

Trial Hearing
Witness: CAR-V20-PPPP-0001

(Open Session)

ICC-01/05-01/08

1 International Criminal Court
2 Trial Chamber III - Courtroom 1
3 Situation: Central African Republic
4 In the case of The Prosecutor v. Jean-Pierre Bemba Gombo - ICC-01/05-01/08
5 Presiding Judge Sylvia Steiner, Judge Joyce Aluoch and
6 Judge Kuniko Ozaki
7 Trial Hearing
8 Tuesday, 1 May 2012
9 (The hearing starts in open session at 9.38 a.m.)
10 THE COURT USHER: All rise. The International Criminal Court is now in session.
11 Please be seated.
12 THE COURT OFFICER: Good morning, your Honours, Madam President. We are
13 in open session.
14 PRESIDING JUDGE STEINER: Good morning. Could, please, court officer call the
15 case.
16 THE COURT OFFICER: Situation in the Central African Republic, in the case of The
17 Prosecutor versus Jean-Pierre Bemba Gombo, case reference ICC-01/05-01/08.
18 PRESIDING JUDGE STEINER: Thank you. Good morning. I welcome
19 Prosecution team, legal representatives of victims, Defence team, Mr Jean-Pierre
20 Bemba Gombo. Good morning our interpreters and court reporters. We will sit
21 today to hear the testimony of Witness CAR-V20-PPPP-0001, called by legal
22 representatives of victims.
23 Before we bring the witness in, I would ask, please, Prosecution to introduce itself and
24 the team and then I will ask the same for the Defence just for the record.
25 MR BIFWOLI: Thank you, Madam President, your Honours. The Prosecution is

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1 represented today by Mr Jean-Jacques Badibanga, trial lawyer; Horejah Bala-Gaye,
2 associate trial lawyer; Shkelzen Zeneli, trial lawyer; Sylvie Vidinha, trial support; and
3 Madeleine Somte; and I am Thomas Bifwoli, associate trial lawyer. Thank you.

4 PRESIDING JUDGE STEINER: Thank you.

5 Maître Kilolo, welcome back. Could you please introduce your team.

6 MR KILOLO: (Interpretation) Thank you, your Honour. Today the Defence is
7 represented by Mr Peter Haynes, Defence counsel; Kate Gibson, legal assistant;
8 Jean-Jacques Mangenda, case manager; Hélène Soulie, who is a Defence trainee; as
9 well as Julie Fabreguettes, who is also a lawyer in training, part of the Defence team;
10 and myself, lead counsel.

11 PRESIDING JUDGE STEINER: Thank you very much, Maître. I welcome Maître
12 Douzima. Maître Zarambaud apparently is not present yet, but I hope he's coming
13 soon.

14 The Chamber has a short oral decision to be issued; it's the decision granting special
15 measures for Witness PPPP-0001. The Chamber has received a report from VWU
16 psychologist sent to the Chamber on 27 April which recommends that VWU support
17 assistant is allowed to sit next to the witness in the courtroom and that the
18 psychologist is also present in the courtroom to monitor the witness as appropriate.
19 The Chamber agrees with both these suggestions due to the particular vulnerability of
20 this witness as assessed by the psychologist and so allows the presence of these two
21 persons in the courtroom.

22 In addition, the report recommends measures as regards the mode of questioning by
23 counsel based on the needs and the capacity of the witness. The Chamber again
24 supports the suggestions that counsel should try to use short, simple, open-ended
25 questions and should avoid asking embarrassing and/or unnecessarily intrusive or

1 repetitive questions. The Chamber will closely observe the witness and, if necessary,
2 will break more frequently.

3 The order of questioning during the presentation of evidence by the legal
4 representatives of victims will proceed as follows: Firstly, the legal representative
5 calling the witness will pose questions, in that case Maître Douzima. Secondly, and
6 since a written application has been filed and leave to ask questions will be granted
7 by our oral decision to be issued immediately after this proposal, Maître Zarambaud
8 will pose questions, as have been authorised by the Chamber. Thirdly, the
9 Prosecution will question the witness, and lastly the Defence will be given the
10 opportunity to question the witness.

11 Is that agreeable to the legal representatives and to the parties?

12 The Chamber has also an oral decision on Maître Zarambaud's application to question
13 the witness. On 23 April 2012, the Chamber received an application from Maître
14 Zarambaud on behalf of the victims that he represents to question Witness 0001. It's
15 filing 2193-Conf. The application contains a list of three questions. The parties
16 have not filed any responses to this application.

17 The Chamber is of the view that Maître Zarambaud has provided -- bonjour, Maître.
18 Maître Zarambaud is in the courtroom. Welcome, Maître. We are just reading the
19 decision by which we are granting your request for questioning Witness V1, and I
20 proceed.

21 The Chamber is of the view that Maître Zarambaud has provided sufficient
22 justification as to why the personal interests of the victims that he represents are
23 affected. The testimony of Witness V1 relates to the crime of rape allegedly
24 committed at Mongoumba, which directly affects a number of victims represented by
25 Maître Zarambaud. For this reason, the Chamber hereby grants Maître Zarambaud's

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1 application to question the witness and allows him to ask the three questions detailed
2 in his application.

3 Since there are no in-court protective measures for the witness, I therefore ask, please,
4 court usher to bring the witness into the courtroom.

5 (The witness enters the courtroom)

6 WITNESS: CAR-V20-PPPP-0001

7 (The witness speaks Sango)

8 PRESIDING JUDGE STEINER: Good morning, madam.

9 THE WITNESS: (Interpretation) Good morning, your Honour.

10 PRESIDING JUDGE STEINER: You are welcome to this Court.

11 I will now ask the court usher, please, to facilitate the witness taking the oath by
12 reading out the words on the printed card containing the words for the oath and the
13 witness will be asked to repeat such words. Court usher, please. Court officer,
14 sorry.

15 THE COURT OFFICER: Yes, Madam President. "I solemnly declare" --

16 THE WITNESS: (Interpretation) I solemnly declare --

17 THE COURT OFFICER: -- "that I will speak the truth" --

18 THE WITNESS: (Interpretation) -- that I shall tell the truth --

19 THE COURT OFFICER: -- "the whole truth" --

20 THE WITNESS: (Interpretation) -- all the truth --

21 THE COURT OFFICER: -- "and nothing but the truth."

22 THE WITNESS: (Interpretation) -- and nothing but the truth.

23 PRESIDING JUDGE STEINER: Thank you.

24 Madam Witness, now that you have taken the oath, can you confirm that you
25 understand what the oath means?

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1 THE WITNESS: (Interpretation) Yes, I understand what this statement
2 means -- what this oath means.

3 PRESIDING JUDGE STEINER: Do you understand it to mean that you must give
4 answers to the questions asked of you that are true and accurate to the best of your
5 knowledge and belief?

6 THE WITNESS: (Interpretation) Yes, I understand that I have to answer the
7 questions truthfully and specifically.

8 PRESIDING JUDGE STEINER: Madam, although you will be testifying in open
9 session and with your identity known to the public, there are other victims, witnesses
10 and persons connected with this case whose identity are not publicly known. I
11 would therefore ask that, with the assistance of your counsel, you exercise caution in
12 mentioning the names of persons that may be considered as vulnerable in the context
13 of these proceedings. Do you understand that, madam?

14 THE WITNESS: (Interpretation) Yes, I understand.

15 PRESIDING JUDGE STEINER: Madam Witness, you will be questioned first by
16 your counsel -- by Maître Douzima, I'm sorry, secondly by your counsel, Maître
17 Zarambaud, then you will be questioned by the Prosecution and finally you will be
18 questioned by the Defence.

19 We speak, madam, different languages, and because of that we have interpretation so
20 that we can understand each other. Because of the interpretation, madam, it is
21 important that you speak slower than normal to allow the interpreters to do their job.
22 As this can be seen unnatural, it may be that you start speeding up and then I will
23 have to interrupt you and ask you to slow down again. This is purely for practical
24 purposes and I hope it does not discourage you from speaking.

25 It is also important, madam, that after any question is put to you that you wait five

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1 seconds before you give your answer in order to allow the court reporters to complete
2 the translation and the transcript of the questions. We call that "the five-seconds
3 golden rule," so I hope you remember of this rule and give a little break before
4 answering to the questions put to you. Do you understand that, madam?

5 THE WITNESS: (Interpretation) Yes, I understand.

6 PRESIDING JUDGE STEINER: Madam, during the familiarisation process here at
7 the Court, have you been given the opportunity or has anyone read to you the
8 statement or statements that you made to the Court?

9 THE WITNESS: (Interpretation) I would like it to be re-read to me.

10 PRESIDING JUDGE STEINER: You want someone to read again to you your
11 statement before you start giving your testimony, madam; is that correct?

12 THE WITNESS: (Interpretation) I would like for it to be read back to me again
13 now.

14 PRESIDING JUDGE STEINER: I have to ask whether Prosecution and Defence have
15 any objection, taking into account that the witness cannot read by herself? We
16 would have to suspend the hearing for a few minutes in order for VWU to read again
17 the statement for the witness.

