

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
7 and Judge Chang-ho Chung
8 Trial Hearing - Courtroom 1
9 Monday, 13 February 2023
10 (The hearing starts in open session at 9.32 a.m.)
11 THE COURT USHER: [9:32:57] All rise. The International Criminal Court is now in
12 session. Please be seated.
13 PRESIDING JUDGE SCHMITT: [9:33:18] Good morning, everyone.
14 Court Officer, please call the case.
15 THE COURT OFFICER: [9:33:21] Good morning, Mr President, your Honours.
16 Situation in the Central African Republic II, in the case of The Prosecutor versus Alfred
17 Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.
18 And for the record, we're in open session.
19 PRESIDING JUDGE SCHMITT: [9:33:40] Thank you.
20 I ask for the appearances of the parties.
21 MS BERDENNIKOVA: [9:33:45] Good morning, Mr President, your Honours. Good
22 morning, everyone. The Prosecution is represented this morning by Mr Kweku
23 Vanderpuye, Yassin Mostfa, and myself, Maria Berdennikova.
24 PRESIDING JUDGE SCHMITT: [9:33:56] Thank you.
25 MR DANGABO MOUSSA: [9:34:01](Interpretation) Good morning, your Honour.

- 1 Good morning, everyone. The victims are represented by myself, Mr Dangabo
2 Moussa. Thank you.
- 3 MR SUPRUN: [9:34:19] Good morning, Mr President. Good morning, your Honours.
4 The former child soldiers are represented today by Fiona Lau and myself, Dmytro
5 Suprun. Thank you.
- 6 PRESIDING JUDGE SCHMITT: [9:34:29] Thank you.
7 I turn to the Defence.
8 Ms Dimitri first.
- 9 MS DIMITRI: [9:34:32] Thank you. Good morning, Mr President. Good morning, your
10 Honours. Good morning, everyone. Mr Yekatom is present in the courtroom this
11 morning, and he is represented by Mr Florent Pages-Granier, Ms Anta Guissé, Mr Jean-
12 Michel Kola, Ms Cassandra Obussier, and myself, Mylène Dimitri.
- 13 PRESIDING JUDGE SCHMITT: [9:34:49] Thank you.
14 Mr Knoops.
- 15 MR KNOOPS: [9:34:53] Yes, a very good morning, Mr President, your Honours. Good
16 morning, everyone in the courtroom. Good morning, Madam Witness.
- 17 Our Defence team appears today on behalf of Mr Ngaïssona with the following
18 composition: On my right side, Ms Marie-Hélène Proulx; second row, Ms Tessia
19 Monteiro and Alexandre Desevedavy. Thank you.
- 20 PRESIDING JUDGE SCHMITT: [9:35:12] Thank you.
21 And most importantly, we have a new witness in the courtroom.
22 Good morning, Madam Witness. I hope you hear and understand me well.
- 23 THE WITNESS: [9:35:32](Interpretation) I can hear you perfectly.
- 24 PRESIDING JUDGE SCHMITT: [9:35:35] Madam Witness, on behalf of the Chamber I
25 would like to welcome you to the courtroom. You're here to testify to assist the

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1 Chamber to determine the truth in the case of the Prosecutor against Mr Ngaïssona and
2 Mr Yekatom.

3 Madam Witness, there should be a card in front of you with a solemn undertaking to
4 tell the truth. Please be so kind and read this card out aloud.

5 THE WITNESS: [9:36:16](Interpretation) Thank you. I solemnly declare that I shall
6 speak the truth, the whole truth, and nothing but the truth before this court of law.

7 WITNESS: CAR-OTP-P-0967

8 (The witness speaks Sango)

9 PRESIDING JUDGE SCHMITT: [9:36:36] Thank you, Madam Witness. You're now
10 under oath.

11 Before we start with your testimony, I would like to tell you that we have certain
12 measures in place for you so that your identity is not revealed. I think you have been
13 informed about that. I don't have to repeat that.

14 And when it comes to your testimony, please keep in mind that everything we say here
15 in the courtroom is written down and interpreted, and to allow for the interpretation
16 we have to speak at a relatively slow pace. And please only start speaking when the
17 person that has asked you the question has finished, even when they speak, for
18 example, French, a language that you understand well, and please wait a couple of
19 seconds with your answer. Thank you so much.

