

Trial Hearing
WITNESS: CAR-OTP-P-0487

(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
5 Patrice-Edouard 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 Thursday, 16 February 2023
10 (The hearing starts in open session at 9.32 a.m.)
11 THE COURT USHER: [9:32:24] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:32:48] Good morning, everyone.
15 Court officer, please call the case.
16 THE COURT OFFICER: [9:32:53] Good morning, Mr President, your Honours.
17 Situation in the Central African Republic II, in the case of The Prosecutor versus
18 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.
19 And for the record, we are in open session.
20 PRESIDING JUDGE SCHMITT: [9:33:09] Thank you.
21 I ask for the appearances of the parties.
22 First the Prosecution, Mr Vanderpuye.
23 MR VANDERPUYE: [9:33:15] Good morning, Mr President. Good morning,
24 your Honours. Good morning, everyone. Good morning, Mr Witness.
25 Today the Prosecution is represented by Manochitra Prathaban, Yassin Mostfa and

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- 1 myself Kweku Vanderpuye. Good morning.
- 2 PRESIDING JUDGE SCHMITT: [9:33:27] Thank you.
- 3 I turn to the representatives of the victims.
- 4 MR DANGABO MOUSSA: [9:33:30](Interpretation) Good morning, your Honour.
- 5 Good morning, your Honours and everyone. Good morning, Witness.
- 6 The representative of victims are represented by Mrs Ombeni Evelyne,
- 7 Mrs Gabriella dos Santos and myself Moussa Dangabo. Thank you.
- 8 PRESIDING JUDGE SCHMITT: [9:33:56] Thank you.
- 9 Mr Suprun.
- 10 MR SUPRUN: [9:33:59] Good morning, Mr President. Good morning, your
- 11 Honours. The former child soldiers are represented by myself, Dmytro Suprun.
- 12 Thank you.
- 13 PRESIDING JUDGE SCHMITT: [9:34:06] I turn to the Defence, Ms Dimitri.
- 14 MS DIMITRI: [9:34:10] Good morning, Mr President. Good morning,
- 15 your Honours. Good morning, everyone.
- 16 Mr Yekatom is present in the courtroom this morning. He's represented by Laurence
- 17 Hortas-Laberge, Ms Fiona Houdin, Ms Anta Guissé, Ms Florent
- 18 Pages-Granier -- Mr Florent Pages-Granier and myself Mylène Dimitri.
- 19 PRESIDING JUDGE SCHMITT: [9:34:35] Thank you.
- 20 I turn to Mr Knoops.
- 21 MR KNOOPS: [9:34:37] Good morning, Mr President, your Honours. Good
- 22 morning, everyone in the courtroom.
- 23 Our team is today composed of Ms Chiara Giudici on my right side. In the second
- 24 row, Ms Sara Pedroso, Brianna Dyer and Mr Mathias Goffe.
- 25 PRESIDING JUDGE SCHMITT: [9:34:53] Thank you very much.

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1 MR KNOOPS: [9:34:56] Mr President, now I'm standing I would like to, if the Court
2 allows me, to make an observation on the Court proceedings, but maybe the Court
3 has different instructions in mind. But I would like to make an introductory remark
4 about the proceedings.

5 PRESIDING JUDGE SCHMITT: [9:35:10] Actually, I don't want to receive that now.
6 Is it about the -- what is it about, just in a nutshell?

7 MR KNOOPS: [9:35:21] Our team is not able to observe the witness from
8 the position we have here. And for us it's like a video hearing, there's no difference.

9 PRESIDING JUDGE SCHMITT: [9:35:31] No, no, no, no. Really, Mr Knoops, no. I
10 completely disagree. The most important is the impression for the witness -- of
11 the witness for the Chamber because we have to deal with that. And, frankly
12 speaking, I personally see the witness much better on the screen here because it's
13 much bigger and enlarged. So there is no issue. We don't, we don't entertain that
14 further. Please sit down, Mr Knoops, thank you. We have discussed that.
15 And by the way, when we have a video-link witness the situation is the same also.
16 But this is something that perhaps I can generally say, specifically in this huge
17 courtroom - I speak for myself - if we don't have the big screen, that I even look to
18 observe the witness more closely on my screen that I have here, and you have also
19 screens there, and we have decided that there is no further discussion about it.

20 We will start now with the testimony of Prosecution witness 0487.

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

22 WITNESS: CAR-OTP-P-0487

23 (The witness speaks French)

24 THE WITNESS: [9:36:54](Interpretation) I can hear you very well, your Honour.

25 PRESIDING JUDGE SCHMITT: [9:36:56] Thank you.

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1 On behave of the Chamber I would like to welcome you to the courtroom. You are
2 called to testify to assist this Chamber in the case of the Prosecutor against
3 Mr Yekatom and Mr Ngaïssona.

4 I also note, for the record, the presence of Ms Dignité Bwiza, that's your counsel,
5 pursuant to Rule 74 of the Rules. Good morning, Ms Bwiza. And she will be
6 present during your whole testimony.

7 Mr Witness, the Chamber granted the request by your counsel for assurances under
8 Rule 74 of the Rules. This is the email decision from the Chamber from
9 15 February 2023 at 1549.

10 This means, just to explain this to you, I think Ms Bwiza will have already explained
11 it to you, but I think it's good to have it explained in a nutshell again, to use this word,
12 to you by the Presiding Judging. This means that the Chamber may require you to
13 answer questions even if the answer might tend to incriminate you.

14 However - and that is the essence of the Rule 74 assurance - in that event, your
15 evidence will be kept confidential and will not be either -- used either directly or
16 indirectly in any subsequent prosecution by the Court. There is one exception, if you
17 lie to the Court, of course, then proceedings can be initiated against you by
18 the Prosecutor.

19 So you're on the safe side if you tell us the truth. And now I turn to the -- your
20 taking the oath, Mr Witness.

21 There should be a card on the desk in front of you with a solemn undertaking to tell
22 the truth. Could you please read out loud the content of this card.

23 THE WITNESS: [9:39:06](Interpretation) I solemnly declare that I shall speak
24 the truth, the whole truth and nothing but the truth.

25 PRESIDING JUDGE SCHMITT: [9:39:16] Thank you, Mr Witness.

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1 You are now under oath. You have already been informed by the representatives of
2 the Victims and Witnesses Unit and by the Prosecution about the importance to speak
3 the truth and to tell us everything what you know. And I want to reiterate to you
4 that you have to tell us everything you know and you have to speak truthfully.

5 It is an offence within the jurisdiction of this Court to give false testimony. I only say
6 that. I already told you that you are safe from prosecution with regard to answers
7 that might tend to incriminate you, but your answers have to be truthful. I want to
8 underscore that.

9 Just also for the record, you have also been informed there are protective measures in
10 place to protect your identity. And these are face distortion, nobody will recognise
11 your face; voice distortion, nobody will recognise your voice; and we're using a
12 pseudonym. This is the reason, Mr Witness, why I don't address you with your real
13 name but only with, I'm addressing you as "Mr Witness".

14 I think the practical guidance will -- Mr Vanderpuye will repeat that anyway, so I can
15 give now the floor to the Prosecution for their examination.

16 MR VANDERPUYE: [9:40:42] Thank you, Mr President. If you just bear with me
17 for one moment.

18 Thank you, Mr President. Good morning, again.

19 QUESTIONED BY MR VANDERPUYE:

20 Q. [9:41:06] Good morning, Mr Witness.

21 A. [9:41:10] *Merci.*

22 Q. [9:41:13] We met not too long ago. My name is Kweku Vanderpuye. I
23 represent the Office of the Prosecutor and I'll be putting some questions to you
24 regarding your testimony. I want to thank you, first of all, for making yourself
25 available, because it's important that you're here and it's important that you give your

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1 evidence in this process.

2 As the Presiding Judging indicated, you have protective measures, which means that
3 your identity will not be known. I just want to assure that if ever there is an
4 inadvertence, that there are measures in place in the court to ensure that your identity
5 is not divulged, either through the transcripts or (Overlapping speakers)

6 PRESIDING JUDGE SCHMITT: [9:42:01] And if I may say, that's also the core of
7 these Rule 74 assurances, of course.

8 MR VANDERPUYE: [9:42:07] Indeed, Mr President.

9 PRESIDING JUDGE SCHMITT: [9:42:08] Yeah. So, to make it sure. So there is, if
10 you will, a double overlapping protection in that regard, if you would want to frame
11 it this way.

12 MR VANDERPUYE: [9:42:17] Thank you, Mr President.

13 Q. [9:42:21] I've tried to organise my questions to you in a way that will protect
14 against revealing your identity. If ever I ask you a question and you think that
15 the answer that you give may reveal your identity, just let us know, and I'll make an
16 application to the Presiding Judging and the Chamber to see if we can proceed in
17 private session to avoid -- to avoid that.

18 Are you with me so far?

19 A. [9:43:02] Yes, I understand you.

20 Q. [9:43:05] Your evidence is important in this case, so I'll try to lead as much of it
21 in open session as possible. Obviously, without revealing your identity. But it is
22 important and that's the reason for that.

23 And before we get started, I just wanted to remind you or tell you something, which
24 is that we are aware that you've given statements in the past both to the Prosecution
25 and to the Defence, as well as have made certain corrections and additions to those

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1 statements on having reviewed them. As such, the statements are not evidence in
2 this case yet. That's a determination that the Chamber will have to make under
3 the appropriate circumstances.

4 So it may be that I ask you questions that, to your recollection, you've already been
5 asked and you've already answered, but the reason for that is because your evidence
6 in this case normally will be your oral evidence, what your testimony is in respect of
7 the questions that are put to you.

8 Okay?

9 PRESIDING JUDGE SCHMITT: [9:44:16] For you, as the first examiner,
10 Mr Vanderpuye, because of the Rule 74 assurances, whenever at the horizon there
11 might appear an issue of self-incrimination we go automatically to private session,
12 please. Yeah.

13 MR VANDERPUYE: [9:44:31] Yes, Mr President. I'll do my best.

14 PRESIDING JUDGE SCHMITT: [9:44:34] And Ms Bwiza will be alert of that, and
15 everybody else, and of course Presiding Judging. But I'll tell you because you -- and
16 also for the Defence counsel will examine the witness. Yeah.

17 MR VANDERPUYE: [9:44:47] Thank you, Mr President.

18 Q. [9:44:50] One last thing, which is, if I ask you a question that you don't
19 understand or it's not clear, also just let me know and I will do my best to rephrase it
20 in a manner that we can best understand one another.

21 I think Mr President has already informed you that, because we're going through
22 interpreters, it's important to speak a little more slowly than you might otherwise and
23 allow for a pause between the question and answer so they can do their hard work
24 and make sure that the transcript is accurate and reliable.

25 Okay?

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- 1 A. [9:45:42] Okay.
- 2 MR VANDERPUYE: [9:45:47] Mr President, can we go into private session, please.
- 3 PRESIDING JUDGE SCHMITT: [9:45:49] Obviously, yeah.
- 4 Private session.
- 5 (Private session at 9.46 a.m.)
- 6 THE COURT OFFICER: [9:46:07] We are in private session, Mr President.
- 7 MR VANDERPUYE: [9:46:12] Thank you.
- 8 Q. [9:46:14] Mr Witness, we're now in private session, which means that nothing
- 9 concerning your identity will be divulged publicly, and we do this so that we can
- 10 obtain some background information concerning you.
- 11 With that in mind, can you please state your full name for the record.
- 12 A. [9:46:41] My name is Mr (Redacted).
- 13 Q. [9:46:54] Sir, where were you born, and when?
- 14 A. [9:47:04] I was born on (Redacted).
- 15 Q. [9:47:16] What is your ethnicity?
- 16 A. [9:47:25] I am of (Redacted) ethnicity.
- 17 Q. [9:47:31] And what religion do you practice, if any?
- 18 PRESIDING JUDGE SCHMITT: [9:47:37] Micro -- yeah, it was not your fault.
- 19 The microphone was still on, so I didn't hear you. Please repeat.
- 20 MR VANDERPUYE: [9:47:44] Sorry.
- 21 Q. [9:47:45] What religion do you practice, if any?
- 22 A. [9:47:57] I am from the (Redacted).
- 23 Q. [9:48:04] I understand that you are a career soldier in the Central African army.
- 24 Can you tell the Chamber when you joined the army.
- 25 A. [9:48:22] I am the -- I'm (Redacted). I've been

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1 (Redacted).