18 MR BIFWOLI: Thank you, Madam President, your Honours. In principle the
19 Prosecution does not object to the witness being taken through her statement again,
20 but the Prosecution was just wondering that this was expected to have happened
21 during the familiarisation process and we wonder whether that's what the witness
22 understands to be that the same process will be repeated again. Thank you.

23 PRESIDING JUDGE STEINER: Mr Haynes.

24 MR HAYNES: Your Honour, yes, a similar observation. With respect, the witness
25 didn't answer your question; namely, has it already happened, and I think we'd like

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1 to know the answer to that, but in principle no objection. We'd have to identify, as it
2 were, who would be the person to do it and our submission would be -- the
3 appropriate person would be the lady from VWU.

4 PRESIDING JUDGE STEINER: Madam Witness, before the Chamber decides, I need
5 to ask you whether after you arrived in The Hague during the familiarisation process
6 anyone from VWU read your statement to you?

7 THE WITNESS: (Interpretation) When I arrived, the statement was read to me.
8 Today we are in the courtroom and my wish is that the statement should be re-read to
9 me because we are in court.

10 PRESIDING JUDGE STEINER: I will try to explain to you, although probably VWU
11 has already done it, that now in court the legal representatives of victims, Prosecution
12 and Defence will put some questions to you and you cannot read or repeat - simply
13 repeat - what is in your statement. You need to give your answers in accordance
14 with what happened to you, what you remember.

15 If you think you are not able to testify before having your statement read again to you
16 I will consult the other Judges and we may grant it, but in any case, Madam Witness,
17 when you start testifying you cannot have access any more to your statement. You
18 will have to give answers in accordance with what you remember to be the truth.
19 Do you understand that, madam?

20 THE WITNESS: (Interpretation) Yes, I do understand.

21 PRESIDING JUDGE STEINER: And you still wish to refresh your mind re having
22 your statement being read to you again?

23 THE WITNESS: (Interpretation) You have just explained that questions will be put
24 to me on the facts. Now, if you think that reading the questions -- the statement or
25 that I will be able to remember the facts, then we can proceed. There's no difficulty.

1 PRESIDING JUDGE STEINER: Let me see if I understood correctly what you said.
2 If the parties put questions to you, do you believe that you are able to answer in
3 accordance with what you remember about the facts?

4 THE WITNESS: (Interpretation) If questions are put to me relating to the facts, I
5 will be able to provide answers.

6 PRESIDING JUDGE STEINER: Maître Douzima, is that fine if we try to proceed?

7 MS DOUZIMA LAWSON: (Interpretation) Yes, your Honour.

8 PRESIDING JUDGE STEINER: Madam Witness, when you made the statement to
9 the Court, did you do so voluntarily?

10 THE WITNESS: (Interpretation) I was not forced to give this statement at all. It is
11 a statement that I gave voluntarily because I was a victim of the exocis (phon).

12 PRESIDING JUDGE STEINER: Madam, is the information that you provided in
13 your statement true and accurate to the best of your knowledge and understanding?

14 THE WITNESS: (Interpretation) These facts are facts that took place and I was a
15 victim of those events and my narration pertains to what actually happened.

16 PRESIDING JUDGE STEINER: One last question, madam. In case the parties or
17 the Chamber or participants intend to use your statement as evidence in this case, do
18 you have any objection?

19 THE WITNESS: (Interpretation) No.

20 PRESIDING JUDGE STEINER: Thank you, madam. I register the presence in
21 courtroom of Dr An Michels, psychologist. Madam Witness, if at any time you feel
22 tired or distressed, or for any reason you need a break, do not hesitate in telling me
23 and we can have breaks as many as you need. Do you understand that, madam?

24 THE WITNESS: (Interpretation) Yes, I understand.

25 PRESIDING JUDGE STEINER: I will now give the floor to Maître Douzima.

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1 Maître Douzima is a legal representative of victims in this case. She will be the first
2 one to put questions to you.

3 Maître Douzima, you have the floor.

4 MS DOUZIMA LAWSON: (Interpretation) Thank you, your Honour.

5 QUESTIONED BY MS DOUZIMA LAWSON: (Interpretation)

6 Q. Witness, good morning.

7 A. Good morning.

8 Q. Are you comfortable if I refer to you during this examination as "Madam
9 Witness"?

10 A. I have no difficulty with that.

11 Q. Madam Witness, you know me already, but let me remind you that I am Maître
12 Douzima Marie-Edith, legal representative of victims in the case at hand; namely, the
13 case or the trial of Jean-Pierre Bemba. I represent victims like yourself in this case.
14 I will not repeat all what the Presiding Judge has already said to you this morning,
15 but allow me simply to insist on the point relating to disclosure or mentioning names
16 of other persons. I would like to tell you that, if you intend to mention any names,
17 please do indicate so that we can proceed to closed or private session for that
18 purpose.

19 I'm going to put a number of questions to you relating to your statement, which was
20 re-read to you by the Victims and Witnesses Unit. I also will be asking you a
21 number of questions relating to the information that you provided in your application
22 as a victim, which you filled out in 2010.

23 The questions I will be putting to you will be very simple in nature: When, how,
24 why and so on and so forth. The questions will not be for me as such, but rather will
25 be questions that will enable you to provide answers that will enlighten the Trial

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1 Chamber as to what you suffered, as to what your experience was as you put it so
2 well in your own words.

3 Now, let us proceed first of all by identifying you. Madam Witness, what is your
4 name?

5 A. Thank you. My name -- my names are Makiandakama Pulchérie.

6 Q. Your surname then is Makiandakama and your first name is Pulchérie; is that
7 correct?

8 A. Yes, that is correct.

9 Q. When were you born?

10 A. I was born on 17 April 1982.

11 Q. Where were you born?

12 A. I was born in Mongoumba.

13 Q. In which country is Mongoumba located?

14 A. Mongoumba is in Bangui subprefecture.

15 Q. What is the name of the country in which one can find that subprefecture?

16 A. I know that I was born in Mongoumba.

17 Q. Is Mongoumba in the DRC, in Gabon, in Chad, in the Central African Republic,
18 or where is Mongoumba found?

19 A. Mongoumba is in the Central African Republic.

20 MS DOUZIMA LAWSON: (Interpretation) Madam President, I would like to ask
21 the victim -- the witness, rather, for her parents' names. Can we do that in open
22 session?

23 PRESIDING JUDGE STEINER: Maître, this information has been redacted, so I
24 would prefer that we don't need to put these questions to the witness.

25 MS DOUZIMA LAWSON: (Interpretation) Thank you, Madam President.

- 1 Q. Madam Witness, what is your nationality?
- 2 A. My nationality is Central African.
- 3 Q. What is your ethnicity?
- 4 A. I am of the Ngbaka ethnic group.
- 5 Q. What is your level of education?
- 6 A. I did not go very far in my studies. I dropped out in CP1, which is the second
- 7 level -- CP2, rather, the second level of preparatory or elementary school.
- 8 Q. What language or languages do you speak?
- 9 A. I speak Sango.
- 10 Q. What language or languages do you understand?
- 11 A. I understand Sango.
- 12 Q. Do you know how to write Sango?
- 13 A. No, I do not know how to write Sango, but I can understand it.
- 14 Q. What is your occupation?
- 15 A. I am unemployed.
- 16 Q. Are you married?
- 17 A. I am not married.
- 18 Q. Do you have children?
- 19 A. Yes, I do have children.
- 20 Q. Do you know the ages of your children?
- 21 A. Yes, I do.
- 22 Q. Can you tell the Court the ages of the children only; only the ages, please?
- 23 A. Yes, I can give you the ages of my children.
- 24 Q. Please proceed.
- 25 A. My eldest son is 12 years old. The second child is a girl and she's eight years

1 old. The last child is five years old. He is five years old.

2 Q. Where do you currently live?

3 A. I live in Mongoumba.

4 Q. Do your children live with you in Mongoumba?

5 A. Yes, we all live together in Mongoumba.

6 Q. You say that for now you live in Mongoumba. Have you ever lived anywhere
7 else?

8 A. I earlier stated that I used to live in Mongoumba, where I was born. Then I
9 moved to Bangui for some time, but today I live in Mongoumba.

10 Q. In 2002/2003 were you living in Mongoumba?

11 A. Yes, I used to live in Mongoumba at that time.

12 Q. Did anything happen during that time; that is, between 2002 and 2003?

13 A. Nothing happened in Mongoumba in 2002, but in 2003 some events occurred in
14 Mongoumba.

15 Q. When did these events take place specifically, if you can remember?

16 A. I can tell you what happened and the dates on which the events took place.

17 Q. Please do.

18 A. It was on the 5th of the year 2003.

19 Q. The 5th of which month, please?

20 A. The 5th of March 2003.

21 Q. At around what time, please?

22 A. The event occurred in Mongoumba at around 5 a.m.

23 Q. What event are you referring to, please?

24 A. This is what happened: Some soldiers came into our area and they were
25 armed.

1 Q. How did you become aware of this?

2 A. It was at that time specifically, that is at 5 a.m., that I became aware of what was
3 happening. I saw with my own eyes armed soldiers being deployed in our area and
4 I then became aware that something serious was happening.