20 I give the floor now to the Prosecution.

21 MS BERDENNIKOVA: [9:37:39] Thank you, Mr President.

22 QUESTIONED BY MS BERDENNIKOVA:

23 Q. [9:37:43] Good morning, Madam Witness. Good morning. My name is Maria
24 Berdennikova, and I'm a lawyer at the Office of the Prosecutor. I'm going to be asking
25 you a few questions, probably for the duration of the day today. You may remember

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1 that we had the chance to very briefly meet each other last Thursday during the
2 courtesy meeting.

3 The Presiding Judge already mentioned, and you already noticed yourself, of course,
4 that we have different languages being spoken in the courtroom here. There's
5 interpretation and a transcript running. So let's take our time. Please speak slowly
6 when you give your answers. And as the Presiding Judge has already mentioned, just
7 wait a few seconds before replying after I ask you a question.

8 Are you with me so far?

9 A. [9:38:42] I've understood you well.

10 Q. [9:38:56] Okay. Wonderful. You noticed also that I am referring to you as
11 "Madam Witness". Please don't take that as any sign of disrespect. It's, as you know,
12 due to the protective measures that you have in place, and it's just one of the means to
13 protect your identity from being disseminated to the public.

14 Now, I'll just ask you to please listen to my questions carefully. If ever there is
15 something that you don't understand or that you didn't hear well, there's no problem.
16 Please ask me to -- please tell me and I'll rephrase or I'll repeat my question to make it
17 more clear for you. Okay? And then another thing is there might be some --

18 A. [9:39:45] Okay.

19 Q. [9:39:49] One last thing is there might be some questions to which you think the
20 answer is obvious, but I will just ask you for your patience because it will help the
21 Judges and everyone in the courtroom to understand how you know things and, you
22 know, to have it more clear for us as well. Okay?

23 If you need a break at any time, also let us know.

24 MS BERDENNIKOVA: [9:40:21] Your Honours, I'd like to go into private session at
25 this point.

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1 PRESIDING JUDGE SCHMITT: [9:40:24] Yes, obviously.

2 Private session.

3 (Private session at 9.40 a.m.)

4 THE COURT OFFICER: [9:40:41] We are in private session, Mr President.

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22 (Open session at 9.48 a.m.)

23 THE COURT OFFICER: [9:48:37] We are back in open session, Mr President.

24 MS BERDENNIKOVA: [9:48:46]

25 Q. [9:48:48] So, Madam Witness, do you recall giving a signed statement to the Office

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1 of the Prosecutor in June 2017?

2 A. [9:48:56] Yes, that's it.

3 Q. [9:49:20] And do you also remember being interviewed by the Defence team of Mr
4 Yekatom in January 2020?

5 A. [9:49:26] Yes, that's right.

6 Q. [9:49:45] And I understand that you had the chance to re-read both the statement
7 and the transcript of the interview you had with the Defence last week, and you had
8 the chance to make a number of corrections to these interviews; is that right?

9 A. [9:50:15] That's right, indeed.

10 Q. [9:50:18] Madam Witness, so before we proceed and get into the kind of more core
11 part of the questions this morning, I just want to let you know that the statements to
12 the Office of the Prosecutor and the interview that you did with the Defence, they're
13 not actually the evidence that will be the evidence in this case. That means that it is the
14 testimony that you will be giving today and for the next couple of days that will
15 become the evidence in the case.

16 I'm telling you that because some -- quite a number of questions that I will be asking
17 you may sound repetitive to you, and you will be asked to describe the events that you
18 lived through again during your testimony because it is that that will become the
19 evidence in this case.

20 So having said that, I please just ask for your patience, and it's important that you
21 provide the answers here fully in the courtroom to help the Judges and everyone else
22 understand exactly what you lived through and what happened to you.

23 Do you understand?

24 A. [9:51:38] I've understood you well.

25 Q. [9:51:58] So I'm going to ask you questions in relation to several topics that are

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1 covered in your statement. I'm going to try to do this as much as possible in
2 chronological order just to keep things more clear, and I will be starting with the period
3 just before the Seleka coup of 24 March 2013.

4 MS BERDENNIKOVA: [9:52:24] And, your Honours, I'm afraid that I will have to do a
5 part now in private session again.

6 PRESIDING JUDGE SCHMITT: [9:52:29] I understand. We go to private session.

7 (Private session at 9.52 a.m.)

8 THE COURT OFFICER: [9:52:48] We are in private session, Mr President.

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6 (Open session at 10.01 a.m.)

