

Trial Hearing
WITNESS: CAR-OTP-P-1339

(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,
6 Judge Sergio Gerardo Ugalde Godínez and Judge Keebong Paek
7 Trial Hearing - Courtroom 2
8 Tuesday, 5 November 2024
9 (The hearing starts in open session at 9.32 a.m.)
10 THE COURT USHER: [9:32:30] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SAMBA: [9:33:01] Good morning, everyone.
14 Madam Court Officer, can you kindly mention the case.
15 THE COURT OFFICER: [9:33:07] 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: [9:33:22] Thank you very much.
20 Can I ask for representation, starting with the Prosecution.
21 MS MAKWAIA: [9:33:29] Good morning, Madam President, your Honours. For
22 the Prosecution this morning, myself, Holo Makwaia, senior trial lawyer;
23 Kamran Choudhry, Thomas Bifwoli, Marie-Jeanne Sardachti, trial lawyers;
24 Anusha Rawoah, assistant legal officer; and Alessia Vitiello, analysis assistant.
25 Thank you.

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Open Session)

ICC-01/14-01/21

- 1 PRESIDING JUDGE SAMBA: [9:33:49] Thank you very much, Ms Makwaia.
2 Ms Pellet for the victims, please.
3 MS PELLET: [9:33:54](Interpretation) Thank you, Madam President. The victims
4 are represented by Adeline Bedoucha and myself, Sarah Pellet, counsel OPCV.
5 PRESIDING JUDGE SAMBA: [9:34:06] Thank you very much, Ms Pellet.
6 Ms Naouri for the Defence, please.
7 MS NAOURI: [9:34:10](Interpretation) Thank you, Madam President. Good
8 morning. To my right, Mr Jacobs; beside him Elina Legat; and behind me,
9 Clémence Farigoule. And myself, I am Jennifer Naouri, lead counsel representing
10 Mr Said.
11 PRESIDING JUDGE SAMBA: [9:34:31] Thank you, Ms Naouri.
12 Rule 74 counsel, please.
13 MR LELIVELD: [9:34:37] Good morning, Madam President. Johannes Leliveld.
14 PRESIDING JUDGE SAMBA: [9:34:41] Thank you very much, counsel.
15 And for the record, we do take note that Mr Said is in court with us.
16 A very good morning to you, Mr Said. I hope I see you well.
17 MR SAID: [9:34:52](Interpretation) Yes. Good morning, Madam President.
18 PRESIDING JUDGE SAMBA: [9:34:58] Good morning.
19 Good morning, Mr Witness. I hope you rested well.
20 WITNESS: CAR-OTP-P-1339 (On former oath)
21 (The witness speaks Sango)
22 (The witness gives evidence via video link)
23 THE WITNESS: [9:35:12](Interpretation) Good morning. Thanks be to God, I am
24 well today, this morning, yes.
25 PRESIDING JUDGE SAMBA: [9:35:27] Very good.

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

- 1 Now, Mr Witness, we're going to continue with your testimony this morning and
2 Mr Jacobs will continue putting questions to you in cross. I wish to remind you that
3 you are still on oath to say the truth to this Court and reassure you of rules under
4 Rule 74 against prosecutions for anything you may say here in respect of
5 self-incrimination. And we want just the truth and we want complete testimony.
6 Thank you very much for your cooperation.
7 Mr Jacobs, your witness, please.
8 MR JACOBS: [9:36:29](Interpretation) Thank you, Madam President.
9 QUESTIONED BY MR JACOBS: (Continuing) (Interpretation)
10 Q. [9:36:33] Good morning, Witness.
11 A. [9:36:37] Good morning, counsel.
12 Q. [9:36:40] Thank you.
13 PRESIDING JUDGE SAMBA: [9:36:47] Mr Jacobs, we're in open session, just so you
14 know. Thank you very much.
15 MR JACOBS: [9:37:03](Interpretation) Yes, indeed, I was just about to ask for us to
16 go into private session so as to continue questioning.
17 PRESIDING JUDGE SAMBA: [9:37:12] Madam Court Officer, can we go into private
18 session, please. Thank you.
19 (Private session at 9.37 a.m.)
20 THE COURT OFFICER: [9:37:19] We are in private session, Madam President.
21 PRESIDING JUDGE SAMBA: [9:37:35] Thank you very much.
22 Mr Jacobs, your witness, please.
23 MR JACOBS: [9:37:42](Interpretation) Thank you.
24 Q. [9:37:46] Mr Witness, we're in private session now and I have a follow-up
25 question in relation to something we were talking about yesterday just before we

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 ended. (Redacted)

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5 Q. [9:38:50] Very well.

6 Court officer, if we could please have tab 42 up on the screen, CAR-OTP-2039-0264.

7 And this can be shown to the witness.

8 Can you see the document, Mr Witness?

9 Just for information purposes, this is what is called a screening note. This is a
10 document prepared by OTP investigators and this is the one that they did when they
11 first spoke to you for the first time. It's in English, but it does exist. And in this
12 document at 0266, at that page --

13 A. [9:40:08] Yes, I can see the document.

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Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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10 Q. [9:43:33] we'll get back to the identity document in a few moments, but thank
11 you for that offer.

12 I wish to request official submission of tab 42, CAR-OTP-2039-0264.

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Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 MR JACOBS: [9:46:28](Interpretation)

2 Q. [9:46:30] Very well. Now, I remember that in the hearing you said that the
3 agreement was -- the pact, rather, was signed on 11 May 2016.

4 That seems to be on the transcript, that's what I see on the transcript, page 7, line 14.

5 And that's from yesterday's transcript, T-132.

6 Can you confirm that date, * the 11th of June 2016?

7 A. [9:47:09] 11 May 2016, May 2016.

8 (Redacted)

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13 (Redacted)

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16 (Redacted)

17 (Redacted)

18 Q. [9:48:42] Very well. That's very clear.

19 I'd like to return to the year 2016 and what you were doing then -- correction, 2013.

20 You told the investigators what you did during that year and I would like to ask you

21 a few questions to get some additional information. Not to hear the entire account

22 from you, but just to get a little bit of additional information, especially dates. Is that

23 okay?

24 A. [9:49:30] I understand.

25 Q. [9:49:33] You mentioned the arrival of the Seleka groups in Bangui and you said

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 at transcript T-131, page 11, line 12 that when they arrived, that was 25 March 2013.

