

Trial Hearing
WITNESS: CAR-OTP-P-1563

(Open Session)

ICC-01/14-01/21

1 International Criminal Court
2 Trial Chamber VI
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Mahamat Said Abdel Kani - ICC-01/14-01/21
5 Presiding Judge Miatta Maria Samba, Judge María del Socorro Flores Liera, Judge
6 Sergio Gerardo Ugalde Godínez and Judge Keebong Paek
7 Trial Hearing - Courtroom 2
8 Friday, 27 September 2024
9 (The hearing starts in open session at 9.33 a.m.)
10 THE COURT USHER: [9:33:05] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SAMBA: [9:33:31] Good morning, everyone.
14 Madam Court Officer, can you kindly mention the case.
15 THE COURT OFFICER: [9:33:36] Good morning, Madam President, your Honours.
16 The situation in the Central African Republic II, in the case the Prosecutor versus
17 Mahamat Said Abdel Kani, case reference ICC-01/14-01/21.
18 And we are in open session.
19 PRESIDING JUDGE SAMBA: [9:33:51] Thank you very much.
20 Can I ask for representation, starting with the Prosecution, please.
21 MS MAKWAIA: [9:33:58] Good morning, your Honours, Madam President. For
22 the Office of the Prosecutor this morning, myself, Holo Makwaia, senior trial lawyer;
23 Marie-Jeanne Sardachti, Thomas Bifwoli, trial lawyers; and Anusha Rawoah, assistant
24 legal officer. Thank you.
25 PRESIDING JUDGE SAMBA: [9:34:15] Thank you very much, Ms Makwaia.

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1 Ms Pellet for the victims, please.

2 MS PELLET: [9:34:21](Interpretation) Good morning, Madam President.

3 The victims are represented by Adeline Bedoucha and myself, Sarah Pellet, counsel at
4 the OPCV.

5 PRESIDING JUDGE SAMBA: [9:34:32] Thank you, Ms Pellet.

6 Ms Naouri, for the Defence, please.

7 MS NAOURI: [9:34:39](Interpretation) Thank you, Madam President. Good
8 morning.

9 In front of me we have *Maître* Jacobs; next to him, François-Jacquemin; and next to
10 him, Elina Legat; and myself, Jennifer Naouri, lead counsel for Mr Said.

11 PRESIDING JUDGE SAMBA: [9:35:00] Thank you very much, Ms Naouri.

12 And for the record, I do take note that Mr Said is in court here with us.

13 A very good morning to you, Mr Said. I hope I see you well.

14 MR SAID: [9:35:19](Interpretation) Yes. Good morning, Madam President.

15 PRESIDING JUDGE SAMBA: [9:35:22] Good morning.

16 Good morning, Mr Witness, I hope you rested well.

17 WITNESS: CAR-OTP-P-1563 (On former oath)

18 (The witness speaks Sango)

19 (The witness gives evidence via video link)

20 THE WITNESS: [9:35:34](Interpretation) Good morning, Madam President. I am
21 well rested. I feel very well today.

22 PRESIDING JUDGE SAMBA: [9:35:42] Good.

23 Now, we're going to continue with your testimony this morning and I wish to remind
24 you that you're still on oath to say the truth to this Court.

25 Mr Prosecutor, can you continue with your questioning of this witness, please.

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1 Thank you.

2 MR BIFWOLI: [9:36:10] Thank you, Madam President, your Honours.

3 First of all, I wish to formally submit tab 2 in evidence.

4 PRESIDING JUDGE SAMBA: [9:36:23] Tab 2?

5 MR BIFWOLI: [9:36:24] Yes.

6 PRESIDING JUDGE SAMBA: [9:36:26] Okay.

7 QUESTIONED BY MR BIFWOLI: (Continuing)

8 Q. [9:36:34] Mr Witness, today, we'll proceed from where we stopped yesterday.

9 A. [09:36:40] (No interpretation)

10 MR BIFWOLI: [9:36:44] Madam President, I request that we go into private session.

11 PRESIDING JUDGE SAMBA: [9:36:48] Madam Court Officer, can we go into private
12 session, please.

13 (Private session at 9.37 a.m.)

14 THE COURT OFFICER: [9:37:02] We are in private session, Madam President, your
15 Honours.

16 PRESIDING JUDGE SAMBA: [9:37:05] Thank you.

17 Mr Bifwoli, please continue.

18 MR BIFWOLI: [9:37:12] Yes.

19 Madam Court Officer, can you kindly display CAR-OTP-2050-0119.

20 Q. [9:37:39] Mr Witness, can you -- can you see the document displayed on your
21 screen?

22 A. [9:37:56] Yes, I can see it very well on the screen.

23 Q. [9:38:07] What does that image show?

24 A. [9:38:23] On this image it is possible to see the various buildings inside the
25 (Redacted) that we have been talking about.

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1 Q. [9:38:48] Madam Court Officer, can you zoom in a little bit so that point "A" can
2 be seen clearly by the witness.

3 Now, Mr Witness, can you see point "A" on that image?

4 A. [9:39:27] Yes, I can see the letter "A".

5 Q. [9:39:34] What does it depict?

6 A. [9:39:47] That is a building (Redacted).

7 Q. [9:40:08] What was that building being used for?

8 A. [9:40:26] The building was occupied by (Redacted). They would go there to
9 (Redacted).

10 Q. [9:40:47] Madam Court Officer, can you kindly please zoom in point "B".

11 Now, Mr Witness, I would like us to move to point "B". Can you see it on that
12 image?

13 A. [9:41:25] Yes, I can see it.

14 Q. [9:41:32] What was at point "B"?

15 A. [9:41:46] That building indicated as "B" is where (Redacted)
16 (Redacted).

17 Q. [9:42:09] What happened at that point when the Seleka were based at the
18 (Redacted)?

19 PRESIDING JUDGE SAMBA: [9:42:23] Now, Mr Prosecutor, when we had this
20 witness on the stand yesterday, I'm sure --

21 THE WITNESS: [9:42:49](No interpretation)

22 PRESIDING JUDGE SAMBA: [9:42:52] Can I hear what the witness just said, if you
23 may, interpreters.

24 Mr Witness, what did you just say?

25 THE WITNESS: [9:43:19](Interpretation) That building, as I have said, was the

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1 residence actually, the residence of (Redacted).

2 PRESIDING JUDGE SAMBA: [9:43:32] Okay. So, Mr Prosecutor, when we started
3 off with this witness yesterday, I remember reading out the solemn declaration for
4 him, if that sends a signal to you at all in respect of the questions that you now put to
5 him. That's why you're getting the answers you're getting.