5 Q. Where did you see them from, or where were you when you saw them?

6 A. I did not see them immediately. I was still asleep. In fact it is one of our
7 family members who woke me up and warned us, because that person was already
8 getting ready to flee and that is how I got up, I got out of bed and then I saw with my
9 own eyes how the soldiers were being deployed in our area.

10 Q. Were you living alone in your house in Mongoumba at that time?

11 A. No, I was not living alone in Mongoumba. I used to live with other members
12 of my maternal family; that is, my aunt and others. We all lived in the same house.

13 Q. When one of your family members warned you or alerted you that soldiers had
14 arrived in Mongoumba, what did you do?

15 A. Thank you. When that person came, let me specify that she did not come
16 specifically to our house. She was fleeing and on her way she knocked at our door
17 and asked us to flee, which is what I did. I took my grandmother and my children
18 across the road and put them in a place of shelter.

19 Q. How many children did you have at that time?

20 A. At that time I only had one child, who was five years old. He was a boy.

21 Q. Around your house, were there houses - neighbouring houses - around you?

22 A. Yes, there were a lot of houses around my house.

23 Q. Did the inhabitants of these houses also flee?

24 A. When we were informed by the members of my family we started fleeing, and
25 some people didn't believe it and that's why it was only later that some people started

1 fleeing by following us.

2 Q. What did these people from your family tell you, exactly?

3 A. When this person came to our house, she banged on the door and said, "Get out.
4 Get out. Flee, because the soldiers are taking control over the town," and I asked her
5 the question, "Who are these soldiers?", and she said they were soldiers who had
6 come from the other side of the river.

7 Q. And after having crossed the road, or having got your son to cross the road,
8 what did you do thereafter?

9 A. When I was told that, I hadn't taken anything else apart from my son and my
10 grandmother. I was accompanied by my aunt and we crossed the road. I was
11 accompanied by my aunt, and it was only afterwards that I remembered that my
12 mother was suffering and she was still inside the house and that's why I crossed back
13 over to get my mother.

14 Q. Where did you take your mother?

15 A. I went to get my mother and she was there. I had to take off the drip and I
16 tried to support her. She was heavier than I was. There was -- well, I only had my
17 bag. There were clothes in it and there was also the money that my mother had
18 provided me with, and I saw that the town was deserted and I also saw soldiers and it
19 was the sister or the brother of my mother who was with us who looked after my
20 mother and we tried to take refuge or to find a safe place.

21 Q. Where did you hide? Where did you try and take shelter, or find safety?

22 A. The member of the family accompanied my mother. I had no idea of the place
23 where my mother was being taken to and it was only after the events that I found that
24 out. As for me, I took another direction and I went along the river because I knew
25 the town and I took a short-cut in order to get behind the hospital.

1 Q. Therefore, you all -- did you all leave the house?

2 A. There was nobody left in the house, because I managed to find safety for all the
3 other members of the family apart from my mother.

4 Q. Did you have any goods in the house, or possessions?

5 A. We did have certain goods in the house, like anybody else who has a house.
6 They have certain possessions.

7 Q. And when you arrived in the hospital, what did you see?

8 A. When I fled firstly, I came across them. They didn't attack me and I carried
9 along the river and I got to the hospital and I saw soldiers who were in the hospital
10 area. They were deployed in the hospital area right up to Mongoumba school, in the
11 school grounds and the hospital grounds.

12 Q. You said that you had came across them. Who did you come across?

13 A. I wanted to speak about the soldiers.

14 Q. What were they doing? What did they do when you came across them?

15 A. When I came across them they didn't shoot but they were shouting. Some of
16 them were wearing military fatigues and others in traditional clothing. That's what I
17 saw.

18 Q. Did you meet people in the hospital?

19 A. Yes, I met people among whom there were other women.

20 Q. How many of them, or how many of you, were there?

21 A. There were a lot of us. Around 14 people. There were mothers, as well as
22 their children who were already inside the house before I was able to join them.

23 Q. Were these sick people, or were they people who had fled as you had?

24 A. From what I saw, there were no sick people among those who had taken refuge.
25 They were all people who were fleeing, people who were fleeing the problems.

1 There were people who were fleeing the disturbances. There were no sick people.

2 Q. And how long did you stay at the hospital for?

3 A. When we were at the hospital, well, because they took over the town at 5 a.m.
4 and at 6 o'clock in the morning we had already taken refuge in the hospital.

5 Q. You were in the hospital from 6 a.m. until what time?

6 A. We stayed in the hospital from 6 a.m. to 7 a.m.

7 Q. And why did you leave the hospital at 7 o'clock?

8 A. When we left the hospital at 7 o'clock, why did we do that? Well, it was quite
9 simply because there was gunfire, heavy weapons in particular. We decided to hide
10 ourselves.

11 Q. Where did you hide?

12 A. When I found the other people they were all in the hospital, and we thought as
13 we don't know the direction where the fighting is we decided to take refuge inside the
14 hospital and I asked that we hide under the hospital beds and that's what we did.

15 Q. And what happened thereafter?

16 A. Thank you. Well, this is what happened: When we took refuge underneath
17 the beds, there was a woman who has -- had a baby on her back. She was carrying a
18 baby on her back, and she took refuge under the bed and they heard the screams of
19 the child and from that moment they knew that there were people in that room.
20 Thank you.

21 Q. What languages did you hear them speaking in?

22 A. Yes, I heard them speaking in their language and I knew that they were soldiers
23 from the other side of the river who had taken over our town -- invaded our town.

24 Q. What language was it?

25 A. They were speaking Lingala.

1 Q. How do you know that it was Lingala?

2 A. I know because the border between the two countries is not very far away and
3 so I was able to go to the other side to do shopping and that's why I knew this
4 language. I had learnt it and I speak it, or at least I understand it.

5 Q. And when they said in their language that there were people inside the hospital,
6 what did they do?

7 A. Thank you. After they spoke in their language, they asked us to get out and
8 they said that in their language. When the other people who were with me left, then
9 one saw the shoes that I had on my feet and he took these shoes and they told us to
10 stand in a column, or in single file, as they do when they have a roll call and that's
11 something we were doing at the time.

12 Q. And the second thing, what did they do?

13 A. We stayed there with them. There was still gunfire. One of them asked us to
14 raise our hands, put our hands up, and one of the people who was present put their
15 hands up and then they started to go through their pockets to search them of the
16 trousers and they did the same for everyone. Everybody was standing in single file
17 and they took money as well as any goods that people had, any of the people I was
18 with, and that's the second thing that they did.

19 Q. Did they also take things from you?

20 A. They took everything. All our personal items they took. They did not spare
21 anything. When they took these items, they said that their president -- or "The
22 president had asked us not to leave anything," so they took all the possessions.

23 Q. Were they armed?

24 A. They were armed.

25 Q. What size were they?

1 A. Among them they were -- there were adults, there were fathers; family fathers.

2 There were others who were short. Some of these men had scars.

3 Q. Did they all speak Lingala?

4 A. According to what I heard, none of these attackers spoke Sango. They all
5 spoke their language, Lingala.

6 Q. How were you able to understand what they said?

7 A. I think that I told you that I understand their language. I know the language
8 and I was able to understand the content of what they were saying, or the content of
9 their orders.

10 Q. And the others, what did they do?

11 A. You know, in our country a lot of people speak this language because the
12 border is very close. They are used to going across. We do the same, and what this
13 means is that everyone who was around that area spoke or understood the language.
14 However, there was one who didn't understand and she asked me questions and I
15 translated the -- their words for her.

16 Q. These soldiers, can you remember how many of them there were?

17 A. There were a lot of them. I think I couldn't make an estimation with regards to
18 what I saw, but the people who stopped us there were around 20 of them, but around
19 the whole locality there were -- they were very numerous. I couldn't give an exact
20 figure for that.

21 Q. So those who met you in the hospital, how were they dressed? What were
22 they wearing?

23 A. They were wearing military uniform, which was green, and they were wearing
24 Rangers boots. Some of them had traditional clothing or objects. Others had masks,
25 so you couldn't see their faces clearly.

1 Q. Having taken all your possessions, what did they do afterwards?

2 A. Having taken all our possessions, they took me from among the women who
3 were there and they asked me -- or they told me to show them the river, the
4 riverbank.

5 Q. And what did you do?

6 A. I couldn't do anything. They had all the power. God gave me the intelligence
7 to answer them in Lingala, making them think that I was also Congolese, that I wasn't
8 from the Central African Republic.

9 Q. What was their reaction when they found out that you were Congolese and you
10 weren't from the Central African Republic?