2 Q. [9:48:37] How long did you serve in the army?

3 A. [9:48:49] I spent (Redacted).

4 Q. [9:48:58] And can you briefly outline for the Chamber what positions you held
5 in your career in the army?

6 A. [9:49:20] I started off as a (Redacted)

7 (Redacted)

8 (Redacted)

9 Q. [9:49:57] Can you tell the Chamber what specific assignments or to what units or
10 (Redacted)?

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 Q. [9:53:01] Thank you. That's very helpful.

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1 You mention that you worked in (Redacted). First of all, is that the same as
2 the (Redacted)?

3 A. [9:53:17] Yes. It's the same thing.

4 Q. [9:53:25] And how long did you work in the (Redacted), how long was that
5 assignment?

6 A. [9:53:51] This posting with t(Redacted).

7 Q. [9:54:02] Was that in the period of time (Redacted)?

8 A. [9:54:14] Yes.

9 Q. [9:54:23] And did you ever work at (Redacted)?

10 A. [9:54:36] I spoke about the (Redacted)

11 (Redacted)

12 (Redacted).

13 Q. [9:54:54] And did you ever serve in (Redacted)?

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 Q. [9:56:02] I'd just like to ask you a few questions about the training in the -- in
20 the FACA, or general training. I think I can do it in open session. But let me just
21 ask you, first, (Redacted)

22 (Redacted)?

23 A. [9:56:46] (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 I was also trained in international war law, (Redacted).

5 (Redacted)

6 Q. [9:58:45] All right. I'd like to ask, if I can, about the training on international
7 war law that you referred to.

8 Let me see if we can do that in open session. I'll ask you some questions about that
9 in open session. If you consider that they might tend to identify you, then let us
10 know.

11 PRESIDING JUDGE SCHMITT: [9:59:13] And as I said, I just repeat it at the start of
12 the witness's testimony, we have two reasons to go to private session: First, identity,
13 to not reveal the identity of the witness. Secondly, the assurances. Yeah. We go
14 to open session, so we have to be careful in two ways.

15 (Open session at 9.59 a.m.)

16 THE COURT OFFICER: [9:59:53] We are in open session, Mr President.

17 MR VANDERPUYE: [9:59:56] Thank you.

18 Q. [9:59:58] Mr Witness, we're in open session, so as I said, if there's anything that I
19 ask you that you feel may tend to identify you, just let us know and then we'll see
20 how to manage that.

21 I wanted to ask first if you can tell the Chamber about the type of training that is
22 given in the FACA on the laws of war, international laws of war, if you know.

23 A. [10:00:41] What I learned was that, if you are at war, don't believe that you have
24 to do everything. And what I mean by "everything" means kill everyone and
25 anything, all species. There are some species that should be respected. You're in

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1 the middle of a war, so -- but all the same, no matter what the scale of the warfare,
2 you have to respect babies, women, the elderly. You are not allowed to *take things
3 by force that that you are not entitled to. Or kill someone so that you can take his
4 belongings. There are many things that you must always respect. If you want to
5 attack, you attack the enemy's institutions, not the institutions that do not belong to
6 the enemy. If you want to kill, to fight, you fight the enemy, the enemy, who has his
7 weapons in his hands. And even if the enemy is before you, if he raises his hands in
8 the air you are not entitled to shoot that person, you must take custody of him and
9 protect him. So that is what I remember or what I have retained from my training.

10 Q. [10:02:33] Do you know if that type of training is provided as a standard for
11 people that are entering the armed forces in Central African Republic?

12 A. [10:03:00] That training is provided to all soldiers, starting with joint
13 base -- basic training.

14 Q. [10:03:24] Do you know if training is given -- I'm sorry, I see counsel on her feet.
15 PRESIDING JUDGE SCHMITT: [10:03:31] Ms Dimitri, do you have an interpretation
16 issue?

17 MS DIMITRI: [10:03:33] Sorry. Yes, Mr President. Sorry, he said -- the opposite
18 was interpreted at line 19 in page 14 of the English. It's written, "You have to respect
19 the institutions of the enemy", but he said the opposite in French.

20 PRESIDING JUDGE SCHMITT: [10:03:52] Okay, thank you.

21 MR VANDERPUYE:

22 Q. [10:03:56] I think you just heard what counsel said. Maybe you can clarify
23 what you meant.

24 A. [10:04:08] No, I didn't say that you have to respect the institutions of the enemy.
25 On the contrary, the institutions of the enemy constitute targets, they're targets for

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1 you, targets. They are targets. But the institution -- but the civilian institutions that
2 do not belong to the enemy you are not allowed to attack.

3 PRESIDING JUDGE SCHMITT: [10:04:36] Thank you, Ms Dimitri, so that we could
4 clarify that.

5 Mr Vanderpuye.

6 MR VANDERPUYE:

7 Q. [10:04:42] Well, I think we have another issue here.

8 Here it says, in the transcript now, that "the civilian institutions that do not belong to
9 the enemy are not allowed to attack." Maybe you could help us out with that and
10 restate what you said.

11 A. [10:05:15] Well, it boils down to this. If you are at war, you're not allowed to
12 destroy everything, because when normal life resumes and everything has been
13 broken, how will the country get back on its feet *immediately? So you're allowed to
14 attack enemy institutions only where the enemy is regrouping to organise themselves
15 and then counter-attack. You can destroy those points, but you are not entitled to
16 attack the points that do not belong to the enemy.

17 Q. [10:06:02] Do you know whether there is any training given in the Central
18 African Armed Forces with respect to -- I see counsel is shaking her head. We have
19 a translation issue? Okay, we'll start again.

20 MS DIMITRI: [10:06:20] It's the same issue, Mr Vanderpuye. Again, it's written,
21 line 14, "you are not allowed to attack the enemy institution". It's the same issue.
22 It's an interpretation issue.

23 MR VANDERPUYE: [10:06:31] Okay.

24 PRESIDING JUDGE SCHMITT: [10:06:32] Well let -- that would be -- I think
25 the witness has clarified it the last time. I think we let it, let it stand as it is. That I

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1 think the witness has said that you are allowed to do that, I understood. But if -- if
2 these -- let's say, if there is a *regroupement* - Mr Witness, listen if I have understood it
3 correctly - if there is a *groupement* of the enemy in institutions that are needed later
4 you are not supposed to destroy them, or am I wrong with that?

5 Or you can clarify simply, again.

6 THE WITNESS: [10:07:13](Interpretation) The institutions that belong to the enemy,
7 that belong to the enemy can be destroyed. Not civilian institutions that do not
8 belong to the enemy. You're entitled to avoid that.

9 MR VANDERPUYE:

10 Q. [10:07:36] All right. I think we have that about as clear as it can be. Thank
11 you.

12 Do you know if training is given in the Central African Armed Forces with respect to
13 the recruitment or use of children?

14 A. [10:08:04] Could you repeat the question, please.

15 Q. [10:08:09] Do you know if training, or guidance or instruction is given with
16 respect to the recruitment or use of children in the armed forces?

17 A. [10:08:32] The use of children in the armed forces is condemned. When a child
18 reacts, he regrets nothing. I've even experienced that. I've even experienced that.
19 Some children were going to execute me and they were supposed to do that without
20 any regret, without mercy. A child regrets nothing when he responds. That is
21 prohibited, prohibited, recruiting child soldiers into the armed forces.

22 Q. [10:09:24] Is that training or instruction given to all members of the armed forces,
23 is that something that they are trained on or instructed on or directed on, in
24 the Central African Republic?

25 A. [10:09:47] Yes, that training was given to all the armed forces, all the armed

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1 forces. But, but I don't think that would apply. The Red Cross goes to the -- into
2 the army and gives that sort of training. There's also *Médecins sans Frontières*,
3 Doctors Without Borders, who provides such training. Two people in the armed
4 forces, they go to headquarters and ask for approval and then they do give that
5 training.

6 PRESIDING JUDGE SCHMITT: [10:10:41] May I shortly.

7 Mr Witness, your understanding and the understanding that is -- that the military
8 people in the Central African Republic are provided with, what age group would
9 children be? How old would they be or how young would they be to be considered
10 as children that are not allowed to be integrated into the forces?

11 THE WITNESS: [10:11:20](Interpretation) In the armed forces of the Central African
12 Republic, mainly recruitment is authorised for people aged 18. Seventeen is possible,
13 that is an exception, but that is allowed within the Central African Republic armed
14 forces; 18 years of age, 17 exceptionally. In my case, I was recruited at age 19.

15 PRESIDING JUDGE SCHMITT: [10:11:58] Well, if you want to clarify what his
16 understanding of the -- let's say, the legal concept of a child soldier, you may do so,
17 otherwise I would be satisfied.

18 MR VANDERPUYE: [10:12:09] I may not at this moment.

19 Q. [10:12:10] But what I would like to ask you, sir, is if it were the case, and this is
20 because of your experience, but if it were the case that a child of the age of under 17
21 were to have been recruited, would that attract a sanction or some kind of inquiry
22 within the armed forces?

23 PRESIDING JUDGE SCHMITT: [10:12:54] Ms Guissé.

24 MS GUISSÉ: [10:12:56](Interpretation) Thank you, your Honour. Perhaps
25 the question should be rephrased in a less speculative fashion. The witness may

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1 have the experience, he may not. Otherwise we are within the realm of speculation.

2 PRESIDING JUDGE SCHMITT: [10:13:16] Well, you may rephrase, but in

3 the essence, I think the witness can answer, can answer the question. I think it's not

4 so important how you phrase it, but -- perhaps let -- let me give it a try.

5 Mr Witness --

6 THE WITNESS: [10:13:36](Interpretation) Yes.

7 PRESIDING JUDGE SCHMITT: [10:13:37] -- would -- would a *responsable* in

8 the military be sanctioned if he would allow a 16 or 15-year-old boy into the army?

9 THE WITNESS: [10:13:58](Interpretation) Yes. That person could be punished.

10 He can be punished if he does not respect the grid, the -- usually it's 18 years. You're

11 supposed to recruit people at the age of 18.

12 PRESIDING JUDGE SCHMITT: [10:14:20] Okay. Fine. I think we can move on.

13 MR VANDERPUYE: [10:14:24] Thank you, Mr President.

14 Q. [10:14:26] Are you aware of an office of international humanitarian law

15 established in the FACA around September of 2008, have you heard of that?

16 A. [10:14:50] I heard about it, but I didn't actually see it.

17 Q. [10:14:59] Do you know what its function was?

18 A. [10:15:08] Could you repeat the question.

19 Q. [10:15:12] Yes, the question is: Do you know what the function of the office of

20 international humanitarian law in the FACA was?

21 A. [10:15:25] Yes. Yes.

22 Q. [10:15:36] And what was the function of that office, to your -- to your

23 recollection?

24 A. [10:15:50] That office was primarily tasked with providing knowledge that

25 the FACA did not have, so as to ensure respect for the laws of war.

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1 Q. [10:16:23] Okay.

2 I think we can go into private session, Mr President.

3 PRESIDING JUDGE SCHMITT: [10:16:27] Yes, private session.

4 (Private session at 10.16 a.m.)