6 MR BIFWOLI: [9:44:09]

7 Q. [9:44:09] So, Mr Witness, do you recall that when we started, you took an oath to
8 say the truth; you recall that?

9 PRESIDING JUDGE SAMBA: [9:44:23] No, I'm not doubting he's saying the truth.

10 MR BIFWOLI: [9:44:27] Sorry.

11 PRESIDING JUDGE SAMBA: [9:44:28] I have no doubt. I just want you to, you
12 know, respect his situation, his circumstance, if you understand what I mean.

13 MR BIFWOLI: [9:44:54] Thank you, Madam President, your Honours. So, then in
14 that case I'll proceed to -- yeah.

15 Q. [9:45:06] Mr Witness, we'll now proceed to point "C".

16 Can you see point "C"?

17 A. [9:45:22] Yes, I can see it.

18 Q. [9:45:27] Can you tell the Court what was at point "C"?

19 A. [9:45:46] The letter "C" represents (Redacted), and in that (Redacted) you had the
20 various types (Redacted) and other
21 items.

22 PRESIDING JUDGE SAMBA: [9:46:15] Can I ask that we disconnect the witness so
23 that I talk to the Prosecutor.

24 THE COURT OFFICER: [9:46:46] Madam President, the sound is cut off. The
25 witness cannot hear us at the moment.

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- 1 PRESIDING JUDGE SAMBA: [9:46:54] Now, Mr Prosecutor, you can tell, can't you,
2 that the witness cannot read. Can you tell, from what is happening in court?
3 MR BIFWOLI: [9:47:12] Yes.
4 PRESIDING JUDGE SAMBA: [9:47:13] Yes, so that's what I meant. Thank you very
5 much. Can we connect the witness again, please.
6 THE COURT OFFICER: [9:47:43] Madam Witness, now the witness can hear us.
7 PRESIDING JUDGE SAMBA: [9:47:47] Thank you very much.
8 So, Mr Prosecutor, your witness. Definitely, I'm not cutting you off from your line of
9 questioning. If you want to continue along those lines you're free to do so. We're
10 in private session. Thank you.
11 MR BIFWOLI: [9:48:20] Madam President, I wonder if it's possible for the court
12 officer to point if, let's say, I say point "C", they can point, then he can see
13 where -- which place is being pointed, whether that is possible?
14 Q. [9:48:48] So, Mr Witness, can you see the arrow pointing at some -- some place?
15 Do you see that arrow going around on your screen? Can you see that place where
16 the arrow is pointing now?
17 A. [9:49:09] Yes, I can see it. It is letter "C".
18 Q. [9:49:17] Okay, so what was at that point? What was at that point?
19 A. [9:49:39] The building you see was a (Redacted)
20 (Redacted)
21 (Redacted). And that is where the letter
22 "C" is marked.
23 Q. [9:50:14] And, Madam Court Officer, can you, again using the arrow, encircle
24 the next letter -- yes. Yes.
25 Mr Witness, can you see where the arrow is circling now?

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- 1 PRESIDING JUDGE SAMBA: [9:50:35] Which letter, please? Let's have that on the
2 record. Which letter?
- 3 MR BIFWOLI: [9:50:40] Letter "D."
- 4 PRESIDING JUDGE SAMBA: [9:50:43] Thank you.
- 5 MR BIFWOLI: [9:50:45]
- 6 Q. [9:50:45] Can you see where the arrow --
- 7 A. [9:50:47] (No Interpretation)
- 8 Q. [9:50:48] So what was at that point?
- 9 A. [9:50:57] That is the office of the (Redacted). This area had a large office
10 (Redacted)
11 (Redacted). That is the location where the arrow was
12 pointed at.
- 13 Q. [9:51:35] (Microphone not activated)
- 14 THE COURT OFFICER: [9:51:48] Microphone, please.
- 15 MR BIFWOLI: [9:51:53] Sorry for that.
- 16 Can we move to letter "E", please.
- 17 Q. [9:52:02] Mr Witness, can you see where the arrow is pointing now?
- 18 A. [9:52:14] Yes, I can see it. I can see that letter.
- 19 Q. [9:52:23] What was at that point?
- 20 A. [9:52:48] At that location, there is nothing. There was a toilet which was
21 located there, (Redacted) would come here to take a shower and it
22 was under a tree.
- 23 Q. [9:53:20] Madam Court Officer, can we move on to the letter "F", please.
- 24 Now, Mr Witness, can you see the point that is -- the arrow is pointing now?
- 25 A. [9:53:41] Yes.

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1 Q. [9:53:47] What was at that point?

2 A. [9:54:02] Where that letter is marked, that is letter "F". There was nothing at
3 that location. It was the exit from that storey buildings.

4 Q. [9:54:39] Madam Court Officer, can we kindly move on to the next, letter "G".
5 Can you see where the arrow is currently pointing, Mr Witness?

6 A. [9:54:56] Yes, I can see the arrow.

7 Q. [9:55:01] What was at that location?

8 *A. [9:55:12] The building whose roof you can see, (Redacted)

9 (Redacted)

10 (Redacted)

11 Q. [9:55:51] Madam Court Officer, can we move on to the next, letter "H".

12 Mr Witness, can you see the point where the arrow is pointing now?

13 A. [9:56:18] Yes, I can see the arrow.

14 Q. [9:56:24] What was at that location?

15 A. [9:56:37] This was just an empty space. Everything that you see that -- dark in
16 colour, those were poles that were planted on those -- that location.

17 MR BIFWOLI: [9:57:17] Madam President, I formally submit tab 3 of the
18 Prosecution's list of evidence.

19 And I request that we can go in public session.

20 PRESIDING JUDGE SAMBA: [9:57:26] Madam Court Officer, can we go into public
21 session, please.

22 (Open session at 9.57 a.m.)

23 THE COURT OFFICER: [9:57:48] We are back to open session, Madam President,
24 your Honours.

25 PRESIDING JUDGE SAMBA: [9:57:52] Thank you.

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1 Mr Prosecutor, continue please.

2 MR BIFWOLI: [9:57:56]

3 Q. [9:57:57] Mr Witness, how far was {PFR: (Redacted)} to Boy-Rabe, if you know?

4 A. [9:58:32] {PFR: (Redacted)} is obviously in the Boy-Rabe neighbourhood.

5 I remember -- I repeat, {PFR: (Redacted)} is in the Boy-Rabe neighbourhood.

6 THE INTERPRETER: [9:58:45] And in the previous answer the witness has said

7 there were teak trees planted on that area.

8 THE WITNESS: [9:58:54](Interpretation) So there's really nothing else I can add.

9 MR BIFWOLI: [9:59:11]

10 Q. [9:59:11] Mr Witness, do you recall when the Seleka left the {PFR: (Redacted)}

11 A. [9:59:35] I no longer remember. In any case, they did not leave as an entire

12 group.

13 They were leaving individually. It was when the decision was taken that they

14 should leave {PFR: (Redacted)} that is when they -- all the remaining members of the

15 group left.

16 Q. [10:00:24] Are you able to recall probably the month or -- when that decision

17 was taken, that they leave?