7 THE COURT OFFICER: [10:01:36] We're in open session, Mr President.

8 MS BERDENNIKOVA: [10:01:46]

9 Q. [10:01:48] All right. So we talked a little bit about the arrondissement where you
10 were in Bangui. Could you tell the Judges a little bit about the composition in terms of
11 population of that arrondissement.

12 A. [10:01:59] Thank you. The population around 2010, 2011, when a census was
13 taken that year, I can give the number, but I can't remember exactly in Sango, but I can
14 tell you in French that there were about *600... 600,000. I'm not sure if it's that. 600 --
15 no, it's rather *6,568 -- 6,568. That was the population count in the 7th arrondissement.
16 *Sixty thousand, rather (*corrects the witness*).

17 MS BERDENNIKOVA: [10:03:56] Thank you.

18 Q. [10:03:57] And of course it's absolutely understandable --

19 PRESIDING JUDGE SCHMITT: [10:04:01] Microphone. Microphone, please.

20 MS BERDENNIKOVA: [10:04:04] It's actually on.

21 PRESIDING JUDGE SCHMITT: [10:04:06] Well, I didn't hear you, but perhaps it was
22 my microphone. Whatever. So perhaps you can repeat what you said.

23 MS BERDENNIKOVA: [10:04:15] And now?

24 Q. [10:04:19] Thank you very much. Of course, we understand that when it comes to
25 numbers and things like that, it's hard to be exact, so approximations are completely

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1 fine. So that population that you talked about, what was its religious breakdown? Was
2 it predominantly Christian, predominantly Muslim neighbourhood?

3 A. [10:04:41] Thank you. As you know, in my country there are different religions.

4 In the 7th arrondissement, there were Christians, Catholics. There were Christian

5 Protestants. There were also some who went to the Christianity church. They were

6 apostolic Christians. There was also the ANEB Christians. There were all sorts of

7 religions. There was also the Muslims who lived in the 7th arrondissement in Bangui.

8 THE INTERPRETER: [10:06:17] The Sango interpreter requests that the numbers are
9 given in French directly.

10 PRESIDING JUDGE SCHMITT: [10:06:30] Madam Witness, the interpreters would

11 prefer it if you could give the numbers in French, and I think that's no problem for you.

12 So if you have to provide us with any numbers, please do so in French if you can.

13 Thank you very much.

14 THE WITNESS: [10:07:03](Interpretation) Very well.

15 MS BERDENNIKOVA: [10:07:06]

16 Q. [10:07:06] And in your experience prior to the coup, were there tensions between
17 the Christian and the Muslim population in the 7th arrondissement?

18 A. [10:07:14] Thank you. As you know, I arrived in the 7th arrondissement in 1993.

19 And as a Muslim --

20 THE INTERPRETER: [10:08:01] Correction: In 1973.

21 THE WITNESS: [10:08:04](Interpretation) And I met other Muslims when I arrived

22 over there. I'd like to specify that I am a girl. My father was a Muslim and my mother

23 was a Christian. Before, there were no problems. There were no concerns and

24 difficulties between the different religions. My mother and my father lived in perfect

25 harmony.

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1 If I recall correctly, and I want to go back to the number of the population of the 7th
2 arrondissement, it is 658,000 inhabitants. So there were 658,000 inhabitants in the 7th
3 arrondissement.

4 Q. [10:09:38] Now, you mentioned that the Christian and Muslim communities, they
5 used to live in harmony. Did that change at some point in the 7th arrondissement?

6 A. [10:09:47] That's true. Previously, we lived together without any problems, in
7 perfect harmony, despite several coup d'états which took place. People fled left and
8 right. But there was no problems, no tension between the Christians and the Muslims.
9 It was only in 2013 that we started to experience that type of thing, and we didn't know
10 why.

11 Q. [10:11:13] What was it that happened in 2013 that led to the shift?

12 A. [10:11:40] As you know, and I've also said this already, there were many coup
13 d'états. In 2013, what happened then? A son of the country decided to take power
14 because of all the constant suffering the brothers and sisters were facing in the region.
15 So the person who took the power at that time, and after that coalition took power, this
16 entire crisis started, that was the Seleka.

17 Q. [10:12:41] And just so we have it very clear on the record, could you specify who
18 you mean when you state the "son of the country"?

19 A. [10:12:52] The person who decided to take power was Mr Djotodia. He was the
20 one, the leader of the rebels who took over and captured the town of Bangui. I repeat,
21 it was Mr Michel Djotodia Am-Nondokro.

