

Trial Hearing
WITNESS: CAR-D30-P-4848

(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 Rombhot Yekatom and Patrice-Edouard
5 Ngaïssona - ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács, Judge Chang-ho Chung and
7 Judge Beti Hohler
8 Trial Hearing - Courtroom 1
9 Friday, 5 July 2024
10 (The hearing starts in open session at 9.32 a.m.)
11 THE COURT USHER: [9:32:28] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:32:54] Good morning, everyone.
15 Court officer, please call the case.
16 THE COURT OFFICER: [9:32:58] Good morning, Mr President. Good morning,
17 your Honours.
18 This is the situation in the Central African Republic II, in the case of The Prosecutor
19 versus Alfred Rombhot Yekatom and Patrice-Edouard Ngaïssona, case reference
20 ICC-01/14-01/18.
21 And for the record, we are in open session.
22 PRESIDING JUDGE SCHMITT: [9:33:19] Thank you very much.
23 I ask for the appearance of the parties. I think Prosecution has not changed.
24 MS BERDENNIKOVA: [9:33:25] Good morning, your Honours. Indeed
25 the Prosecution is in the same composition. Thank you.

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- 1 PRESIDING JUDGE SCHMITT: [9:33:30] Then, Ms Rabesandratana.
- 2 MS RABESANDRATANA: [9:33:33](Interpretation) Yes, your Honour, for the legal
3 representatives of the parties, myself, Elisabeth Rabesandratana.
- 4 PRESIDING JUDGE SCHMITT: [9:33:43] Okay, thank you.
5 The second team of victims, representatives.
- 6 MS GRABOWSKI: [9:33:47] Good morning, Mr President. Good morning,
7 everybody in the courtroom. The team has not changed in composition since
8 yesterday.
- 9 PRESIDING JUDGE SCHMITT: [9:33:56] Thank you.
10 I turn to the Defence of Mr Yekatom. Ms Guissé.
- 11 MS GUISSÉ: [9:34:00](Interpretation) Good morning, your Honour. We are in
12 the same composition as yesterday, and Mr Yekatom is still following via video
13 conference.
- 14 And, for the record, I have to check an error that I made yesterday. Our intern, who
15 is leaving us today, is Charlotte Floquet, yesterday I gave the wrong first name, so I'm
16 sorry about that.
- 17 PRESIDING JUDGE SCHMITT: [9:34:25] That, of course, had to be rectified.
18 And, again, the Chamber appreciates it that you agree and Mr Yekatom agreed to
19 be -- to be following via the video link from the detention centre.
- 20 Mr Knoops next.
- 21 MR KNOOPS: [9:34:41] Good morning, Mr President, your Honours. Good
22 morning, everyone in the courtroom. Good morning, Mr Witness. We are the same
23 composition. I also have to make a rectification. The name of our new intern is
24 Lehna Guidou.
- 25 PRESIDING JUDGE SCHMITT: [9:34:55] Thank you very much, yeah.

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- 1 MR KNOOPS: [9:34:57] She is on the second row in the middle.
- 2 PRESIDING JUDGE SCHMITT: [9:35:00] Thank you so much.
- 3 Mr Karnavas.
- 4 MR KARNAVAS: [9:35:05] Good morning, Mr President. Good morning,
- 5 your Honours. And good morning to everyone in and around the courtroom.
- 6 PRESIDING JUDGE SCHMITT: [9:35:08] So we continue with the examination.
- 7 Good morning, Mr Witness. I hope you had a good rest, were able to sleep well.
- 8 WITNESS: CAR-D30-P-4848 (On former oath)
- 9 (The witness speaks French)
- 10 THE WITNESS: [9:35:18](Interpretation) Good morning, your Honour. I managed
- 11 to rest well and sleep well, your Honour.
- 12 PRESIDING JUDGE SCHMITT: [9:35:22] That's very good to hear. Then we
- 13 continue with Mr Knoops.
- 14 MR KNOOPS: [9:35:25] Thank you, Mr President.
- 15 QUESTIONED BY MR KNOOPS: (Continuing)
- 16 Q. [9:35:34] Good morning, Mr Witness.
- 17 Mr Witness, first of all, thank you very much for your patience with us yesterday, and
- 18 also today. We understand that it's a long exercise, so we appreciate your time
- 19 spending with us in Court.
- 20 Before I start, Mr Witness, I would like to say again what I expressed yesterday, that
- 21 my questions and the documents we show you are in no way meant to question your
- 22 sincerity when you say that you were not involved in any of the armed operations
- 23 with Mr Bozizé in 2013. I hope you understand that the only reason why I have to
- 24 ask you those questions, that I have to show you these documents, is because there
- 25 are serious allegations against Mr Ngaïssona, who is here in the courtroom, which

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1 allegations are partially derived from Facebook information which is partially
2 attributed to you.

3 So it's my obligation, as counsel, to give you a chance to clarify those documents to
4 the Court so that the Judges can make a decision whether they can rely on those
5 documents or not.

6 And I really can understand that you might have perceived my questions yesterday
7 as a questioning of your sincerity. But before we start, I would like to stress this
8 again, this is not nigh intention.

9 And also, today, I will spend some time with you in this court speaking about
10 the allegation against Mr Ngaïssona that he was involved before 5 December 2013 in
11 organising armed attacks with Mr Bozizé.

12 PRESIDING JUDGE SCHMITT: [9:37:54] I think, Mr Knoops, I already -- already
13 said yesterday that we have the impression that we have a very intelligent witness.
14 He has understood that. I think you can, yeah --

15 MR KNOOPS: [9:38:05] Yes, Mr President, but the reason why I'm saying this is,
16 I (Overlapping speakers)

17 PRESIDING JUDGE SCHMITT: [9:38:09] No, I understand it. It -- I think it's -- but
18 I think it's clear now to the witness.

19 MR KNOOPS: [9:38:16]

20 Q. [9:38:16] So, Mr Witness, is this clear for you why I'm doing this today again?

21 A. [9:38:28] It's clear, Mr President.

22 Q. [9:38:32] Thank you.

23 Mr President, I'm mindful that it's in this situation very difficult to decide whether to
24 go to private or closed session -- open session. I -- (Overlapping speakers)

25 PRESIDING JUDGE SCHMITT: [9:38:44] I think it's difficult to go to open session, I

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1 have to say.