18 A. [10:00:49] As you know, these were decrees that were read over the national

19 radio station. One day there was a decree read over the radio asking all Seleka {PFR:

20 (Redacted)

21 (Redacted)} The next morning, they started withdrawing individually to go to

22 various Seleka bases. Shortly afterwards, there were no longer any Seleka in {PFR:

23 (Redacted)}.

24 Q. [10:01:35] Thank you, Mr Witness, for answering my questions.

25 MR BIFWOLI: [10:01:40] Madam President, that brings us to the end of

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- 1 Prosecution's examination. Thank you.
- 2 PRESIDING JUDGE SAMBA: [10:01:44] Thank you very much, Mr Bifwoli.
- 3 Now, Mr Witness, I'm going to ask the Defence to put questions to you on behalf of
- 4 Mr Said.
- 5 Ms Naouri, who will be doing the cross-examination, please?
- 6 MS NAOURI: [10:02:05](Interpretation) Thank you. The cross-examination will be
- 7 carried out by François-Jacquemin, Maître.
- 8 PRESIDING JUDGE SAMBA: [10:02:13] Thank you very much.
- 9 Mr François-Jacquemin, your witness, please. And please observe the five seconds'
- 10 rule between questions and answers. Thank you.
- 11 MR FRANÇOIS-JACQUEMIN: [10:02:32](Interpretation) Thank you very much,
- 12 Madam.
- 13 QUESTIONED BY MR FRANÇOIS-JACQUEMIN: (Interpretation)
- 14 Q. [10:02:42] Good morning, Mr Witness.
- 15 A. [10:02:43] Good morning, sir.
- 16 Q. [10:02:45] As the Presiding Judge has said, I am defending Mr Said. My first
- 17 name is Florian, and my surname François-Jacquemin.
- 18 We are going to take our time to work together, but I hope to finish today,
- 19 Mr Witness.
- 20 I hope to finish in time -- that you wait five seconds before answering any of the
- 21 questions I put to you. But please answer my questions and only my questions.
- 22 Madam, your Honour, could we please go into private session very briefly.
- 23 PRESIDING JUDGE SAMBA: [10:03:30] Madam Court Officer, can we go into
- 24 private session, please.
- 25 (Private session at 10.03 a.m.)

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- 1 THE COURT OFFICER: [10:03:47] We are in private session, Madam President.
- 2 PRESIDING JUDGE SAMBA: [10:03:49] Thank you very much.
- 3 Mr François-Jacquemin, please.
- 4 MR FRANÇOIS-JACQUEMIN: [10:03:57](Interpretation) Thank you, Madam
- 5 President. Thank you, Court Officer.
- 6 Q. [10:04:12] Where were you born?
- 7 A. [10:04:14] I was born in a village (Redacted). It was a small village.
- 8 Q. [10:04:25] Thank you, Mr Witness.
- 9 Court officer, can we see tab 1.3, the English version.
- 10 It's your previous statement, that which you gave to the investigators of the OTP.
- 11 It's CAR-OTP-2050-0105. And that's the first page.
- 12 Since you don't know how to read, I will read out the content. On the first page it is
- 13 written that you were born in Bangui.
- 14 Were you born in Bangui, Mr Witness?
- 15 A. [10:05:19] No, I'm not born in Bangui. I was born in a small village and then
- 16 after that we moved to Bangui.
- 17 Q. [10:05:32] Thank you, Mr Witness.
- 18 Did you tell the investigators that you were born in Bangui?
- 19 PRESIDING JUDGE SAMBA: [10:05:42] But just refer again to paragraph 11 of that
- 20 same document, Mr François-Jacquemin. I know the face of the document you
- 21 referred to says Bangui, but we also have another place of birth at paragraph 11.
- 22 MR FRANÇOIS-JACQUEMIN: [10:06:07](No interpretation)
- 23 PRESIDING JUDGE SAMBA: [10:06:13] Can you hear me? I'm saying that you
- 24 refer to the face of the exhibit as him being born in Bangui, but I was referring you to
- 25 paragraph 11 also that states his place of birth (Redacted).

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1 Now that he has confirmed that he was born in a small village (Redacted), I don't
2 know what you want to make of that. Thank you.

3 MR FRANÇOIS-JACQUEMIN: [10:06:53](Interpretation) I've finished, madam.
4 I just want to understand why did he -- I just wanted to understand why he said he
5 was born in Bangui in the document if he said he was going to be born in
6 (indiscernible). It was just I wanted to find out for sure and clarify the situation.
7 Madam Court Officer, could we have 6 on our list of materials. It's *
8 CAR-OTP-0003-6842.

9 Q. [10:07:45] Can you see this document, Mr Witness; and, if you can, can you tell
10 us what that document represents?

11 A. [10:07:54] Yes, I see the document on the screen. It is mine -- my ID card.

12 Q. [10:08:03] Thank you, Mr Witness. Did you provide it to the investigators of
13 the OTP?

14 A. [10:08:12] Yes, that's correct. I did give them this document.

15 Q. [10:08:17] When was that, Mr Witness?

16 A. [10:08:27] It was when I started to start my testimony before the Court. That's
17 when they asked me to provide that document.

18 Q. [10:08:44] Thank you, Mr Witness.

19 Did you give a document of identity for the -- in the year 2017 when you saw the
20 investigators for the first time?

21 A. [10:08:59] No. This is an ID card that was produce -- issued not so long ago.
22 That card was made not long -- not a long time ago. You know, I was in the village
23 looking after my fields. It's once I came to the town they asked for my ID card and
24 then I handed that card over to them.

25 Q. [10:09:27] Thank you, Mr Witness.

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1 On this ID document, your name (Redacted)

2 What is your name, and how do you write your name, if you know how to write it?

3 A. [10:09:53] My name is (Redacted). You can see that on the card. There's even
4 my signature. My name is (Redacted) and my signature reflects the initials of my
5 name in one form or another.

6 Q. [10:10:24] Thank you, Mr Witness.

7 In order to make this ID did you have to provide any evidence, any documents of a
8 civil nature?

9 A. [10:10:34] Yes. This national ID card was issued on the basis of my birth
10 certificate and my birth date is the same -- is the same on my ID and on my birth
11 certificate.

12 Q. [10:11:00] Thank you, Mr Witness. And this birth certificate of 2017, did you
13 show it to the investigators?

14 A. [10:11:16] Yes, I showed them my birth certificate. And on the basis of that
15 birth certificate this ID card was produced.

16 Q. [10:11:26] Thank you, Mr Witness.

17 Madam Court Officer, I request the official submission of this card,
18 CAR-OTP-00036842. This is tab 6.

19 Mr Witness, do you have a passport?

20 A. [10:12:01] No, I don't have a passport.

21 Q. [10:12:03] I have finished with the official documents now.

22 When did you start working (Redacted)?

23 A. [10:12:20] Well, you know, back home, it's not that important. You can pass by
24 and ask that you're looking for work and then they will say -- tell you you can start on
25 this day. But I can't remember the precise date when I actually started work.