2 We'll start with that, that can be our starting point.

3 (Redacted)

4 (Redacted)

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Trial Hearing

(Private Session)

ICC-01/14-01/21

WITNESS: CAR-OTP-P-1339

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Trial Hearing

(Private Session)

ICC-01/14-01/21

WITNESS: CAR-OTP-P-1339

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Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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Trial Hearing

(Private Session)

ICC-01/14-01/21

WITNESS: CAR-OTP-P-1339

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Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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11 (Redacted)

12 (Redacted)

13 Q. [10:14:00] So, Witness, we're going to move on. So you went back to Bangui
14 and you explained to us that afterwards you went to Kalangoi. And on the Friday,
15 you were asked the question, the OTP asked you the question on Friday, when you
16 left for Kalangoi - that's in transcript 131, page 28, lines 1 to 3 - and you answered that
17 you couldn't -- "I can't tell you exactly when I went to Kalangoi."

18 So I would like an excerpt from your prior recorded testimony to be shown. I'm
19 going to read it out. And that's at tab 1.2 for the French version, tab 1 for the English
20 version, CAR-OTP-2102-0105 and page 0112 needs to be shown, it's paragraph 32.

21 So I'm just going to read the first sentence, so:

22 "I think [that] it was around August 2013 when I heard about people gathering in the
23 bush to fight the Seleka."

24 So in your prior recorded testimony, we understand that it was from August 2013
25 that you decided to go into the bush; is that correct, Witness?

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 A. [10:16:27] Yes. I just read the passage and I remember what I said. You know,
2 in my statement this was taken a very long time ago. There are places where -- that I
3 couldn't remember the dates and I don't have all the dates in my ahead, but I confirm
4 what I said, that's right.

5 Q. [10:16:57] Perfect, Witness. Yes, yes. Now, you tell us what you remember,
6 we've got the statement to help us. There's no problem with that. So August 2013.

7 * Now, first you left -- you went to Kalangoi.

8 A. [10:17:11] Yes.

9 THE INTERPRETER: [10:17:12] Interjects the witness.

10 THE WITNESS: [10:17:13](Interpretation) Yes, I told you that sometimes with
11 everything that was going on in terms of events between human beings, you reflect
12 and it's difficult to remember dates. I don't want to say anything to you that isn't
13 real.

14 MR JACOBS: (Interpretation)

15 Q. [10:17:38] Very well, Witness.

16 So to go back to your career, you went to Kalangoi.

17 So, normally, we gave the court officer - who's there - a map, which can be presented
18 to you and annotated. I'll give you the number of it for the courtroom here.

19 I'm sorry, I was looking for my reference.

20 So it's tab 46, CAR-D33-0014-1577, it's a public document, a Google document, and it
21 can be shown in the courtroom. And if I've understood well, there's a paper version
22 which has been printed which can be given to the witness so the witness can annotate
23 it and it can be scanned thereafter.

24 Witness, you can tell me when you have the document and you have a pen.

25 A. [10:19:43] Yes, I see it, yes. And I have a pen in front of me. It's fine.

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 Q. [10:19:51] Very well. So could you show -- so just to say what's in the map, you
2 see Bangui on the right, and just opposite Bangui you have Zongo, just to situate you
3 so you understand what the *carte* is showing, Witness.

4 MS MAKWAIA: [10:20:08] Your Honour, sorry to interrupt --

5 THE WITNESS: [10:20:12](Interpretation) Yes, I can see it. I can see it very well.

6 MS MAKWAIA: [10:20:17] We can't see anything. Perhaps if it can be zoomed, the
7 map. We can't see anything on it.

8 MR JACOBS: [10:20:36](Interpretation) Of course. My colleague can zoom in on his
9 own software if he wishes, but then you can see the entire map before zooming in on
10 it, before zooming in on it on Nuix, on his own software.

11 So it's been zoomed in on, you can see Bangui and Zongo.

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

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24 Q. [10:23:26] So that's perfect, Witness. If you see Kalangoi, could you show

25 Kalangoi on the map. That was my next question. Could you show us where

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 Kalangoi is on the map.

2 A. [10:23:44] What should I do? I should circle it or should I just draw a line by it?

3 Look, the river of Duma is there, and then there's Kalangoi.

4 Q. [10:24:00] (Overlapping speakers)

5 THE INTERPRETER: [10:24:04] Overlapping speakers.

6 THE WITNESS: [10:24:11](Interpretation) I've just written a line on Duma and

7 Kalangoi. I think it's visible.

8 MR JACOBS: [10:24:31](Interpretation)

9 Q. [10:24:32] We can see very well. We're able to situate it. Thank you very
10 much.

11 A. [10:24:38] Okay.

12 PRESIDING JUDGE SAMBA: [10:24:44] Mr Jacobs, is Kalangoi written on this map?

13 I mean, I'm not talking about the annotated document that the witness has, but the
14 map that appears before us. If it is, can the court officer kindly maybe just reduce it
15 and let's see.

16 THE COURT OFFICER: [10:25:08] Madam President, I only see Duma in the map,
17 written, but I do not see Kalangoi. I'm not sure if it's because of my eyes or if it's
18 because it is absent from the map.

19 MR JACOBS: [10:25:23](Interpretation) I'm sorry. Court officer, no, the village
20 doesn't appear, but the idea is to check the knowledge of the witness and his ability to
21 put the places that he's speaking about on a map, the places he spoke about during
22 his testimony. So it's not to influence him, in particular.

23 Q. [10:25:54] Witness, you also --

24 A. [10:25:57] Yes.

25 Q. [10:25:59] You also spoke to us about Kpato. Could you indicate to us on the

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 map where you think that is situated in relation to Kalangoi, Kpato.

2 A. [10:26:16] Okay.

3 PRESIDING JUDGE SAMBA: [10:26:18] Yes. Mr Jacobs, can we suggest that, you
4 know, for reference purposes on the document that the witness is working on, if we
5 can have the areas identified as in figures so it appears on the record, maybe "1" for
6 Duma, "2" for Kalangoi, and so on and so forth.

7 MR JACOBS: [10:26:49](Interpretation) Absolutely, your Honour. I suggested that
8 the witness puts a "1" for Kalangoi. But I haven't seen whether he's done that or not.

