning, Madam Witness. Indeed, it's cold in this courtroom so I can only
16 agree with you, I have to say.
17 Court officer, please call the case.
18 THE COURT OFFICER: [9:33:05] Good morning, Mr President, your Honours.
19 Situation in the Central African Republic II, in the case the Prosecutor versus Alfred
20 Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.
21 And for the record, we are in open session
22 PRESIDING JUDGE SCHMITT: [9:33:21] Thank you.
23 The Prosecution is unchanged.
24 Ms Douzima, you have reinforcements?
25 MS DOUZIMA-LAWSON: [9:33:33](Interpretation) Yes, your Honour.

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- 1 Today with me, Ms Ombeni. And, well, that's it. Thank you.
- 2 PRESIDING JUDGE SCHMITT: [9:33:40] Thank you.
- 3 MS VETRUCIO: [9:33:43] Yes. The former child soldiers are represented by
- 4 myself, Ludovica Vetrucio, Office of Public Counsel for Victims. Thank you.
- 5 PRESIDING JUDGE SCHMITT: [9:33:50] Thank you.
- 6 Ms Guissé, your team has changed a bit, so please let us know.
- 7 MS GUISSÉ: [9:33:58](Interpretation) Yes, your Honour. It's the same line-up as
- 8 yesterday, and Mr Yekatom is present here in the courtroom.
- 9 PRESIDING JUDGE SCHMITT: [9:34:05] Hasn't changed, so I was wrong.
- 10 Ms Proulx.
- 11 MS PROULX: [9:34:09] We have changed, slightly. Today, Mr Ngaïssona is
- 12 represented by Ms Barbara Szmatala, Ms Chiara Giudici, Ms Mélissa Beaulieu Lussier,
- 13 Mr Mathias Goffe, and Ms Clémence Fontaine, as well as myself, Marie-Hélène
- 14 Proulx.
- 15 PRESIDING JUDGE SCHMITT: [9:34:24] Thank you.
- 16 And you can already remain standing, so to speak, and continue your examination.
- 17 Thank you.
- 18 MS PROULX: [9:34:30] Thank you very much, Mr President.
- 19 I would like to go back into private session for probably most of the session, if not all
- 20 the session.
- 21 PRESIDING JUDGE SCHMITT: [9:34:53] I understand.
- 22 Private session.
- 23 (Private session at 9.35 a.m.)
- 24 THE COURT OFFICER: [9:35:04] We are in private session, Mr President.
- 25 (Redacted)

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18 Q. [9:36:58] You said in your answer that since this person was a head of state, he
19 had information about foreigners intruding in the country -- into the country.

20 Now later on, did you find out whether that was the case, that it was true that
21 foreigners had indeed snuck into the country and were hiding in compounds?

22 A. [9:37:24] Yes. Thank you, your Honour. Thank you, counsel. Yes, we knew
23 that the Seleka was made up of foreign mercenaries because we realised that these
24 people did not speak Sango. These people were hanging around the city, they
25 started to kill people, to loot houses, commit vandalism. They were not from the

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1 Central African Republic and so that's why I said that the president may have
2 received information. He may have received suitable information in that regard.

3 Q. [9:38:14] Thank you.

4 But was that ever confirmed later, that it was indeed the case that people had snuck
5 in?

6 A. [9:38:29] Yes, people had infiltrated and we don't know how they got in, but we
7 knew. We knew it was the Seleka who had organised this, who had sort of managed
8 to get various people -- scoop them up as they were marching towards Bangui. They
9 were from the -- from Sudan, from southern Chad. But essentially they did not
10 speak Sango; whereas, all the people of the Central African Republic speak Sango.
11 So in the case of people from Chad who come to trade, those people will speak Sango
12 with an accent. But those people, they did not speak Sango at all. Many of them
13 did not speak Sango.