5 THE COURT OFFICER: [10:16:46] We are in private session, Mr President.

6 MR VANDERPUYE: [10:16:51] Thank you.

7 Q. [10:16:53] We're now in private session. I have some questions regarding some

8 of your activities. The first question is: Did you participate (Redacted)

9 (Redacted) on such matters as you've described in international law among FACA

10 recruits and FACA members?

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 Q. [10:18:45] Do you know if those people gave training on such topics within

19 the Anti-Balaka?

20 A. [10:19:06] I'm not in a position to know that, (Redacted)

21 (Redacted)

22 (Redacted)

23 MR VANDERPUYE: [10:19:32]

24 Q. [10:19:33] Okay. Did you ever talk to individuals while you were in

25 the Anti-Balaka about that, about this topic? If you can recall.

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1 A. [10:19:52] Could you repeat the question.

2 Q. [10:19:58] Yeah. More succinctly, did you talk to people in the Anti-Balaka
3 about respecting human rights? If you can remember.

4 A. [10:20:21] I didn't do that, (Redacted).

5 Q. [10:20:36] Okay. I'll come back around to that.

6 I want to talk to you a little bit about how it is that you came to join the Anti-Balaka
7 and the time before that. (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 Q. [10:23:23] And is that the telephone number that you had around that time at
3 the bottom of the screen on the right?

4 If we could blow it up so the witness can see it.

5 A. [10:23:40] Yes. (Redacted).

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 Q. [10:25:06] I'd like to show you another document (Redacted).

13 And I'll ask you first if you recognise what this document is?

14 A. [10:25:38] I recognise this document.

15 Q. [10:25:42] Can you tell the Chamber what it is.

16 A. [10:26:02] Could you repeat the question.

17 Q. [10:26:06] Yes. Can you tell the Chamber what the document is.

18 A. [10:26:24] I wrote this document, but this was something I wrote out of pride.

19 What you see here, what is described here, I did not do.

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 Q. [10:29:06] And in this document that you wrote, you deny that. And that is to

14 say you were not involved in (Redacted)

15 (Redacted). Is that -- is that how we should understand this?

16 A. [10:29:32] I was not involved. I am telling the truth.

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 Q. [10:30:29] And just to confirm that what you have written here is:

25 (Redacted)

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- 1 (Redacted)
- 2 (Redacted)
- 3 (Speaks English) Is that right, to your recollection?
- 4 A. [10:31:16] That's not what happened. (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 how did it come to be that you joined the Anti-Balaka?
- 15 A. [10:32:48] The circumstances were extremely hard. (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 (Redacted)
- 21 (Redacted)
- 22 (Redacted)
- 23 (Redacted)
- 24 (Redacted)
- 25 (Redacted)

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1 (Redacted)
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12 (Redacted)
13 (Redacted)
14 (Redacted)
15 (Redacted)
16 (Redacted)
17 (Redacted)
18 (Redacted)
19 (Redacted)
20 (Redacted)
21 (Redacted)

22 Q. [10:37:15] Do you recall being asked about that during the course of your
23 interview in 2018?

24 A. [10:37:30] Yes.

25 Q. [10:37:33] Do you recall the answer that you gave as to when it was that you

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1 joined the Anti-Balaka during that interview?

2 A. [10:37:53] I do not recall that. (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted). I do not have infallible memory. It's only God who does not make
6 mistakes.

7 PRESIDING JUDGE SCHMITT: [10:38:40] Mr Witness, that is absolutely and
8 perfectly understandable and that is of no reproach by Mr Vanderpuye. It is simply
9 if you have said something that is perhaps a little bit different, we want to clarify
10 what the right thing might be. That is the simple. And it's -- you know, everybody
11 here in this courtroom understands that (Redacted)
12 and everything, with the elapse of time people can -- you cannot remember
13 everything in detail. Let's really be assured that we know that.
14 Mr Vanderpuye.

15 MR VANDERPUYE: [10:39:19] Thank you, Mr President.

16 Q. [10:39:20] And indeed, Mr Witness, it -- don't worry, everyone, everyone does
17 not have a perfect memory.

18 So the reason why I asked the question is because in your interview, perhaps this will
19 refresh your recollection, it's at tab 59, lines 165 to 167, and then 180 through 182, you
20 indicate -- you indicate that you arrived or joined the Anti-Balaka around (Redacted)
21 (Redacted).

22 So I just want to know if that refreshes your recollection, and if not, then not.

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 Q. [10:41:44] We can work that out. Thank you very much, that's very much
11 appreciated.

12 I wanted to just confirm that the individual who was killed is (Redacted); is that
13 right?

14 A. [10:42:15] Yes.

15 Q. [10:42:27] And can you tell the Chamber what you remember about when you
16 first joined the Anti-Balaka. Who did you meet? Where?

17 A. [10:43:01] Could you please reformulate your question, please.

18 PRESIDING JUDGE SCHMITT: [10:43:07] Mr Witness, when you joined
19 the Anti-Balaka, where did you join, if you recall it, and who were the first persons
20 you met with, you talked with?

21 THE WITNESS: [10:43:32](Interpretation) The first person I met was (Redacted)

22 (Redacted)

23 (Redacted)

24 MR VANDERPUYE: [10:44:01]

25 Q. [10:44:01] Do you remember where you met (Redacted)?

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 Q. [10:44:48] What happened after you met him (Redacted)? Did you speak to
5 him (Redacted)

6 (Redacted)

7 (Redacted)

8 A. [10:45:12] Yes. I told him (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 Q. [10:46:33] First of all, did you know that he was with the Anti-Balaka when you
15 met him or did he tell you that at the time?

16 A. [10:46:53] This was -- this happened during the period of events, (Redacted)
17 (Redacted), it was information that

18 circulated everywhere amongst the Central Africans. So that was it.

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 A. [10:49:47] Yes. Mr Yekatom was his chief.

8 Q. [10:49:58] Did he tell you anything about Mr Yekatom, aside from that, at that
9 time?

10 A. [10:50:14] Could you please repeat the question for me.

11 Q. [10:50:19] Yes. Did he tell you anything about Mr Yekatom at that time, aside
12 from that he was his chief? (Redacted)

13 (Redacted)

14 Or did he just tell you, "Yekatom is my chief"?

15 A. [10:50:55] He said that Yekatom was in Yamwara. That's all.

16 PRESIDING JUDGE SCHMITT: [10:51:02] May I shortly.

17 Mr Witness, when you heard the name Yekatom, did you know the person before?

18 THE WITNESS: [10:51:23](Interpretation) Before Yekatom was part of
19 the intelligence, I knew him before. (Redacted)

20 (Redacted)

21 (Redacted). And that's where I actually met him. I saw him there as well, (Redacted)

22 (Redacted)

23 (Redacted)

24 was. MR VANDERPUYE: [10:52:17]

25 Q. [10:52:19] And did you remember that at the time? Did you know him? In

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1 other words, did you have contacts with Mr Yekatom (Redacted)

2 (Redacted), up until the time you had the conversation with (Redacted)

3 (Redacted)?

4 PRESIDING JUDGE SCHMITT: [10:52:47] I -- Ms Dimitri. The qualification of

5 Mr Yekatom I think you have an issue with.

6 MS DIMITRI: [10:52:56] Ms Guissé will address that. I'm sorry, I didn't listen to

7 the question because I was stuck again on an interpretation issue because you asked

8 us to address them as soon as (Overlapping speakers)

9 PRESIDING JUDGE SCHMITT: [10:53:09] No, no. it's -- it's fine. It's helpful.

10 MS DIMITRI: [10:53:10] If you look at -- if you look at line 5, page 33, it says that

11 "Before Yekatom was part of the intelligence". He never said that in French.

12 MR VANDERPUYE: [10:53:20] I think he said B3, that's what I heard.

13 PRESIDING JUDGE SCHMITT: [10:53:24] Well, please ask.

14 MR VANDERPUYE: [10:53:26] I can ask.

15 PRESIDING JUDGE SCHMITT: [10:53:27] Please ask again, so to --

16 MR VANDERPUYE:

17 Q. [10:53:30] Mr Witness, when you -- I think you referred to B3. What did you
18 mean by that?

19 A. [10:53:44] The third office is an office where interns go. When you actually go
20 to do a traineeship, that's where you go to fulfil all the formalities. The second office
21 is the intelligence office. The B3 is actually an office where the trainees go to do
22 the formalities.

23 Q. [10:54:15] Okay. That's a very helpful clarification and we appreciate your
24 patience.

25 PRESIDING JUDGE SCHMITT: [10:54:19] Thank you.

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1 MR VANDERPUYE: [10:54:20]

2 Q. [10:54:21] As you can see, it's difficult to always get it right. So thanks very
3 much for that.

4 What I was asking you, I think, was, since the time that you saw Mr Yekatom,
5 (Redacted), whether you had had further contacts with him before -- before meeting
6 him again in (Redacted)?

7 A. [10:54:54] No. (Redacted)

8 (Redacted)

9 (Redacted)

10 Since then I did not meet him.

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)
2 (Redacted)
3 (Redacted)
4 (Redacted)
5 (Redacted)
6 (Redacted)
7 (Redacted)
8 (Redacted)
9 (Redacted)
10 (Redacted)
11 PRESIDING JUDGE SCHMITT: [10:58:03] Thank you.
12 Actually, that is how I understood it in the first place, but, yeah. And now that we
13 have clarified it, it's a good time to have our coffee break until 11.30.
14 THE COURT USHER: [10:58:16] All rise.
15 (Recess taken at 10.58 a.m.)
16 (Upon resuming in private session at 11.33 a.m.)
17 THE COURT USHER: [11:33:31] All rise.
18 Please be seated.
19 PRESIDING JUDGE SCHMITT: [11:33:41] We are in private session.
20 Mr Vanderpuye, please, you have the floor.
21 MR VANDERPUYE: [11:33:45] Thank you, Mr President. Good morning, again.
22 Q. [11:33:49] Good morning, Mr Witness.
23 I just wanted to pick up on one small issue before we move forward. You were
24 describing about Mr Yekatom being in a trainee facility or group, B3, when you took
25 note of him. I just wanted to know if you can estimate about when that was, what

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1 year?

2 A. [11:34:46] I don't remember the exact date.

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 Q. [11:37:02] Now, the base that you went to was the Yamwara -- was in Yamwara;
18 is that right?

19 A. [11:37:12] In Gnawara.

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 A. [11:38:47] I spoke to Yekatom because he was the one who is the boss of that
3 area, in charge. I spoke to him. And I said to him, "(Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 Q. [11:40:07] When you met with him, was he alone, or were there other people in
12 his company?

13 A. [11:40:26] Well, a major leader like him couldn't be alone. He had people
14 around him. There were various elements around him to ensure his security.

15 Q. [11:40:42] And do you remember any of those elements by name?

16 A. [11:41:01] I'm not in a position to know their names. There were soldiers and
17 there were civilians. (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

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5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 Q. [11:43:43] I'd like to show you a document. It's tab 33, (Redacted).

13 First, do you recognise the document that's in front of you now?

14 A. [11:44:22] Yes. I drew it.

15 Q. [11:44:27] It's at tab 33, for the Chamber's benefit.

16 It indicates "*l'école* Boeing" on there.

17 A. [11:44:48] Yes.

18 Q. [11:44:48] Does it depict the base that you went to at Yamwara?

19 A. [11:45:02] Yes.

20 Q. [11:45:03] Okay. I'd like you to try to walk us through this. We can see here

21 the school, that's labelled. And then we can see beneath that the name "Yekatom" in

22 the middle of the screen. What is that intended to indicate?