22 Q. [10:13:46] All right. So we briefly spoke about KNK and about Bozizé. What
23 steps, if any, did they take just prior to the Seleka coup that you just mentioned?

24 A. [10:14:34] Thank you. Our president, Bozizé, was the head within the party KNK.
25 There were various supporters. They were all the religious groups that were

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1 represented, and all those individuals worked harmoniously together within the KNK,
2 Kwa Na Kwa, which means work, nothing but work. And everybody did their best to
3 work properly.

4 During * his second mandate, (Redacted)

5 (Redacted). We were busy with the activities of KNK in the 7th

6 arrondissement. When he started his second mandate -- in fact, even before the second
7 mandate, he almost obtained 100 per cent of the vote of the 7th arrondissement,
8 because we worked really well together on behalf of the KNK.

9 When the Seleka came to Bangui, everything started. Everything was turned topsy-

10 turvy. In the various meetings, we let it to be understood that there were enemies that

11 were approaching us and that we should be very vigilant. We spread messages to the

12 people of Central African Republic so that they be careful and alert because the enemy

13 was approaching. That was the basis of the messages which we passed on.

14 When the Seleka were almost at the doors of Bangui, our leader, who was the president
15 of the republic, made a statement during a meeting where many people were gathered.

16 And during that specific meeting, as I've just said, he led us to understand that the

17 enemy that were approaching were not people from the Central African Republic, and,

18 therefore, the citizens of our country must be extremely alert and vigilant. That was

19 the essence of his speech.

20 Q. [10:18:29] And just to be clear, this is a speech by Mr Bozizé?

21 A. [10:18:33] Well, during the meeting messages were conveyed. And during that
22 meeting, he held a speech to explain to us what was happening.

23 Q. [10:19:12] Thank you. Could you provide or elaborate a little bit more on that

24 message conveyed by Bozizé, the leader, in which he mentioned that the enemy was

25 not from the Central African Republic?

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1 A. [10:19:29] He wanted us to understand that these attackers were not the sons of
2 the country, that they were foreigners. That is what he said.

3 Q. [10:20:08] And in your experience, was there an impact? Did the speech lead to
4 some kind of an impact?

5 MR KNOOPS: [10:20:20] Mr President, I believe this question is, first of all, far too
6 vague; and, secondly, it calls for speculation.

7 PRESIDING JUDGE SCHMITT: [10:20:27] I agree with vague, actually. Could you
8 specify? I, of course, know what you have in mind, but you can always ask -- Madam
9 Witness, perhaps listen to me. I'm reformulating the question a little bit.
10 To your knowledge, and people that you knew, how did they react to this speech?
11 What I mean by that is did they approve, or did they say, "No, that's not okay," "that's
12 not right"? You see what I mean?

13 THE WITNESS: [10:21:17](Interpretation) In reality, after that speech, our
14 understanding or visions of our citizens was different. The citizens thought that the
15 movement, this rebellion was managed by the Muslims. The entire population was
16 disappointed vis-a-vis the Muslims after that speech.

17 PRESIDING JUDGE SCHMITT: [10:22:09] Ms Berdennikova.

18 MS BERDENNIKOVA: [10:22:17]

19 Q. [10:22:18] Could you describe how this was manifested? What was different?

20 A. [10:22:21] There came some changes and they were as follows. (Redacted)
21 (Redacted). Rumours were circulating in the country. People began to see things
22 differently. Those who were leading the rebellion were natives from Vakaga.
23 Suddenly, we who are nationals and locals in this region, we suddenly became
24 individuals that had to be killed. We were told that if ever the attackers took over
25 power, we would all be killed. There were threats that weighed heavily upon us, and

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1 that is one of the consequences of this bad perception.

2 Q. [10:24:07] And who was it that told you you would all be killed?

3 A. [10:24:16] As I've said just now, there were many rumours circulating in the town.
4 The inhabitants, particularly the youngsters, started to look down on the Muslims. The
5 rebels came from the Vakaga region. And if those rebels arrived in the town itself, the
6 inhabitants of the capital would hurl themselves towards the inhabitants of Vakaga to
7 try and harm them. That's what happened.

8 Q. [10:25:13] And to your knowledge, was this happening just in the 7th
9 arrondissement or in other areas of Bangui as well?