11 A. When I spoke to them in Lingala, when I said that, I thought that they were
12 going to be more clement with me, greater clemence or merciful with me, but they
13 pushed me forcefully and I was about to fall when one of them caught me and he told
14 me to march and they took me to the riverbank and I told them that I didn't know the
15 route which went to the riverbank where the soldiers used to be posted, but they
16 knew the path well.

17 Q. Did they leave the other women who were with you at the hospital?

18 A. When I spoke to them in their language, they left all the other people behind
19 and we went. I was the only person who went with them to the riverbank.

20 PRESIDING JUDGE STEINER: Maître.

21 MS DOUZIMA LAWSON: (Interpretation) Thank you for that reminder, your
22 Honour.

23 PRESIDING JUDGE STEINER: Madam, we'll have now half-an-hour break. You
24 can take some time for yourself, have a coffee, a tea, take some rest. It's 11 o'clock.

25 We'll be back at 11.30.

Trial Hearing
Witness: CAR-V20-PPPP-0001

(Open Session)

ICC-01/05-01/08

1 I ask, please, court usher to accompany the witness outside the courtroom. In the
2 meantime, we will suspend and resume at 11.30.

3 (The witness stands down)

4 THE COURT OFFICER: All rise.

5 (Recess taken at 11.02 a.m.)

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

7 THE COURT USHER: All rise. Please be seated.

8 PRESIDING JUDGE STEINER: Welcome back. We will continue with questioning
9 of Witness V1.

10 Before the witness is brought into the courtroom, just -- just for the record to make a
11 rectification. In the beginning of today's hearing, I made a reference to the fact that
12 the witness was legally represented by Maître Zarambaud. As a matter of fact the
13 witness is legally represented by Maître Douzima, in accordance with previous
14 decision of the Chamber, so I apologise for the mistake and the rectification is on the
15 record.

16 I ask, please, court usher to bring the witness in.

17 (The witness enters the courtroom)

18 PRESIDING JUDGE STEINER: Madam Witness, welcome back.

19 THE WITNESS: (Interpretation) Good morning, your Honour.

20 PRESIDING JUDGE STEINER: Are you ready to continue with your testimony?

21 THE WITNESS: (Interpretation) I am ready.

22 PRESIDING JUDGE STEINER: Maître Douzima, you have the floor.

23 MS DOUZIMA LAWSON: (Interpretation) Thank you, your Honour.

24 Q. Ma'am, before the break, you explained that you were the only one that the
25 soldiers took to the port, and who met up with you there at the port?

1 A. When we got to the port by the river, I didn't see anyone. I didn't even see any
2 soldiers. There were only soldiers from the other side of the river who had come to
3 fight in our town.

4 Q. So you say that you didn't see any soldier from the Central African Republic?

5 A. There was no Central African Republic soldier along the river.

6 Q. Do you know where they were at that time?

7 A. I was not in a position to know that.

8 Q. You said a few moments ago, lines 5 to 6, "I only saw soldiers from the other
9 side of the river who had come to fight in our town." Now, which soldiers were they,
10 those soldiers from the other side of the river?

11 A. Those soldiers left their country and came into our country and they were
12 speaking in Lingala. Those were the ones who came to fight in our country.

13 Q. And which country did they come from?

14 A. They came from Zaire. After they crossed the river they came to our town, but
15 I don't know where or what neighbourhood, or what neighbourhood they came from,
16 but they spoke in their own language; the language of Zaire, of course.

17 Q. Now, you say that they came to fight "in our country," and who did they come
18 to fight against in your country?

19 A. Thank you. When they came into the town, they took me and they said to me
20 that the president of their country had asked them to come and shoot at everyone and
21 not to spare anyone, and so, you see, they came to fight everyone, right up to the very
22 last person.

23 Q. Did they tell you why the president of their country had asked them to kill
24 everyone?

25 A. No, they didn't tell me why, but they mentioned the president of their country.

Trial Hearing
Witness: CAR-V20-PPPP-0001

(Open Session)

ICC-01/05-01/08

1 Q. Was someone leading these troops that had come from Zaire? Was there a
2 commander?

3 A. Well, as usual, there must have been a leader.

4 Q. Did they have stripes, or other insignia?

5 A. As best I know, well, they were wearing military attire, but I did not see anyone
6 with stripes on his sleeve, but I did see that they were wearing military uniforms.

7 Q. Do the soldiers of the Central African Republic have stripes on their sleeves or
8 their shoulders, or any kind of insignia?

9 A. Yes, I do know -- well, just to look at one, you can recognise a Central African
10 Republic soldier because of the stripes that he has on his uniform, on his shoulder.

11 Q. So you got to the port, to the camp, and what happened then?

12 A. When we got to the port we didn't see anyone. They were shouting with
13 jubilation, and then we went back to the neighbourhood.

14 Q. And then what happened at the -- at that place?

15 A. When we were there at that place, the ones who had caught me, we went there
16 with them to the church, and they opened the door of the church, and we found a
17 bishop in that church who was there.

18 Q. Did you know this bishop?

19 A. Yes, I do know him. He is the bishop of Mbaiki, but I don't know his actual
20 name.

21 Q. And what was he doing in the church?

22 A. He was on a mission to Mongoumba, to give a mass of confirmation with the
23 faithful Catholics. He had spent the night there, and it was the night -- it was the
24 next day. He was wearing his cassock in this church, and one of the soldiers made
25 him take off his clothes, and they took his cassock and even the cross that he was

1 wearing.

2 Q. And what did they do with his cassock and his cross?

3 A. After forcing him to take off his cassock, one of them put it on and took his cross,
4 the cross that he had held in his -- and he was holding it in his hand as if he were the
5 bishop himself. Shortly thereafter, the bishop gave them some money but one of
6 them said that the money was not enough, and then he gave them an envelope
7 containing some money, of course. And then, after that, they opened up the
8 tabernacle where they found the consecrated hosts, and they shared the wafers and
9 ate them.

10 Q. Was the bishop alone in the church?

11 A. No, he wasn't alone. His cook was with him. I know this person very well.

12 Q. Other than the cook, were there other people there?

13 A. He was with his wife, his woman. They were the people who were in that
14 building.

15 Q. The wife of the cook?

16 A. Yes, I was talking about the wife of the cook, because they lived in the
17 compound that belonged to the church, in a small house.

18 Q. Do you have any idea of how many soldiers went to the church?

19 A. I would say about 20. There were about 20 of them.

20 Q. Were they armed?

21 A. They were armed.

22 Q. Do you know how much money was in the envelope that the bishop gave them?

23 A. I have no idea because the envelope was sealed. He held out the envelope to
24 them, and they put -- the person who took it put it in his pocket.

25 Q. And then, after that, what did they do to the bishop?

1 A. Well, then -- well, first of all, they pointed their weapons at him. After he gave
2 them the envelope they didn't do anything to him. They just opened up the
3 tabernacle and they took the consecrated wafers and ate them.

4 Q. Did they say anything to the bishop?

5 A. Yes, they did speak to him.

6 Q. What did they say to him?

7 A. First of all, they asked for money, saying, "Give us some money. If you don't
8 give us any money, we'll kill you." That's what they said.

9 Q. What language was it? What language was the -- were they using when they
10 asked for the money?

11 A. It was in their language, and I served as an interpreter for the bishop in
12 question.

13 Q. After the bishop gave them the envelope, what did they do?

14 A. When the bishop gave them the envelope they left that place. Then, after that,
15 they ate the hosts, and then we went towards the building where the priest was
16 living -- where the priests were living.

17 Q. And once they got to the priests' residence, what did they do then?

18 A. Once we got to the residence of the priests, they did the same thing again; that is
19 to say, they brandished their weapons, they pointed their weapons at the priests, and
20 the priest had to give them money. After they received that money they started to
21 collect the various possessions that were in the house and had me take them out of
22 the house, and then they asked for the keys to the car of the priest.

23 Q. What sort of items or possessions did they take?

24 A. Well, you see, there were many precious objects in the houses of white people.
25 I don't know what they were, all they were, but they took all the fine things, all the

1 nice things; the beds, the furniture, the television set and many other items. They
2 spared nothing and I was the one who had to take all of these items out of the house.

3 Q. You say that they asked the priest for the key to his vehicle. What did they do
4 with this key?

5 A. When they took the key they gave it to one of them and the one who got the key
6 went to the vehicle and started it up, and then they ordered me to load all these
7 various items into the vehicle.

8 Q. What kind of vehicle was it? Could you describe it to us?

9 A. In the vehicle there were two seats at the front and two behind. It was a white
10 car.

11 Q. Where did they take the vehicle with all the various goods inside?

12 A. After loading up all the various items into the vehicle they started the car and
13 then we headed towards the nuns' residence.

14 Q. And that was with all the various items from the priests' residence and then you
15 went towards the residence of the nuns?

16 A. Yes, that's right.

17 Q. What is the distance between the nuns' residence and the priests' residence?

18 A. It's not very far. The two residences were separated only by the Catholic
19 church. I would say two or three kilometres.