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1 Q. [10:12:55] And that's how you started? Did you go to (Redacted) and ask for
2 work? How did it all start? How did it begin?

3 A. [10:13:14] At that time I wasn't working, I didn't have anything to do. My
4 relatives said that they were looking for someone to work (Redacted) and that
5 relative accompanied me and introduced me to (Redacted) and they asked for my
6 name and asked for my address. The (Redacted) said that as from today, since we
7 don't have (Redacted), I should start immediately as (Redacted).

8 Q. [10:13:52] Thank you, Mr Witness.

9 Who was the (Redacted) at that time? Who was the (Redacted)?

10 A. [10:14:03] He's still living, (Redacted). He's been sent to another (Redacted) he's
11 no longer at that (Redacted).

12 Q. [10:14:21] What was his name, Mr Witness?

13 A. [10:14:31] His name was (Redacted).

14 Q. [10:14:45] Thank you, Mr Witness.

15 I imagine you had a salary. Who paid? Was it (Redacted) or was it the (Redacted)?
16 (Redacted). Who paid you; who paid you?

17 A. [10:15:05] I was paid by (Redacted)
18 (Redacted)

19 Q. [10:15:19] Thank you, Mr Witness.

20 How much did you earn per month?

21 THE INTERPRETER: [10:15:31] The association was called (Redacted).

22 THE WITNESS: [10:15:34](Interpretation) I was paid 20,000 CFA per month. But
23 I wasn't given the whole amount of my salary at the end of the month. Sometimes
24 I was given 10,000 -- two weeks later they called me and gave me the remaining
25 10,000.

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1 MR FRANÇOIS-JACQUEMIN: [10:16:00](Interpretation)

2 Q. [10:16:01] Thank you, Mr Witness.

3 I want to read out to you an extract of what you said yesterday Mr Witness. French
4 transcript, 116, the edited version, page 44, line 19 to 20 -- this is the real-time version,
5 sorry.

6 And I quote:

7 "You know it was (Redacted). They asked me
8 (Redacted)." End of quote.

9 That's what you said vis-à-vis the Seleka.

10 Can you explain to us where (Redacted)?

11 A. [10:17:07] You showed me the letter "F". I lived there, I lived in (Redacted)
12 (Redacted). I showed you the place where I stayed previously, and when you
13 showed me the corresponding letter, I told you that it was there that I slept.

14 Q. [10:17:38] So that -- you said sometimes you slept, that was your house, that was
15 the place where you stayed?

16 A. [10:17:49] Yes, that was the spot.

17 Q. [10:17:56] And that was also the home for (Redacted), Mr Witness?

18 A. [10:18:02] Yes. I was there with (Redacted). Next to us, (Redacted)
19 (Redacted)

20 Q. [10:18:19] Thank you. How many were you? How many were you including
21 (Redacted)?

22 *A. [10:18:30] I was with some (Redacted), as others lived in the neighbourhood, but here I
23 was with (Redacted). Other -- other (Redacted) were in the fields.

24 Q. [10:18:51] Thank you, Mr Witness.

25 In the real-time transcript of yesterday, 116, page 9, line 9 to 18, you told us, and I'm

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1 quoting you, Mr Witness:

2 "It was also their rocket launchers. It landed on the wall, (Redacted). Even there
3 (Redacted), they launched a rocket against the wall. The wall was destroyed. I also
4 saw a rocket which hadn't exploded. It was of this size and it landed in the
5 courtyard. It is only later that (Redacted)
6 called the specialists who then came to collect the rocket in question." End of quote.

7 That's what you told us, Mr Witness. Do you remember that?

8 A. [10:20:17] Yes.

9 Q. [10:20:23] Who was the specialist who came to collect the rocket?

10 A. [10:20:31] It was a police who came to collect that rocket.

11 Q. [10:20:43] Do you have a photo of the damage which the rocket caused which hit
12 the wall when it exploded?

13 A. [10:21:00] An individual -- I'm an ordinary poor person. How could I have a
14 camera to film events, to film something like that?

15 Q. [10:21:17] Was the damage repaired or does the damage -- can you still see the
16 damage today, Mr Witness?

17 A. [10:21:29] Everything was repaired. There was (Redacted) who bought cement
18 in order to repair the building. The roof, or the metal of the -- the metal sheeting was
19 replaced and everything was repaired.

20 Q. [10:21:51] Thank you.

21 MR FRANÇOIS-JACQUEMIN: [10:21:53] Madam President, we can now move into
22 open session.

23 PRESIDING JUDGE SAMBA: [10:21:57] Madam Court Officer, can we go into open
24 session, please.

25 (Open session at 10.22 a.m.)

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1 THE COURT OFFICER: [10:22:12] We are back to open session, Madam President.

2 PRESIDING JUDGE SAMBA: [10:22:15] Thank you very much.

3 Mr François-Jacquemin, please continue.

4 MR FRANÇOIS-JACQUEMIN: [10:22:25](Interpretation) Thank you very much,

5 Madam President. Thank you, court officer.

6 Q. [10:22:30] We are now in open session, Mr Witness, so be careful not to reveal
7 your identity.

8 Madam Court Officer, could you display tab 15. It's public. {PFR: (Redacted)}

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 A. [10:24:40] (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)}.

24 Q. [10:25:08] Thank you, Mr Witness.

25 Court officer, I'd like to officially submit this document, tab 15, {PFR: (Redacted)}.

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- 1 I'm going to progress in time with you, Mr Witness.
- 2 {PFR: (Redacted)}
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)}
- 6 Q. [10:26:07] Thank you, Mr Witness.
- 7 Court officer, could you please display tab 14. It's a public document. It's {PFR:
- 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)}. {ICR: (Redacted)}.

2 Q. [10:29:24] Thank you, Mr Witness.

3 We are going to do the necessary, but I remind you we are in open session.

4 I would like to stay in open session so do not speak about yourself, who you are, or
5 anything that could identify you, please. There's no need to, in order to answer my
6 questions. Have you understood what I've said, Mr Witness?

7 A. [10:29:51] Yes, I've understood.

8 Q. [10:29:56] Thank you. So let's continue together.

9 Court officer, I request the formal submission of tab 14. {PFR: (Redacted)}

10 (Redacted)

11 (Redacted)}

12 A. [10:30:39] I remember very well.

13 PRESIDING JUDGE SAMBA: [10:30:48] Maybe before the witness gives a further
14 answer to those questions, looking at the questions, Mr François-Jacquemin, I don't
15 know whether those are fair questions, actually, to this witness, considering his
16 position at the time we are talking about. That is not to say you should not ask your
17 questions. Continue asking your questions if you may. Just so you know the way,
18 maybe, that we're thinking. We don't -- I don't know whether these are fair
19 questions to him, knowing what he was doing at that point of time. I mean, we're in
20 open session, but -- continue with your questions and let's see what comes out of it.