14 Q. [9:39:30] Thank you.

15 (Redacted)

16 (Redacted)

17 (Redacted)

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7 Q. [10:20:29] Had you already heard that President Bozizé and his entourage
8 would weaponise and organise the self-defence groups in order to lead attacks
9 against Muslims?

10 A. [10:20:48] This surprises me. Mr Bozizé would work with his entourage to -- to
11 do this weaponisation? Well, I would say that Bozizé is a man who worked alone.
12 I also said to you that there's Mr Ndoutingaï who was considered close to him, who
13 was like a nephew, but he turned his back on him and he was repudiated -- kicked
14 out of the government.

15 And so he went to sign in with the Seleka, and he's the one who gave the name of
16 Seleka to say that they had made a pact in order to get rid of Bozizé. So I think that
17 apart from his children, I don't think Bozizé confided to anyone about what he
18 wanted to do. Not to my knowledge. I don't think so, I don't think this at all.

19 And in order to encourage people to go against -- to fight the Muslims, I don't think
20 so because the Muslims were with us. I'd even say to you that in the Central African
21 armed forces at the time when he was in power, Mr Mamour was the head of the
22 armed forces and he was a Muslim.

23 So there were people who said you mustn't trust Mr Mamour, but he actually stayed
24 close to Bozizé up until the very end and it was people from Mamour's tribe who
25 would -- then came and -- who came and overthrew Bozizé, which means that he

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1 worked with Muslims.

2 I don't -- why he would go against the Muslims, I don't know. I don't understand.

3 (Redacted)

4 (Redacted)

5 (Redacted)

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7 (Redacted)

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9 (Redacted)

10 (Redacted)

11 (Redacted)

12 So really, I'm -- this is -- I think the problem is that what happened in the Central

13 African Republic, that's not what happened. I think the Muslims were there, but it's

14 he who named Mr Djotodia consul in Sudan - and Djotodia actually confirms

15 this - and it was from there that they had the idea that they could Islamify the CAR.

16 Because we saw containers arrive in CAR, with jalabiyas, with prayer mats, with veils,

17 so that everyone could dress as a Muslim. So that everyone could be converted to

18 Islam. There were entire containers of this. They came, they seized power. But

19 these were groups that they had created with their own leaders and then they got

20 together in order to take power. And when they had taken power, they were

21 incapable of managing their people and they started looting and killing. They killed.

22 They killed. And that is the problem. They went into all the different

23 neighbourhoods, they went up and down the land. They would vandalise vehicles.

24 They would steal everything.

25 (Redacted)

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6 Most Central Africans who are mainly Christian were pushed to their limits and I

7 think that in each neighbourhood - I'd already told you that there were teams and

8 young people who grouped together, who formed self-defence groups - and everyone

9 organised themselves for reasons of self-defence.

10 And that's what happened. It was a matter of legitimate defence. Central Africans

11 were afraid up until that moment. Even when there was a small accident, if there

12 was a small motorcycle accident, a load of people would gather and everyone would

13 say like, "Oh, there's blood, this happened." And were afraid of many things like

14 that.

15 (Redacted)

16 (Redacted)

17 (Redacted)

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1 And I'm -- this is what I'm telling you. This is something that I'm saying from the
2 bottom of my heart. This is not the question that was asked of me, but I'd like to take
3 this opportunity to tell you that this question actually is something that came to my
4 mind many times. Were they organising against the Muslims? No. It's the
5 Muslims who provoked them and there was legitimate self-defence.

6 Today -- today all the Central African citizens, we have possibilities to check things
7 to know in Bangui. But at that time they came there, they stabbed us. They had
8 more resources than we had. We thought that, "You were close to us, that you're our
9 relatives." But they came -- "but you came and you looted and you brought -- you
10 brought people that looted and you acted in such a way that families were torn
11 apart."

12 And that's what I can say. This is what I can say against the Muslims. But I don't
13 know, I didn't really feel animosity towards them at the time. Thank you.