10 A. [10:25:21] As I've said, these rumours spread to all the arrondissements of the
11 capital. Initially, we didn't take this seriously. We thought this will stop by itself. But
12 unfortunately, that was not the case. And when the Seleka approached, advanced
13 upon the capital, rumours gained strength. The president of the republic repeated the
14 same speech. He said that we had to do everything to neutralise the Seleka. He asked
15 the inhabitants to use any traditional weapons they might have - for example, machetes
16 and other traditional weapons - in order to face this assault.

17 Q. [10:27:21] And are you aware of other steps that were taken in preparation for the
18 Seleka's advance towards Bangui? So in the months leading up to this event, in
19 January, February, March, what other steps were done in preparation?

20 A. [10:27:41] As I've just said, within the party (Redacted) had constant meetings and
21 a procedure was set up. For example, we were asked to use traditional weapons. Let
22 me give an example. * At the home of a compatriot, where we would have meetings,
23 machetes were collected and stored there. After that, these machetes were distributed
24 throughout the various arrondissements in order that we had some weapons against
25 the attackers.

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1 In the 7th arrondissement, during our meetings, the individual who stored these
2 machetes spoke up. There were meetings during the night. Sometimes we were
3 invited to these meetings. (Redacted)
4 (Redacted). I couldn't
5 take that risk of travelling at night.

6 So this man provided information about the machetes. * I repeat: indeed, steps were
7 taken waiting for the arrival of the Seleka. And we were supposed to use these
8 machetes to confront the Seleka if they ever entered the capital.

9 Q. [10:30:27] Madam Witness, do you recall the name of the person that you are
10 referring to? And before you answer "yes" or "no", if you do recall the name, please let
11 us know if you prefer to say it in private session.

12 A. [10:30:57] Yes, I know the name of the person.

13 PRESIDING JUDGE SCHMITT: [10:31:05] Let's go to private session shortly.

14 (Private session at 10.31 a.m.)

15 THE COURT OFFICER: [10:31:28] We are in private session, Mr President.

16 (Redacted)

17 (Redacted)

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15 (Open session at 10.39 a.m.)

16 THE COURT OFFICER: [10:39:58] We're in open session, Mr President.

17 MS BERDENNIKOVA: [10:40:04]

18 Q. [10:40:05] Madam Witness, I'd like to jump ahead in time now and talk a little bit
19 about the 5 December 2013 attack on Bangui. So we are moving about half a year or so
20 forward in time, nine months forward in time. Could you tell the Judges where you
21 were on the day of the 5 December attack?

22 A. [10:40:30] Thank you. On 5 December -- you see, (Redacted) by
23 profession. On 5 December -- no, excuse me. On this day -- yes, on this day, on 5
24 December, I was at home. Because when the Seleka entered the city, there was no
25 security. Everyone was rather concerned. And on 5 December, I was at home. And

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1 this is when the Anti-Balaka tried to seize Camp Kassai. Everyone was terrified and
2 people were in the safety of their homes.

3 Q. [10:42:21] And did you stay in your home throughout the day of the attack?

4 A. [10:42:43] It's true that on 5 December we were scared. I was in my home. I don't
5 know if I went to the office on that day. I cannot recollect that, because on 5 December
6 -- first of all, something was supposed to happen on 1 December, and this -- the
7 president of the republic cancelled the commemorative celebrations of 1 December. So
8 the attack took place on 5 December. The Anti-Balaka wanted to seize Camp Kassai.
9 They were unsuccessful. And we were all terrified. We stayed indoors, we stayed in
10 our homes. And when peace was restored, I started going back to the office.

11 Q. [10:44:13] So you mentioned that you started going back to the office. Did you
12 also remain in the same -- in the 7th arrondissement in the days following the attack?

13 A. [10:44:28] It's true that I stayed in (Redacted). This is because everyone
14 was terrified. And I couldn't go elsewhere. I had children, and I stayed at home. I
15 would go to work from time to time, and I would come back home.

16 Q. [10:45:27] And what about other members of your neighbourhood's population?
17 Did they also remain in their homes on the day and in the days following this attack?

18 A. [10:45:37] As the attackers failed to reach their objective, they attacked Camp
19 Kassai and the Seleka based there blocked their path. And this is why the 7th
20 arrondissement -- I don't know very well. There were people who were terrified and
21 some people were trying to flee. Personally, I did not try to flee.

22 Q. [10:46:32] Thank you. And in the days following the attack when you were going
23 outside around your neighbourhood, did you see any of the Anti-Balaka?