21 MR FRANÇOIS-JACQUEMIN: [10:31:55](Interpretation) If you think that it is -- it
22 would be fairer to continue in private session, I could do that, Madam President. I'm
23 in your hands. As I told the witness, which I was trying to do, I wanted to go
24 through what happened chronologically.

25 Court officer, can we go to tab 16, please.

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- 1 It is public. It is {PFR: (Redacted)}
- 2 Q. [10:32:57] (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 Mr Witness, during the {PFR: (Redacted)}
- 16 (Redacted)}? Do know anything about that?
- 17 A. [10:35:07] {ICR: (Redacted)}
- 18 (Redacted)}
- 19 {PFR: (Redacted)}
- 20 (Redacted)}
- 21 Q. [10:35:45] Thank you, Mr Witness.
- 22 Madam President, can we go to private session, please.
- 23 PRESIDING JUDGE SAMBA: [10:35:51] Madam Court Officer, can we go into
- 24 private session, please. Thank you.
- 25 (Private session at 10.36 a.m.)

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- 1 THE COURT OFFICER: [10:36:07] We are in private session, Madam President.
- 2 PRESIDING JUDGE SAMBA: [10:36:09] Thank you very much.
- 3 Mr François-Jacquemin, please continue.
- 4 THE WITNESS: [10:36:25](Interpretation) It is very cold in the room in which I find
5 myself right now. I would need some help, please.
- 6 PRESIDING JUDGE SAMBA: [10:36:35] Madam Court Officer, can you get
7 somebody (Redacted) to maybe turn the AC off, or regulate the temperature to fit the
8 witness, to suit the witness.
- 9 THE COURT OFFICER: [10:36:54] Absolutely, Madam President.
10 (Redacted) is currently hearing the Chamber's instruction and I'm hearing some
11 sounds, so I think they're working on it and trying to switch off the air-con.
12 Thank you, Madam President.
- 13 PRESIDING JUDGE SAMBA: [10:37:22] Are you okay now, Mr Witness?
- 14 THE WITNESS: [10:37:35](Interpretation) Yes, the problem has been resolved.
15 Thank you.
- 16 PRESIDING JUDGE SAMBA: [10:37:39] Thank you.
17 Mr François-Jacquemin, please continue.
- 18 MR FRANÇOIS-JACQUEMIN: [10:37:46](Interpretation) Thank you, Madam
19 President.
- 20 Q. [10:37:52] Mr Witness, you are very cold. You feel cold in the room (Redacted)
21 so it's very fortunate that you were not brought here to The Hague, because it would
22 have been icy here.
- 23 Now, relating to that (Redacted), do you remember whether the
24 (Redacted), were they present when the (Redacted)?
- 25 A. [10:38:26] Some of (Redacted) were there, but others were not present and that

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1 applied as well to (Redacted). Some were presents, others were not. But those who
2 were, there were few and those are the ones who had started (Redacted). And those
3 who had (Redacted) and they started
4 coming back progressively.

5 Q. [10:38:56] Thank you very much, Mr Witness.

6 Court officer, I would like to ask for the formal submission of this document, tab 16,
7 CAR-D33-0014-1226.

8 Mr Witness, I would like to move on to December 2013, and you spoke about that to
9 us yesterday. And I'm referring to transcript 116, real-time, page 38, lines 12 to 21.
10 Or rather, it's page 48, lines 12 to 21.

11 So, to put you in context I will read out your testimony of yesterday. You talked
12 about the attack of the Anti-Balaka against (Redacted): Question:

13 "And who was fighting -- well, the Anti-Balaka were fighting against whom on that
14 day?"

15 Your answer:

16 "The Anti-Balaka were not making any distinction. As you know, everything was in
17 disarray, total disarray. Many civilians had also fled and they had fled into the
18 (Redacted) to seek refuge. And amongst those civilians, there were
19 many who died. Unfortunately, there were (Redacted) amongst them. Some of the
20 (Redacted)
21 (Redacted).

22 End of quote.

23 Mr Witness, am I to understand that (Redacted) on that day,
24 5 December, that (Redacted) were taking place during that period; is that correct?

25 A. [10:41:58] During that period there were (Redacted)

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1 (Redacted) who had come very early in the morning to (Redacted)
2 (Redacted). They were there every day very early in the morning, and
3 sometimes even at 5 a.m. they would come and (Redacted) and then they
4 would go into (Redacted).

5 Q. [10:42:39] Thank you, Mr Witness.

6 I will now go to transcript, real-time, 116, page 22 -- that is the French transcript of
7 yesterday -- lines 22 to 23. And yesterday, Mr Witness, you said:
8 "No one could come (Redacted). As I have told you, there were only
9 the Seleka. As I have already said, (Redacted)
10 So it was after 5 December that (Redacted) could come back to (Redacted), Mr Witness;
11 is that correct? It was only after 5 December?

12 A. [10:43:54] After the fighting there was some calm. As you know, there was
13 some very courageous (Redacted) who made a point of coming (Redacted) very early in
14 the mornings. Some of them even sort of spent (Redacted)
15 (Redacted), but they were not aware that there would be confrontation or
16 fighting between the Seleka and the Anti-Balaka.

17 Q. [10:44:29] Thank you very much, Mr Witness.

18 When you say "after the fighting", do you mean the fighting of 5 December; do we
19 agree on that?

20 A. [10:44:37] Yes, that is correct.

21 Q. [10:44:52] Thank you, Mr Witness.

22 I think, Madam President, that I would like to stay in private session because I'm
23 afraid the witness might give some identifying information.

24 Mr Witness, the chief of the people you call the Seleka who were (Redacted)
25 (Redacted) was General Moussa; is that correct?

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1 A. [10:45:29] Yes, that is indeed his name.

2 Q. [10:45:37] In your prior statement when you talked with the Prosecutor, you
3 told us that he referred to himself as a general, but that maybe he was a colonel. So
4 what was the rank of this person, Mr Witness?

5 A. [10:45:59] The Seleka could give themselves any rank that they wanted. It is
6 true that they were wearing military uniforms and the ranks were visible. There was
7 also the insignia. In fact, everyone was a general. They were all generals. I know
8 the rank of colonel. I know about the rank of brigadier. I can recognise them.

9 Q. [10:46:37] Thank you, Mr Witness.

10 Do you know the full name of Moussa, Mr Witness?

11 A. [10:47:02] It was difficult to know their names, that is the Seleka. They
12 wreaked havoc in the capital. It was difficult to know their names. It was through
13 their elements that it was possible to know their names. However, it was also
14 possible that they would not say their real names.