23 A. [11:45:34] That is a map of the area that I provided. The school is in the middle

24 and I drew the Boeing school. And the school, well, the school was made up of

25 *three or four buildings, three or four buildings. A little bit towards the back, a bit

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1 towards the back, the building that I have marked with a cross, that's where
2 Mr Yekatom stayed.

3 PRESIDING JUDGE SCHMITT: [11:46:20] Just bear with me a second, there's
4 a technical problem on my side.

5 THE INTERPRETER: [11:46:30] The Presiding Judging may wish to turn off his
6 microphone.

7 (Pause in proceedings)

8 PRESIDING JUDGE SCHMITT: [11:48:31] Okay, this was a real issue, so it was, for
9 once, not a mistake by me. And still not solved.
10 So please continue, Mr Vanderpuye.

11 MR VANDERPUYE: [11:48:42] Thank you, Mr President.

12 Q. [11:48:46] Mr Witness, I was just asking about this building where you marked
13 with a cross indicating that that is where Mr Yekatom stayed.

14 So I have two questions regarding that. First of all, what is that building? What's it
15 called?

16 A. [11:49:15] That building, well there's the school building beside the -- well,
17 there's the building where the principal of the school stays.

18 Q. [11:49:32] Now you said that Mr Yekatom stayed there. Did he stay there alone?
19 Was the director there?

20 A. [11:49:47] The principal was no longer there. He had left. There was only
21 himself and the elements belonging to his security detail, (Redacted).

22 (Redacted)

23 Q. [11:50:19] (Redacted)

24 (Redacted)

25 How often did Mr Yekatom stay in that director's house during the time that you

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1 were there? (Redacted)

2 (Redacted)

3 A. [11:50:50] I'm really not in a position to know about that.

4 Q. [11:50:59] And what leads you to the conclusion that he stayed in the house at
5 all?

6 A. [11:51:15] (Redacted), that's where he was. And I knew that he slept
7 there. Maybe he was moving about or he went elsewhere, but I'm not in a position
8 to know that. I wasn't even in a position to know if he was changing his location.

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 Q. [11:52:53] I'm not sure I understood your answer. Did you see him around
15 the school, (Redacted),

16 or -- or not?

17 A. [11:53:17] As far as I know, I do know that he stayed there, he was staying there.

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 Q. [11:59:25] Do you mean that Yekatom was his commander in the group?

7 A. [11:59:35] Yes.

8 (Redacted)

9 A. [11:59:55] Yekatom was the leader. (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 THE WITNESS: [12:00:27](Interpretation) I told you that Yekatom was a warlord,

15 (Redacted)

16 (Redacted)

17 (Redacted). He had many men around him and what force can you actually

18 employ -- deploy to -- to destabilise him and take his place? It's impossible. He is

19 a warlord. (Redacted)

20 (Redacted)

21 PRESIDING JUDGE SCHMITT: [12:01:25] Mr Vanderpuye.

22 MR VANDERPUYE: [12:01:26] Thank you, Mr President. I'm not sure if I -- I'm not

23 sure if the witness has answered your question, though. I don't know if you want to

24 follow --

25 PRESIDING JUDGE SCHMITT: [12:01:34] No. You know, sometimes, well, yeah.

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1 MR VANDERPUYE: [12:01:38] Just to --

2 PRESIDING JUDGE SCHMITT: [12:01:39] It -- a non so responsive answer is also
3 some sort of answer.

4 MR VANDERPUYE: [12:01:49] Thank you.

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

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12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 Q. [12:06:53] All right. Thank you for that explanation.

21 If I could just have the map back on -- the sketch back on.

22 It's tab 33, (Redacted).

23 And while that's coming up, or, I guess it is up, let me just ask: (Redacted)

24 (Redacted), about how many fighters, elements were -- were on that base?

25 If you know.

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1 A. [12:07:35] I couldn't know that.

2 Q. [12:07:40] Are you able to approximate?

3 A. [12:07:55] I don't know that.

4 Q. [12:07:58] Let me go back to the sketch you have here.

5 Now, you've indicated the -- in the middle of the -- of the screen, the building with
6 the cross on it, that's where you understood Yekatom stayed (Redacted).

7 And then beneath that there's another building that's marked, it looks like,
8 (Redacted)". Can you tell the Chamber what that is.

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

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23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 MS DIMITRI: [12:11:51] No, Mr President, Ms Dimitri is objecting that I -- I -- if -- if
2 I'm correct, this is the document that was prepared outside witness familiarisation.
3 And at this stage, because it's not a 68(3) witness, I would object to the document
4 being shown to the witness for the witness to read, because it's -- it should be part of
5 his -- he should testify live. We can ask open-ended question rather than showing
6 him a document which constitute a second or third statement from him.

7 PRESIDING JUDGE SCHMITT: [12:12:29] Mr Vanderpuye.

8 MR VANDERPUYE: [12:12:32] I frankly don't understand the nature of your
9 objection, but I'm happy to lay the foundation if that's what she's alluding to.

10 PRESIDING JUDGE SCHMITT: [12:12:41] Yeah, lay a foundation, but I think ...

11 MR VANDERPUYE: [12:12:43] No problem.

12 PRESIDING JUDGE SCHMITT: [12:12:44] There are several headlines, so to speak,
13 and so also for -- for the Judges to understand, which one are you heading at of
14 the headlines?

15 MR VANDERPUYE: [12:12:53] Okay. I'll try.

16 Q. [12:12:55] Did you prepare a document entitled "*Recomplètement*", recently,
17 Mr Witness?

18 A. [12:13:17] Yes.

19 PRESIDING JUDGE SCHMITT: [12:13:18] And, by the way, it's a difference if
20 the witness makes a testimony, a statement as asked by investigators or if he
21 produces a document by himself. So you can continue. There's a difference there,
22 of course.

23 MR VANDERPUYE: [12:13:31] Thank you, Mr President.

24 Q. [12:13:31] Can you first describe what the document is and then I'll ask then
25 why you prepared it.

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1 PRESIDING JUDGE SCHMITT: [12:13:38] Yeah. But it makes sense to -- to lay this
2 foundation, so I agree on that.

3 THE WITNESS: [12:14:02](Interpretation) Yes. I haven't understood that question.
4 Could you please ask it again.

5 PRESIDING JUDGE SCHMITT: [12:14:10] Let me -- perhaps let me give it a try.

6 Mr Witness, did you produce a paper which is headlined "*Recomplètement*".

7 THE WITNESS: [12:14:28](Interpretation) Yes.

8 PRESIDING JUDGE SCHMITT: [12:14:30] Why did you do so?

9 THE WITNESS: [12:14:43](Interpretation) I did it because, when I was expected,
10 when I was expected (Redacted), I did not remember everything that I had to provide.

11 And when I came here, I was shown what I put in the file and I observed that there
12 were events that I had omitted and I had to basically tell that here before I left.

13 The decision on my return was rather abrupt, and I had to think, and I had to
14 basically sum up everything on a piece of paper and basically provide this to
15 the person in charge of victims so that I can receive guidelines from the person so that
16 I can make this available to the ICC. So this was why.

17 PRESIDING JUDGE SCHMITT: [12:16:02] Thank you for the explanation.

18 I think you can now go to whatever part of this document you want to go.

19 MR VANDERPUYE: [12:16:11] Thank you, Mr President. I actually just want to go
20 to the very first part of the document, which is indicating --

21 PRESIDING JUDGE SCHMITT: [12:16:18] Ms Dimitri.

22 MS DIMITRI: [12:16:19] Mr President, I still object to the document being shown, for
23 two reasons: He clearly stated that it was done for the Court, so it's testimonial
24 evidence. Let him testify on any subject that's addressed in that document rather
25 than leading him towards the headlines of the document. He said "I wanted to add",

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1 let him add, rather than showing him the document.

2 The second part of my observation is it's not a 68(3) witness, so what's the difference
3 between this document, which is an addition to his statement, and showing him his
4 statement when he didn't say in the first place "I don't remember having said that"?

5 We --

6 PRESIDING JUDGE SCHMITT: [12:17:02] No, but there is a huge difference.

7 The difference is that the witness wrote this down by himself, that a huge difference
8 to giving testimony on questioning by whomever.

9 Mr Vanderpuye, do you want to add something?

10 MR VANDERPUYE: [12:17:16] He has also said that it's his own prior recollection of
11 the events.

12 PRESIDING JUDGE SCHMITT: [12:17:22] Overruled, please continue.

13 MR VANDERPUYE: [12:17:25] All right.

14 Q. [12:17:25] I want to ask you about the first point, which refers to "*à Yamwara*".

15 In this first point you refer to the *logement du directeur*, (Interpretation) "the director's
16 house where Mr Yekatom was staying."

17 (Speaks English) Which we were just discussing in your testimony. And you
18 indicate that there was a person there without a head, I think is how I understand it,
19 in front of that building in that period of time. Can you tell the Chamber what you
20 recall about that?

21 A. [12:18:21] Yes. (Redacted)

22 (Redacted)

23 (Redacted) went around the building and he saw a headless

24 body near Yekatom's building. (Redacted)

25 (Redacted). So I got up and I took a -- took around. I

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1 saw that, and I was scared. And I was scared to come back the same way because
2 it's true that I saw it sitting. And when I see -- when I saw the body, I was very
3 scared. (Redacted).

4 So I saw this with my own eyes.

5 Q. [12:19:39] Do you know anything about how that body got there, or when?

6 A. [12:19:55] I cannot give the date exactly, but it was between (Redacted)
7 (Redacted).

8 Q. [12:20:08] I think what I mean is whether you, when you saw the body, it had
9 decayed or it was in a state where you couldn't recognise it, let's say, in bones or
10 something like that? But this was a body that you would consider to be freshish?

11 A. [12:20:40] The body was fresh. It hadn't decomposed.

12 Q. [12:20:49] And from what you could see, could you determine whether it was
13 a female or a male, by clothes, size?

14 A. [12:21:07] No, the body was without clothes. The body frame alluded that it
15 was a man, it was a rather big size man with muscles that was lying on the floor.

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 Q. [12:23:22] Did you discuss with other people on the base about this body by

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1 the director's house? Did you hear about -- did people talk about it?

2 A. [12:23:46] No. I saw the body myself, (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 Q. [12:25:13] Thank you. I understand that. But my question is whether you
11 heard talk about it, not necessarily that you were talking about it, but other people
12 were talking about? Did you hear anything like that?

13 A. [12:25:39] No, I did not hear. This was something that happened very
14 discreetly in the night *I believe. (Redacted)

15 (Redacted). Otherwise, I wouldn't have found it. I think I

16 wouldn't have seen the body. *They would have buried it somewhere. I think that
17 as soon as I passed by, I believe they removed the body so that they could bury it.
18 Just in the camp, in the compound of the school. No one was crossing there.

19 Q. [12:26:27] I'm sorry, Mr Witness, I'm going to have to ask you to repeat your
20 answer. Speak slowly. Thank you.

21 A. [12:26:45] Yes, I was saying that I saw the body myself and no one spoke to me
22 about that because I myself saw the body. And I avoided talking about it as well,

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 Q. [12:28:26] All right. And I think you can see on the screen it refers to "*surface*

5 *couverte d'herbe au sud de l'école Yamwara*". And it refers to "*des corps inhumés*

6 *discrètement la nuit sur ce point*."

7 Are you describing here a different circumstance involving a body?

8 A. [12:29:04] Yes. In Yamwara, there is a patch of ground covered with grass.

9 It's a large surface, there are no houses there. (Redacted)

10 (Redacted)

11 (Redacted) grave of someone that Mr Yekatom killed.