14 PRESIDING JUDGE SCHMITT: [10:30:03] May I shortly?

15 Thank you to the interpreter. That was not easy because it was a long answer but
16 you have followed quite well. Thank you very much.

17 Ms Proulx, please continue.

18 MS PROULX: [10:30:17] (Interpretation)

19 Q. [10:30:20] Thank you, Madam Witness, for your response.

20 There was a lot of information in there. Thank you very much. It was very
21 interesting.

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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3 A. [10:48:05] That was the concern, yes. When I talk -- when he spoke about the
4 suffering of the people, that's the rhetoric that he was using. He was calling -- he
5 was speaking out against what was going on. France had been called upon to
6 intervene because there were jihadists, that's the word that was used, "jihadists".

7 And France refused to come in, and, later, the jihadists did take power. They started
8 to kill people. There were even massacres. Places where torture was done.

9 France saw that and even before benefiting from a UN mandate, they already sent
10 Sangaris troops.

11 But today, where are we at now? Where are we at now?

12 Everyone saw that. (Redacted)

13 (Redacted) but everyone was wearing

14 Muslim clothing. Even the Christians so as to appeal to the new government.

15 Some Christians I knew, prominent Christian people who -- were wearing long
16 boubous and that was to appeal to the new regime.

17 Q. [10:50:02] I think you've anticipated my next question. If we scroll down a bit
18 and if we could look at the third question put to Mr Bozizé, he says that:

19 The main criticism is that the self-proclaimed president, Mr Djotodia, wants to turn
20 our country into an Islamic nation.

21 Did you see that?

22 A. [10:50:40] The entire country saw that. Not just me. Everyone could see that.
23 They organised a march four days' later and everyone was wearing Muslim clothing,
24 long boubous, and even today, we, the people of the Central African Republic, we
25 have lost our traditional attire. Women now -- women now dress like Muslim

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- 1 women with long clothing, with a head scarf. That's not our culture.
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
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6 (Open session at 11.51 a.m.)

7 THE COURT OFFICER: [11:51:05] We are in open session, Mr President.

8 MS PROULX: [11:51:09](Interpretation)

9 Q. [11:51:11] Madam Witness, earlier on, if I understood you correctly, you stated
10 that during the attack of 5 December 2013 was the first time you'd heard the
11 Anti-Balaka mentioned; is this correct?

12 A. [11:51:25] Yes, this is correct.

13 Q. [11:51:29] And following this, what did you learn about the nature of this
14 movement of who made -- who made up this movement, for example?

15 A. [11:51:41] They didn't speak about Anti-Balaka at first. This name was not
16 mentioned, but we were told that there was a group of a certain number of people,
17 that it was strange that they had come, that they wanted to march on Bangui and that
18 they were stopped in front of the national assembly building on Independence
19 Avenue which is the road that leads to the city centre. And so they were reacting to
20 the events that were unfolding in Bangui to stop the killing -- the killings that were
21 taking place.

22 This is what we understood, and we breathed a sigh of relief, saying if they can stop
23 killing, that is what everyone desires, and then they left, apparently. Apparently
24 they came on foot.

25 They didn't speak to anyone. They marched into

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1 the city and they had mystical powers, that is what people were saying. That is what
2 we had heard at the time.

3 Q. [11:53:07] To your knowledge, was this a movement that was mainly made up
4 of Gbaya?

5 A. [11:53:16] I can't confirm this fact because I was not there in Bangui. {PFR:
6 (Redacted)} and we followed this news through the information that was relayed to
7 us. And there were a few images too.

8 PRESIDING JUDGE SCHMITT: [11:53:33] Ms Proulx, with this last information
9 I think you could perhaps -- I don't know how many questions you have in that
10 regard, but when the witness says her source of information was mainly what could
11 have been the source of information of anybody, I think you can shorten it.