24 A. [10:46:45] As I did not know them, I couldn't identify them. I only heard that the
25 Anti-Balaka was stationed everywhere. You see, rumours ultimately become the truth,

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1 and this is why in the 7th arrondissement certain people were really scared and they
2 tried to seek refuge in the Saint Paul's church. Some people left their homes to seek
3 refuge in the Saint Paul's cathedral church. The Saint Paul's church is not very far from
4 the town hall. And when I would go to the town hall, I could -- I would go to the town
5 hall once every two days. But there was no peace in the town. People were scared.
6 Many people tried to seek refuge in the Saint Paul's church.

7 PRESIDING JUDGE SCHMITT: [10:48:13] May I shortly.

8 The Judges would like to clarify something. We have here at paragraph 19 of the
9 transcript in English, and I read from it. Please, Madam Witness, listen to it, if this is
10 captured correctly by the interpreters:

11 "All the ammunition, the weapons were distributed in all districts. In our
12 arrondissement, we were -- the arms were distributed to the population in the town to
13 combat the Seleka. This is what happened."

14 And before that, you said:

15 "And this is when Djotodia" -- and I think we have to go to private session for that.

16 Excuse me, my fault.

17 Private session.

18 (Private session at 10.49 a.m.)

19 THE COURT OFFICER: [10:49:14] We are in private session, Mr President.

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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22 (Open session at 3.31 p.m.)

23 THE COURT OFFICER: [15:31:31] We are in open session, Mr President.

24 MS BERDENNIKOVA: [15:31:41]

25 Q. [15:31:41] Now, Madam Witness, I understand that following the events that we

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1 talked about just now, you returned to your house and that you stayed in your house
2 until the end of January 2014. Can you explain what happened after -- can you explain
3 why you left your house at the end of January 2014?

4 A. [15:32:06] Thank you. After going through that situation, most of my relatives
5 decided to take shelter elsewhere. As for myself, (Redacted), I'm a citizen, and I was
6 living in my neighbourhood quietly with my friends and family and the other people
7 living in the neighbourhood. After everything that happened, Mr Djotodia, after
8 passing on the message to him, (Redacted)
9 (Redacted)

10 * So Mr Djotodia said to us that he had come to help the country develop by driving
11 out Mr Bozizé. "Unfortunately, the people of the Central African Republic don't like
12 me. Since they don't like me, I am going to leave power." (Redacted). So
13 on 10 January, Mr Djotodia decided to step down.

14 Things began to get complicated and more difficult. At that time, I had ten children.
15 One was already dead, and so nine of my children remained. I entrusted all these
16 children to my elder sister so that they might take shelter. (Redacted) in
17 the army. One was a corporal and one was a master corporal. (Redacted)
18 (Redacted)

19 The master corporal joined the army. When he was in the army, when the Seleka
20 arrived, he did not join that movement because he preferred to remain loyal to military
21 law.

22 Q. [15:35:54] Madam Witness, I'm sorry --

23 PRESIDING JUDGE SCHMITT: [15:36:01] Ms Berdennikova, I think you can -- nobody
24 will object if you do not ask open questions but really to the point here. You know, I'm
25 normally in favour of open questions, or often in favour of open questions, but it

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1 depends on the situation, it depends on the personalities that we have here. So you can
2 be, I think, more specific and can -- and if there is something to object, the Defence will
3 do that.

4 MS BERDENNIKOVA: [15:36:31] Thank you, your Honours. I think in that case we
5 can try to stay in public session for now.

6 Q. [15:36:43] Madam Witness, I'm sorry. We are getting a little bit short on time, so
7 I'd like you to answer the questions that I ask of you as precisely as possible, because
8 we are getting to the end of the examination.

9 In your statement, you mentioned that you stayed in your home until 28 January 2014
10 and that you left after that for security reasons, because there was destruction of houses
11 and mosques going on in your area. Could you tell us more about that specific event,
12 please?

13 A. [15:37:27] Thank you. As I told you, (Redacted) a wife, and at that time the
14 wife had already crossed the river. On (Redacted), one morning, he went to see his in-
15 laws and he wanted to send something to his wife, because (Redacted)
16 (Redacted) he went to his in-laws. And when he was
17 there, they didn't know anything about what was going on. The Anti-Balaka had
18 already deployed to the entire (Redacted). And that morning (Redacted),
19 (Redacted) and his throat was slit. It was close to the (Redacted) neighbourhood. I
20 don't know exactly where they executed him. I just learned that they slit his throat and
21 then they (Redacted).