12 (Redacted), there are so many others here." (Redacted)

13 (Redacted)

14 (Redacted)

15 Q. [12:30:37] Do you remember when that happened? (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 A. [12:31:13] It was when I was (Redacted)

20 (Redacted)

21 (Redacted). Mainly, nothing could happen in a particular locality without

22 the neighbourhood chief knowing about it. So, you see, the neighbourhood chiefs

23 were the representatives of the government. If the neighbourhood chief was not

24 afraid, and when he summons, but, you see, if the neighbourhood chief became afraid,

25 he would not summon. (Redacted)

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1 (Redacted)

2 (Redacted)

3 Everything that bothers me is that we must not treat our brothers like animals. We
4 mustn't kill anyone we want to as if there was no law. People should not live in such
5 fear. So I am screwing up my courage so that I can talk about these things so that
6 these things no longer happen again. So I'm screwing up all my courage to talk
7 about these things.

8 Q. [12:33:32] Thank you, Mr Witness. I know that it's very difficult to talk about
9 these things, and I'm sure everyone appreciates that you have had the courage to
10 come to testify in the case. And also forgive me, because I will ask questions that call
11 for some measure of detail, because many of us didn't witness the events that you,
12 that you did and were not present in the areas where you were, so it's important that
13 the Chamber, especially the Chamber, has a clear picture of what you saw and what
14 you know, because there's no other way for them to get that information from you.
15 So we've just now talked about two incidents, I think, that you -- that you described in
16 your *recomplètement* notes or aide-memoire. Are you aware of or did you come to
17 know of any other circumstances in which bodies were either found or recovered or
18 come across at the Yamwara school during the period of time that you were there?

19 A. [12:35:11] Just in that single area that was covered in grass, that is where
20 the bodies were buried. (Redacted)

21 (Redacted)

22 (Redacted)

23 Q. [12:35:44] That's very helpful.

24 Did you see these graves yourself or were they only reported to you? Maybe I
25 missed that in your answer, but did you see the graves yourself?

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- 1 A. [12:36:06] (Redacted), and I myself saw the single
2 cemetery, just the one. (Redacted)
3 (Redacted)
4 (Redacted)
5 (Redacted)
6 (Redacted)
7 (Redacted)
8 (Redacted)
9 (Redacted)
10 (Redacted)
11 (Redacted)
12 (Redacted)
13 (Redacted)
14 (Redacted)
15 Q. [12:38:06] (Redacted)
16 (Redacted)- how long did you stay (Redacted)?
17 A. [12:38:44] I believe I didn't stay at that place for a long time, (Redacted)
18 (Redacted)
19 (Redacted)
20 (Redacted)
21 (Redacted)
22 (Redacted)
23 Q. [12:39:53] Where would you have gone?
24 (Redacted)
25 (Redacted)

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1 (Redacted)

2 Q. [12:40:43] All right. I'll come back around to that in a little while. I'd like to
3 ask you some questions about the Yamwara school.

4 Mr President, I think we can -- I think we can go to open session for this.

5 PRESIDING JUDGE SCHMITT: [12:40:58] Okay, let's go to open session then.

6 MR VANDERPUYE: [12:41:00] Thank you.

7 (Open session at 12.41 p.m.)

8 THE COURT OFFICER: [12:41:15] We are in open session, Mr President.

9 MR VANDERPUYE: [12:41:20] Thank you.

10 Q. [12:41:23] Mr Witness, we're in open session, so just be mindful of that so that
11 we avoid identifying you inadvertently.

12 I have a number of photographs I want to show you, so I'll just go ahead and do that.

13 And then I'll ask you some questions about them, to see if you can help us with some
14 of the information.

15 The first one is CAR-OTP-2095-5570.

16 MS DIMITRI: [12:41:57] Could we have the tab, please.

17 MR VANDERPUYE: [12:41:59] It's at tab 91. Tab 91.

18 Q. [12:42:19] Sorry. This is a photograph that was taken around
19 15 December 2013, which depicts a particular location.

20 First I want to ask if you recognise the location? And if not, that's okay.

21 A. [12:42:49] I don't recognise the place.

22 Q. [12:42:54] Do you recall if at the time that you arrived at the school it was open
23 for students?

24 A. [12:43:20] That's the back of the Yamwara school, I believe. The school.

25 The back of the school.

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1 Q. [12:43:35] Do you know if the school was open for -- for classes or for students
2 between, let's say, (Redacted) the end of the year?

3 A. [12:43:57] There were no pupils there when I was there.

4 Q. [12:44:05] Were there kids around there when you were there? Like we see in
5 this photograph here.

6 A. [12:44:22] There were no students at the school. These might be children from
7 the neighbourhood, because at the time the people were still living in the area, they
8 were staying in their houses.

9 Q. [12:44:42] Do you know how frequently -- or, maybe you can tell us, how
10 frequently did you see or were children like this on the premises of the school during
11 the time that you were there? Daily? Weekly?

12 A. [12:45:15] {PFR: (Redacted)}

13 (Redacted)

14 (Redacted)

15 (Redacted)}

16 Q. [12:45:58] Well, let me try a different way, then. {PFR: (Redacted)}

17 (Redacted)), or from what you could see, was it rare

18 to see children of the type and age that we see in this photograph in the school area?

19 A. [12:46:40] Could you please repeat the question.

20 Q. [12:46:48] Yes. What I mean to ask is that, in the time you were there, {PFR:
21 (Redacted)), was it rare, unusual, to see children of this age in the area of the school
22 base?

23 A. [12:47:16] I'm not in a position to know that.

24 PRESIDING JUDGE SCHMITT: [12:47:20] I think -- yeah. I would not say it's over,
25 generally, but this -- this subject, I think you could move on.

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1 MR VANDERPUYE: [12:47:30] One other question, sorry.

2 Q. [12:47:33] You said that these, probably kids in the neighbourhood, what would
3 kids in the neighbourhood -- or what were kids in the neighbourhood doing on
4 the school base?

5 A. [12:47:56] I didn't say that specifically. I said they might have been. I'm not
6 confirming directly. Because, you see, {PFR: (Redacted)}
7 (Redacted)
8 (Redacted)}. {ICR: (Redacted)}
9 (Redacted)}. So it -- it was just that.

10 But also, when it comes to the school, no, no, no, rarely.

11 MR VANDERPUYE: [12:48:55] Just bear with me for a moment, I'm fighting with
12 my binder. Okay.

13 PRESIDING JUDGE SCHMITT: [12:49:01] Well, you have a binder, that's -- that's
14 something already. Yeah. That's ...

15 MR VANDERPUYE: [12:49:08] Just one second. Okay, I think I have something.

16 PRESIDING JUDGE SCHMITT: [12:49:16] Actually, I think all, Ms Dimitri,
17 Ms Guissé, you have also a binder. Mr Knoops, anyway, you have binders, see, so
18 I'm not alone in the courtroom here.

19 If you want to entertain something completely new, we could also have perhaps
20 a little bit of a shorter lunch break. I could suggest that also. But it's up to you.
21 We have still 10 minutes, but ...

22 MR VANDERPUYE: [12:49:53] I have a short video clip I'd like to play, if I can.

23 PRESIDING JUDGE SCHMITT: [12:49:57] Yeah, of course. Yeah, yeah, then we do
24 that. That seems to be related also, yeah, good.

25 MR VANDERPUYE: [12:50:02] I'd like to go to CAR -- tab 30, CAR-OTP-2065-3843.

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- 1 The translation is at tab 107, CAR-OTP-2118-5668. And it's 01:17, so it's the whole,
- 2 the whole thing.
- 3 So if you could let me know in the booth when we're ready to go, we can do that.
- 4 THE INTERPRETER: [12:50:45] Message from the interpreter: Could tab 107 be
- 5 placed on the screen and we will sight translate off the screen.
- 6 (Viewing of the video excerpt)
- 7 THE INTERPRETER: [12:51:24](Interpretation of the video excerpt)
- 8 "Unidentified speaker: Talk in Sango.
- 9 Unidentified speaker: That's right, talk in Sango only, only in Sango, just in Sango.
- 10 Unidentified speaker: The person that you said you -- who struck you said you slit.
- 11 Unidentified speaker: Yes.
- 12 Unidentified speaker: Is the body there?
- 13 Unidentified speaker: Yes, it's still on the ground there.
- 14 Unidentified speaker: We also cut off his ear.
- 15 Unidentified speaker: So should we put it here?
- 16 Unidentified speaker: No, less noise; have you finished cutting up the meat?
- 17 Unidentified speaker: Yes, I -- yes, it's already done.
- 18 Unidentified speaker: Have you already cooked the meat?
- 19 Unidentified speakers: Yes.
- 20 Unidentified speaker: And have you stirred the fire underneath the pot?
- 21 Unidentified speaker: Yes.
- 22 Unidentified speaker: But there's no money to buy manioc.
- 23 Unidentified speaker: Money for manioc?"
- 24 THE INTERPRETER: [12:52:51] Message from the booth: How long -- what
- 25 line should the interpreter stop at?

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- 1 MR VANDERPUYE: [12:53:06] I believe I said it was the whole thing, but maybe I'm
- 2 mistaken.
- 3 PRESIDING JUDGE SCHMITT: [12:53:11] Well, it makes sense the whole thing,
- 4 actually. Yeah.
- 5 So perhaps we can -- we can have a translation of the whole thing then, yeah, please.
- 6 THE INTERPRETER: [12:53:22](Interpretation of the video excerpt) Line 21:
- 7 "Unidentified speaker: Money for manioc?
- 8 Unidentified speaker: We already sent someone to buy manioc. We've already sent
- 9 someone to buy manioc.
- 10 Unidentified speaker: Go get a stick of wood.
- 11 Unidentified speaker: We've already bought the Maggi cube.
- 12 Unidentified speakers: Oh, really?
- 13 Unidentified speaker: We still have to buy some salt.
- 14 Unidentified speaker: Oh.
- 15 Unidentified speaker: Did you -- have we sent someone to crush the manioc?
- 16 Unidentified speaker: Ho less silence.
- 17 Unidentified speaker: People like making noise. The money -- the food is there;
- 18 does she have feet to run away?
- 19 Unidentified speaker: Come to attention.
- 20 Unidentified speaker: Their remains ...
- 21 Unidentified speaker: Shut up.
- 22 Unidentified speaker: Okay.
- 23 Unidentified speaker: Shut up.
- 24 Unidentified speaker: No one talk.
- 25 Unidentified speaker: So ...

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- 1 Unidentified speaker: Indeed, get into position.
- 2 Unidentified speaker: Go.
- 3 Unidentified speaker: Yes boss.
- 4 Unidentified speaker: Shut up.
- 5 Unidentified speaker: Get up saying ...
- 6 Unidentified speaker: Thanks, good service, boss.
- 7 Unidentified speaker: Message received.
- 8 Unidentified speaker: Okay. Already or well?"
- 9 End of recording.
- 10 MR VANDERPUYE: [12:55:23] All right. Thank you very much, Mr Interpreter.
- 11 Q. [12:55:26] Mr Witness, we've stopped this frame at 01:20. Let me just ask you
- 12 briefly, do you recognise, (a), the location; (b), any individuals in this frame?
- 13 A. [12:55:51] I don't recognise anyone. I can't exactly say who.
- 14 Q. [12:56:09] Do you recall seeing members of the Balaka of a -- what appears to be
- 15 the approximate age and size of the individual in the middle of the frame here,
- 16 talking to the -- the man sitting down with the -- with the flag on his head?
- 17 A. [12:56:58] I don't recognise him. I haven't seen any such group.
- 18 Q. [12:57:07] And I think I asked you if you recognised the location, do you?
- 19 A. [12:57:19] It's hard for me to recognise the place.
- 20 Q. [12:57:28] Have you heard the name Bougie Noire before?
- 21 A. [12:57:42] No, I haven't heard that name.
- 22 Q. [12:57:46] Okay. Do you know if there were children within Mr Yekatom's
- 23 group?
- 24 A. [12:58:16] I don't have any children within that group.
- 25 Q. [12:58:28] Do you know if there were members of the Balaka in Mr Yekatom's

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1 group who were children?