12 MS PROULX: [11:54:00](Interpretation)

13 Q. [11:54:00] Madam Witness, we had a witness that came here, I'm talking about
14 transcript T-190, page 22*, and it says that it was public knowledge that the President
15 Bozizé organised his supporters to attack Bangui. Is this something that you've
16 heard of? Is this something that was public knowledge?

17 A. [11:54:26] Not at all. I don't know what this witness meant by his or her
18 statement. I don't know. I don't know. Public knowledge that people were being
19 organised, this is something that I know nothing about.

20 Q. [11:54:58] Did you at any given time receive information that would indicate
21 that President Bozizé had organised, financed or ordered the Anti-Balaka?

22 A. [11:55:10] Never. Never. I was never informed of this. President Bozizé had
23 already left France prior to December 2013, so I had no such information.

24 Q. [11:55:40] Do you remember having heard a recording of a conversation that
25 took place between François Bozizé and what seemed to be an Anti-Balaka leader?

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1 A. [11:55:56] This information is something that I followed, that I had heard. That
2 is indeed the case. The person -- in what I heard, the person asked President Bozizé
3 saying, "We have been called to a certain place and what -- can you tell us what we
4 can say?" That's what I understood.

5 And President Bozizé said, "But you're asking me this -- what sort of answer do you
6 want me to give you? I'm not there. I am not managing anything. I'm outside the
7 country. If you ask me my point of view, what can I say? If you are
8 called -- called up, if you're called to meet, you have to see what people on the ground
9 are saying. But I can't tell you anything. What do you want me to say? I can't do
10 anything about this situation. I am outside the country".

11 That's what I understood from this exchange. That's what I heard with my own ears.

12 Q. [11:57:07] I will now have you listen to three short excerpts of this recording and
13 I'll have questions afterwards.

14 The recording is in Sango. It is in item -- in tab 3 of the Defence,
15 CAR-OTP-2000-0603. The Sango transcript is tab 9, CAR-OTP-2060-0616; and the
16 French transcript, the translation, is in tab 12, CAR-OTP-2060-0663.

17 And to start, I would like us to listen to the excerpt from the 0:16 to 2:37.

18 In the French transcript these are lines 7 to 32, and when the interpreters are ready,
19 give us a sign and we can start.

20 (Playing of the audio excerpt)

21 THE INTERPRETER: [11:59:00](Interpretation of the audio excerpt) "You know, the
22 problem here is what? -- is that these people from the group, they wanted us -- the
23 white people from the Sangari group, they asked us to keep elements in one place and
24 to -- but when I -- and not to go into military operations, and I give them these
25 messages, except that when we left, these children do not respect orders. I don't

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1 know what's going on in their head. I had the opportunity to meet all the leaders
2 together that night and I asked them themselves to give orders to their soldiers and to
3 do this in strong terms so that I would have an impact on them, and this way these
4 children will be afraid and will respect orders. Otherwise, my dear general, in the
5 present state it would be total disorder.
6 [...] No, no, no. The leaders you meet and you have to take firm measures, strong
7 measures together with the whites. Those who are behaving badly need to be
8 executed and that's full stop. Why do you want to waste the good work that has
9 been done? You've done something great. You have saved your fellow citizens.
10 Now we are in the final phase. All we have to do is finish the work. Why do you
11 want to put yourself in a shitty situation? What will you gain by being in a shitty
12 situation? Are you children of this country? You have been congratulated around
13 the world. The actions that were put in place have started to bear fruit. So you
14 have to be more disciplined so that when we get to the final conclusion, you'll be
15 glorified and that you will be thanked. Why are you currently putting us in a shitty
16 situation? It seems that at this moment the Seleka soldiers are all grouped together
17 and it only seems like the Anti-Balaka are destroying the country, and so on and so
18 forth. Instead of this, it would be good for the Seleka to be investigated by the courts,
19 because, otherwise, it will just be the Anti-Balaka who are charged, right, in front of
20 the ICC. Now, we've defended you on -- in the media on the radio, saying that you
21 were provoked by the Seleka who killed your fathers and other members of your
22 families, and that's the reason for which you -- you revolted and now you are
23 yourselves, putting yourselves in a shitty situation."
24 MS PROULX: [12:01:32] Mr President, I just want to correct point of interpretation,
25 but the -- in French when Bozizé says "*une fois arrivés à la conclusion finale*", this was

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1 interpreted as "we are in a final phase", which is slightly different. I think in English
2 it probably should be: "once we arrive at the final conclusion".