2 MR KNOOPS: [9:38:47] Yes, I agree.

3 PRESIDING JUDGE SCHMITT: [9:38:47] I would -- I also thought about it this

4 morning, you know.

5 MR KNOOPS: [9:38:52] Yeah.

6 PRESIDING JUDGE SCHMITT: [9:38:55] It's all about context and we -- and also

7 the witness -- and you cannot ask your questions meaningfully and the witness not

8 answer meaningfully without speaking about persons. And that could -- so let's go,

9 not so much talk, let's go to private session.

10 MR KNOOPS: [9:39:10] Yeah, thank you.

11 Q. [9:39:12] Mr Witness, we are again in private session, so --

12 PRESIDING JUDGE SCHMITT: [9:39:16] Not yet.

13 MR KNOOPS: [9:39:18] Oh, not yet.

14 (Private session at 9.39 a.m.)

15 THE COURT OFFICER: [9:39:30] We're in private session, Mr President.

16 MR KNOOPS: [9:39:39]

17 Q. [9:39:39] Mr Witness, we continue where we left yesterday, the allegations

18 against Mr Ngaïssona, which, as I said, were partially based upon the Facebook

19 information.

20 (Redacted)

21 (Redacted)

22 (Redacted)

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- 13 (Redacted)
- 14 (Redacted)
- 15 PRESIDING JUDGE SCHMITT: [9:42:45] So you would -- do you say this is not true,
- 16 this information? This is always important, also for Mr Knoops and for the judges,
- 17 to know what -- what you say about this -- this message.
- 18 Is the information contained therein, is it correct or not?
- 19 THE WITNESS: [9:43:09](Interpretation) It's not exact, no.
- 20 PRESIDING JUDGE SCHMITT: [9:43:13] Thank you.
- 21 (Redacted)
- 22 (Redacted)
- 23 (Redacted)
- 24 (Redacted)
- 25 (Redacted)

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1 Well, what you can -- well, let me give it a try.

2 At the time, in 2013, are you aware of any media battle against the Seleka that was

3 perhaps orchestrated from Cameroon? Are you aware of something like that?

4 THE WITNESS: [9:47:29](Interpretation) I'm not aware, your Honour. But, to

5 the best of my knowledge, in the past, when the Seleka was in the country, they

6 represented a danger for the country. And that was going off in all directions to

7 defend oneself against this nebulous group. But concerning (Redacted)

8 (Redacted) I don't know it, your Honour.

9 PRESIDING JUDGE SCHMITT: [9:48:02] Yeah, I think that's sufficient as an answer,

10 Mr Knoops. Please move on.

11 MR KNOOPS: [9:48:09]

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

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9 PRESIDING JUDGE SCHMITT: [9:57:35] Well, that's -- that's the problem with

10 Facebook entries, yes. You can interpret them quite often in different ways.

11 The witness has clearly stated that the context is a lie. I think he cannot be more

12 outspoken.

13 Did you at the time -- did you meet Mr Ngaïssona, perhaps, to give it another spin?

14 You know, in -- really, we all -- we all know that this is a very difficult question to

15 answer after 10 years, but in this context, do you -- do you think it could be meant

16 that you met Mr Ngaïssona? Do you have any recollection of something like that?

17 THE WITNESS: [9:58:25](Interpretation) No, Mr President.

18 I already told you during my testimony yesterday that I saw Mr Ngaïssona two times.

19 The first time was when there was the football match where the Central African

20 national team was playing against South Africa, and it was on that occasion that I met

21 Mr Ngaïssona. And the second time, that was when Mr Ngaïssona lost his sister.

22 And it's as -- (Redacted)

23 (Redacted)

24 She was a compatriot, and it was on that occasion that I went to their house in order

25 to visit her. Other than that, not once did I see Mr Ngaïssona, apart from that.

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- 1 PRESIDING JUDGE SCHMITT: [9:59:34] Well, we recall that you already stated that
- 2 yesterday, so -- but just to make it clear.
- 3 Mr Knoops, I think all the potential questions that one could imagine have been
- 4 answered already by the witness.
- 5 MR KNOOPS: [9:59:49] Except one, Mr Witness -- Mr President.
- 6 PRESIDING JUDGE SCHMITT: [9:59:52] It's Friday, no, it's fine.
- 7 MR KNOOPS: [9:59:54] Sorry.
- 8 PRESIDING JUDGE SCHMITT: [9:59:55] It's Friday.
- 9 MR KNOOPS: [9:59:55] It's Friday, I understand.
- 10 PRESIDING JUDGE SCHMITT: [9:59:56] Some would say "Thank God it's Friday,"
- 11 but okay, that's for the elderly here in the room.
- 12 MR KNOOPS: [10:00:04] Yes.
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
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11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 MR KNOOPS: [10:03:33]

18 Q. [10:03:33] Thank you, sir. Well, the reason why I'm showing this is just to
19 show the Chamber and everyone in this courtroom how information was dispersed
20 on Facebook and how important it is that you're in this courtroom to tell us what is
21 correct and not correct. You see, this is one of the examples why your presence here
22 as a witness is so important, to make us understand what we should believe or not
23 believe from Facebook. Now I go to the next --

24 MR VANDERPUYE: [10:04:05] Mr President, I have an objection.

25 PRESIDING JUDGE SCHMITT: [10:04:07] Yes.

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1 MR VANDERPUYE: [10:04:07] I don't think it's appropriate for counsel to inform
2 the witness on what the direction, his purpose is, what the -- what the -- what
3 the issues are before the Chamber. That's for the Chamber to determine and not for
4 the counsel to lecture the witness or inform the witness or coach him.

5 PRESIDING JUDGE SCHMITT: [10:04:23] Well, you are not wrong. You are not
6 wrong.

7 And, Mr Knoops, let me put it this way, you have said it now two or three times. It's
8 absolutely clear to the witness. And I also repeat what I said twice now. We have
9 a witness who fully understands what the examination is about. So you don't -- you
10 don't have to make any informing speeches anymore. So, Mr -- of course
11 Mr Vanderpuye is correct.