15 Q. [10:47:30] Thank you, Mr Witness.

16 According to our research, his full name could be Moussa Alnour. Moussa Alnour.
17 Does that ring a bell with you?

18 A. [10:47:59] One day he was strolling around and he said, "(Redacted)
19 (Redacted) must not be attacked. He is the one responsible for the
20 (Redacted)." And following that they did not threaten me.

21 Q. [10:48:21] Thank you, Mr Witness.

22 Where was he from? What was his country of origin, this Moussa?

23 A. [10:48:34] As you know, I am not in a position to know about the origins of all
24 those fighters.

25 Q. [10:48:42] I understand, Mr Witness.

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1 I will read out to you an excerpt of your prior statement, tab 1, 1.3 for the English
2 version. CAR-OTP-2050-0105, page 107, and I'm talking about paragraph 15.

3 And I'm quoting what you told the investigators of the OTP Mr Witness:

4 "General Moussa (Redacted) was Sudanese. He was very thin, about
5 1.85m tall. He was dark in complexion, he had a beard and he had no scars on his
6 face. He spoke Sango and the Sudanese language. He was wearing the FACA
7 military uniform with a red beret and sometimes he would wear a *boubou*." End of
8 quote.

9 At that time, Mr Witness, you stated that he was Sudanese. Does General Moussa's
10 nationality come back to your mind now?

11 A. [10:50:22] Well, the Sudanese in question was the one who was staying at the
12 firefighters' camp. He was the overall chief, the superior. But the one who was at
13 (Redacted), I really do not have any specific information about him.

14 I repeat, the Sudanese in question was residing at the firefighters camp.

15 Q. [10:50:56] Thank you, Mr Witness.

16 To be very transparent with you, I read paragraph 15 of your prior statement, and just
17 after that, in paragraph 16, you said:

18 "General Moussa's boss (Redacted), the general who was 'President' at the
19 Firefighters' Camp, whose name I don't know, was Sudanese." End of quote.

20 You talked to us about a Sudanese general at the firefighters camp, but if I understand
21 you well, you no longer can tell us which country Moussa came from. You no longer
22 remember?

23 A. [10:51:50] No, I do not know his nationality. There is no point of me telling a
24 lie. It is not even possible for me to know his origin. His elements referred to him
25 as "General Moussa". That's how come I knew that he was called "Moussa".

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1 Q. [10:52:10] Thank you, Mr Witness.

2 And even though you cannot state the country of origin of each person, do you
3 remember whether General Moussa's elements were Central African Republic
4 nationals or foreigners, or was it a mixed group?

5 A. [10:52:39] Most of them were foreigners who were married to women from the
6 Central African Republic and they were part of the group.

7 Q. [10:53:00] Thank you, Mr Witness.

8 Did you observe any misunderstandings amongst the elements of Moussa? Did you
9 observe any disputes, problems?

10 A. [10:53:22] There was infighting amongst them. They went to their shower, one
11 of them slapped or beat up on the other and the person who beat the other one fled,
12 while the person who was the victim stayed in the shower.

13 THE INTERPRETER: [10:53:51] Correction from the Sango interpreter: He had
14 shot dead his comrade.

15 MR FRANÇOIS-JACQUEMIN: [10:54:00](Interpretation)

16 Q. [10:54:00] Thank you, Mr Witness.

17 And those who misbehaved were for the most part foreigners; is that correct,
18 Mr Witness?

19 A. [10:54:19] Both the foreigners and those from the Central African Republic, all of
20 them were doing the same thing. They took drugs and afterwards they would go
21 around wreaking havoc, doing all sorts of things and causing damage.

22 Q. [10:54:40] Thank you, Mr Witness.

23 I would like to come back to something you said yesterday.

24 So it is the real-time French transcript, T-116, page 42, lines 13 to 16. And I will
25 quote you, Mr Witness:

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1 "Initially, they stored those television sets somewhere (Redacted). Subsequently,
2 those television sets were loaded onto a vehicle and they took all those stolen items
3 back to their country." End of quote.

4 Do you remember that, Mr Witness? Is it correct?

5 A. [10:55:49] Yes, I remember that. That is what I said.

6 Q. [10:55:55] Thank you, Mr Witness.

7 So which countries were those to where they took the items that they had stolen?

8 A. [10:56:11] Well, I saw them stealing people's property and then they would take
9 them back to their places. It was impossible for me to know the various destinations.
10 It could have been Chad, Sudan or Cameroon. But each person was merely trying to
11 go back to their own country.

12 Q. [10:56:46] Thank you, Mr Witness.

13 Just one moment. I think we are going fast enough. I just want to update myself.

14 Thank you for your patience, Madam President, your Honours.

15 Mr Witness, I would like to come back to talk about with you the people who were
16 shot dead (Redacted). Do you remember that you talked about the seven people who
17 were killed (Redacted), Mr Witness? Do you remember?

18 A. [10:57:55] Yes, of course. Seven people were killed (Redacted).

19 Q. [10:58:12] I would like to really know how many of them were there.

20 Now, going to your prior statement, Mr Witness, tab 1, and 1.3 in the English.

21 Madam President, I have about five minutes for that. Do you want me to do it now
22 or after the break?

23 PRESIDING JUDGE SAMBA: [10:58:29] I think we can manage five minutes.

24 Please go ahead.

25 MR FRANÇOIS-JACQUEMIN: [10:58:42](Interpretation) Thank you, Madam

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1 President.

2 So that is CAR-OTP-2050-0105. And I'm referring to paragraphs 38, 39 and 43.

3 Q. [10:59:04] Paragraphs 38 and 39 were read to you over -- or rather, yesterday,

4 Mr Witness.

5 PRESIDING JUDGE SAMBA: [10:59:28] I think we'll have to take a break here and

6 come back for 11:30.

7 I rise the Court for 11:30, please.

8 THE COURT USHER: [10:59:39] All rise.

9 (Recess taken at 10.59 a.m.)

10 (Upon resuming in open session at 11:32 a.m.)

11 THE COURT USHER: [11:32:34] All rise.

12 Please be seated.

13 PRESIDING JUDGE SAMBA: [11:32:51] Good morning, again, everyone.

14 Mr Witness, we are going to continue with your questions in cross.

15 And I'm going to ask Mr François-Jacquemin to continue putting questions to the

16 witness.

17 We are in open session, counsel.

18 MR FRANÇOIS-JACQUEMIN: [11:33:18](Interpretation) Thank you,

19 Madam President.

20 Please may we go into private session, your Honour.

21 PRESIDING JUDGE SAMBA: [11:33:43] Certainly, Mr François-Jacquemin.

22 Madam Court Officer, can we go into private session, please.

23 (Private session at 11.34 a.m.)

24 THE COURT OFFICER: [11:34:00] We are in private session, Madam President.

25 PRESIDING JUDGE SAMBA: [11:34:03] Thank you very much.

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1 Continue, counsel.