3 Q. [12:02:08](Interpretation) So having said this, I have a few questions about this
4 excerpt that we just listened to.

5 What is your understanding when President Bozizé says repeatedly "you" -- "you did
6 something", "you saved your fellow citizens", "you were congratulated"? Do you
7 understand? What do you understand?

8 PRESIDING JUDGE SCHMITT: [12:02:34] Perhaps it -- I have to say I regret a little
9 bit that I was so lenient the last time. Well, this -- this is really a conversation which
10 stands for itself. And it's -- it's up to the Chamber to interpret it and for you, for the
11 parties to give us guidance on that. Here, I really don't see that the witness can give
12 us more information. You know, I -- she is a listener in that regard, or reader, like
13 we are.

14 MS PROULX: [12:03:07] I appreciate the comment, Mr President. The reason
15 I wanted to have her input on this is that several witnesses have come here and said
16 that this call was the proof that Mr Bozizé had been at the head of the Anti-Balakas.
17 And she is in a unique position to interpret the words of President Bozizé and that's
18 why I think her input is unique.

19 PRESIDING JUDGE SCHMITT: [12:03:33] Well, well, okay then. Let's -- this one
20 question, yeah. Okay.

21 Ms Henderson, yeah, I know, I know.

22 MS HENDERSON: [12:03:47] There is one point that hasn't been canvassed yet, and
23 that's that it's not even clear that the witness knows who the interlocutor is. That's,
24 of course, a finding for the Chamber to make, an assessment for the Chamber to make.
25 But how can she be asked what one person means when speaking to another person

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1 with the word "*vous*".

2 PRESIDING JUDGE SCHMITT: [12:04:07] Sure. I agree with you, yes. Actually,

3 I agree with you, yeah.

4 Please continue.

5 And, of course, it would be -- it would be good to have, let's say, submissions about

6 the two speakers -- that is for the interpretation of the Court, is of interest.

7 MS PROULX: [12:04:36](Interpretation) In this case, your Honour, I will just for the

8 record draw your attention to two other passages from that audio that I think are

9 relevant.

10 PRESIDING JUDGE SCHMITT: [12:04:43] Yeah, that -- that is good. Yeah,

11 thank you.

12 MS PROULX: [12:04:47] And so in the -- I'll just give the translations -- the lines in

13 the translation.

14 I would draw your attention to lines 46 to 49, and 77 to 100. And with that I will

15 move on.

16 PRESIDING JUDGE SCHMITT: [12:05:08] Yeah, thank you.

17 MS PROULX: [12:05:13](Interpretation)

18 Q. [12:05:13] One last question. Do you remember when you heard this audio

19 recording, this conversation, this recording? When did you hear it?

20 A. [12:05:24] That's not the conversation I heard. I'm just hearing it now. It's the

21 translation I'm hearing now. But what I heard is what I explained beforehand; that's

22 what I heard.

23 Q. [12:05:42] Very well. I think we -- we would do well to move on to something

24 else. I have a single remaining question.

25 Madam Witness, could you explain to us, ma'am, if possible in open Court, if not, in

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1 private session -- could you explain why you agreed to come and give testimony in
2 this trial.