2 MS DIMITRI: [12:58:39] He just answered. He just said "*Je n'ai pas d'enfants dans ce*
3 *groupe.*"

4 PRESIDING JUDGE SCHMITT: [12:58:42] Yeah, yeah.

5 MR VANDERPUYE: [12:58:43] He said I don't have children in the group, is not
6 (Overlapping speakers)

7 PRESIDING JUDGE SCHMITT: [12:58:48] Yeah, yeah, but "*je n'ai pas*", I allow -- I
8 allow, because it has to be clarified. I think the result will be, but, Mr Vanderpuye,
9 you must try to clarify that, yes.

10 Please repeat the question, excuse me.

11 MR VANDERPUYE: [12:59:02] Sorry.

12 Q. [12:59:08] Do you know if there were members of the Balaka in Mr Yekatom's
13 group who were children?

14 A. [12:59:32] The composition of the Anti-Balaka, it wasn't something respected
15 like recruitment in the army. It wasn't a respected thing for 18-year-olds. Frankly,
16 there were young children amongst them, little children.

17 Q. [12:59:58] When you say there were young children or little children amongst
18 them, what do you mean by that? If you can give us an idea of what you're talking
19 about, age or size wise.

20 A. [13:00:32] I can't give anything really specific. This is something that goes back.
21 It would have been a problem. I wouldn't want to lie to the Court or tell you
22 something wrong just to give an answer, to tell you the size. But, as far as I know,
23 the Balakas were open to everyone, be you a child, old, that was part. Minors were
24 there. And even I heard about the reintegration of some minor children in Mbaïki,
25 yes. Something like that happened as information flash.

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1 MR VANDERPUYE: [13:01:49] I see that it's 1 o'clock, but I have two more questions,
2 if I could, Mr President.

3 PRESIDING JUDGE SCHMITT: [13:01:57] I think it makes sense to ask these
4 questions.

5 MR VANDERPUYE: [13:01:59]

6 Q. [13:02:00] And I don't have the reference from your testimony earlier this
7 morning, but you mentioned that at a certain point the Seleka had intelligence all
8 around, including through the use of, I think you said eight to 12-year-old children
9 were even informing the Seleka.

10 So my question is: In terms of the children in the Anti-Balaka, whether you're
11 talking about children about the same age, or including children about the same age?

12 A. [13:03:00] Yes, that's about the same thing.

13 Q. [13:03:03] And if I could ask, were they doing about the same thing? That is,
14 providing intelligence or helping out? Or what were they doing, to your
15 knowledge?

16 A. [13:03:25] I'm not in a position to know that.

17 Q. [13:03:30] Okay. Thank you.

18 Mr President, I think --

19 PRESIDING JUDGE SCHMITT: [13:03:32] Yeah, until 2.30 the lunch break.

20 MR VANDERPUYE: [13:03:36] Thank you, Mr President.

21 THE COURT USHER: [13:03:37] All rise.

22 (Recess taken at 1.03 p.m.)

23 (Upon resuming in open session at 2.31 p.m.)

24 THE COURT USHER: [14:31:55] All rise.

25 Please be seated.

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1 PRESIDING JUDGE SCHMITT: [14:32:17] So we are in open session,

2 Mr Vanderpuye, you are aware of that.

3 MR VANDERPUYE: [14:32:23] Thank you, Mr President.

4 Good afternoon to you, Mr President. Good afternoon, your Honours.

5 Q. [14:32:37] Good afternoon, Mr Witness. We're in open session. So, again, if I
6 ask you anything that might tend to identify you, then please let me know so that we
7 can arrange that.

8 I believe that before we broke I was asking you about the presence of children in
9 Mr Yekatom's group and the Anti-Balaka under his command, and you mentioned
10 that you had some information concerning some event in Mbaïki. Can you tell us
11 what you learned or what you know about that. Again, if it will identify you, then
12 just let us know.

13 A. [14:33:44] I *only heard that there were child soldiers who had been handed
14 over to an association in Mbaïki. That's the only thing I heard. But I never saw
15 them.

16 Q. [14:34:09] If you can recall, when did you hear about that?

17 A. [14:34:21] I'm not able to recollect the date.

18 Q. [14:34:30] And do you know, by chance, how many children were involved?

19 A. [14:34:45] I have no way of knowing.

20 PRESIDING JUDGE SCHMITT: [14:34:50] If I may make a remark.

21 I think the witness might refer to events that we have already discussed here, but he
22 seems, to put it mildly, not to have first-hand knowledge about it. Also for
23 the Defence, yeah, I think it's clear, from what the witness said.

24 Yeah, Mr Vanderpuye.

25 MR VANDERPUYE: [14:35:12] Thank you, Mr President.

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- 1 I'm actually glad that you raised the issue. I was going to find out where
2 the information came from, but I don't know if it would identify them. PRESIDING
3 JUDGE SCHMITT: [14:35:22] Well, you can try, but, actually, I'm -- well, you have
4 to -- you have to decide. But I don't think it's too promising, but you have to decide
5 that. Do you think we should go to private session then? Perhaps --
6 MR VANDERPUYE: [14:35:34] Potentially.
7 PRESIDING JUDGE SCHMITT: [14:35:35] Perhaps, if you want to ask it, then -- then
8 I think we would have to ask it in private session.
9 MR VANDERPUYE: (Overlapping speakers)
10 PRESIDING JUDGE SCHMITT: [14:35:37] Ms Dimitri, we don't go to private
11 session?
12 MS DIMITRI: [14:35:44] If I recall correctly, Mr President, earlier the witness
13 answered already that question by saying that he heard it on the radio as an *annonce*
14 *flash*.
15 PRESIDING JUDGE SCHMITT: [14:35:56] Well, let's go to private session and ask
16 the question --
17 MR VANDERPUYE: Thank you, Mr President.
18 PRESIDING JUDGE SCHMITT: -- to make sure. But, as I said, I would be
19 surprised if it was promising for you.
20 (Private session at 2.36 p.m.)
21 THE COURT OFFICER: [14:36:26] We are in private session, Mr President.
22 MR VANDERPUYE: [14:36:33] Thank you.
23 Q. [14:36:34] Mr Witness, I just wanted to find out where you heard about this
24 event in Mbaïki concerning these children.
25 A. [14:36:54] I heard talk of this in Bangui.

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- 1 PRESIDING JUDGE SCHMITT: [14:37:01] Mr Vanderpuye, that is -- if anything at
2 all, it's really ...
- 3 MR VANDERPUYE: [14:37:09] No, I agree.
- 4 PRESIDING JUDGE SCHMITT: [14:37:10] I think -- I think I would simply move on
5 to -- to another point.
- 6 MR VANDERPUYE: [14:37:13] Yes. I want to know if he discussed it with
7 anybody also, Mr President.
- 8 PRESIDING JUDGE SCHMITT: [14:37:18] Okay. If you think, yeah.
- 9 MR VANDERPUYE: [14:37:20]
- 10 Q. [14:37:20] Did you -- did you discuss this matter with anyone? You say you
11 heard about it in Bangui, but was it discussed in any, let's say, (Redacted) or among
12 members of Mr Yekatom's group?
- 13 A. [14:37:47] I didn't speak about it with anyone. I only heard about it from
14 *(Redacted), who talked about it.
- 15 Q. [14:38:05] Sorry, can you help us with the name again, please.
- 16 A. [14:38:20] (Redacted).
- 17 Q. [14:38:28] (Redacted)?
- 18 A. [14:38:29] (Redacted).
- 19 Q. [14:38:31] Okay, that's helpful.
- 20 PRESIDING JUDGE SCHMITT: [14:38:34] I assume that you move to another point,
21 going to open session again, or would you like (Overlapping speakers)
- 22 MR VANDERPUYE: [14:38:41] Yes, we can go to open session.
- 23 PRESIDING JUDGE SCHMITT: [14:38:45] Open session again, yeah.
24 (Open session at 2.39 p.m.)
- 25 THE COURT OFFICER: [14:39:06] We are in open session, Mr President.

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1 MR VANDERPUYE: [14:39:15] Thank you.

2 Q. [14:39:16] I want to ask you just a couple of questions and then I want to go back
3 to some questions about the school. But do you know whether the localities of Pissa,
4 Mbata, Batalimo, MOUNGOUNBA and Mbaïki fell under the control of Mr Yekatom and
5 his elements at any point?

6 A. [14:40:02] Yes. Yes, all of those places mentioned were under his command.

7 PRESIDING JUDGE SCHMITT: [14:40:09] Could we specify the time frame we are
8 speaking. Okay, excuse me. Yeah.

9 Mr Witness, when you say that, about what time frame are we speaking? You might
10 not know exactly the day, but, you know, are we speaking 2013, '14? If you know
11 month perhaps, it would be -- it would be helpful for us to know that.

12 THE WITNESS: [14:40:46](Interpretation) I cannot say with accuracy, but I do think
13 that most of the time of the Anti-Balakas, these zones were occupied by them. {PFR:
14 (Redacted)}.

15 PRESIDING JUDGE SCHMITT: [14:41:17] Mr Vanderpuye.

16 MR VANDERPUYE: [14:41:29]

17 Q. [14:41:29] When you say that they were occupied by the Anti-Balaka, are you
18 referring to Mr Yekatom's group or are you referring to other groups?

19 A. [14:41:49] I have no way of knowing, because I never went there. I was never
20 there.

21 Q. [14:42:05] Did you ever talk about it with any member of his group? That is,
22 where the elements were and what they were doing.

23 A. [14:42:27] I have no way of knowing.

24 Q. [14:42:33] I'm not asking if you know, I'm asking if you spoke about it, which
25 you would know. Did you speak about it?

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1 A. [14:42:49] {PFR: (Redacted)}
2 (Redacted)
3 (Redacted)
4 (Redacted)
5 (Redacted)} {ICR: (Redacted)}. {PFR: (Redacted)}
6 (Redacted)
7 (Redacted)}, {ICR: (Redacted)}
8 (Redacted)}--
9 PRESIDING JUDGE SCHMITT: [14:44:08] We go in -- we go to private session.
10 MR VANDERPUYE: [14:44:10] Yes, please, Mr President.
11 (Private session at 2.44 p.m.)
12 THE WITNESS: [14:44:26](No interpretation)
13 THE COURT OFFICER: [14:44:29] We're in private session, Mr President.
14 PRESIDING JUDGE SCHMITT: [14:44:31] Mr Witness, excuse me for interrupting
15 you, but that's to your own best that I did that, because the answer has the potential
16 that it could reveal your identity. So excuse me for interrupting. Could you please
17 repeat.
18 (Redacted)
19 (Redacted)
20 (Redacted)
21 (Redacted)
22 (Redacted)
23 (Redacted)
24 (Redacted)
25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 MR VANDERPUYE: [14:53:10] That's -- that's fine.

5 Q. [14:53:11] Did you -- did you meet other members of Mr Yekatom's command

6 (Redacted)- while you were at the school? Did

7 you meet, you know, other members that were commanding the unit, his group there?

8 Deputies, or adjutant or so on, did you meet these people?

9 A. [14:53:49] (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted). That's all.

13 Q. [14:54:36] Have you heard the name Habib Beina before?

14 A. [14:54:53] Habib Beina, I know this person.

15 Q. [14:54:58] Was he a member of Mr Yekatom's group?

16 A. [14:55:14] At one point in time, towards the end, it was Habib who was his
17 deputy.

18 PRESIDING JUDGE SCHMITT: [14:55:26] We can go back to open session?

19 MR VANDERPUYE: [14:55:29] I think so, Mr President.

20 PRESIDING JUDGE SCHMITT: [14:55:30] Yeah, I thought so too.

21 Open session.

22 (Open session at 2.55 p.m.)