9 Q. [10:27:00] Witness, you've underlined Kalangoi, could you put a "1", the figure
10 "1".

11 Perfect, thank you. And where you have shown Duma, could you put a little "2" by
12 that.

13 Very good. Thank you.

14 So I'll come back to the next place, Kpato. Could you -- the name of the town Kpato
15 isn't written there so that's why we're asking for your help. Are you able to indicate
16 to us where Kpato is in relation to Kalangoi on the map? If you're able to do so, put
17 an "X", cross, with the figure "3", if you're able to situate Kpato on the map.

18 A. [10:29:18] On the map in front of me I'm not able to see Kpato. I did see Sekia
19 and Pissa. All I can see is Pissa and Sekia. * I don't -- I can't see the other places,
20 Kpato or Gbangba on the map.

21 Q. [10:29:41] Very well. I think you're one step ahead of me. I was going to ask
22 you about Gbangba. That's not a problem. Not to worry.

23 Now, I don't know whether you said this to the Prosecution or not, but what's the
24 approximate distance between Kalangoi and Kpato and between Kpato and Gbangba
25 in terms of kilometres or the time it takes to walk? Could you give us some idea

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 what the distance is between these places.

2 A. [10:30:19] I don't know what the distance is. All the same, we did walk in a
3 row one after another, and it was between two and three hours. It took us
4 somewhere between two and three hours to walk there. That's just an estimate, you
5 know. I'm not all that good when it comes to the geography of that place or the
6 distances, the kilometres.

7 Q. [10:30:52] Just to clear up this point, you said two or three hours of walk.
8 That's between Kalangoi and -- between Kalangoi and --

9 A. [10:31:17] * I didn't -- I said say two to three kilometers -- I said I didn't know
10 exactly what the distance was, but we did spend two or three hours walking before
11 we got there.

12 THE INTERPRETER: [10:31:30] Interpreter correction: The question had to do
13 between the distance between Kalangoi and Kpato.

14 MR JACOBS: [10:31:39](Interpretation)

15 Q. [10:31:40] There might have been a little problem with the interpretation, I did
16 understand that it was two or three hours of walking, yes --

17 MS MAKWAIA: [10:31:48] Your Honour, the witness has already answered this
18 question, it's the third time now it's been put.

19 MR JACOBS: [10:31:56](Interpretation) The witness didn't say between which two
20 points. If my learned friend could give the reference. He said two or three hours of
21 walking, but he didn't say between which two points, unless I'm mistaken.

22 Q. [10:32:12] Now, I'm not asking about the time, Mr Witness. I'm not asking you about that.

23 MS MAKWAIA: [10:32:18] At line 22.1, he actually says it. "That's just an estimate,
24 you know. I'm not all that good when it comes to the geography of that place or the
25 distances [and] the kilometres." Asked and answered, your Honours.

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 PRESIDING JUDGE SAMBA: [10:32:41] Yes, Mr Jacobs.

2 MR JACOBS: [10:32:50](Interpretation) Sorry, I'm not quite sure I understand the
3 objection. The witness said it was two or three hours of walking, but we still don't
4 know from which point to which other point. I don't think I've understood the
5 objection. I asked the witness what the distance was * between Kalangoi, Kpato and
6 a third place, Gbangba. I shouldn't have mentioned three places. So I'd just like to
7 ask the witness to clarify. Two or three hours of walking between which two points.
8 It's the witness who said two or three hours. Now, I don't think my question is
9 revolutionary. And the witness must know. When he says two or three hours of
10 walking, he must know where he started from, even if he's speaking in approximate
11 terms. So I really don't understand where this objection has come from.

12 PRESIDING JUDGE SAMBA: [10:33:46] Well, the objection is really coming from
13 your question, your very question that you asked which was answered by the witness.
14 I'll tell you what the question was. You said:
15 "Now, I don't know whether you said this to the Prosecution or not, but what's the
16 approximate distance between Kalangoi and Kpato and between Kpato and Gbangba
17 in terms of kilometres or the time it takes to walk."

18 So the questions are in terms of kilometres and the time it takes to walk.

19 "[Can] you give us some idea of what the distance is between these places?"

20 And his answer was:

21 "I don't know what the distance is".

22 And that's the answer that the Prosecutor is talking about.

23 He said:

24 "I don't know what the distance is. All the same, we did walk in a row one after
25 another, and it was two and three hours. It took us somewhere between two or three

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 hours to walk there. That's just an estimate, you know. I'm not all that good when
2 it comes to geography of that place or the distances, the kilometres."

3 Thank you.

4 MR JACOBS: [10:35:13] (Interpretation) Absolutely, your Honour, my question was
5 not about the distance anymore. I realise that the witness doesn't know about that.
6 I'm just trying to put it simply.

7 Now, he said he walked for two and three hours and I'm asking between what two
8 points, between -- from what town to another. From Kalangoi was the starting point,
9 and which place did it take two or three hours to. He hasn't told us yet.

10 But I can move on to something else, Madam President, if you wish.

11 PRESIDING JUDGE SAMBA: [10:35:50] No, no, let's allow the witness to -- maybe
12 he'll answer your question again.

13 Yes, Mr Witness, let's listen to you.

14 THE WITNESS: [10:36:09](Interpretation) Thank you for the question. From
15 Kalangoi to Kpato, that was the first time I had set foot in that area, but we walked for
16 two and three -- somewhere between two and three hours. At the time, you know,
17 we didn't have any watches. The time I've given is an estimate. We didn't have
18 any telephones, nor did we have any watches. We were in the bush. From
19 Kalangoi to Gbangba it took us three or four hours, if you cross the waterway to head
20 toward Gbangba.

21 MR JACOBS: [10:37:04] (Interpretation)

22 Q. [10:37:06] Thank you for that, Mr Witness. That was very useful.

23 I'm finished with the map. I'd like to request official submission of tab 46,

24 CAR-D33-0014-1577. That's the unmarked map. And I suppose that after the

25 hearing the Registry will give an ERN number to the map that has been annotated.

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 PRESIDING JUDGE SAMBA: [10:37:42] Yes, let's have an ERN for annotated
2 documents that the witness has used. Madam Court Officer, can we have an ERN
3 number for that document, please.