12 But there is no harm done, Mr Vanderpuye, because the witness, even without any
13 explanations by Mr Knoops, is fully aware of what's going on.

14 Please continue, Mr Knoops.

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

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1 (Counsel confers)

2 MR KNOOPS: [10:07:12] Mr President, Ms Barbara Szmatala rightly points that it
3 might be, for the context, better to also scroll up to the first entry --

4 PRESIDING JUDGE SCHMITT: Why not.

5 MR KNOOPS: [10:07:24] -- for the witness to show maybe the context of
6 the conversation.

7 PRESIDING JUDGE SCHMITT: [10:07:52] Why not.

8 And the question, Mr Knoops?

9 MR KNOOPS: [10:08:08] If the witness is ready to answer, my question would be:

10 Q. [10:08:14] Could you clarify, Mr Witness, what you meant with the words "men
11 in the field", "my men in the field"?

12 A. [10:08:34] Thank you, Mr President. When I talk about "my men in the field", it
13 does not mean that I'm talking about armed men. I'm talking about people who are
14 providing us with information, to alert us to what was going on in the country.
15 That's what I'm referring to, Mr President.

16 (Redacted)

17 (Redacted)

18 (Redacted)

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11 Q. [10:12:01] Mr Witness, I'm going to another Facebook which relates to

12 the allegation about --

13 PRESIDING JUDGE SCHMITT: [10:12:11] Mr Knoops.

14 Ms Berdennikova.

15 MS BERDENNIKOVA: [10:12:15] I'm sorry to interrupt. Just before we move on to

16 another message, I think it would provide better clarity if the witness is asked what is

17 meant by "our movement", "*notre mouvement*".

18 PRESIDING JUDGE SCHMITT: [10:12:34] Well, you can ask this during your

19 examination, but, not to lose any time.

20 Mr Witness, I pick it up as Presiding Judge, what do you mean by "our movement" in

21 these lines?

22 THE WITNESS: [10:12:57](Interpretation) Yes, Mr President, as I was saying at an

23 earlier stage, this name that appears here, I did indeed talk about that person, but

24 I don't know who I was referring to. And, to date, I can't ascertain which movement

25 I was referring to, Mr President.

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1 PRESIDING JUDGE SCHMITT: [10:13:22] Mr Knoops.

2 And I think it would also perhaps spare us a little bit of time if you go directly to
3 the -- to the next Facebook entry and, you know, without preliminary explanations.

4 MR KNOOPS: [10:13:39] Okay, yeah, so the judges prefer that I directly put
5 the Facebook --

6 PRESIDING JUDGE SCHMITT: [10:13:43] Yes, please, please.

7 MR KNOOPS: [10:13:44] Okay, fine. No problem. Thank you, Mr President.

8 PRESIDING JUDGE SCHMITT: [10:13:46] And any -- any problems with it,
9 with -- under the understanding, can be solved then in the process.

10 MR KNOOPS: [10:13:54] Okay, no problem.

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 Please read the two entries, Mr Witness, and we have some questions for you.

16 A. [10:15:15] I have familiarised myself with it, Mr President.

17 Q. [10:15:19] First of all, sir, is this a correct reflection of -- of the information you
18 had in those days, or do you recall it different from what's here in the Facebook
19 message?

20 A. [10:15:37] Yes. Mr President, you know that when the Seleka came to
21 the country, it represented a danger for the entire country, and it was necessary for
22 this nebulous group to leave the country. So everyone was making efforts to drive
23 them out by all means possible to get rid of the Seleka. So we were receiving
24 information from all sources, and it's clear, I said that I had (Redacted)
25 (Redacted)

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5 So the youth in that locality were organising themselves with a view to protecting

6 themselves against this nebulous group. *And it was via these youngsters that I

7 gleaned this information and that I then put that question to that elder brother who

8 was a leader for everyone in order to find out what was going on, and he confirmed

9 to me that that movement did indeed exist and that they wanted to fight to make

10 means available to these young people. And for my part, I complained (sic) that if this

11 movement did indeed exist, we needed to make these means available to the young

12 people, in order to get rid of this nebulous group that was putting an entire nation ill

13 at ease. I said that, but it doesn't directly mean that I knew anything about

14 the movement, because you yourself have seen that if I knew something about

15 the movement, I wouldn't have put a subsequent question to (Redacted).

16 As I said, I got information from a youngster, I got information from other people,

17 and I was attempting to ascertain whether really this was the case or not. And that's

18 what I have to say to you, Mr President.

19 (Redacted)

20 (Redacted)

21 (Redacted)

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1 Mr Witness, so it's true that this radio station, this radio outlet was, according to your
2 experience, one of the sources of information which was at the basis of some of
3 the Facebook conversations?

4 A. [10:24:10] Yes. Mr President, as I said during my testimony yesterday, we
5 receive sources of information over the radio, over the television, and on Facebook
6 feed. That is how we share this information between ourselves. And that's what I
7 said yesterday, Mr President.

8 Q. [10:24:34] Thank you, sir.

9 The next entry requires maybe one or two minutes' reading for everyone in
10 the courtroom, especially the witness.

11 PRESIDING JUDGE SCHMITT: [10:24:45] We are going to read two minutes and
12 the witness is -- will be finished in 20 seconds. No, I'm -- no, excuse me. Please
13 continue.

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted) purpose of clarity, maybe let the witness read the whole message,
21 and --

22 PRESIDING JUDGE SCHMITT: [10:25:53] Absolutely, absolutely.

23 And I can already tell everyone that in the -- let's say, eight or nine lines from
24 the bottom, the name of the witness appears.