23 THE COURT OFFICER: [14:55:46] We're in open session, Mr President.

24 MR VANDERPUYE: [14:55:53]

25 Q. [14:55:54] Do you know the name Ouandjio Freddy?

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1 A. [14:56:11] Ouandjio Freddy was his deputy at one point and only after his death
2 did Habib Beina become his deputy.

3 Q. [14:56:30] Did you exchange or have conversations with either Habib Beina or
4 Freddy Ouandjio?

5 A. [14:56:48] Seldom.

6 Q. [14:56:59] About what kinds of things did you have exchanges with them when
7 you had them?

8 We're in open session, so if you think it may identify you, then let us know before you
9 answer.

10 A. [14:57:30] It's when there are events, for example. Let me give you an example:

11 {PFR: (Redacted)}

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)}

20 PRESIDING JUDGE SCHMITT: [14:58:43] Yeah, I think it's difficult. And also, for
21 the audience, we have a protected witness and, because of that, for you, unfortunately,
22 a lot of the session today will be in private session, so because answers could reveal
23 the identity of the witness.

24 So we go back to private session. I just wanted to explain it to the audience.

25 (Private session at 2.59 p.m.)

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(Private Session)

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1 THE COURT OFFICER: [14:59:20] We are in private session, Mr President.

2 PRESIDING JUDGE SCHMITT: [14:59:23] Mr Vanderpuye, it's indeed difficult to
3 find room here for -- for -- so I appreciate the efforts, but indeed it's -- it's hard here to
4 draw a safe line, so to speak.

5 MR VANDERPUYE: [14:59:36] Thank you, Mr President.

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 Q. [15:08:31] Who is "they"?

11 A. [15:08:43] I'm talking about the head of that area, or the deputy. Ouandjio and
12 the deputy.

13 Q. [15:09:01] Who's the head of the area?

14 A. [15:09:12] The head was Mr Yekatom.

15 Q. [15:09:26] Your understanding was that Mr Yekatom and Mr Ouandjio wanted
16 to kill them; is that -- do I have that -- am I understanding that correctly?

17 A. [15:09:44] Yes. (Redacted) they wanted to kill all of them.

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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7 (Redacted)

8 (Redacted)

9 (Redacted)

10 Q. [15:12:23] When you say the -- the head of the coalition, you mean

11 Captain Ngremangou?

12 A. [15:12:35] Ngremangou.

13 Q. [15:12:39] And when you say the coalition, you mean the Anti-Balaka in that

14 area?

15 A. [15:12:54] The head of the coalition had everyone under his command, all

16 the Balaka.

17 Q. [15:13:14] Do you know where Captain Ngremangou was situated at that time?

18 A. [15:13:31] Captain Ngremangou was in Boeing-Bercail.

19 Q. [15:13:43] Do you know how far Boeing-Bercail is from the Yamwara base?

20 A. [15:14:02] The distance could be -- I never was there during that time. You
21 have to look at the road from the airport. Perhaps 5 kilometres, 5 or 6 kilometres.

22 Q. [15:14:44] (Microphone not activated) *Pardon.*

23 Did Mr Yekatom report to Captain Ngremangou?

24 A. [15:15:01] I couldn't know that.

25 Q. [15:15:14] Approximately how long was it between the time that (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 Q. [15:18:35] Did you speak to Mr Yekatom about it, about these -- about this
21 event?

22 A. [15:18:47] No.

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 Q. [15:19:26] But wasn't Ouandjio his deputy at that time?

3 A. [15:19:37] Yes, Ouandjio was his deputy.

4 (Redacted)

5 (Redacted)

6 MS DIMITRI: [15:19:55] Mr President.

7 PRESIDING JUDGE SCHMITT: [15:19:55] Yeah, Ms Dimitri.

8 MS DIMITRI: [15:19:58] He already answered the question. Now we're moving
9 into speculation, and part of the question of Mr Vanderpuye is evidence itself, as if he
10 would know better. When we push a witness, then we -- we -- you know my views
11 on that.

12 PRESIDING JUDGE SCHMITT: [15:20:16] No, no, in that instance I think I would
13 prefer it, Mr Vanderpuye, if you move on. We have the answer of the witness. We
14 can try to figure out if, let me put it this way, it seems as if the witness were
15 (Redacted). So, it appears, or whatsoever. And he did not speak, and that's the fact,
16 he did not speak with Mr Yekatom about it. Yeah.

17 MR VANDERPUYE: [15:20:46] Yes.

18 Q. [15:20:48] Was Mr Yekatom around that day?

19 A. [15:20:58] I couldn't know that.

20 Q. [15:21:11] Why not?

21 A. [15:21:16] I wasn't with him, so I couldn't know. (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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8 (Redacted)
9 (Redacted)
10 (Redacted)
11 MR VANDERPUYE: [15:23:45]
12 Q. [15:23:45] If I give you your sketch back on the screen there, could you indicate
13 on the -- on the screen approximately where that would have been.
14 Maybe we can have that on the screen. It's tab 33, (Redacted).
15 If you need us to blow up the image for you, just say so and then we can do that.
16 But would you be able to situate on this sketch where (Redacted)
17 (Redacted)
18 (Redacted)
19 Q. [15:25:18] Okay, that may be helpful.
20 Mr President, I'm not sure, do we have the facility to mark these things on the screen
21 still?
22 PRESIDING JUDGE SCHMITT: [15:25:28] I think we have, but don't ask me how.
23 Don't ask "me" how.
24 But we have very professional, professional people here who know how to do it.
25 I would try to marker it with something like that, perhaps. It would make a fool out

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- 1 of me.
- 2 THE WITNESS: [15:26:11](Interpretation) It could be here.
- 3 MR VANDERPUYE: [15:26:16] All right, I see the marker is to the left of the paper.
- 4 PRESIDING JUDGE SCHMITT: [15:26:20] That's good.
- 5 And how can we preserve this now?
- 6 MR VANDERPUYE: [15:26:27] I think we can save the screenshot, so we have it to --
- 7 PRESIDING JUDGE SCHMITT: [15:26:32] Because I really would like that, because
- 8 otherwise, you know, my recollection is -- our recollection is not bad, but ...
- 9 And thank you very much, Madam Court Usher, for helping us out with that.
- 10 Thank you.
- 11 And please let us know if we have preserved it, this was my language here.
- 12 MR VANDERPUYE: [15:27:01] Oh, I'm sorry, I see a mark to the right. I misspoke.
- 13 PRESIDING JUDGE SCHMITT: [15:27:05] Yeah, well, you know, very often people
- 14 mix left and right.
- 15 MR VANDERPUYE: [15:27:12] It's on the top right.
- 16 PRESIDING JUDGE SCHMITT: [15:27:13] It's on the top right.
- 17 MR VANDERPUYE: [15:27:16] And bottom left. Sorry about that.
- 18 PRESIDING JUDGE SCHMITT: [15:27:19] Let me now, to fill the gap, let me now
- 19 say, Mr Vanderpuye, whatever you say in that regard, in that regard it doesn't matter.
- 20 It is -- you can say it's on the left; if it is on the right, it's on the right, but -- so we have
- 21 preserved it now I assume, yeah.
- 22 Marisela, it is okay? Yeah, okay. Wonderful. And we give it an ERN number,
- 23 obviously.
- 24 MR VANDERPUYE: [15:27:42] Indeed.
- 25 PRESIDING JUDGE SCHMITT: [15:27:44] Okay, thank you very much.

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1 Mr Vanderpuye.

2 MR VANDERPUYE: [15:27:45] 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 (Redacted)

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21 (Redacted)

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6 (Redacted)

7 PRESIDING JUDGE SCHMITT: [15:36:53] Mr Vanderpuye, I have the impression
8 that you got all the information that the witness might have --

9 MR VANDERPUYE: [15:37:00] Okay.

10 PRESIDING JUDGE SCHMITT: [15:37:00] -- on that, on that issue. That is simply
11 an impression that I have.

12 MR VANDERPUYE: [15:37:04] All right. Thank you, Mr President.

13 Q. [15:37:10] After that incident, did you discuss what had happened with anybody
14 else on the base? For example, (Redacted), or Mr Yekatom, or Habib Beina, or,
15 (Redacted) Ouandjio? Did you talk to them about that evening that night?

16 A. [15:37:42] No, (Redacted)

17 (Redacted)

18 Q. [15:38:07] Does the name Sylvestre Yagouzou mean anything to you?

19 A. [15:38:21] I don't know that name.

20 Q. [15:38:30] When you heard about the incident on the radio, did it make
21 reference to who was involved in -- in this -- in this incident, in terms of freeing
22 the Mamour family or moving them to Captain Ngremangou's place?

23 A. [15:39:00] No, I didn't hear.

24 Q. [15:39:15] Okay.

25 I want to show you a video. It's at tab 8, CAR-OTP-2012-0523. The translation is at

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1 tab 104, CAR-OTP-2118-5547. And it's just a short excerpt that I'll play you from
2 43:15 to 46:09.

3 PRESIDING JUDGE SCHMITT: [15:40:11] And for the interpreters, if you could
4 make thumbs up if you are ready, that would be kind.

5 THE INTERPRETER: [15:40:18] Message from the interpreter: I do not seem to
6 have a transcript handy.

7 MR VANDERPUYE: [15:40:23] The transcript reference, so that maybe the madam
8 registrar can help, is at tab 104, CAR-OTP-2118-5547. And the relevant
9 page -- pages will be 5581 through 5583, lines 1100 through 1182.

10 THE INTERPRETER: [15:41:00] Message from the interpreter: If the transcript
11 could please be put on the screen.

12 PRESIDING JUDGE SCHMITT: [15:41:08] I think we have done that before. That
13 should also be possible. I hope.

14 MR VANDERPUYE: [15:41:21] All right. I think -- I think we're ready to play it, if
15 the interpreters are ready.

16 (Viewing of the video excerpt)

17 THE INTERPRETER: [15:41:32](Interpretation of the video excerpt)

18 "... being very active in what I would call the partial disarmament. Partial
19 disarmament means that ex-Seleka and ex-Anti-Balaka can lay down their weapons
20 and they will be protected once they have laid down their arms and there will be no
21 acts of vengeance or repercussions on one group or the other. Because there are
22 extremists on both sides and they're playing against the Central African population,
23 whatever their faith."

24 The voice off says that Corporal Rombhot is another person walking towards
25 the camera, with combatants who are singing and chanting.

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1 "At the time when there is mass, they worked as --
2 God is whose God? Eternal God is who? Whose God is it?
3 It's everybody's God. So God brought you here, joined you here together so that we
4 could fight against the enemies of Central Africa.
5 It seems to be that the Christians are better armed, they have machine guns and more
6 sophisticated weapons.
7 Remember this face, this is Corporal Rombhot that you are looking at. Remember
8 his face.
9 The French detachment goes to talk to Rombhot. As soon as our cameras get close,
10 things get tense. Conversation breaks off. The captain wants to start a discussion
11 with the Christian militia, and he's walking on eggshells.
12 So you want -- have they all been disarmed, Seleka and ex-FACA and Anti-Balaka?
13 Everybody needs to be disarmed, on both sides.
14 Even the Anti-Balaka?
15 Yes, yes, everybody needs to be disarmed. Everybody needs to be disarmed,
16 absolutely.
17 It seems that disarming the Christian group is not yet under way. Our interlocutor
18 seems to be expecting some kinds of guarantee from the French army.
19 Visibly, at the end of our discussion they say, 'Calm down, let's all calm down.' And
20 they want to make sure that the way is clear and that we can move forward. And
21 that's when the assistant said to me -- turned to me and gave me two telephone
22 numbers."
23 MR VANDERPUYE: [15:44:48] Okay, thank you.
24 Q. [15:44:53] Mr Witness, I -- it's always the question I ask, regretfully at the end,
25 but did you see the video and hear it?