4 THE COURT OFFICER: [10:37:53] Thank you, Madam President.
5 Yes, tab 46 of the Defence list of material will bear the following Registry number:
6 CAR-REG-0002-0156. Thank you.

7 PRESIDING JUDGE SAMBA: [10:38:08] Thank you very much.

8 Mr Jacobs, please continue, if you may.

9 MR JACOBS: [10:38:26] (Interpretation)

10 (Redacted)

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Trial Hearing

(Private Session)

ICC-01/14-01/21

WITNESS: CAR-OTP-P-1339

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Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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Trial Hearing

(Private Session)

ICC-01/14-01/21

WITNESS: CAR-OTP-P-1339

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Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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10 Q. [10:53:06] Thank you, Mr Witness. That was very clear.

11 I'll move on to another topic. I'm trying to make progress.

12 Now, Mr Witness, it's a matter of clarifying points, you see. I'm just returning to a
13 number of things that you've already said just to seek some clarifications.

14 Now, concerning the Seleka -- concerning the Seleka coalition, you said during the
15 hearing - T-131, edited French version, page 11, lines 3 and 4 - you said that the Seleka
16 coalition was a Muslim coalition who had come to Bangui to overthrow the
17 government.

18 So my question to you is this: Weren't there a lot of Christians in the Seleka?

19 A. [10:54:38] Yes, there were a good number of Christians. (Redacted)

20 (Redacted)

21 (Redacted)

22 They were traitors. I'll give the example, the Chadians didn't know people and it
23 was the Christian Seleka members who were the moles. When they had problems
24 with someone living in the city, they would betray them to the Seleka. I was not
25 working during the time of Bozize. Many other people did not have work during

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 that time. It was our Christian brothers who were part of the Seleka who betrayed
2 their Christian brothers. And there were also people in the FACA who were
3 Christians.

4 Q. [10:56:08] Very well. And the Christians who joined the Seleka, they joined the
5 Seleka because they were hoping to be able to join the army, isn't that so?

6 A. [10:56:28] Well, you know, getting a job in the Central African Republic is very
7 difficult. When rebels come in, young people join up hoping that they'll get a job.
8 After a while, that's what -- that was the reason. But once they were part of the
9 movement, they became the enemies of their own relatives. * You know, when the
10 Seleka arrived, if the Seleka hadn't had disputes with the population, the Seleka
11 would still be in power today. It was their behaviour that provoked our reactions,
12 until today, when young people have revolted against them.

13 Q. [10:57:25] Thank you, Mr Witness.

14 I have some questions about 5 December. So I'll begin asking you some questions
15 about this topic.

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

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Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 Q. [11:01:42] Thank you.

18 MR JACOBS: [11:01:45](Interpretation) Madam President, I see the time.

19 PRESIDING JUDGE SAMBA: [11:01:48] Yes. Mr Witness, we're going to stop here for
20 now and take a little break for 30 minutes. We'll come back and continue with your
21 testimony. I rise the Court for 30 minutes, please.

22 THE COURT USHER: [11:02:01] All rise.

23 (Recess taken at 11.02 a.m.)

24 (Upon resuming in open session at 11.34 a.m.)

25 THE COURT USHER: [11:34:06] All rise.

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Open Session)

ICC-01/14-01/21

1 Please be seated.

2 PRESIDING JUDGE SAMBA: [11:34:35] Good morning again, everyone.

3 Mr Witness, we're going to continue with your testimony and I'm going to ask

4 Mr Jacobs to continue putting questions to you.

5 Mr Jacobs, your witness, please.

6 We're in open session.

7 MR JACOBS: [11:34:59](Interpretation) Thank you very much, your Honour.

8 So I'm going to speak about 5 December. Now, the Prosecution put this question in

9 private session, but to the best of my knowledge, memory, those passages were public

10 in Yekatom and Ngaïssona so I would like to stay in public session because they're

11 general questions about the attack of 5 December. Unless indicated otherwise,

12 I think we can continue in open session.

13 PRESIDING JUDGE SAMBA: [11:35:33] Yeah, let's continue in open session. Be

14 guided as to the questions that should be put to the witness so that his identity is not

15 revealed. Thank you.

16 MR JACOBS: [11:35:54](Interpretation) Absolutely.

17 Q. [11:35:56] Now, Witness, I would invite you to answer in a general way to the

18 questions about the attack on 5 December without giving away your identity or any

19 identifying details. If I put questions to you which are more precise, I will go into

20 private session.

21 A. [11:36:21] Very well.

22 Q. [11:36:29] So, Witness, now, in T-132, on page 20, line 9 to 28 -- I'm not going to

23 read the entire excerpt, but it was about communication between different

24 Anti-Balaka chiefs and you explained that the recruits didn't have a telephone, there

25 was only Yekatom who had a telephone.

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Open Session)

ICC-01/14-01/21

1 Do you remember having discussed that with the Office of the Prosecutor?

2 A. [11:37:16] I have always said that when we were in the bush at Gbangba, he had
3 a satellite telephone and I didn't know, so when we were the bush in Gbangba, he had
4 a satellite telephone and he would discuss -- have discussions with a certain number
5 of people who I didn't know.

6 Q. [11:37:45] That's very clear. Would you confirm that it was only after 5
7 December that Yekatom obtained the telephone details of other Anti-Balaka chiefs
8 and started to communicate with them, and that before 5 December he didn't even
9 have their telephone numbers?

10 A. [11:38:08] That's correct. When we were in the bush, we were not aware of the
11 existence of another movement, and after the 4th, when we left, that was when we
12 discovered that there was another movement which was preparing for the attack, and
13 he started to discuss this with them, but a long time before that. I didn't know the
14 identity of the persons with whom he would converse on his satellite telephone.

15 PRESIDING JUDGE SAMBA: [11:38:45] Yes, Madam Prosecutor.

16 MS MAKWAIA: [11:38:47] I was just going to -- to ask for a bit more specificity on
17 which Anti-Balaka chiefs. There's a fair amount of Anti-Balaka chiefs. It arose in
18 counsel's question.

19 PRESIDING JUDGE SAMBA: [11:39:08] As in chief, when you were questioning this
20 witness, didn't he talk about other chiefs or leaders who had telephones and that the
21 recruits were not allowed telephones, and if they had one, they were punished? Do
22 you recall that testimony?