3 A. [12:06:09] I agreed of my own free will, completely of my own free will, and
4 I did hope that my modest contribution could help the Court come to a decision and
5 hand down a ruling. I said to myself that in that way my conscious would be clear.
6 My -- I would be at ease in relation to -- you see these matters having to do with
7 Mr Yekatom, Mr Ngaïssona deprived of their freedom, whereas, the people who are
8 responsible for what happened, those who killed, who organised killings, those
9 people are walking free.

10 All of the Central African Republic have spoken up in favour of those who stopped
11 the violence and the barbaric acts that occurred in our country. If I can make a
12 modest contribution to the work of this court so that justice can be rendered, so
13 Mr Ngaïssona can be freed, a person who should not be here. I know what he does.
14 I know his worth. I know what he represents. Is he not supposed to be in prison.
15 That is why I said to myself, if I could come and give testimony, I would agree to do
16 so. So, you see, that is why I agreed to come and testify.

17 Q. [12:07:53] Thank you, so much for being so patient over the last two days, and
18 this concludes my questioning.

19 PRESIDING JUDGE SCHMITT: [12:08:03] Thank you, Ms Proulx.

20 Ms Henderson, we can do it -- we do not extend into the afternoon session. If you
21 want you can start now and perhaps you have the chance to review and finish
22 perhaps until tomorrow midday. So I don't know if this is, let's say, an assumption
23 that would find your approval.

24 MS HENDERSON: [12:08:26] Yes, your Honour. I think what I would suggest is
25 that I could start now with a few topics. I'd just need a couple of minutes to set up.

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1 And then I don't think I'd have more than two sessions tomorrow.

2 PRESIDING JUDGE SCHMITT: [12:08:41] Fine.

3 MS HENDERSON: [12:08:41] So I'm in your Honour's hands as to which sessions
4 they would be.

5 PRESIDING JUDGE SCHMITT: [12:08:47] No, no, that's okay. We would then try
6 to finish until midday tomorrow, and perhaps today, half an hour, 45 minutes -- you
7 can start already, yes.

8 MS HENDERSON: [12:08:54] Yes, your Honour. I will take two minutes to set up,
9 please.

10 PRESIDING JUDGE SCHMITT: [12:08:57] Yes, but we stay in the courtroom
11 obviously.

12 (Pause in proceedings)

13 MS HENDERSON: [12:10:24] I'm ready to begin, your Honour.

14 PRESIDING JUDGE SCHMITT: [12:10:26] Yes.

15 QUESTIONED BY MS HENDERSON: (Interpretation)

16 Q. [12:10:34] Good morning, Madam Witness.

17 A. [12:10:36] Good morning.

18 Q. [12:10:37] I'll introduce myself. I'm Claire Henderson and I'm a representative
19 of the Office of the Prosecutor. We have been speaking in French now with one
20 another, particularly the last time we spoke, but I think I will go on in English now.
21 But with the assistance of our interpreters, I think we will be able to make everything
22 work, so I'm now going to switch into English.

23 (Speaks English) Madam Witness, at the beginning of your testimony with Ms Proulx,
24 she gave you directions, and I will give you similar directions. I'll repeat them so
25 that you keep them in mind.

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1 I will do my best to keep your identity confidential, and to do that I will be in private
2 session for much of my examination today and tomorrow. If while we're in open
3 session you feel that you would like to go into private session to be able to share more
4 details or avoid giving away your identity, then please do tell us.

5 Please do tell me if my questions are confusing or if there's anything in them that's
6 not clear. And in your answers, I would ask you to be very focused and concise as
7 much as possible.

8 Finally, I would ask you not to do any guesswork. It helps us to hear from you what
9 you remember about events and not what you think might be the case. If you're not
10 sure about something, please just tell us that you don't remember. We understand
11 completely that it's been a long time.