2 MR FRANÇOIS-JACQUEMIN: [11:34:06](Interpretation) Thank you, your Honour.

3 Thank you, court officer.

4 Q. [11:34:16] Is that all right, Mr Witness? Can you hear me?

5 A. [11:34:23] We can proceed.

6 Q. [11:34:27] So let's continue. I'm going back to your previous statement, 1.3 in

7 the English version, I'm going to read out the paragraph 38, 39 again:

8 "As far as I know, the Séléka didn't kill anyone at (Redacted) before

9 5 December."

10 PRESIDING JUDGE SAMBA: [11:35:04] Ms Naouri.

11 MS NAOURI: [11:35:09](Interpretation) I do apologise for the interruption. The

12 French transcripts are not being displayed for Mr Said. There is a little technical

13 problem, so he can't follow it. If you could call a technician or something like that.

14 I'm not sure what the procedure is.

15 PRESIDING JUDGE SAMBA: [11:35:29] Okay, we'll get -- the court officer will help.

16 Just a moment, Mr Said. We will get somebody to help you.

17 THE COURT OFFICER: [11:36:14] Madam President, a technical assistant is on his

18 way as we speak to assist Mr Said.

19 (Pause in proceedings)

20 MS NAOURI: [11:38:09](Interpretation) It's working, Madam President.

21 PRESIDING JUDGE SAMBA: [11:38:14] Thank you very much for that information

22 and confirmation.

23 Mr François-Jacquemin, can you continue putting questions to the witness, please.

24 MR FRANÇOIS-JACQUEMIN: [11:38:30](Interpretation) Thank you, your Honour.

25 Thank you to the person who sorted out that problem.

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1 Q. [11:38:39] I will resume reading, so:

2 "As far as I know, the Séléka didn't kill anyone at (Redacted) before

3 5 December.

4 On 5 December 2013 at 5 a.m., the Anti-Balaka came down from Boy-Rabé to the

5 (Redacted)

6 (Redacted) to leave because they were going to fight the Séléka."

7 End of quote.

8 Is that correct, Mr Witness? Can you confirm that?

9 A. [11:39:25] That's correct, I said that.

10 Q. [11:39:34] Thank you, Mr Witness.

11 I'm going to paragraph 43 now, where you explain -- well, firstly, you said you were

12 (Redacted).

13 Is that correct, Mr Witness?

14 A. [11:39:50] Yes, that's correct.

15 Q. [11:39:53] And in paragraph 43, you say:

16 "I saw Moussa's men shoot down nine men who were fleeing across (Redacted)

17 (Redacted)."

18 So my question to you, Mr Witness, is it seven persons or nine who were killed

19 (Redacted)?

20 * A. [11:40:20] I said that (Redacted) seven people had been killed. They

21 had killed seven people. When those people were fleeing, they were killed. They were

22 spread across (Redacted), they were there.

23 Q. [11:40:38] Thank you, Mr Witness.

24 So on 5 December 2013, seven persons and not nine who were killed (Redacted)

25 (Redacted); is that correct?

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1 A. [11:40:53] There were seven persons. Not nine.

2 Q. [11:41:03] Thank you.

3 So I'm going to ask you for reconfirmation. On 5 December 2013, there were seven
4 people who were shot, not nine; is that correct?

5 A. [11:41:36] Yes, that's correct.

6 Q. [11:41:38] You explained to us yesterday, Mr Witness, that (Redacted)
7 (Redacted); is that correct?

8 A. [11:41:48] (Redacted)
9 (Redacted).

10 Q. [11:42:09] Thank you, Mr Witness.

11 I don't know how it was translated, but I asked you whether (Redacted) and that
12 doesn't necessarily mean (Redacted), * but I heard your answer. So how did you get
13 the (Redacted)?

14 A. [11:42:35] (Redacted). The market wasn't working
15 really well, but there were some individuals who had stalls (Redacted)
16 (Redacted).

17 At that time, there was no fighting.

18 Q. [11:43:08] Thank you, Mr Witness.

19 When the last occupants left (Redacted); is that
20 correct?

21 A. [11:43:35] (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 Q. [11:44:03] Thank you, Mr Witness. Very well.

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1 They regarded you (Redacted) when they left, Mr Witness?

2 A. [11:44:22] (Redacted)

3 (Redacted)

4 (Redacted)

5 They were speaking about it amongst themselves * and one of them told me that they

6 were going to leave, (Redacted)

7 (Redacted)

8 (Redacted)

9 Q. [11:45:06] Thank you, Mr Witness. I understand better now.

10 To conclude, I would like to talk about the relationship you might have had with the

11 OTP bureau.

12 Mr Witness, did you recently (Redacted), Mr Witness?

13 A. [11:45:29] (Redacted)

14 Q. [11:45:59] I'm not asking about the details of (Redacted), I'm not interested in that,

15 Mr Witness.

16 Who funded (Redacted), Mr Witness?

17 A. [11:46:13] The costs were borne by the bureau. They gave me a small amount

18 of money, which allowed me to have (Redacted).

19 Q. [11:46:37] Thank you, Mr Witness.

20 How much money was it, please?

21 * A. [11:46:44] I do not know the precise amount, but we went (Redacted)

22 (Redacted). That's what

23 happened. (Redacted), but I don't know the

24 exact amount.

25 Q. [11:47:24] Thank you very much.

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1 So they didn't give the money to you? The money was directly given (Redacted)

2 (Redacted); is that correct?

3 * A. [11:47:37] The court officials bought (Redacted)

4 (Redacted). They

5 were -- the 55,000 CFA was handed to them directly.

6 Q. [11:48:21] Were there other costs that were borne by the OTP since then, since

7 you met them in 2017?

8 A. [11:48:35] You know, I don't live in Bangui. * When I escaped the Seleka at that

9 time, (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 Q. [11:49:37] Thank you, Mr Witness.

18 Let me rephrase my question.

19 The (Redacted) you just had was funded by the OTP. That's what you've just told us.

20 What I'd like to know is, if there were other (Redacted)

21 (Redacted)?

22 A. [11:50:09] (Redacted)

23 (Redacted)

24 (Redacted)

25 Q. [11:50:43] Thank you, Mr Witness. Very well.

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1 Do you remember meeting the investigators of the OTP after they phoned you when
2 you were (Redacted) from Bangui? Do you remember having met them after
3 that?

4 A. [11:51:02] Before they -- they called me before we met. It is when I went to
5 Bangui to visit my relatives, and my relatives informed me that they were trying to
6 find me and then I called them and we met.

7 Q. [11:51:39] And during your first meeting with the OTP, (Redacted)
8 (Redacted) was with you; is that correct, Mr Witness?