25 MR KNOOPS: [10:26:02] Exactly. Exactly.

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- 1 PRESIDING JUDGE SCHMITT: [10:26:03] Yes.
- 2 MR KNOOPS: [10:26:03] That will be the question.
- 3 PRESIDING JUDGE SCHMITT: [10:26:05] Absolutely, I know.
- 4 (Pause in proceedings)
- 5 THE WITNESS: [10:27:27](Interpretation) I have finished reading, Mr President.
- 6 MR KNOOPS: [10:27:30] Then I have to ask if everyone has read it in the courtroom
- 7 well.
- 8 PRESIDING JUDGE SCHMITT: [10:27:33] Yes. Well, I cannot say everyone, but,
- 9 yes.
- 10 MR KNOOPS: [10:27:38] It's okay for the Prosecution to continue? Yes. Thank
- 11 you.
- 12 Q. [10:27:44] Mr Witness, it's a long entry, but the most relevant part is what you
- 13 might have detected, what the Presiding Judge already indicated, the line which starts
- 14 with this eighth sentence from below: (Interpretation)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
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8 So I'm referring with what I say, it's on the television, it's on the radio, it's on

9 international channels, and at a particular time when the Seleka were in control of

10 the country and the French forces were there, they were trying to disarm them and

11 they refused to disarm. And that's the information that I had to share with my

12 compatriot, to the best of my knowledge.

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

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21 (Redacted)

22 (Redacted)

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1 Mr Witness, it's an entry which is attributed to your Facebook and the question to you,
2 if after reading it, what was the source of information you had at that time for this
3 entry?

4 A. [10:37:43] I'm sorry, Mr President. You're referring to which paragraph, to
5 make it possible for me?

6 PRESIDING JUDGE SCHMITT: [10:37:48] Mr Knoops, perhaps -- I think we are
7 talking about 23 -- (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 THE WITNESS: [10:38:14](Interpretation) Thank you, Mr President.

12 So, where it concerns this story, these are just rumours, these are rumours that were
13 being heard everywhere. At a particular time in the country, they were going to
14 bring President Bozizé into power. That's what people were saying in the streets.

15 And we share it. It doesn't mean it's a sure source, or from a sure source,

16 Mr President.

17 MR KNOOPS: [10:38:54]

18 Q. [10:38:56] Mr Witness, I'm now going to switch to information circling on social
19 media in regard to also Mr Ngaïssona in specific.

20 My first question to you is: did you ever receive in 2013, when you were in Cameroon,
21 ever information from Mr Ngaïssona himself, for instance, by phone or otherwise?

22 Because we know you saw him just twice.

23 A. [10:39:39] Mr President, when there was this event, it's going off in all directions
24 and it says too much. What you haven't done, people say that you have done.

25 What the person hasn't seen, the person can say he saw. It's going in all directions,

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1 such that you can come across information or things that people say, but it doesn't
2 confirm that the information that the person gives or says to another person is correct,
3 or certain. That's what I can say on this subject, Mr President. Personally, I don't
4 know what to say about your answer -- about your question, excuse me,
5 Mr President.

6 PRESIDING JUDGE SCHMITT: [10:40:43] Well, that was -- that was an answer,
7 simply, which is on the record and you can move on, Mr Knoops.

8 MR KNOOPS: [10:40:51]

9 Q. [10:40:51] Mr Witness, did you ever receive in 2013 any request of Mr Ngaïssona,
10 directly or indirectly, to take part in the armed resistance on part of the Anti-Balaka?

11 A. [10:41:19] No, Mr President.

12 Q. [10:41:25] Did you ever hear, observed, experienced, information that
13 Mr Ngaïssona gave orders to organise the 5 December attack of 2013 in Bangui, on
14 part of the Anti-Balaka?

15 A. [10:41:54] No idea, Mr President.

16 Q. [10:41:58] Same question, Mr Witness: did you ever hear, observe or experience
17 information that Mr Ngaïssona gave, in 2013, orders to the FACA to organise
18 themselves to destabilise the Seleka regime?

19 A. [10:42:23] I don't think so, Mr President. From the moment that Mr Ngaïssona
20 isn't a military chief as such, so in terms of giving orders to an arm, that would mean
21 that he would have to be a military chief. But as a civilian, how could he give orders
22 to an army of a country? I don't think so, unless I'm mistaken, but I've never heard
23 that.

24 (Redacted)

25 (Redacted)

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15 (Redacted)

16 (Redacted)

17 A. [10:45:53] Thank you very much. You also saw that this phrase, it's in

18 the conditional tense, so I learnt -- I said that I have learnt or I've heard that this is

19 information that's been gathered by different people, which could be true or it could

20 be false, which I shared. But it's not certified that it's from a certain source,

21 Mr President.

22 PRESIDING JUDGE SCHMITT: [10:46:28] It might be a difficult question, again,

23 Mr Witness, after 10 years, but do you recall which source it was? Be it true or not,

24 do you recall that, what was the basis of what you wrote here?

25 THE WITNESS: [10:46:59](Interpretation) Mr President, it seems difficult for me to

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- 1 refresh my memory, Mr President, with all of my apologies, Mr President.
- 2 PRESIDING JUDGE SCHMITT: [10:47:09] No problem, of course.
- 3 Mr Knoops.
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
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1 Facebook, I keep telling you that, generally, we receive our information through our
2 relationships, on the radio, on the television, and it's clear here I say that it's a *petit*,
3 a youngster on Facebook who's just spoken to me.

4 So when I say it was the youngster who spoke to me, then I must have tried to get this
5 information from the older brother. But I can't say that it's sure. The person gave
6 me information and I'm trying to push to check whether it's correct or whether it's
7 a lie, false information. That's what I'm trying to do, Mr President.

8 Q. [10:51:25] Now, (Redacted) says it was false information. Did you ever learn from
9 him how he was able to check this, that it was false information? How was he able
10 to check those sources, if you know?

11 A. [10:51:43] How I could know, if he was saying that he had a source, he had to
12 mention it here. He just said that it was a false alert, so I'm also checking what he
13 said, Mr President.

14 Q. [10:52:00] Thank you.

15 I have one entry before the break and one last question before I switch to a totally new
16 topic, Mr President. So I suggest that I finish those two questions before the break.