12 Do you follow me so far?

13 A. [12:12:47] Yes, Madam Prosecutor. I understand.

14 Q. [12:12:53] I want to ask you, firstly, about Mr Ngaïssona.

15 Did you know Mr Ngaïssona at any time to be a member of the Anti-Balaka?

16 A. [12:13:14] Never. I know Mr Ngaïssona, I know who he is, but being
17 associated with the Anti-Balaka.

18 THE INTERPRETER: [12:13:28] Overlapping speakers.

19 MS HENDERSON: [12:13:29]

20 A. [12:13:29] And I take it from that response that you also --

21 PRESIDING JUDGE SCHMITT: [12:13:31] Ms Henderson, I have to say you just told
22 Madam Witness to slow down, but you were the first to breach your own rule so to
23 speak, so you have to slow down a bit, yeah.

24 MS HENDERSON: [12:13:46] Yeah.

25 THE INTERPRETER: [12:13:48] The last part of the witness's response was: I never

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1 learned.

2 MS HENDERSON: [12:13:56]

3 Q. My apologies, Madam Witness. I have a tendency to speak very fast and I'm
4 trying to control that as best I can.

5 A. [12:14:06] Very well.

6 Q. [12:14:07] I take it from your last answer that you have no knowledge of
7 Mr Ngaïssona being the general coordinator of the Anti-Balaka; is that right?

8 A. [12:14:27] I'm not aware of that.

9 Q. [12:14:30] And I want to ask you a bit more about Mr Ngaïssona at this point,
10 but I would ask to go into private session, please?

11 PRESIDING JUDGE SCHMITT: [12:14:38] Private session.

12 (Private session at 12.14 p.m.)

13 THE COURT OFFICER: [12:14:57] We're in private session, Mr President.

14 (Redacted)

15 (Redacted)

16 (Redacted)

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- 14 (Open session at 12.42 p.m.)
- 15 THE COURT OFFICER: [12:42:59] We're in open session, Mr President.
- 16 MS HENDERSON: [12:43:05] I would like to please show the witness the document
- 17 at tab 23 of the Prosecution list, CAR-OTP-2018-0069. And I would ask the court
- 18 officer to please go to page 0127.
- 19 Q. [12:43:44] Do you see a document with blue and orange and red on your screen
- 20 there, Madam Witness?
- 21 A. [12:43:54] I can't -- the document's not in front of me yet.
- 22 Thank you.
- 23 MS HENDERSON: [12:44:08] Thank you, Madam Court Officer.
- 24 Q. [12:44:11] Do you see that now, Madam Witness?
- 25 A. [12:44:17] Yes, Madam Prosecutor. I can see it.

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1 Q. [12:44:21] (Overlapping speakers) So you'll see the title in French: "*Liste definitive*
2 *des candidats aux elections legislatives du 23 Janvier 2011*".

3 I would take you to the candidate listed at line 3, "Ngaïssona Patrice-Edouard".

4 Does that conform with your recollection that Mr Ngaïssona ran in the 2011
5 legislative election to represent Nana-Bakassa?

6 A. [12:45:07] Yes.

7 Q. [12:45:09] And drawing your attention to the last column, "*Denomination*", you
8 would conform, I think, that he ran for the KNK; is that right?

9 A. [12:45:28] That is indeed the case.

10 Q. [12:45:31] He was, in fact, elected, was he not?

11 A. [12:45:40] Absolutely.

12 MS HENDERSON: [12:45:43] Mr President, I'm afraid I have to go back into private
13 session for the next couple of documents.

14 PRESIDING JUDGE SCHMITT: [12:45:48] Well, but I explain it because we have an
15 audience now.

16 To the audience, this is a protected witness. The identity is protected, and now
17 I think until perhaps 1 o'clock the Prosecutor will ask questions where the answers
18 could reveal the identity of the witness, and this is the reason why we go back to
19 private session, and you can only watch but not listen.

20 Private session.

21 (Private session at 12.46 p.m.)

22 THE COURT OFFICER: [12:46:30] We are in private session, Mr President.

23 (Redacted)

24 (Redacted)

25 (Redacted)

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- 17 (The hearing ends in private session at 1.08 p.m.)