23 MS MAKWAIA: [11:39:32] I recall that, your Honours. But this is a very broad
24 question. The question at 35.3 of the transcript:

25 "That's very clear. Would you confirm that it was only after 5 December that

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Open Session)

ICC-01/14-01/21

1 Yekatom obtained the telephone details of other Anti-Balaka chiefs and started to
2 communicate with them, and before 5 December he didn't have their telephone
3 numbers?"

4 It's a much broader question, your Honours.

5 PRESIDING JUDGE SAMBA: [11:40:03] So your concern is who these Anti-Balaka
6 chiefs were.

7 MS MAKWAIA: [11:40:07] Who these Anti-Balaka chiefs, and the fact that before 5
8 December he didn't -- he didn't even have their telephone numbers. So a bit more
9 specificity on which particular chiefs we're talking about. There's two periods here.

10 PRESIDING JUDGE SAMBA: [11:40:20] Thank you very much.

11 MS MAKWAIA: [11:40:22] Before and even after.

12 PRESIDING JUDGE SAMBA: [11:40:23] Thank you very much. Mr Jacobs, please,
13 if we can get some clarification.

14 MR JACOBS: [11:40:29](Interpretation) I could, but just for the record, when my
15 colleague spoke about this question, the question was:

16 "Witness, I'm going to put the question to you: How did the Anti-Balaka
17 communicate between them? I would ask you to start with the chiefs".

18 * And my colleague never asked the witness to be specific or clarify -- perhaps I'm
19 going too fast, I'm being told.

20 So I would repeat. So in the examination-in-chief my colleague had this line of
21 questioning and asked how the chiefs communicated with each other. And,
22 following, or in answer to this, she did not ask who the chiefs were. So at the time
23 she wasn't concerned about asking for clarifications. That's something she could
24 have done when she put the question which led to the answer that I'm basing this on.
25 But I can ask and perhaps I will help by reading an excerpt from the prior recorded

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 testimony in Yekatom and Ngaïssona which can perhaps shed light on this matter.

2 PRESIDING JUDGE SAMBA: [11:41:47] Please go ahead, Mr Jacobs.

3 MR JACOBS: [11:41:56](Interpretation)

4 Q. [11:41:56] So, Witness -- so with regards to this issue, I would like to show 22.2,
5 at 22 for the English version, and that's T-152, CAR-OTP --

6 (Counsel confers)

7 MR JACOBS: [11:42:41](Interpretation) Very well. I'm sorry. Your Honour, this
8 excerpt was in private session in Yekatom and Ngaïssona, so I think that we have to
9 go into private session if I'm going to read this excerpt.

10 PRESIDING JUDGE SAMBA: [11:42:52] Very well. Madam Court Officer, can
11 you -- can we go into private session, please. Thank you.

12 (Private session at 11.43 a.m.)

13 THE COURT OFFICER: [11:43:11] We are in private session, Madam President, your
14 Honours.

15 PRESIDING JUDGE SAMBA: [11:43:15] Thank you very much.

16 Mr Jacobs, please.

17 MR JACOBS: [11:43:22](Interpretation) Thank you.

18 So I repeat, it's at tab 22.2 in the French version and tab 22 for the English version.

19 So it's 152, T-152 in the Yekatom Ngaïssona case, CAR-OTP-00036389.

20 And I'm going to start on page 85, line 25. So -- oh, it's 26. So I'll start:

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing

(Private Session)

ICC-01/14-01/21

WITNESS: CAR-OTP-P-1339

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Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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4 Q. [11:49:35] Thank you very much, Witness. That's very clear.

5 Now, another question about 5 December, and that will be my last question because

6 you were very clear about the rest. Would you confirm that on 5 December your

7 group did not have enough weapons for everyone.

8 A. [11:50:20] Yes.

9 Q. [11:50:38] Perfect.

10 So I'm going to go back to another issue, but I'm going to go to some of the lists that

11 you discussed with the representatives of the Office of the Prosecutor on the other

12 day. They were putting precise questions to you, questions by way of clarification.

13 Now, the first list I would like to come back to very quickly is at tab 16,

14 CAR-OTP-2041-0783.

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

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Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 MS MAKWAIA: [11:56:29] Madam President --
- 13 THE WITNESS: [11:56:33](No interpretation)
- 14 THE INTERPRETER: [11:15:35] Overlapping speakers.
- 15 THE WITNESS: [11:56:40](Interpretation) I think I told you.
- 16 PRESIDING JUDGE SAMBA: [11:56:44] Yes, Madam Prosecutor.
- 17 MS MAKWAIA: [11:56:46] Just for record, your Honours, the Prosecution did not
- 18 refuse to give the telephone numbers. The Defence assertion was the redacted
- 19 telephone numbers belonged to this witness. It was requested on an erroneous basis.
- 20 There was no justification for the Defence to acquire the telephone numbers, so there
- 21 was no refusal. I just want the record to be clear on that.
- 22 PRESIDING JUDGE SAMBA: [11:57:08] Thank you very much, Madam Prosecutor.
- 23 Mr Jacobs.
- 24 MR JACOBS: [11:57:23](Interpretation) I don't see an objection, so I don't see why
- 25 my colleague got up. But just for the record, as indicated, the principle is that it's not

Trial Hearing

(Private Session)

ICC-01/14-01/21

WITNESS: CAR-OTP-P-1339

1 up to the Defence to give an explanation as to why it's asking for a redaction, but the
2 Prosecution have to justify maintaining a redaction and systematically the Prosecutor
3 refuses to do so, saying that the Defence hasn't justified it sufficiently. It's not the
4 applicable law. That's not the way it works.

5 So we've always been extremely courteous with the OTP, constructive, and we always
6 try to explain why we need information. We explained and we wrote yesterday to
7 the Prosecution, yesterday afternoon, concerning this document, without saying that
8 it was the witness's number or not - and I see I might be talking a bit too fast - saying
9 that the authenticity of the document, the identity of the authors of this document had
10 become a question for the hearing. And the Prosecution put a question,
11 Madam President, you put a question, and so in the email that we sent yesterday we
12 asked for the lifting of the redactions, because, clearly, a question could legitimately
13 be put on the authenticity of the authors of this document, and on the basis of what
14 happened at the hearing yesterday, and the OTP answered that these weren't the
15 witness numbers and as such they refuse to unredact them. But we didn't say we
16 wanted them -- the -- we wanted the redaction lifted because they would be -- because
17 they were the numbers of the witness.