17 PRESIDING JUDGE SCHMITT: [10:52:16] Absolutely, yeah, please.

18 MR KNOOPS: [10:52:18]

19 (Redacted)

20 (Redacted)

21 (Redacted)

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23 (Redacted)

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- 15 PRESIDING JUDGE SCHMITT: [10:58:54] Break until 11.30.
- 16 MR KNOOPS: [10:58:57] Mr President, can I --
- 17 PRESIDING JUDGE SCHMITT: [10:58:58] Of course, if you have --
- 18 MR KNOOPS: [10:58:59] -- come back to this --
- 19 PRESIDING JUDGE SCHMITT: [10:58:59] If you have a follow-up question, of
- 20 course, yes, yes.
- 21 MR KNOOPS: [10:59:03] Thank you. You want me to do it now or after the break?
- 22 I was understanding you want to have a break.
- 23 PRESIDING JUDGE SCHMITT: [10:59:13] Well, it depends a little bit.
- 24 MR KNOOPS: [10:59:15] Just two questions on this entry.
- 25 PRESIDING JUDGE SCHMITT: [10:59:17] Yeah -- yes, of course, we are -- now we

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1 are at this entry, so we finish that, obviously, yes.

2 MR KNOOPS: [10:59:24] Thank you, 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 So this is information that I had received about -- from Cameroonian television at the
18 time, because at the time the Cameroonian channel was very much aware of what
19 was going on because it was on the border and there was so many Central Africans
20 who were in Cameroon, so the Cameroonian television was keeping informed -- or
21 keeping the entire Cameroonian population informed of what was happening on
22 the other side, and that's how I got this information, so I was able to put him right in
23 this regard.

24 (Redacted)

25 (Redacted)

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14 PRESIDING JUDGE SCHMITT: [11:03:33] So let's, let's have -- well, half an hour of
15 break. This means, let's say, 25 to 12. Do we manage to do that? Because it's odd,
16 a little bit. Yeah. Okay, half an hour.
17 THE COURT USHER: [11:03:48] All rise.
18 (Recess taken at 11.03 a.m.)
19 (Upon resuming in open session at 11.38 a.m.)
20 THE COURT USHER: [11:38:17] All rise.
21 Please be seated.
22 PRESIDING JUDGE SCHMITT: [11:38:35] Good morning, again. We are in open
23 session.
24 Mr Knoops, when you continue,
25 can we stay in open session or -- Ms Guissé, first,

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1 yes.

2 MS GUISSÉ: [11:38:52](Interpretation) Thank you, Mr President. I'm sorry to
3 interrupt the examination of my learned colleague, but I just wanted to underscore
4 a point with regard to the state of health of Mr Yekatom.
5 We were quite happy to date to be present in the courtroom because we hoped that
6 treatment would be urgently forthcoming. But I have understood that the Registrar
7 is probably going to be sending me an email with an update.
8 Mr Yekatom has still not seen a doctor. I had him online over the break and he
9 doesn't feel any better. So for the continuation of the examination of this witness, I
10 hope we're going to be able to do something rapidly. We have sent an email to the
11 detention centre on Wednesday. We haven't received a response yet. I hope we
12 will receive one as soon as possible. But as you can see on the screen, he doesn't feel
13 wonderful, but he's going to be able to follow what's going on over the screen for the
14 time being.

15 But I wanted to indicate this now hoping -- hopeful that things will speed up in the
16 rest of today.

17 Thank you, Mr President.

18 PRESIDING JUDGE SCHMITT: [11:40:12] Well, the detention centre tells us that
19 a nurse is looking for Mr Yekatom. However, a nurse is not a doctor. And, for the
20 record, the Chamber would appreciate it if the detention centre would facilitate a visit
21 by a doctor for Mr Yekatom as soon as possible. And we see this, as the Chamber, as
22 urgent and we still -- and I have understood that we can continue for the time being,
23 but we have addressed it now in open session even, and we have addressed it and it's
24 on the record for the detention centre.

25 Thank you very much.

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1 Mr Knoops, then the question again, can we continue in open session or do we have
2 to go to --

3 MR KNOOPS: [11:41:06] Mr President, thank you very much. This topic could be
4 addressed in open session, but I would leave it also, with your permission, in the
5 hands of the witness --

6 PRESIDING JUDGE SCHMITT: [11:41:14] We will try it and the witness has
7 understood.

8 When the answer, Mr Witness, requires that you mention names that could perhaps
9 also identify you, then we go to private session.

10 So please continue.

11 MR KNOOPS: [11:41:29]

12 Q. [11:41:29] For the witness to know, what I'm going to ask you about, sir, in the
13 next topic is about your return to Bangui in January 2014.

14 There are some Facebook entries which I will put to the witness, but it can be such
15 that your name is not revealed or identified, but if you believe that my questions
16 could jeopardise your identity, please let me know, then we can ask the Chamber to
17 reconsider that decision.

18 PRESIDING JUDGE SCHMITT: [11:42:10] Of course. This is clear.

19 MR KNOOPS: [11:42:13] And for the Court and the parties, participants, Mr Witness
20 and Mr Karnavas, I try to finish before 1.

21 PRESIDING JUDGE SCHMITT: [11:42:24] Mr Karnavas is in agreement, I think.

22 MR KNOOPS: [11:42:33]

23 Q. [11:42:33] Mr Witness, you returned -- as I detected from several Facebook
24 conversations, you returned to Bangui on 17 January 2014. Apparently, you arrived
25 after Mr Ngaïssona. Is that correct? Is that still the information which you can

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1 confirm?

2 A. [11:43:00] I believe so, Mr President.

3 Q. [11:43:04] My next question to you, sir, is did Mr Ngaïssona have anything to do
4 with your departure from Douala to Bangui on 17 January 2013?

5 A. [11:43:27] The question has been misinterpreted. Could you please repeat the
6 question to me.

7 PRESIDING JUDGE SCHMITT: [11:43:37] Well, Mr Witness, was Mr Ngaïssona in
8 any way involved of your going back to Bangui?

9 THE WITNESS: [11:43:50](Interpretation) Absolutely not, Mr President.

10 PRESIDING JUDGE SCHMITT: [11:43:56] Thank you.

11 Mr Knoops.

12 MR KNOOPS: [11:44:02] Thank you.

13 Q. [11:44:03] Sir, I would like to show you a Facebook conversation. I will not
14 mention the names anymore.

15 {PFR: (Redacted).} An entry
16 starting on 15 January 2014, at time code 13:51:39. I'm not going to mention any
17 names here, and I will ask you, Mr Witness, to read the five entries which follow the
18 first one, till -- actually, it's six, till time code 15:00:49.