9 A. [11:51:50] Yes, he was present. He's the one who called me. I was in
10 (Redacted). He introduced the
11 investigators to me and he told me to explain to them everything that happened
12 (Redacted) and he had told me to tell the absolute truth.
13 And he said he lived in the neighbourhood; (Redacted)
14 (Redacted).
15 The investigators who you can see here, spoke with me over two days and I told them
16 everything that had happened (Redacted).

17 Q. [11:52:49] Thank you, Mr Witness.

18 And (Redacted) was with you throughout the two days?

19 A. [11:52:59] No. The situation wasn't very stable. He introduced me and then
20 he went back home. And he told me that the next day, I had to go and meet them.
21 Since I knew the area where I had to go, I went there to meet them.

22 Q. [11:53:23] Thank you, Mr Witness.

23 What language did you speak during those meetings?

24 A. [11:53:33] One moment, one moment. They spoke English. There was an
25 interpreter, a lady, who translated everything into Sango for me. I spoke Sango and

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1 she -- she interpreted back into English.

2 Q. [11:54:24] Thank you, Mr Witness.

3 Do you remember whether the interpreter read out their -- your statement to you
4 before you signed it?

5 A. [11:54:43] Yes, she read it out. Once that was done, I signed at the bottom of
6 the page.

7 Q. [11:54:58] Thank you, Mr Witness.

8 When you went to meet the investigators of the OTP, did they give you some
9 financial compensation for the travelling; is that correct?

10 PRESIDING JUDGE SAMBA: [11:55:22] Maybe -- the word "compensation", counsel,
11 "reimbursement" is preferred, please.

12 THE WITNESS: [11:55:28] (Overlapping speakers)
13 (No interpretation)

14 PRESIDING JUDGE SAMBA: [11:55:33] Maybe it's an interpretation problem, but --

15 THE INTERPRETER: [11:55:38] Sorry, is there a problem with the interpretation?

16 PRESIDING JUDGE SAMBA: [11:55:40] The use -- yes, yes, please, the use of the
17 word "compensation". It must have been a reimbursement (overlapping speakers) --

18 THE WITNESS: [11:55:46] (Interpretation) After each meeting with the investigators,
19 I was given 5,000 CFA for travel expenses.

20 MR FRANÇOIS-JACQUEMIN: [11:56:05](Interpretation)

21 Q. [11:56:06] Thank you, Mr Witness.

22 I don't know which word I used in French, but it does refer to reimbursement, that
23 was my intention.

24 So you got the 5,000 CFA on two occasions; is that right?

25 A. [11:56:24] No, only once.

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1 Q. [11:56:31] Thank you. I have finished.

2 Did they give you a telephone or something like that so that you could communicate
3 with the OTP?

4 A. [11:56:47] They promised to give me a phone, but I wasn't there and so it
5 remained with the investigator and the investigator said it will arrive and then, "I'll
6 try and send you the phone." I didn't get the telephone but they made me
7 understand -- but since they had met me, they couldn't meet me, they would give the
8 telephone to the person who was in charge. And the phone was sent back to the
9 person in charge.

10 Q. [11:57:36] Were there other things promised to you * that were or were not given
11 to you, Mr Witness?

12 A. [11:57:43] No. They promised to send me a telephone, but unfortunately, they
13 kept it. So I haven't got the telephone that was promised.

14 Q. [11:58:15] Many thanks, Mr Witness. I have no further questions to put to you.

15 MR FRANÇOIS-JACQUEMIN: [11:58:22](Interpretation) Madam President, as far as
16 I'm concerned I have no further questions for this witness.

17 PRESIDING JUDGE SAMBA: [11:58:33] Thank you very much,
18 Mr François-Jacquemin.

19 Mr Prosecutor, do have any questions in re-examination for this witness?

20 MR BIFWOLI: [11:58:48] Thank you, Madam President.

21 We have no questions for re-examination.

22 PRESIDING JUDGE SAMBA: [11:58:50] Thank you very much, Mr Bifwoli.
23 Judge Flores, any question?

24 Judge Ugalde?

25 Thank you very much, Mr Witness, thanks for helping with what we are looking at as

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1 happened in the Central African Republic.

2 Can we go into open session, please, Madam Court Officer.

3 (Open session at 11.59 a.m.)

4 THE COURT OFFICER: [11:59:27] We are in open session, Madam President.

5 PRESIDING JUDGE SAMBA: [11:59:30] Yes, Mr Witness, I see your hand up.

6 What do you want to say? Can you hold on a minute, please, Mr Witness.

7 Madam Court Officer, can we go back into private session, please.

8 (Private session at 11.59 a.m.)

9 THE COURT OFFICER: [11:59:46] We are back to private session, Madam President.

10 PRESIDING JUDGE SAMBA: [11:59:57] Thank you very much.

11 Yes, Mr Witness, do you want to say something to us?

12 THE WITNESS: [12:00:06](Interpretation) What I want to say is relating to what you
13 saw on my identity card. I hope I'm not in danger because of that. I saw that my
14 identity - with my photo, my first name, my last name - was displayed on the screen,
15 and I'm concerned that it might endanger me in one way or another.

16 That's my worry.

17 PRESIDING JUDGE SAMBA: [12:00:42] No, do not be worried, Mr Witness. Rest
18 assured, because all that was done in private session. Remember when we started
19 your testimony, I told you that some of the assurances, security assurances, given to
20 you for your protection would be things done in private session and some done in
21 open session. So your identity card, when it was dealt with, it was done in private
22 session. So be rest assured, nothing was displayed to the public.

23 I hope that allays your fears.

24 Madam Court Officer, can we go back into open session, please.

25 (Open session at 12.01 p.m.)

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- 1 THE WITNESS: [12:01:42](Interpretation) Yes, I've understood. Thank you.
- 2 THE COURT OFFICER: [12:01:46] We are back to open session.
- 3 PRESIDING JUDGE SAMBA: [12:01:49] Thank you.
- 4 So, Mr Witness, on behalf of the Chamber I wish to thank you very much for your
- 5 cooperation to the Court and helping us for our determination of what happened in
- 6 the Central African Republic during the period concerned.
- 7 We do wish you well and wish you a speedy recovery as you know concerning what
- 8 you just told us, and we wish you well in everything that you do back home.
- 9 Do not discuss your testimony with anybody when you leave your current location
- 10 for your security and that of your family.
- 11 (The witness is excused)
- 12 PRESIDING JUDGE SAMBA: [12:02:30] We understand, Madam Prosecutor, that
- 13 the next witness will be P-0529 and we expect to start with that witness on 7 October.
- 14 Am I correct?
- 15 MS MAKWAIA: [12:02:51] That is correct, your Honours.
- 16 PRESIDING JUDGE SAMBA: [12:02:54] Thank you very much.
- 17 So thanks to everybody.
- 18 I rise the Court for 7 October at 9.30. Thank you.
- 19 THE COURT USHER: [12:03:06] All rise.
- 20 (The hearing ends in open session at 12.03 p.m.)