20 Q. When you got to the nuns' residence, what happened?

21 A. When we got to the residence of the nuns, they broke the door and they were
22 still armed. The nuns then came out of their rooms into the living room. The
23 attackers had not even asked for money when the nuns quickly handed over a bundle
24 of bank-notes to them. In spite of that, the attackers were not satisfied. They
25 insisted that they wanted more money from the nuns, which the nuns did by

1 providing some more money.

2 Q. After the nuns had handed over the money, what did they do?

3 A. When they received the safe, they were very happy and they shouted with joy.

4 One of them began to take out the foam mattresses and other items from the house.

5 He asked the sister, or the nun rather, to give him the keys to her car, and I was forced
6 to take the items out of the house and to load them on to the vehicle.

7 Q. You loaded those vehicles -- those items into the nun's vehicle? Is that your
8 testimony?

9 A. Yes, I was forced to. They shouted at me as if I were an animal, or a beast. I
10 was forced to carry their trophy, or booty, hastily running, and if I fell while running
11 they would hit me. Throughout that time, I was not allowed to drop any item.

12 Q. And you did that all by yourself without any assistance from the soldiers?

13 A. No one helped me. They looked at me as I continued to do so.

14 Q. Can you describe the nun's vehicle that was taken?

15 A. The vehicle that they took had two seats in the front and there were no back
16 seats. There was a tyre in the back of the car and -- a spare tyre to the back of the car
17 and the car was red in colour.

18 Q. After loading those items into the sister's vehicle, what did they do?

19 A. After all that had happened at the priests' house, the attackers were shouting
20 with joy and even greeted the priest. Some entered the priest's car and others went
21 into the nun's car. Then we left for the gendarmerie.

22 Q. So you went to the gendarmerie with the two vehicles; that is the vehicle
23 belonging to the priest as well as the vehicle of the nuns? Is that the case?

24 A. Yes, that is correct.

25 Q. What became of those two vehicles and the items that were within those two

1 vehicles when you got to the gendarmerie?

2 A. On our way towards the gendarmerie, they stopped the cars on the main road.
3 Those of us who were in the bishop's car went into the gendarmerie premises. Those
4 who were in the car belonging to the nun also came out of the vehicle, and some of
5 them followed us into the gendarmerie premises.

6 Q. Yes, indeed. What then happened to the vehicles and to the property that was
7 in them, or the items that were in them?

8 A. When we got to that point, the property was still in the vehicles. The bishop's
9 vehicle was slightly bigger than the vehicle of the nuns. When we entered the
10 gendarmerie precinct they started to loot the items, or the property, that was at the
11 gendarmerie.

12 Q. What type of items or property was there at the gendarmerie office?

13 A. The items I saw with my own eyes are the following. In fact, before
14 mentioning the items, let me say that they started by cutting off communication lines,
15 and you may want to know that the gendarmerie offices hold many administrative
16 documents. They took away all the administrative documents. We also found a
17 gendarme and his wife within the gendarmerie precinct, so they entered the kitchen
18 belonging to the wife of that gendarme. They took food and ate it up and even used
19 the kitchen as their toilet, and what I did was to load the items that they asked me to
20 into the vehicles.

21 Q. What did they do thereafter?

22 A. My duty was to load the items into the vehicles. I did so four times, but I got
23 tired and thirsty and so I started to cry, and then at some point while I was still
24 carrying those items some of them dropped to the ground. A soldier who saw that
25 happen was very furious and struck me with the butt of his weapon, so I dropped to

1 the ground and at some point they sprinkled water on my face and then I came to.
2 The driver of the other car was wearing the bishop's cassock. When he started to
3 drive off, he ran into a tree which was nearby and died on the spot.

4 Q. Were you there yourself when that accident took place?

5 A. I saw the accident occur with my own eyes. Someone died. They took an axe
6 from the gendarmerie and broke the door of the vehicle in order to pull out the dead
7 body.

8 Q. After pulling out the dead body, what did they do?

9 A. *When they pulled out the dead body let me say that the dead body was still
10 wearing the bishop's cassock, but they had not touched the cross, which remained in
11 the vehicle. Some said that the dead body should be abandoned there because it was
12 war, but their leader said: if we leave the body behind, the soldiers of the country will
13 think we have lost human lives. So they put the dead body into the vehicle and we
14 drove off towards the river, and when we got to the riverbank two of the soldiers put
15 the dead body into a boat which then took it to the other side of the river.

16 Q. What did they do thereafter?

17 A. After that they ordered me to get into the vehicle, and I refused to do so. I
18 resisted and I didn't yield to their pressure. Then the vehicle finally drove off, so
19 some soldiers and myself continued on foot to follow them to the riverbank.

20 Q. When you got to the riverbank, what happened?

21 A. At the riverbank they took out all the items from the vehicles. What I can say
22 is that I was also involved in offloading those items from the vehicle, and they were in
23 a hurry. They were in a hurry. After taking the items off the vehicles, they then
24 asked me to show them the border with Mongoumba town, and that if I were able to
25 do so they would spare my life.

1 Q. So what did you answer them?

2 A. I did not say anything.

3 Q. Then what happened?

4 A. I was silent for some time, and then one of them - one of the soldiers - wanted to
5 kill me. This is what he said to me: "We are going to kill you. We will not spare
6 your life, because if we spare your life you will betray us." So they ordered me to go
7 back, and then two of them raped me.

8 Q. Where did they rape you?

9 A. Outside. It was outside in the military camp, the military camp of the Central
10 African soldiers, next to the river.

11 Q. Madam Witness, I am sorry to backtrack a little bit so that you can tell us how
12 you got -- how we got to the rape. Now, you were by the riverbank, and they asked
13 you to show the border between Mongoumba and the DRC, and you did not answer.
14 Now, between the time you didn't answer and the time you were raped, what
15 happened? Did they take you back to the camp, and how did they get to that point?
16 Can you please explain to the Court?

17 A. After they asked me that question I was silent, and they threatened to kill me
18 because I had not provided them with an answer, but they were joyfully celebrating
19 in the courtyard and firing into the air. I was already used to the rumblings of the
20 firearms and I was silent. I was simply looking on as they did what they were doing.
21 Then two of the soldiers came towards me. I was sitting down and crying. I was
22 wondering whether my life was coming to an end this way, and how my children
23 were going to fare. Those are the things that crossed my mind. Then one of them
24 asked me to take off my clothes, and I refused to do so. Then he took two bottles
25 and broke them before me in order to frighten me and, yes, I was indeed frightened.

1 Then he ordered me to take off my clothes. I was afraid but I couldn't do that. I
2 was wearing a pair of jeans, and under that there were undergarments and my
3 panties. So he took off my pair of trousers, and all that was left on me were my
4 undergarments and my panties. He took off my pair of trousers and while he did so
5 I tried to fight him off, and then one of them kicked me in the -- kicked me, kicked my
6 feet, and then I fell to the ground and then one of them slept with me and then
7 another one slept with me again while the others looked on.

8 My trousers were forcibly removed and all I had was my undergarments, and so after
9 they had done what they were doing I got up, picked up my undergarments and sat
10 down and then they asked us to leave. We got up and then went towards a house,
11 that was the mayor's house, and all of that happened after the first rape incident.

12 Q. Where were you raped? Was it on a bed? Was it on the ground? Where
13 was it?

14 A. They did not sleep with me on the bed. It was on the ground, on the ground
15 under a tree.

16 Q. You said that the others looked on as you were being raped. How many of
17 them would you say were looking on as you were being raped?

18 A. As I stated before, there were many of them. About 20 of them, I would reckon
19 about 20, who were watching the show, so to speak.

20 Q. What was their reaction?

21 A. As they looked on, some of them were shouting with joy while others fired into
22 the air, but only one of them was against the whole thing.

23 Q. You said that after the rape you went to the mayor's house. What happened
24 or -- to the mayor's. What happened at the mayor's?

25 A. When we entered the mayor's compound, and I must say it was a large

1 residence with two doors, and by the way the mayor had two wives, so we went to
2 his house, got in and then went to his second wife. We found the mayor, his wife
3 and their children in that house.

4 Q. Did you know the mayor and his family before that incident?

5 A. Yes. He is someone who hails from my area. I knew him very well. He's a
6 Muslim, and I know him as well as his family.

7 Q. What happened at the mayor's residence?

8 A. When we entered the house we met the persons who I have already mentioned.
9 One of them -- or should I say the person who had undressed me went towards the
10 mayor's wife, and then told the mayor, "Give me your daughter. I --" or, rather,
11 "Give me your wife. I am going to sleep with her. If you do not do so, I am going
12 to kill her," and that is what I heard with my own ears.
13 So the mayor said to him, "What have you asked of me that I have not given you?"
14 Then the other said, "We need money." So he - "he," that is the mayor - then took a
15 machete and dug up something, or dug up some money which he offered them, but
16 they said it was not enough.