19 When you've read it, Mr Witness, I have a question for you.

20 A. [11:45:35] Thank you, Mr President.

21 This makes me laugh reading this message that says it is Mr Ngaïssona who gave me
22 instructions to go home. I can't see myself reflected in that conversation, and what is
23 more, I was surprised by my response. So I don't really know how to answer that
24 question.

25 I, as far as I'm concerned, went home under my own steam and, as I understood

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1 yesterday, during the events, as I was somebody who got by pretty well in business,
2 when I left, all my possessions were looted and just my house remained. So, I had to
3 go home to save the little that remained.
4 So it was not Mr Ngaïssona who told me to go home. It was I who decided to go
5 home. That's all, Mr President.

6 Q. [11:47:04] Mr Witness, did Mr Ngaïssona have anything to do with the financing
7 of your trip back from Douala to Bangui?

8 A. [11:47:25] No, Mr President.

9 Q. [11:47:29] I would like to show you another Facebook conversation in this
10 regard. Try to avoid mentioning names. Tab 20 of the Defence binder,
11 CAR-OTP-2102-6596 at the pages 6657 till 6658. These are six entries, starting at time
12 code 10:35:51 and they are all dated on 30 January 2014 - so, when you were back in
13 Bangui - between two individuals mentioned in the Facebook conversation.
14 I will kindly ask you to read them, Mr Witness, and if you are finished with reading,
15 let me know and I have some questions for you.

16 PRESIDING JUDGE SCHMITT: [11:48:51] *Oui, c'est ça.*

17 You can stop here.

18 MR KNOOPS: [11:49:18]

19 Q. [11:49:19] You have finished reading, sir?

20 A. [11:49:23] Yes, I have, Mr President. {ICR: (Redacted)}

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 : (Redacted)}

2 PRESIDING JUDGE SCHMITT: [11:50:12] Mr Witness, without mentioning the
3 name, do you know the person who is giving this information?

4 Please stop, yes.

5 Do you know this person, the name of -- whatever?

6 THE WITNESS: [11:50:40](Interpretation) Mr President, no, I do not know that
7 name.

8 PRESIDING JUDGE SCHMITT: [11:50:45] Thank you.

9 Mr Knoops.

10 MR KNOOPS: [11:50:48] Mr President, there might be some part which can be seen
11 as identifying information in the answer of the witness.

12 PRESIDING JUDGE SCHMITT: [11:50:57] We don't mention it, we simply continue
13 and initiate, potentially, a process.

14 MR KNOOPS: [11:51:06] Yes.

15 Q. [11:51:06] Mr Witness, the third question on the return to Bangui relates to
16 a conversation which is again in {PFR: (Redacted)}
17 (Redacted)}. It's a conversation starting on 15 January, it's two days before your
18 arrival, 15 January 2014, time code 15:20:45, and these are six entries, going to time
19 code 15:39:22, between the Facebook account attributed to you and another person.
20 I ask you kindly to read those entries and when finished, let me know.

21 A. [11:52:49] I have finished reading, Mr President.

22 Q. [11:52:54] My question to you, sir, is when you look at the fifth entry from the
23 top - the entry of 15:27:26 - you say that you might have followed up or would have
24 followed up that information about Mr Ngaïssona, because I assume we are referring
25 here to his return; correct?

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1 A. [11:53:43] Mr President, because the name of an individual is not indicated here,
2 how am I going to know that it's Mr Ngaïssona that is being talked about here or
3 somebody else in this message because you, yourself, said in the past, here, that I
4 went back home a lot earlier than Mr Ngaïssona.

5 But here, mention is made of the fact that I stayed outside of the country. As I said
6 in the message here, I said:

7 No idea. I'm trying to get in contact with those back home in order to find out what
8 happens next.

9 But what person are we talking about here? There is no mention made of an
10 individual, so how would I be in a position to know, Mr President.

11 PRESIDING JUDGE SCHMITT: [11:54:35] Well, that is a clear answer.

12 MR KNOOPS: [11:54:45]

13 Q. [11:54:45] Sorry, if we would go up to the entry 15 January 2014, time code
14 15:17:13. I'm not sure which page is it -- you see, it's 5071, the same page, a little bit
15 up. It's a message attributed to your Facebook account, Mr Witness. I ask you to
16 read it, where you refer to the Sangaris which were apparently looking for
17 Mr Ngaïssona that morning. But you didn't know what this actually was about.
18 My question to you is: Could it be that you tried to make a call to him on the 16
19 January of 2014, the day before your departure to find out what was happening?
20 Because the Prosecution submitted a list of phone numbers to us in which one
21 number is attributed to you and one to Mr Ngaïssona, and this suggests that there
22 was a brief contact on 16 January at four seconds, first, then it seems to be a missed
23 call, and Mr Ngaïssona calls back on this number, which is attributed to you -- 1
24 minute 37.

25 And my question to you is: Could it be about finding out what happened with his

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1 well-being?

2 PRESIDING JUDGE SCHMITT: [11:56:57] Mr Knoops, this is -- this is extremely
3 leading, I would say.

4 First of all, do you recall such a conversation, such a contact? Let me put it this way:
5 Do you recall such a contact around about 15, 16 January 2014?

6 THE WITNESS: [11:57:19](Interpretation) I do not believe so, Mr President.

7 PRESIDING JUDGE SCHMITT: [11:57:25] So, if you do not recall - I think, also, the
8 question is answered - what was the contact about? So I'm just asking it so that we
9 can continue.

10 So you also do not know what this alleged contact, the conversation has been about?

11 THE WITNESS: [11:57:57](Interpretation) No, Mr President.

12 PRESIDING JUDGE SCHMITT: [11:57:58] Thank you.

13 Mr Knoops, please move on.

14 MR KNOOPS: [11:58:03] It presupposes, of course, that the attribution is correct.

15 PRESIDING JUDGE SCHMITT: [11:58:09] I said "alleged". Didn't I say "alleged"?

16 MR KNOOPS: [11:58:11] That's right, Mr President.

17 PRESIDING JUDGE SCHMITT: [11:58:12] Yes.

18 MR KNOOPS: [11:58:13] Thank you.

19 Q. [11:58:14] Thank you, sir.

20 I would like to show you now, switching to a different topic, and that might be -- that
21 might be identifying.

22 PRESIDING JUDGE SCHMITT: [11:58:22] We are always here on the borderline, I
23 have to admit, yes.

24 Let's go to private session.

25 (Private session at 11.58 a.m.)