18 Madam President, you asked a question about the signature, and this is a normal
19 investigative act, thanks to the telephone numbers, to try to see if it corresponds
20 with -- I'm speaking too fast.

21 So it is an act, a normal act of investigation to be able to check who's the author of the
22 list. And so contrary to what the Prosecution says, it is a refusal, it is a refusal to
23 disclose the telephone number; whereas, even at the hearing yesterday the question of
24 the author of the list was put. And I'm just doing what I can; that is to say, I'm
25 asking the witness, who's today with us, if he can shed light on this issue, quite

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 simply. That's it. So if the witness remembers the telephone numbers, it can be
2 solved. If not, then we can solve it outside of the hearing, I think.

3 PRESIDING JUDGE SAMBA: [12:00:13] The Prosecutor has said that they've not
4 refused to give you the telephone numbers as would appear on the document. What
5 their concern is -- is that I think your request is, rather, related to the telephone
6 number of this witness.

7 So am I correct, Madam Prosecutor? So if that is my understanding, then it is
8 something that definitely you all can deal with outside, you know, this courtroom,
9 because we haven't received any request for redactions, for your information, as you
10 are now saying to the Court.

11 Madam Prosecutor?

12 MS MAKWAIA: [12:00:57] Your Honours, the contention is, by getting these
13 telephone numbers they can identify the authors of this document. It was
14 demonstrated, and the witness responded to a question from the Bench and also from
15 the Prosecution, with respect to the authors of this document. At the end of this
16 document, your Honours, you've got their names and their signatures. I think it's a
17 fortuitous argument.

18 PRESIDING JUDGE SAMBA: [12:01:26] Because based on the witness's testimony,
19 he has said that this -- this document, he was not the author, I think, of this particular
20 (Redacted).

21 Maybe you could put questions to him. He could tell you whether or not he knows
22 who the author of the document is. And to go back to the Prosecution's position,
23 they say they have not refused to give telephone numbers, as you are now suggesting.

24 Mr Witness, I see your hand up. Do you want to say something to us?

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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15 (Redacted)

16 (Redacted)

17 PRESIDING JUDGE SAMBA: [12:04:10] Okay. Thank you very much.

18 Mr Jacobs, please.

19 MR JACOBS: [12:04:20](Interpretation)

20 Q. [12:04:25] Thank you, Mr Witness.

21 Now, a number of things have been placed on the record and the Presiding Judge has
22 reminded you that -- well, we think it's important for the record to be complete and
23 clear.

24 * E-mail from the Prosecution yesterday at 6:34 p.m.:

25 (Speaks English) "We found that none of the redacted numbers in

Trial Hearing

(Private Session)

ICC-01/14-01/21

WITNESS: CAR-OTP-P-1339

1 CAR-OTP-2041-0781 belongs to P-1339. As such, Prosecution is maintaining its
2 stand not to lift up these redactions."

3 (Interpretation) So this is a refusal. No matter what the reason, it was a refusal.

4 The OTP may have their reasons, but to rise and say that they did not refuse to
5 provide the number, that is not true. But we can deal with this outside of the
6 courtroom.

7 Mr Witness, we're going to move on to the next list now.

8 MS MAKWAIA: [12:05:34] Sorry, your Honours, perhaps to complete the record
9 I should read for the Bench the Defence request.

10 (Interpretation) "Secondly, it emerges from the document CAR-OTP-2041-0781-R01 *
11 that P-1339's telephone numbers be redacted...

12 MR JACOBS: [12:06:02] This is not our request from yesterday, Madam... My colleague...

13 MS MAKWAIA: [12:06:03] I'm sorry, I also have the right...

14 MR JACOBS: [12:06:04] Yes, that's not... You're reading the wrong e-mail...

15 MS MAKWAIA: [12:06:05] I'm sorry...

16 PRESIDING JUDGE SAMBA: [12:06:05] Please, counsel.

17 MR JACOBS: [12:06:08](Interpretation) You're reading the wrong email.

18 MS MAKWAIA: [12:06:14] With your permission, Madam President, can I proceed?

19 This was the original basis of the request:

20 * (Interpretation) "... of P-1339 redacted. The Defence notes that it is already in
21 possession of the witness's numbers in the reports assigning telephone numbers
22 CAR-OTP-000649. There is therefore no reason to maintain these redactions - in
23 document CAR-OTP-2041-0781_R01."

24 (Speaks English) This was the original request of the Defence and it's linked to this

25 particular document, CAR-OTP-2041-0781-R01, so counsel now cannot come back and

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 claw back their request related to this document, your Honours.

2 PRESIDING JUDGE SAMBA: [12:07:14] So those are emails between the parties;

3 they're not before us. If it were anything, if a request is to be made for redactions,

4 you all know what to do, and it will come before us if the other side refuses to

5 give -- to make the redactions or to agree to redactions based on the reason why they

6 would not have done that. But that email is not before us. We cannot be litigating

7 on emails between parties, which we have not seen, we have not read.

8 In any event, at the end of this document, on the second page, I still see names, two

9 names, and signatures. (Redacted)

10 (Redacted).. So please

11 let's make progress. If it were just for the numbers, telephone numbers, if counsel at

12 the Defence, you know what to do, make your request and give your reasons why

13 you want those numbers redacted and the Prosecution will respond. Let's make

14 some progress. It's got nothing to do with this witness. Thank you very much.

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

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Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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5 If we could now have tab 13 up on the screen. Tab 13, CAR-OTP-2041-0779.

6 Can you see the document, Mr Witness?

7 A. [12:11:47] I see it.

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 Q. [12:12:26] Mr Witness, we mustn't speak at the same time, even though I'm not

12 necessarily setting a good example, because, you see, some words were not

13 transcribed because you started to answer my question before I had finished my

14 question. So please wait for a few moments, even if it's just to say yes. All right?

15 A. [12:12:55] All right.

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

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22 (Redacted)

23 (Redacted)

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Trial Hearing

(Private Session)

ICC-01/14-01/21

WITNESS: CAR-OTP-P-1339

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Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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23 (Redacted)

24 (Redacted)

25 Mr Witness, you were shown some video footage yesterday, and for the record I'll

Trial Hearing

(Private Session)

ICC-01/14-01/21

WITNESS: CAR-OTP-P-1339

1 provide the reference. Tab 31, CAR-OTP-2012-0523. Tab 31, CAR-OTP-2012-0523.