17 Q. In what language did the conversation between the mayor and the soldiers take
18 place?

19 A. The conversation was in their language; that is, the language spoken on the
20 other side of the river.

21 Q. Are you saying that the mayor also understood that language?

22 A. No, he did not understand. However, the mayor knew me and so he asked me
23 what they were saying and I then translated what they were saying to the mayor in
24 Sango.

25 Q. When they considered that the money that the mayor had given was not

1 sufficient, what did the mayor do?

2 A. There was nothing he could do. They were armed. They were stronger. He
3 had nothing. He had to give them more money, and then they took all of his
4 property in order to load it.

5 Q. And when they took the mayor's property, what did they do?

6 A. All the pillaged items from that house were stored outside, and they asked him
7 for a bag and also some tape which would make it possible to wrap these goods.
8 They took these goods and I helped to carry them, and with them we crossed the
9 main road in order to go to another Muslim's house.

10 Q. And what happened to this Muslim? What happened at that Muslim's house?

11 A. Having crossed the road, we arrived at the Muslim's house. Nobody was on
12 the compound. They were very tired. They were elderly. They asked him to give
13 some sheep and I acted as an interpreter. I interpreted in Sango for the Muslim, but
14 the Muslim in question was against that. He told them that he had nothing to give
15 them on the compound.

16 Q. Were there sheep on the compound?

17 A. Yes, he had sheep on his compound.

18 Q. When he refused to give them the sheep, what did they do?

19 A. When he refused to obey their order, they -- there was a fight that ensued
20 between them and the Muslim. He resisted their order. Despite that, the attackers
21 continued. They even got out a cart, a pushcart, and thereafter they started firing on
22 this Muslim and despite the shooting he was still invulnerable to the bullets. It was
23 at that time that I thought I was between living and dying.

24 Q. Did they manage to kill him with their weapons?

25 A. They weren't able to kill him with their weapons. I was totally stupefied and I

1 understood that the Muslim was invulnerable to bullets. It was him himself who
2 indicated where they would have to shoot in order to kill him.

3 Q. And so what happened?

4 A. It was only after that that I saw this person fall dead, but before dying he told
5 them -- he said, "Sir, if you continue firing at me with your weapon, you will never
6 manage to kill me. I now would ask you to use your knife and to pierce my eyes.
7 Afterwards, cut my penis off such that I will die," and that's exactly what they did.
8 They cut his penis off, which they put into his mouth, and it was at that time that the
9 Muslim died.

10 Q. Everything that they did to this Muslim, would you say you were present
11 throughout; throughout the time that they were doing this?

12 A. Everything I've told you is what happened before my eyes and that is how I am
13 able to tell you about it.

14 Q. How did you feel on seeing such a thing?

15 A. When I saw all the blood coming out and when I saw this man die, I was
16 terrified. I thought that my life was over. The day was going to be my last day. It
17 was only after he was murdered that they took this man's sheep and took them out,
18 and afterwards they went to a neighbour of that man; a neighbour's house of that
19 man.

20 Q. This neighbour, was that a young lady, an elderly lady?

21 A. This was an adult woman and she could have given birth to a daughter my age,
22 but I would say that I couldn't give you her age precisely.

23 Q. Was she alone?

24 A. What I saw was that she was holding a baby, but there was nobody next to her.

25 Q. Did the soldiers speak to this woman?

1 A. Yes, they spoke to her and they asked her or demanded her foam mattress.

2 This was a double mattress, a new mattress. She refused to comply with their
3 demands. Given the resistance she put up, they killed her and took the mattress.

4 Q. And what happened to the baby?

5 A. No harm was done to the baby. They just killed the mother and took her
6 mattress and other items of furniture. I was always the one carrying the property.
7 They also discovered a bottle with alcohol. They emptied it right there, and
8 thereafter we left and I was still the person carrying the property and we left towards
9 the river.

10 Q. In what language did they speak to this lady?

11 A. It was always in Lingala. When they spoke to this woman in Lingala, she
12 answered them in Sango.

13 Q. And what did you do at -- by the riverbank?

14 A. When we arrived by the river with all the booty, the attacker who had raped me
15 helped me take the things I was carrying and at that time things started getting even
16 more brutal. They treated me with a great deal of brutality, and one of them, on
17 seeing this, told them to leave me alone because he wanted to take me as a wife, and it
18 was following that that they left me alone.

19 During all this time they continued shouting, and I also saw boys coming who were
20 carrying other property. At that time I thought that my life was finished, and I was
21 just praying to God to free me. The person who intervened, to ask them to leave me
22 alone, it was that person who consoled me, and it was thanks to him that my life was
23 saved.

24 Q. Witness, I wanted to know, starting with the gendarmerie within the church,
25 and then the mayor, the Muslim, the lady, all these events happened, did they happen

1 on the same day? Did all of these incidents happen on the same day?

2 A. All these incidents occurred on the same day. They didn't spend the night in
3 the locality.

4 Q. Witness, you said a moment ago that your life was saved thanks to one of them.
5 What happened exactly so that that person could intervene such that your life would
6 be saved?

7 A. Nothing in particular. There was nothing in particular between him and me.
8 He had in his right hand a Catholic rosary bead, and when he made it possible for me
9 to rest a bit, a bit later some others were demanding that I be killed, and he said that if
10 they left me alive -- or they were saying that I was going to betray them later because
11 they thought that I was from the Central African Republic, and one of them grabbed
12 my hair, and threw me on to the ground, and I was hit in the legs, such that I fell, and
13 when I fell he demanded that I take my clothes off, which I refused to do, and he used
14 his knife to rip off my trousers and my shorts, and it was only afterwards that they
15 started sleeping with me.

16 Q. You said it was at this time that they started sleeping with you. Does that
17 mean that you were raped a second time?

18 A. All of that happened by the river. I was raped by the river. During all this
19 time I was completely naked. They slept with me by force using violence,
20 threatening me. A human being can't behave that way.

21 Q. I wanted to know if this rape which you've just spoken about, did that take
22 place after they had killed this woman?

23 A. Having slept with this woman they left, and together with myself we went to
24 the riverbank and it's there that they raped me.

25 Q. You stated that they also slept with that woman, or they killed her?

1 A. No, no. I made a mistake. They didn't touch her sexually, or in a sexual
2 manner; they just killed her because she refused to give them the foam mattress, but I
3 add that they did not sleep with that woman.

4 Q. When the first rape took place you stated that it was two soldiers who had
5 raped you; is that correct?

6 A. That is correct. Firstly I was raped by two people, and it was during the
7 second rape that there was a large number of them.

8 Q. How many people raped you when you were raped the second time?

9 A. Before I could -- before I fainted, I looked around and I saw that two people had
10 just slept with me, and then a third person came and a fourth. Afterwards I saw that
11 there were a lot of people who were around me, and who raped me. I reckon there
12 were 12 of them.

13 Q. Did they take turns in raping you, or did it happen that two soldiers would rape
14 you at the same time?

15 A. When they started raping me, there were just two people. No, there were not
16 only two people, there were 12 people, is what I said. Some of them held me to the
17 ground. One was on my arm, others on my feet, and it was at that time that they
18 started sleeping with me. Afterwards they returned and they turned over and they
19 slept with me in the anus, in the vagina and even in the mouth, and it was after that
20 that I started vomiting and lost consciousness.

21 Q. Did they use any type of object with which to rape you?

22 A. I didn't see a knife or a stick that they put into my vagina. They used their
23 penises to sleep with me and I was bleeding from my vagina.

24 Q. Were they all armed when they were raping you?

25 A. As I already said, they were still armed, always armed. Sometimes there were

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1 two of them who didn't have rifles on them, but they had arrows, but all of those who
2 slept with me they had rifles and every time that they got on me to rape me they still
3 had their rifles on them.

4 MS DOUZIMA LAWSON: (Interpretation) Your Honour, I don't want to be
5 reminded of the time again so I see that it's the time now.

6 PRESIDING JUDGE STEINER: Thank you, Maître Douzima.

7 Madam Witness, we'll have now our lunch-break. You can take some rest. It has
8 been a long morning, a long journey. We will continue in the afternoon starting at
9 2.30.

10 I ask, please, court usher to take the witness outside the courtroom. In the meantime,
11 we will suspend and resume at 2.30.

12 (The witness stands down)

13 THE COURT OFFICER: All rise.

14 (Recess taken at 1.01 p.m.)

15 (Upon resuming in open session at 2.33 p.m.)

16 THE COURT USHER: All rise. Please be seated.

17 PRESIDING JUDGE STEINER: Good afternoon and welcome back. We will
18 continue with the testimony of Victim V1, and for that purpose I ask, please, court
19 usher to bring the witness in.