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- 1 THE COURT OFFICER: [11:58:33] We are in private session, Mr President.
- 2 MR KNOOPS: [11:58:44]
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
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- 7 (Redacted)
- 8 (Redacted)
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1 (Redacted)

2 PRESIDING JUDGE SCHMITT: [12:01:59] Yes.

3 Actually I agree, Mr Knoops. He has said he doesn't -- well, but again, you
4 know -- you know, these decisions are always, you know, you can do it this or that
5 way. You could also say - and I'm doing it now - Mr Witness, hearing now that there
6 are witnesses saying that you allegedly -- allegedly had contact in 2013 with this
7 person, does that ring a bell or do you maintain that you don't know him, you don't
8 have a recollection to such events?

9 THE WITNESS: [12:02:38](Interpretation) None, no recollection.

10 PRESIDING JUDGE SCHMITT: [12:02:45] So Ms Berdennikova was right in the end.

11 It has been answered all encompassing, so to speak.

12 Mr Knoops.

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 PRESIDING JUDGE SCHMITT: [12:03:32] Well, the reference is okay -- the reference
18 is okay. We have heard the witness and -- but we don't have any problems with
19 putting it on the record for this day, so we have the connection immediately.

20 (Redacted)

21 (Redacted)

22 (Redacted)

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25 (Redacted)

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10 Q. [12:05:54] Thank you, sir. I realise this is a topic we could address in open
11 session.

12 PRESIDING JUDGE SCHMITT: [12:06:00] Well, when he describes where he lived
13 (Overlapping speakers)

14 MR KNOOPS: [12:06:06] No, but he --

15 PRESIDING JUDGE SCHMITT: [12:06:07] -- exactly, so. But --

16 MR KNOOPS: [12:06:08] The question I'm going to put now --

17 PRESIDING JUDGE SCHMITT: [12:06:10] Then we can -- then we can -- now, we
18 can go, then, to open session, but before I think it --

19 MR KNOOPS: [12:06:14] You're right, Mr President.

20 PRESIDING JUDGE SCHMITT: [12:06:16] Yes. Open session, now.

21 (Open session at 12.06 p.m.)

22 THE COURT OFFICER: [12:06:23] We're back in open session, Mr President.

23 MR KNOOPS: [12:06:35]

24 Q. [12:06:37] Mr Witness, I have some questions on the role of Mr Ngaïssona in
25 2014 when he came back from exile.

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1 Can you tell the Court how much contact you had with him, in which context and
2 what his activities were, say in the time frame of January 2014 after the return till May,
3 June, 2014?

4 A. [12:07:13] I'm not well-placed, Mr President, to tell you anything with regard to
5 Mr Ngaïssona's activities. Once he went back to the country, I went -- when -- I went
6 back to my own activities, did what I used to do, and he carried out his activities as he
7 did in the past, so I'm not well-placed in order to tell you anything on that subject,
8 Mr President.

9 PRESIDING JUDGE SCHMITT: [12:07:45] I think, Mr Knoops, you can shorten that.
10 This is -- whatever in that context you would have want to ask, seems not to be
11 promising, to put it this way.

12 MR KNOOPS: [12:08:11]

13 Q. [12:08:12] Now, my last topic is about a certain individual. I'm hesitating as to
14 whether to put those questions in open session because this also relates to
15 the -- ultimately, to the two reports of the Prosecution --

16 PRESIDING JUDGE SCHMITT: [12:08:30] That cannot be discussed in open session
17 obviously.

18 MR KNOOPS: [12:08:33] No, but I have some preliminary questions on that
19 individual, but I think it's --

20 PRESIDING JUDGE SCHMITT: [12:08:35] No, no, it's better to have this completely
21 in private session.

22 For the audience, this is -- for you, this is, of course, not very nice. You came here
23 perhaps to listen obviously, not only to look but to listen. But this is a protected
24 witness and whenever we are going to discuss topics where the answers could reveal
25 the identity of the witness, we have to do that in private session.

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1 So, private session.

2 (Private session at 12.09 p.m.)

3 THE COURT OFFICER: [12:09:13] We are in private session, Mr President.

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

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19 Q. [12:15:05] Now, finally, Mr Witness, I would like to ask you kindly to read two
20 documents.

21 It's tab 31 and tab 32 of our Defence binder. Starting with tab 31, it's
22 CAR-OTP-00036589-0001, and if you have read that report, give us notice and then
23 we'll show you the second report, which is tab 32, CAR-OTP-2135-4203.

24 PRESIDING JUDGE SCHMITT: [12:16:04] And when you have read it, Mr Witness,
25 please don't answer immediately, there could be an issue that we have to discuss with

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1 that.

2 Mr Karnavas is also on guard, so to speak.

3 Ms Berdennikova is not only on guard, but also on her feet. Yes?

4 MS BERDENNIKOVA: [12:16:25] Indeed. But I would just like to make sure that
5 the witness reads in English, in fact.

6 PRESIDING JUDGE SCHMITT: [12:16:33] Well, that's a good point, indeed.

7 Mr Witness, this is in English. It's better to translate it, I assume, to you.

8 THE WITNESS: [12:16:51](Interpretation) Thank you, Mr President, I would like this
9 to be translated to be able to understand it well, your Honour.

10 PRESIDING JUDGE SCHMITT: [12:16:58] So, Mr Knoops, what we do then, is
11 perhaps the most pertinent parts, you please read them out in English and we will
12 have the sight translation in French.

13 MR KNOOPS: [12:17:11]

14 Q. [12:17:13] Mr Witness, just as background information, these are two reports
15 from the Prosecution service that we call investigatory reports. (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

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11 PRESIDING JUDGE SCHMITT: [12:20:14] Mr Witness, the question is indeed if you
12 remember such an incident and if it is true.