2 Now, do you remember, Mr Witness, when you were speaking to the investigators,

3 did they show you the entire video?

4 A. [12:22:46] Yes.

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

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Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 Q. [12:28:18] Very well. And when you were in Gbangba, when was that? Do
23 you remember which month it was -- September, October?

24 A. [12:28:44] October? I don't remember very well. The date that I remember is
25 4 December. Around 1600 hours, there was the big assembly and (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 (Redacted). The dates I remember are the 4th and the 5th, but the date of this person
2 coming over, I don't remember, to tell you the truth.

3 Q. [12:29:25] That's not serious. Tell us what you remember. Thank you very
4 much.

5 Mr Witness, did you join the army, the FACA, at any time after 2013?

6 A. [12:29:54] I told you that I never took any military training, to -- even today, I
7 am not a soldier. (Redacted)

8 (Redacted)

9 Q. [12:30:20] Very well. I just want to put a question to you about a document in
10 order to be sure.

11 This is tab 39, and we're going to take over. It's an Excel document, court officer.

12 So we're going to show tab 39, CAR-OTP-2062-0657.

13 This document has already been submitted.

14 And this is a FACA database which was disclosed by the Prosecution.

15 For the record, I would say that this is a very long document, so we have applied a
16 filter just to show the lines of interest to us.

17 THE COURT OFFICER: [12:31:10](No interpretation)

18 MR JACOBS: [12:31:23](Interpretation) So I don't know if the channel should be
19 changed for the witness as well. I don't know.

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 (Redacted)

2 Q. [12:32:49] That's very clear, Witness. I just wanted to check that.

3 Now the document can be taken off.

4 Now, Witness, do you remember when you were contacted by the investigators of the

5 Office of the Prosecutor for the first time?

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 THE INTERPRETER: [12:33:58] Says the witness.

11 MR JACOBS: [12:34:23](Interpretation) So I heard the witness say in French, if I'm not

12 wrong, "unless I am mistaken", not "*sauf erreur de ma part*". That didn't need to be

13 interpreted.

14 So we can now show, tab 42, CAR-OTP-2039-0264.

15 Q. [12:34:58] So, we've already seen this document, Witness. This is the document

16 we saw a moment ago which is the document made by the investigators when you

17 had your first meeting. (Redacted).

18 A. [12:35:32] Yes, I told that I no longer remembered the date. The events were a

19 long time ago and as such I no longer remember the date. As I told you, I no longer

20 remember the date. But as presented, it makes it possible for me to remember.

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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 We can take off the document now, court officer.

15 A. [12:38:24] No, I didn't have this information at the time. I was clear on the first

16 day when they presented themselves or introduced themselves, they introduced

17 themselves as investigators of the ICC. I was a bit scared and I told them that

18 I couldn't answer their questions. On the first day, I didn't answer their questions.

19 And if I remember rightly, one or two days thereafter, I went back and I told them

20 that if they didn't give me the name of the person who had given my coordinates, my

21 telephone details, then I could not answer a -- any questions at all. (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 THE INTERPRETER: If the interpreter understood.

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 THE WITNESS: [12:39:43](Interpretation) -- and she was of Cameroonian nationality
2 and she said that I would not be prosecuted but the OTP wanted information
3 concerning the leaders, the Anti-Balaka leaders.

4 MR JACOBS: [12:40:15](Interpretation)

5 Q. [12:40:15] Just so that we're clear, you state that the lawyer was present from
6 your first meeting with the investigators; is that correct?

7 A. [12:40:28] No, the following day. Before starting with our interview, they
8 introduced the lawyer. The first day I didn't speak to them because I was scared, as I
9 told you.

10 Q. [12:40:50] So I don't know if there's a problem with the interpreting. When I'm
11 speaking about your first interview, that's when they made the screening note, so that
12 was (Redacted) when they had already spoken to you. On that day, when they
13 spoke to you for the first day physically, when you met them (Redacted), was there a
14 lawyer present or not? That's my question -- really, the first time?

15 A. [12:41:20] Well, you know, I don't remember the date of our first meeting and
16 I don't know if it was (Redacted), I came and they introduced themselves as
17 investigators of the office -- of ICC. I refused to speak to them, but (Redacted) they
18 presented a lawyer, when I came back.

19 Q. [12:41:53] I'm sorry. I interrupted you too quickly.
20 So (Redacted), they presented you with a lawyer; is that correct?

21 A. [12:42:03] Yes, that's correct.

22 Q. [12:42:09] Thank you. So on that day, did they ask you to present an ID card or
23 any identity documentation?

24 A. [12:42:23] No, they did not ask me to present any ID documentation. I don't
25 know, perhaps they did so, but because the events were such a long time ago, I no

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 longer remember. If my memory serves me well, I think after they asked, I told
2 them that I'd lost all my documents. At that time, I didn't have an ID card.

3 Q. [12:43:01] Very well.

4 And at the time of your prior recorded testimony, they didn't ask you for ID, did
5 they?

6 A. [12:43:31] Yes, that's what I'm telling you. I don't know. Did they ask me the
7 question? But what I do know is that at the time I had no ID card. I had lost all my
8 documents, my ID card, at the time of these events.

9 Q. [12:43:54] Very well.

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 Q. [12:45:38] Very well, Witness.

21 Later, in the years later, did the investigators from the Office of the Prosecutor take a
22 copy of your ID or a new ID that you would have had made?

23 A. [12:46:12] I told you that I did not have any official documents until the passport
24 was made, which I had to travel with. I don't know if I provided them an ID
25 document, but I don't remember.

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

1 Q. [12:46:35] Very well.

2 We don't have a copy of an ID card for you. Would you be prepared to have a copy
3 made of your passport such that it be put in the record for the judges and the parties?

4 A. [12:46:57] I don't have it with me.

5 (Counsel confers)

6 THE WITNESS: [12:47:13](Interpretation) The document that I have with me is my
7 driving licence.

8 MR JACOBS: [12:47:23](Interpretation)

9 Q. [12:47:23] Well, perhaps we can make a copy of your driving licence, with your
10 permission, Witness, and then we have a copy of your ID?