22 You know, (Redacted), and we were working
23 together perfectly, in perfect harmony. One man came to me and he came to me, he
24 was on a bicycle, and he informed me (Redacted)
25 neighbourhood. When I asked him a series of questions in order to get some details, he

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1 (Redacted)

2 (Redacted). After I received that information, I took my telephone and I called

3 (Redacted) informed her of the arrest. She answered and she said that she

4 was going to try to get more specific information about what had happened and then

5 she would get back to me. And indeed, that is what she did. She got back to me later

6 and she informed me that, indeed, the boy had been arrested and allegedly transferred

7 to Boy-Rabe.

8 I said to myself (Redacted) wouldn't be taken to Boy-Rabe, so I asked that the

9 investigations continue. She said to me that the Anti-Balaka had prohibited people

10 from going into their base, and it was a very strict prohibition. She said that she would

11 continue in the investigations and she would get back to me.

12 As for myself, I myself, I too was carrying out investigations. There was a gentleman, a

13 young man who was working with the Red Cross. I called this man and gave him the

14 information. (Redacted) and then he went -- he went out

15 to get information, and he met with a neighbourhood leader who was close to the

16 (Redacted) neighbourhood, and this neighbourhood leader confirmed the information

17 and said to him that he had just come out of the church and was going to his house. He

18 asked the people to look for this boy. He said to me that the neighbourhood leader had

19 said to him that the incident occurred (Redacted), a little bit further down.

20 Before that, (Redacted) a second time to inform him that

21 the incident had occurred and that certainly (Redacted) most certainly had already

22 been killed. I also asked him to contact the foreign contingents, particularly the

23 Rwandan contingent who were in the 7th arrondissement. So I asked him to contact

24 those soldiers so that they could search (Redacted).

25 This man came and he called the neighbourhood chief. So this was over the telephone.

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1 And the neighbourhood chief told him that the body of my son had been found
2 (Redacted). This man got up and said to me that he was going to call the Red Cross.
3 The Red Cross answered him, saying that the Anti-Balaka did not want people to go to
4 their base.
5 (Redacted) and I asked him to do everything he could to ensure (Redacted)
6 (Redacted) if he had been killed. This man got back to
7 me and asked me about my -- about clothing. I took two wraps which I gave to him,
8 and I said, "(Redacted) could the foreign contingent that had come
9 to help us, if they had a body bag" -- and then he got up. He met with the Rwandan
10 soldiers.
11 Q. [15:46:06] Thank you, Madam Witness. I understand that this was a very painful
12 event for you, obviously. Could you please tell us what happened then later on 28
13 January in your neighbourhood? The event that made you leave your home.
14 A. [15:46:51] (Redacted) was brought to the house, I didn't want to leave
15 my home just because he had (Redacted). As of the 22nd -- the
16 12th to the 20th, the situation was tense. The radio station was operational. At the
17 time, news was given over the waves and in the media. The situation was very
18 difficult.
19 (Redacted) I was close
20 to a church and we spent the night in that church. In the morning, I went home to
21 check on the house. Just to check because I was raising some cattle at my house. Sheep
22 in actual fact. So I went to check on my sheep before I went back.
23 And on the 23rd, the pastor of the church said, "(Redacted) situation is very
24 difficult." There's a mosque built by a lady. The most beautiful mosque of Bangui in
25 the 7th arrondissement, and this is the first mosque that was destroyed by the Anti-

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1 Balaka. And the pastor (Redacted) that the situation was difficult and that they had
2 promised -- after the destruction of the mosque, they had promised to destroy the
3 homes of all the Muslims.

4 On 28 January, we heard on the radio that the Seleka were leaving Camp Kassai and
5 were headed towards the RDOT base at PK12. So that is how it came to be, (Redacted)
6 (Redacted) with the Seleka, and
7 there was just -- (Redacted)
8 (Redacted)

9 So three boys had crossed over to Zongo, and I had remained (Redacted). We
10 left to stay in the home (Redacted). The
11 two houses were side by side. So (Redacted) and that is where I
12 would receive calls. I would be told that such-and-such a house had been destroyed,
13 such-and-such a mosque had been destroyed. People would report to me about the
14 destruction. (Redacted)
15 (Redacted) these young people had my telephone number, and they told me that they
16 were keeping an eye on the house, but it was necessary for me to (Redacted)
17 (Redacted). So I gave them some money. I stayed
18 with my sister. And from January to April, that is where I was. I spent four months
19 there. Four months.