13 On behalf of the Chamber, I would like to remind you that you may object to any
14 statement that might -- making any statement that might incriminate you. If you
15 decide to answer the question, which is up to you, the answer must be truthful, of
16 course.

17 Mr Karnavas, do you think it's necessary that you have a short conversation with
18 your client?

19 MR KARNAVAS: [12:20:50] Not at this moment, your Honour. We've -- I've
20 discussed this with my client.

21 PRESIDING JUDGE SCHMITT: [12:20:54] Well, I like to hear that, because that
22 shows that you are not for the first time in the courtroom, because I don't like
23 interruptions. Very good.

24 So you have understood the situation, Mr Witness.

25 I repeat it shortly. You don't have to answer the question if this could incriminate you.

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1 If you decide to answer, what you've said in the beginning, that you say the truth, the
2 whole truth and nothing but the truth holds. Then it has to be the truth, so it is up to
3 you now.

4 Do you answer the question?

5 Take your time.

6 THE WITNESS: [12:21:49](Interpretation) Please excuse me, your Honour.

7 PRESIDING JUDGE SCHMITT: [12:21:56] No problem.

8 THE WITNESS: [12:21:58] Thank you, Mr President, for having given me the
9 opportunity to speak a bit on this subject.

10 I heard about this. You know, our country is small, so I did hear about this from
11 people who were involved -- (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

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25 MR KNOOPS: [12:31:57] Yes. If the Court allows, I have just a few follow-up

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1 questions for the witness.

2 PRESIDING JUDGE SCHMITT: [12:32:02] Yes, but the witness has really given

3 a long explanation, so --

4 MR KNOOPS: [12:32:06] It's not about --

5 PRESIDING JUDGE SCHMITT: [12:32:08] No, no, I won't stop you, but it's just, you

6 know, I'm always trying to be efficient, so to speak.

7 So, Mr Knoops, continue.

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

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9 Q. [12:35:24] Mr Witness, I've come to the end of my examination. Before I
10 thank you for your patience and your understanding of the questions I've put to you,
11 I would like to ask you the following: We have given you, Mr Witness, the
12 opportunity during yesterday, this morning, to explain to us some of the Facebook
13 conversations in this case, to give it context to say which is true and not true.
14 Were you ever in these proceedings, Mr Witness, approached by the Office of the
15 Prosecution to give the same explanation to the various Facebook messages we put to
16 you in the last couple of days?

17 A. [12:36:31] Not yet, Mr President.

18 Q. [12:36:36] Lastly, you were willing to testify on behalf of the Defence of
19 Mr Ngaïssona. What was your motivation to accept that invitation, sir?

20 A. [12:36:53] Thank you, Mr President. My motivation is as follows: I could have
21 refused to come and testify, that is also my right, but for truth to come to the
22 fore -- you know, so much happened in our country, and a lot of things were said,
23 a lot of lies were said, a lot of allegations were levelled, many things were floating
24 around. So it is necessary to come before your Court to give my point of view, to
25 give my opinion of what I saw, of what I noted, of what I did or did not do.

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1 And that was my motivation to come and testify. Because had I not done so, there
2 might have been some form of possible reproach. I wanted to come and shed light
3 on matters for your Court, Mr President.

4 Q. [12:38:19] Sir, is there anything I overlooked in my examination that you --

5 PRESIDING JUDGE SCHMITT: [12:38:26] Only a question, please, Mr Knoops.

6 MR KNOOPS: [12:38:29] Yeah.

7 Q. [12:38:29] Is there anything --

8 PRESIDING JUDGE SCHMITT: [12:38:30] Or finish, please.

9 MR KNOOPS: [12:38:30] Yes.

10 PRESIDING JUDGE SCHMITT: [12:38:31](Overlapping speakers) not a concrete
11 question.

12 MR KNOOPS: [12:38:32] No, no.

13 PRESIDING JUDGE SCHMITT: [12:38:33] This is so open -- well, this potentially
14 opens --

15 MR KNOOPS: [12:38:37]

16 Q. [12:38:37] Well, is there anything, Mr Witness, you would like to add to the
17 examination on the Facebook? Is there something you would like to add to the
18 explanations we should give as lawyers --

19 PRESIDING JUDGE SCHMITT: [12:38:54] No, this is -- this is too open.

20 Mr Witness has really given enough information on the interpretation, but I will not
21 stop it completely.

22 Mr Witness, is there something burning in you what you want to say? But not a long
23 speech, please.

24 THE WITNESS: [12:39:12](Interpretation) Thank you, Mr President. I believe I
25 have said everything I have to say before your Court. There's not much I could add

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- 1 in order not to destroy everything that I've said, Mr President.
- 2 MR KNOOPS: [12:39:36] Thank you, Mr President, that concludes my examination.
- 3 Thank you, Mr Witness, for your patience.
- 4 PRESIDING JUDGE SCHMITT: [12:39:43] Thank you very much, Mr Knoops.
- 5 Ms Berdennikova, do you have already an estimate?
- 6 (Counsel confers)
- 7 MS BERDENNIKOVA: [12:40:00] Your Honours, I think it might be more
- 8 efficient -- because I'm not going to finish in one session, I'm afraid, not unless I have
- 9 time to cut the exam --
- 10 PRESIDING JUDGE SCHMITT: [12:40:09] This, of course, is the background of my
- 11 point.
- 12 MS BERDENNIKOVA: [12:40:12] Yes.
- 13 PRESIDING JUDGE SCHMITT: [12:40:13] So then we -- perhaps it's -- you have also
- 14 enough time this afternoon and, perhaps, during the weekend to go through it and
- 15 perhaps look at what you want to ask. We have had this practice that we are really
- 16 asking counsel if it would serve them -- help them to perhaps strike out questions.
- 17 So let's say we conclude the hearing for today and continue Monday morning at 9.30.
- 18 Thank you very much, Mr Witness. You have heard, we cannot finish anyway today
- 19 so we have to resume on Monday. Thank you for the moment.
- 20 And for everyone, a good weekend.
- 21 THE COURT USHER: [12:40:49] All rise.
- 22 (The hearing ends in private session at 12.40 p.m.)