11 A. [12:47:33] You want me to present it to you?

12 My question was, do you want me to present it to you.

13 MR JACOBS: [12:47:47](Interpretation) Perhaps if the Registry could make a copy
14 over there as has been done with witnesses in the past. They give -- it can be given
15 an ERN number and it can be put into the record.

16 PRESIDING JUDGE SAMBA: [12:48:01] Yes, Madam Prosecutor.

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

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 Thank you very much, Mr Jacobs.

16 Let's continue, if you may.

17 MR JACOBS: [12:50:26](Interpretation)

18 Q. [12:50:27] When you met the investigators in (Redacted), did they reimburse

19 travel expenses or other expenses?

20 A. [12:50:54] I'm not sure that I have understood your question.

21 Q. [12:51:00] I'm going to put my question again, Witness. When you came to see

22 them, did they give you money to pay for the taxi or the bus or something else, for

23 food, pay for a hotel? Did they pay these things for you, Witness?

24 A. [12:51:20] They never gave me money. God is my witness, until the end of our

25 meeting. The meeting, or the investigator even put a question to me and said it was

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Private Session)

ICC-01/14-01/21

- 1 courageous from me to have come, voluntarily, and without interest in money. And
- 2 I said that the Court hadn't given me money.
- 3 But from the moment that he was carrying out investigations on the events that
- 4 happened in Bangui, and with regards to the experience I had had in the movement,
- 5 I thought that I had to come and testify. Nobody gave me any money to do so.
- 6 Q. [12:52:25] Very well, Witness. That's very clear. Just a second.
- 7 (Counsel confers)
- 8 MR JACOBS: [12:52:44](Interpretation)
- 9 Q. [12:52:44] Witness, that was my last question.
- 10 MR JACOBS: [12:52:44](Interpretation) Thank you very much, your Honour.
- 11 I have finished.
- 12 PRESIDING JUDGE SAMBA: [12:52:50] Thank you very much, Mr Jacobs.
- 13 Madam Prosecutor, do you have any question in re-examination, please?
- 14 MS MAKWAIA: [12:53:00] No, your Honours. I do not have any questions in
- 15 re-examination.
- 16 PRESIDING JUDGE SAMBA: [12:53:07] Thank you very much, Madam Prosecutor.
- 17 And we have no questions from the bench.
- 18 But, Mr Witness, on behalf of this Chamber, I wish to thank you very much for
- 19 helping us in our search for the truth as to what happened in the Central African
- 20 Republic. We're very grateful, and thanks for your patience and courage for your
- 21 testimony to us. We still ask that when you leave your location, you do not discuss
- 22 any of this with anybody.
- 23 We wish you well in all that you do and your future endeavours.
- 24 On that note, I'm going to ask the court officer to please disconnect us from the
- 25 witness. Thank you.

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Open Session)

ICC-01/14-01/21

1 Thank you, Mr Witness.

2 (The witness is excused)

3 THE COURT OFFICER: [12:54:27] Madam President, I am informed we are
4 completely disconnected from the field now. Thank you.

5 PRESIDING JUDGE SAMBA: [12:54:33] Thank you. And can we go into open
6 session please now, Madam Court Officer.

7 (Open session at 12.54 p.m.)

8 THE COURT OFFICER: [12:54:49] We are back to open session, Madam President,
9 your Honours.

10 PRESIDING JUDGE SAMBA: [12:54:52] Thank you very much.

11 With the conclusion of P-1339's testimony, the Chamber notes that the Prosecution's
12 presentation of oral evidence is possibly complete, notwithstanding the pending
13 situation of P-0975, which should become clear in the next few days.

14 Furthermore, despite these outstanding matters before the Prosecution closes its case,
15 as noted in our third direction on the conduct of proceedings, we will soon be turning
16 to the next phase of the case. We look forward to hearing from the Defence in due
17 course as to whether it intends to present evidence, noting that if, indeed, it does
18 intend to present evidence, the first Defence witness will commence his or her
19 testimony on 17 March 2025.

20 The Chamber would like to thank the parties and participants for all their work
21 throughout the Prosecution's case. The judges are also very grateful to our
22 colleague -- to our legal officers, our admin assistants and all the staff of the trial
23 division and all the divisions for their professional and unwavering support to the
24 Chamber throughout this phase of the trial.

25 The Chamber would also like to thank all sections of the Registry for their support

Trial Hearing
WITNESS: CAR-OTP-P-1339

(Open Session)

ICC-01/14-01/21

1 throughout the proceedings to date; in particular, the court reporters, interpreters, our
2 court officers and court clerks.

3 We are also very grateful to the many IT support staff and the security officers who
4 have helped and accompanied us during these proceedings. We are most grateful
5 for your efforts.

6 Mr Said, subject to one last potential Prosecution witness, we will probably not be
7 seeing each other for a while. We hope that you can use this time not only to
8 prepare your defence, but also to continue your recovery. We wish you well.

9 Thank you all for now. This matter is adjourned.

10 (Trial Chamber confers)

11 PRESIDING JUDGE SAMBA: [12:57:40] Sorry, yes, before we leave, Madam
12 Prosecutor, you want to say something?

13 MS MAKWAIA: [12:57:44] With your leave, Madam President, your Honours, I just
14 wish to inform the Chamber that upon resumption in March next year, if not before,
15 subject to 0975, I would like to inform the Chamber that, unfortunately, the
16 Prosecution will be losing one of its key members, Mr Kamran Choudhry. He shall
17 be separating from the Court for -- at the moment I cannot tell you the exact position,
18 but it's greener pastures in this regard. I thought I should just inform the Chamber.
19 Thank you.

20 PRESIDING JUDGE SAMBA: [12:58:15] Well, I was almost -- I was already frowning
21 at his departure, but for as long as it is for your benefit, for greener pastures,
22 Mr Choudhry, we will miss you in the courtroom. But we wish you well. We wish
23 you well in your new field and your new area of employment. Thank you very
24 much.

25 This matter, this Court stands adjourned please. Thank you.

Trial Hearing

(Open Session)

ICC-01/14-01/21

WITNESS: CAR-OTP-P-1339

- 1 THE COURT USHER: [12:58:36] All rise.
- 2 (The hearing ends in open session at 12.58 p.m.)