20 (The witness enters the courtroom)

21 PRESIDING JUDGE STEINER: Good afternoon, Madam Witness.

22 THE WITNESS: (Interpretation) Good afternoon, your Honour.

23 PRESIDING JUDGE STEINER: Did you manage to take some rest during the
24 lunch-break?

25 THE WITNESS: (Interpretation) I was able to take some rest.

1 PRESIDING JUDGE STEINER: Are you feeling well and ready to continue with
2 your testimony?

3 THE WITNESS: (Interpretation) I am ready.

4 PRESIDING JUDGE STEINER: Thank you, madam. I'll give the floor back to
5 Maître Douzima.

6 MS DOUZIMA LAWSON: (Interpretation) Thank you very much, your Honour.

7 Q. Witness, good afternoon.

8 A. Thank you, Counsel.

9 Q. Ma'am, when we ended just before the break we were talking about the second
10 case of rape that you were subjected to, and you said that you had been raped by 12
11 soldiers, and I would like to ask you: Now, the first time, you were raped by one or
12 by several people?

13 A. Thank you. As I already told you, the first rape was done by two people. It
14 wasn't the entire group, the wasn't the whole group of soldiers.

15 Q. You also said that during the second rape you were spared, you survived,
16 thanks to one of the soldiers who had a Catholic rosary in his hand. How did he
17 manage to save you?

18 A. During the second rape, I believe I told you that they had formed a group, they
19 had come together. One of the soldiers pulled me by the hair and I fell to the
20 ground. While that was happening, one tripped me and I fell down to the ground.
21 One of the soldiers used his knife to remove my undergarments and they abused me.
22 They took turns freely, as they wished.

23 When the soldier realised what state I was in, he returned to the attack, so to speak,
24 and started to quarrel with the other soldiers. And during the argument he
25 started -- I started to vomit and he carried me over to a hut that was on the grounds,

1 and so that is why I say that that man saved my life. That was when he did -- he did
2 that.

3 Q. And then after that, what happened?

4 A. When I vomited, well, I think I vomited all the bile that I had in my body, I had
5 vomited it all up, and I regained consciousness and I had the impression that
6 someone was giving me some Coca-Cola. He said to them that ever since the
7 morning, since he was a commander, he had not gotten anything from the
8 campaign -- from that campaign, and that he had to go off with me so I could help
9 him take various items that he needed and so we left and he took me away. We left.

10 Q. Do you know what his name was?

11 A. I don't know his name. I do know the name of the person who raped me, the
12 person who pulled me by the hair, but the one who saved my life I don't know what
13 his name was.

14 Q. Could you give us the name of the one who pulled you by the hair?

15 A. His name is Kovo.

16 Q. How did you come to learn his name?

17 A. I know his name because of all the various soldiers he was the one who was
18 worked up the most. He was the leader. He was giving the signals, and the other
19 soldiers called him Kovo and they were quite jubilant. They referred to him as Kovo,
20 and so that is how I came to realise that that man's name was Kovo.

21 Q. Now, the one who saved your life, where did he take you to?

22 A. When he pulled me away from the rest of the group, took me away from the
23 rest of the group -- they wanted to kill me, you see. He dissuaded them and
24 convinced them, he convinced them to let me go along with him so that we could go
25 off and loot more goods. And he said that if they heard a gun-shot, they should

1 realise that I had refused to carry the looted items and that he had shot me. We took
2 a short cut towards the river and we got -- we came close to the mosque, and he
3 asked me to --

4 THE INTERPRETER: Correction from the interpreter, "I asked him to leave me
5 there."

6 MS DOUZIMA LAWSON: (Interpretation)

7 Q. And when that request was made, what did he say?

8 A. He said this to me: "You said that you were from the Congo, not from the
9 Central African Republic. I'm freeing you here, and you have to do everything you
10 can not to come across the other soldiers in this area who were looting goods,"
11 because he would not be there to save me. He said to me that I should go away and
12 that he was going to fire two shots into the air and that I should not be afraid, and I
13 should take advantage of the situation to flee because that day was not the day that I
14 was to die.

15 Q. In your opinion, why did this man save your life?

16 A. From my point of view, he was the only one who did not loot any goods. He
17 had a rosary in his hand and he was praying to the Virgin Mary, and I know that my
18 fate was not to die that day. I believe that God guided him and that is -- that is what
19 happened.

20 Q. And what is your faith? What is your religion?

21 A. I am a Catholic.

22 Q. When he left you, as he was going away did he actually fire those two shots?

23 A. When he let me go, he asked me to move ahead. I no longer had the strength
24 to run and the mosque was close to the bush. I moved about two metres ahead. He
25 shot twice into the air. The first time I fell, he called out and I made an effort to

1 crawl and I went into a field and I started to throw-up there in the bush. What is
2 sure is that he did fire twice.

3 Q. How long did you spend in the bush?

4 A. A great deal of time in the bush, because I was tired and I was bleeding and I
5 didn't have the strength to leave the bush.

6 Q. Did you spend the night there, or was it a few hours?

7 A. I did not spend the night in that field, because I was all alone. There was no
8 one to help me. I was so tired and, since I was throwing-up, I spent a few hours in
9 the bush. I felt the presence of people around me and I saw that it was the pygmies.
10 He saw me, he wanted to flee, I made a hand gesture and one brought me to their
11 camp.

12 Q. How far away was their camp from the place where you were?

13 A. They are pygmies and their camp is rather far away from that place. When
14 they were taking me there, we had a hard time making progress because I was very
15 heavy. They set me down and they used a kind of a way -- they used a way of
16 carrying me and really they had nothing. They didn't have any light, any flashlight,
17 or anything like that. They brought me to the camp and we saw there the other
18 inhabitants of the village who had taken refuge there.

19 THE INTERPRETER: Correction from the interpreter: He believes that the witness
20 made reference to a stretcher of some kind.

21 MS DOUZIMA LAWSON: (Interpretation)

22 Q. So there were some people at the pygmies' camp that day?

23 A. Yes, there were many people there: The others who had taken refuge there
24 and there was also the pygmies. They knew me. They knew my mother because,
25 you see, my mother was a nurse at the hospital and she had provided care to the child

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1 of this pygmy.

2 PRESIDING JUDGE STEINER: Maître, sorry. I'm sorry to interrupt you. We are
3 having a problem with the real-time transcript. Let's see whether we can solve the
4 problem before you continue.

5 (Pause in proceedings)

6 PRESIDING JUDGE STEINER: I am informed that we can continue and the
7 remaining of the answer will appear very soon.

8 Maître Douzima.

9 MS DOUZIMA LAWSON: (Interpretation)

10 Q. I was asking you how long - how much time - did you spend with the pygmies?

11 PRESIDING JUDGE STEINER: So I am informed that it would take about two
12 minutes to fix the problem, and so therefore I ask the Prosecution and Defence
13 whether we could continue, or you prefer that we just wait for two or three minutes?
14 Of course, the whole of the question and answer will appear in due time.

15 MR BIFWOLI: Thank you, Madam President, your Honours. The Prosecution feels
16 like it's okay for us to continue.

17 MR HAYNES: Yes, we'll keep an eye on it. If it grows much longer than two
18 minutes, we may raise the matter again.

19 PRESIDING JUDGE STEINER: Just for me to be sure, it's only with the English
20 transcript, court officer, or the French transcript as well?

21 MR HAYNES: The French is fine.

22 PRESIDING JUDGE STEINER: The French is fine.

23 Maître Douzima, you can continue then.

24 MS DOUZIMA LAWSON: (Interpretation)

25 Q. Witness, I'll ask my question again. How much time did you spend at this

1 camp, the pygmies' camp?

2 A. It was not a matter of hours at the pygmies' camp, I spent a number of days
3 there because I ran into a lady there at the pygmies' camp who knew my mother and
4 she knew me as well. She had me stay there preparing a number of potions to
5 provide me with care, so I spent some time there before she was able to contact my
6 mother, and then my mother would come to fetch me.

7 Q. How many days was it?

8 A. Just one day. The next day I left the camp at about five in the afternoon. That
9 is when my mother came to fetch me. She paid some people at the camp, and they
10 carried me to the village.

11 Q. And where was your mother?

12 A. My mother had sought refuge at the border with the Republic of
13 Congo-Brazzaville, and she was with her brother. It is while there that she was
14 informed of what had befallen me. She was really disturbed, she thought maybe
15 I had died, and so although she was in such pain she decided to come out to go to
16 Mongoumba, and thanks to someone, one man who was looking for his children and
17 his wife, thanks to that man who had seen me at the pygmies' camp, thanks to him he
18 is the one who told my mother where I was.

19 Q. When your mother came to fetch you, were the soldiers still in town?

20 A. I have told you that while they were looting property belonging to individuals,
21 they would ship that property to the other side of the river. They did not spend the
22 night in town. You see, we could hear gunshots being fired in the town from our
23 position in the camp, in the pygmy camp. I do not believe that they spent the night
24 in town.

25 The next day, in the morning, some young persons went out to find out what had

1 happened in the town, and they were informed that those people were no longer seen
2 in town. So they did not spend the night there. That evening I believe they crossed
3 over to the other side of the river.

4 Q. Did your mother take you to the border with Congo-Brazzaville?

5 A. My mother took me directly to Congo-Brazzaville. We spent the night outside
6 in the open, under a big tree. We spent the night in the open, like that, without a
7 mat, without anything, just like the pygmies do.