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- 1 A. [15:45:08] Yes, I have just seen it now.
- 2 Q. [15:45:13] All right. We've stopped the video for the moment at 43:47. Do
- 3 you recognise the individuals in this frame?
- 4 A. [15:45:35] I recognise Yekatom who is there. The others, no.
- 5 Q. [15:45:43] Okay. Now, you've mentioned Captain Ngremangou before. Have
- 6 you met him before?
- 7 A. [15:46:10] Yes, (Redacted)
- 8 Q. [15:46:19] Can you describe what Captain Ngremangou looks like, to your
- 9 recollection.
- 10 A. [15:46:39] (Redacted).
- 11 Q. [15:46:53] Okay. Very well. Do you recognise the location that's on the screen
- 12 in front of you now, 44 minutes -- 44 minutes?
- 13 A. [15:47:15] I don't recognise that place.
- 14 Q. [15:47:20] All right.
- 15 Let me take you to another section here at 45:36. I want to know if you recognise
- 16 the individual there.
- 17 Back up one second, I'm sorry. Yeah. Keep going back, just a few seconds.
- 18 PRESIDING JUDGE SCHMITT: [15:47:49] Perhaps even one or two seconds further
- 19 back, because I think they -- they are the person I think that you mean on the left side
- 20 is better visible, although it's not really, really good.
- 21 MR VANDERPUYE: [15:48:00] Thank you, Mr President.
- 22 PRESIDING JUDGE SCHMITT: [15:48:06] No improvement. Give it a try.
- 23 MR VANDERPUYE: [15:48:09] I'll give it a try. Thank you, Mr President.
- 24 Q. [15:48:12] Do you recognise the individual on the left of the screen at 45:28?
- 25 A. [15:48:33] I don't recognise the person.

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1 Q. [15:48:35] Okay. Let me show you another -- let me show you this individual,
2 45:36. Do you recognise him?

3 A. [15:49:01] I don't recognise him.

4 Q. [15:49:06] Do you recognise the location?

5 A. [15:49:15] I don't recognise the location.

6 Q. [15:49:19] Okay. I'd like to show you a different video. This one is at tab 31,
7 CAR-OTP-2065-4849. And the translation is at tab 108, CAR-OTP-2118-5685.

8 And I'd like to just play very shortly, about a minute in, 0 to 51 seconds or so.

9 PRESIDING JUDGE SCHMITT: [15:50:02] Is it only about identification, or is it also
10 about the text? MR VANDERPUYE: [15:50:02] This is just about identification.

11 PRESIDING JUDGE SCHMITT: [15:50:02] Yeah, so we -- no, we don't need
12 translation. MR VANDERPUYE: [15:50:07] We don't.

13 PRESIDING JUDGE SCHMITT: [15:50:08] We just only -- only play the footage.

14 MR VANDERPUYE: [15:50:09] Let me just confirm that he can see it before ...

15 Q. [15:50:12] Can you see what's on the screen already in front of you, Mr Witness?

16 Mr President, I don't think we need to be in private session either.

17 PRESIDING JUDGE SCHMITT: [15:50:23] Indeed.

18 MR VANDERPUYE: [15:50:24] Sorry.

19 PRESIDING JUDGE SCHMITT: [15:50:25] Yeah, we go to -- no.

20 We go to open session.

21 (Open session at 3.50 p.m.)

22 THE COURT OFFICER: [15:50:48] We're in open session, Mr President.

23 MR VANDERPUYE:

24 Q. [15:50:50] We're just going to play about a minute of this for you. I want you to
25 take a good look at who you see in there and then I'll ask you about who you see and

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1 if you recognise the location.

2 (Viewing of the video excerpt)

3 MR VANDERPUYE: [15:51:58]

4 Q. [15:51:59] Were you able to see the footage?

5 We've stopped now at about 27 seconds. Can you recognise the individuals in
6 the -- in the screen in front of you?

7 A. [15:52:21] I recognise just one person. The others I don't know.

8 Q. [15:52:33] I don't want to guess who you recognise, but who do you recognise?

9 A. [15:52:44] I just heard Mr Yekatom's voice. And it's he that I can see.

10 Q. [15:52:54] And that's the only person you recognise in the screen? So you don't
11 recognise the person sitting to his left or to his right?

12 A. [15:53:10] No, I don't know them.

13 Q. [15:53:32] Okay.

14 I'd like to show you another video. Or, rather, the same video, different section.

15 This is again at tab 8, CAR-OTP-21 -- 2012-0523. And then the transcription is at
16 tab 104, CAR-OTP-2118-5547. And here we'll just play a short excerpt from 35:22
17 to 37:05.

18 And then the transcript pages will be page 5575 and 5576, lines 878 through 945.

19 So, Mr Witness, I'll play you another part of the video and then I will ask you --

20 THE INTERPRETER: [15:54:31] Message from the interpreter: Is interpretation
21 required?

22 PRESIDING JUDGE SCHMITT: [15:54:37] Do we need interpretation for that or is it
23 only about identification?

24 MR VANDERPUYE: [15:54:43] Just one second. I'm sorry, Mr President.

25 There was a slight miscommunication.

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- 1 PRESIDING JUDGE SCHMITT: [15:54:55] So can we assume that it is about
2 identification again and not about the content, or would we need sight translation?
- 3 MR VANDERPUYE: [15:55:08] It's (Overlapping speakers)
- 4 PRESIDING JUDGE SCHMITT: [15:55:10] If you hesitate, if you hesitate, then please,
5 let's --
- 6 MR VANDERPUYE: [15:55:13] Yes. Thank you, Mr President.
- 7 PRESIDING JUDGE SCHMITT: [15:55:34] As things stand at the moment,
8 the question is required if you see something -- if the witness sees something on
9 the screen.
- 10 MR VANDERPUYE: [15:55:43] Not yet. Yes, maybe he does now.
11 Wait a minute. Let me just check this one. Yes, 35:22.
- 12 PRESIDING JUDGE SCHMITT: [15:56:04] I think we can start from there.
- 13 MR VANDERPUYE: [15:56:08] I think so, Mr President.
- 14 PRESIDING JUDGE SCHMITT: [15:56:09] Yeah.
15 (Viewing of the video excerpt)
- 16 THE INTERPRETER: [15:56:15](Interpretation of the video excerpt)
17 "Out in the bush, Corporal Rombhot has not renounced attacking Bangui.
18 Now that the Seleka are partially *disarmed, the time for revenge has come.
19 A small group of combatants has gathered together at the exit of the village, final
20 instructions before the attack.
21 Looting is forbidden. If I catch anyone looting, I'll kill them.
22 And I'll tell you that straight. If I find you looting, I'll kill you. I'm telling you, let's
23 not loot our own country, leave that to the Arabs. Am I being clear? Do you
24 understand me? We don't pillage from our own neighbours. Everyone understood?
25 Is that clear? These are our own people.

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1 Fear, the greatest fear is about leaks and, as a security measure, telephones have been
2 banned.

3 If anyone makes the mistake of using their mobile phone, I'll surprise them. If I
4 catch them telephoning, then I'll consider them a traitor. I will be asking 10 men to
5 catch them, brutally, and we'll do what's necessary, without any regrets. Even if it
6 takes 10 men to catch them, I'll just kill whoever's using their phone, brutally.
7 And then they take up their positions near the airport which is being held by
8 the French."

9 MR VANDERPUYE: [15:58:03] Okay.

10 Q. [15:58:05] Did you see the video, Mr Witness?

11 A. [15:58:15] (No interpretation)

12 Q. [15:58:16] Did you recognise the location in the opening sequence?

13 That's at 36 -- 35:22 I think it is. Yes, this location here.

14 A. [15:58:32] I don't recognise it.

15 Q. [15:58:37] You don't recognise the location, is that what you said?

16 A. [15:58:42] I don't recognise that place.

17 Q. [15:58:46] At the end of the video you hear the reporter refer to a location by
18 the airport. Are you aware of any Anti-Balaka bases that were near the airport
19 around that period of time? This is dated 11 December.

20 A. [15:59:16] It was a really difficult period for me. It's possible {ICR: (Redacted)
21 (Redacted)}. I cannot be sure.

22 Q. [15:59:37] But my question is: were you aware of Anti-Balaka bases or an
23 Anti-Balaka base near the M'Poko airport?

24 A. [15:59:53] I don't know.

25 Q. [16:00:01] I want to show you -- well, let's go to 36:55 for one second. I'll ask

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1 you if you recognise individuals in that section.

2 Okay. We're at 36:55. Do you recognise, aside from Mr Yekatom in the middle, do
3 you recognise the people around him?

4 A. [16:00:43] I only recognise him. I don't know the people around him.

5 Q. [16:00:52] Have you ever heard the name of Rodrigue Momokama?

6 A. [16:01:06] Yes, Momokama, I know him.

7 Q. [16:01:12] What is his position in Mr Yekatom's group, if you know?

8 A. [16:01:34] Momo was installed close to M'Poko-Bac. M'Poko-Bac is a location
9 {ICR: (Redacted)}.

10 Q. [16:01:48] Okay.

11 PRESIDING JUDGE SCHMITT: [16:01:53] I would like to remind you of the time.

12 But if you -- if you think it -- you want to ask it because it's in connection with what
13 you did already ask. If you want, we can finish this video and then call it a day.

14 MR VANDERPUYE: [16:02:08] Yes. Yes, I think so, Mr President. I just have
15 maybe one or two questions on it. That's it.

16 PRESIDING JUDGE SCHMITT: [16:02:14] Yeah, yeah. Yeah, yeah, it's okay.

17 MR VANDERPUYE: [16:02:16]

18 Q. [16:02:17] Do you know what Momokama's position was in the group? If you
19 don't know, then that's okay as well.

20 A. [16:02:36] I just said that Momokama was -- established himself in M'Poko-Bac
21 and M'Poko-Bac (Redacted). I think that he set himself up during
22 the period (Redacted). That is what I've noticed.

23 Q. [16:03:02] And let me just back up one minute.

24 (Counsel confers)

25 All right.

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1 PRESIDING JUDGE SCHMITT: [16:03:59] Well, not for the first time, but not with
2 this witness.

3 MR VANDERPUYE: [16:04:04] Indeed.

4 Q. [16:04:05] Do you recognise this individual with the multicoloured hat on?
5 The one who is speaking to the men in formation.

6 A. [16:04:20] I do not recognise him.

7 Q. [16:04:23] All right.

8 Thank you, Mr President.

9 PRESIDING JUDGE SCHMITT: [16:04:26] Thank you very much, Mr Vanderpuye.
10 Everyone.

11 Ms Dimitri, you want to address something?

12 MS DIMITRI: [16:04:32] Two things, Mr President. For the record, the timestamp
13 now is 35:55.

14 PRESIDING JUDGE SCHMITT: [16:04:38] Indeed, yeah. You're right.

15 MS DIMITRI: [16:04:39] And the second thing, again for the record, I notice that
16 the court officer sent the screenshot with the witness who identified on the annex
17 the house of Coeur de Lion. Could we just put the ERN on the record so we don't
18 have to later on --

19 PRESIDING JUDGE SCHMITT: [16:04:55] Yeah, if we have it already, the ERN, why
20 not, of course. Yeah.

21 MS DIMITRI: [16:05:00] Thank you.

22 THE COURT OFFICER: [16:05:01] Mr President, the ERN is CAR-REG-001-0016.

23 PRESIDING JUDGE SCHMITT: [16:05:08] Thank you very much.

24 And thank you very much, Mr Witness.

25 We reconvene tomorrow at 9.30.

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- 1 THE COURT USHER: [16:05:16] All rise.
- 2 (The hearing ends in open session at 4.05 p.m.)