20 Q. [15:52:04] Thank you, madam. Now, when you received reports about the
21 destruction of the houses and the mosques, were you also told about who destroyed
22 the houses and the mosques?

23 A. [15:52:13] Well, as for the houses and their destruction, you know, there are some
24 people who are ill-intentioned. Some people came from Boy-Rabe and they met up
25 with some young people from the 7th arrondissement and said to them, "What are you

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1 waiting for? What are you waiting for to destroy the Muslims' houses? We should
2 drive all the Muslims out of our country, because our country is the country of
3 Boganda." That is what I learned.

4 The ones who initially were protecting the house and (Redacted), they changed sides,
5 and they were the ones who destroyed my house and took all (Redacted)

6 (Redacted) and some young people from the 7th

7 arrondissement destroyed it. So you must realise that there are bad people, ill-
8 intentioned people, and that's what happened to me.

9 I said to myself we are compatriots and this is a crisis that could happen. But things
10 were getting tougher and tougher. (Redacted)

11 once he got to a bar, the owner of the bar asked the Anti-Balaka to go get him and
12 arrest him.

13 Q. [15:55:02] I understand. Thank you. Could you just tell the Judges if you were
14 able ever to return to your home after the events?

15 A. [15:55:12] As I already said, I didn't know where to go. After those sorrowful
16 events and everything I experienced, I stayed with my elder sister in the centre of town.
17 I spent four years there. I had saved some money and things calmed down eventually,
18 so I rebuilt my house. And in 2017 and 2018 -- actually, 2018, I went back to my actual
19 neighbourhood.

20 The people who destroyed my property - neighbours, young people who were
21 orphans, whom we had lived with in a harmonious fashion - they sold their houses and
22 they left the neighbourhood.

23 Q. [15:57:05] And did other Muslim civilians leave your neighbourhood during the
24 conflict as well, in early 2014, late 2013?

25 A. [15:57:14] As I've been telling you, although the attacks were much more upon

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1 Muslims, mainly natives of the Vakaga area. In the 7th arrondissement, there were
2 many Muslim people. I had many acquaintances, many relatives, their houses in the
3 7th arrondissement. I am one of the people who were subjected to much more damage.
4 In the 8th arrondissement, I have a brother there who died. My nephews died. And
5 many left their houses and went to the provinces because, at that time, people were
6 saying that all the natives of the Vakaga should be sent out of the Central African
7 Republic. And in the 8th arrondissement, I have a number of brothers. They were
8 (Redacted). All those houses, all their houses were destroyed, and many of them
9 decided, after heart problems, they lost not only their property but also their children.
10 And, you see, in this conflict, we Muslims, we always say that everything happens if it
11 is God's will. I don't know whether Muslims made complaints. I don't know about
12 that. But they did lose a great deal of property, many died, and in exchange they got
13 nothing.

14 The Christians, on the other hand, the missionaries brought a great deal of assistance
15 and support and rebuilt the houses of the people whose homes were destroyed. That
16 wasn't the case for the Muslims.

17 In the 7th arrondissement, one house was rebuilt but it was destroyed afterwards. The
18 first time the mosque was destroyed, the Christians mobilised the pastors. They raised
19 money and they rebuilt the mosque, the Ngaragba mosque, with the assistance of
20 Samba-Panza. After the Fatima events where a priest was killed, that mosque was once
21 again destroyed, and the house of my brother also was destroyed. Completely
22 destroyed. And my brother then died, and his children remained penniless.

23 Q. [16:01:44] Thank you, Madam Witness.

24 MS BERDENNIKOVA: [16:01:47] Your Honours, I'm conscious of the time. I do have
25 one relatively short topic. It's actually just excerpts of videos left. I don't think it will

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- 1 take more than 15, 20 minutes. But, of course, it's completely up to the Chamber.
- 2 PRESIDING JUDGE SCHMITT: [16:02:04] I think we can also do this tomorrow. I'm
- 3 not sure if we will have enough -- if this will fit with the 15, 20 minutes. Yes, then let's
- 4 do this tomorrow. It's also, I think, after this account of the witness, a good idea to stop
- 5 here.
- 6 So thank you, Madam Witness, for the moment, and we reconvene tomorrow at 9.30.
- 7 THE COURT USHER: [16:02:28] All rise.
- 8 (The hearing adjourned in open session at 4.02 p.m.)