8 Q. How much time did you spend at the border?

9 A. We spent one week in that area. I was not feeling very well; I was tired, I had
10 hallucinations and I could hear voices, and so I did not feel well. Fortunately,
11 Doctors Without Borders came to our help and treated me. I spent one week in that
12 area. We had no food. One could have spent an entire day without eating
13 anything, just drinking some water, and then my mother asked that we return to the
14 house or we return home.

15 Q. Were there any other Central African nationals who had sought refuge in that
16 area?

17 A. Yes. Many Central African nationals, many of them were there. You see, it
18 was the only area where we could feel safe; that is, on the other side of the border of
19 Congo-Brazzaville, and from that position the Congolese soldiers could not attack us.

20 Q. When did you return to Mongoumba from that place?

21 A. I have already told you that we spent one week there before returning to
22 Mongoumba. We arrived in Mongoumba on a Sunday, around 5 p.m., but I do not
23 recall the exact date.

24 Q. Do you know the date on which President Bozizé took power in the Central
25 African Republic?

1 A. I do not know.

2 Q. Do you, however, know whether or not he was in power by the time you
3 returned?

4 A. Yes. What I can say is that when we came out of the bush, after spending
5 some five to six days there, we began to see soldiers of the Central African Republic
6 moving about or driving around in town. We were frightened and we wanted to
7 flee, but those soldiers told us not to flee because a new president had come to free
8 the people. So we thought it was Patassé, and we asked them whether it was
9 Patassé and they said, no, that the -- the liberator was Bozizé, and with that
10 information we were able to spend our nights in our houses without any further fear.

11 Q. Apart from those soldiers who gave you those assurances, did you come across
12 any other soldiers?

13 A. No, we did not come across any other groups of soldiers, apart from the Central
14 African soldiers. At the beginning, we were scared but those soldiers came towards
15 us and gave us the assurances not to be afraid. They told us that they had been sent
16 to our area by Bozizé to provide security and to protect the people. We did not see
17 any other group of soldiers apart from the soldiers I have just mentioned.

18 Q. In what language did they speak to you?

19 A. These were our fellow countrymen, so they spoke to us in the same language
20 which we could all understand; namely, Sango.

21 Q. When you returned to Mongoumba, did you go back to your house?

22 A. When we returned to Mongoumba, we could not spend the night inside our
23 houses. We were in some sort of mourning, so we had to lay our mats and other
24 facilities outside, and we slept in the open air. And you may want to know that our
25 houses had been emptied. The houses might have been standing there, but they

1 were looted, and so we spent our nights outside in open air, on mats and tarpaulins,
2 as is usually the case during funerals.

3 Q. Do you know who looted your house or who emptied your house?

4 A. Well, it was the Zairean soldiers who were known ordinarily as the
5 Banyamulengue.

6 Q. Why were they referred to as the Banyamulengue?

7 A. I do not know. What I can say, however, is that before they came to
8 Mongoumba they had already committed atrocities in other areas, such as Sibut and
9 Bangui and so we were aware, we had already been informed, that the Zairean
10 soldiers who were operating in the Central African Republic were known as the
11 Banyamulengue.

12 Q. How much time did you spend on those mats and tarpaulins in the open air?

13 A. About one week, sleeping in the open air on those mats and tarpaulins. Now,
14 even after the Central African soldiers deployed in our area, we continued to spend
15 our nights outside. We could see the soldiers patrolling, and it is only when the
16 mayor called on the people to return to their homes that we did, and at that point we
17 stopped sleeping in the open air in order to avoid catching any diseases and illnesses.

18 Q. Do you belong to an association of victims?

19 A. In Mongoumba, my area, there was no association of victims. I met
20 representatives of the ICC only once in Bangui, but there was no association for
21 victims in Mongoumba.

22 Q. This morning you told the Court that your statement had been re-read to you,
23 the statement from which I have put a number of questions to you, and now you have
24 just told the Court that you met people from the ICC who interviewed you. In what
25 year did that meeting take place?

1 A. I am not able to tell you what year it was, but what happened is that I was at
2 home and then some people came to the mayor's office, but I was not aware of it, and
3 the mayor of our area called me up and asked me to come with my birth certificate.
4 It is on that day that I answered the questions that were put to me by those persons,
5 in the same manner as you have put a number of questions to me in this courtroom
6 today.

7 Q. How many people from the ICC came to question you?

8 A. When we met in my area I think there were three of them, two white ladies and
9 one interpreter, so I had this interview with three people in total. After that
10 interview with the ICC investigators, they asked me in fact whether the facts I
11 referred to were true and correct and then thereafter I took ill and went to Bangui.

12 Q. Did those ladies introduce themselves to you as investigators from the ICC?

13 A. Yes, that is how they introduced themselves. They gave me some information
14 about the ICC, and when introducing themselves they told me that my statement will
15 be examined and that there was going to be a trial. Well, I didn't quite believe them
16 at the time, and yet today this has come to pass and that is why I am here in this
17 courtroom.

18 Q. Did they have you sign your statement?

19 A. I did not sign any document. You see, it takes a pen to sign a document and I
20 never used any pen to sign any document, so I cannot confess here today that I did
21 sign a document of that nature.

22 Q. Did they read back to you their notes, or the record of what they had taken, to
23 determine with you whether it was a true and accurate reflection of the information
24 you had provided them with?

25 A. No, the statement was not read back to me, contrary to what was done by the

1 lawyers of the Republic of the Central African Republic. What happened is that they
2 simply showed up and introduced themselves as staff of the ICC.

3 Q. The information that these ladies brought to you, which is contained in the form
4 or the application for participation, contains the following, and this is what you
5 declared; namely, that you were a lead dancer. Which dance group did you lead?

6 A. Well, I am a citizen of the Central African Republic and I am free to promote the
7 music of my country, so I brought together a group of young people whom I was
8 teaching traditional dances and that is the group which I led.

9 Q. The application form also states that, at the time the soldiers were taking you to
10 the military camp, there was an exchange of gunfire. Was there such an exchange of
11 gunfire and, if so, between who or what forces?

12 A. I have no information about any such exchange, or exchanges, of gunfire. It is
13 true that some gunshots were fired, but these were fired by the soldiers who crossed
14 over from the other side of the river. I'm not aware of any clashes between the
15 soldiers who came, that is the attackers, and the soldiers of the Central African
16 Republic.

17 PRESIDING JUDGE STEINER: Maître Douzima, can you please give the references
18 of this information that you gave in your questions, please?

19 MS DOUZIMA LAWSON: (Interpretation) I'm sorry, Madam President. I'm
20 referring to section D of the annex; that is the application form section D.

21 PRESIDING JUDGE STEINER: The ERN number CAR-V20-0001-0060; is that
22 correct?

23 MS DOUZIMA LAWSON: (Interpretation) That is correct, your Honour.

24 Q. In the application form, you state that you sought refuge in Congo with your
25 family and that you were examined by a medical doctor. What was the nationality

1 of that medical doctor?

2 A. Thank you. I think I already told you that my state of health was abnormal at
3 the time. You see, the pygmies had picked me up from the bush and at that time
4 I was having some hallucinations and I did not have the opportunity to consult a
5 doctor, or a medical doctor, at that time. Maybe there was a problem in the
6 transcription, or the recording, of the statement. What I must say is that I did not
7 have the opportunity to consult a medical doctor.

8 Q. At section 2 of the application you state that you lost the document that was
9 given to you by the medical doctor in Congo; is that correct?

10 A. Let me repeat: I never consulted a medical doctor. What happened is that
11 these doctors learnt that there were Central African refugees at the border with the
12 Congo. They are the ones who came to us, who met me, who consulted me and who
13 wrote a prescription and who gave me the medication that I had to take. So I had a
14 prescription, but unfortunately I was not able to keep that prescription to this day.
15 What I'm saying is that I did not consult a doctor.

16 Q. A short while ago you mentioned doctors from Doctors Without Borders,
17 Médecins Sans Frontières. Did those doctors consult you?

18 A. They came to our area and they wanted to consult me, but I said, "No." I said
19 so because I was somewhat disturbed and troubled, I was traumatised, but my
20 mother advised me and so two men consulted me, but they did not touch me because
21 I was in great pain and not even the small finger could be put into my vagina. It was
22 so painful. And so the doctors consulted me. I was traumatised. I had pain all
23 over my body. I had been forced to carry several items. I had been raped. And so
24 things were very difficult for me.

25 However, they gave me a pill which caused me to sleep and I do not know what

1 transpired thereafter. It is after the treatment that I then came to, and I began
2 gradually to recognise people and to think straight.

3 Q. Was this in 2003, still in 2003?

4 A. The attackers invaded the locality in 2003, and it was in that year that we were
5 in the Congo. I can confirm it was in 2003.

6 Q. Do you know if there were other victims of rape who were consulted by this
7 doctor?

8 A. In my locality, when the Médecins Sans Frontières arrived, Doctors Without
9 Borders arrived, people who lived in my locality, well, I don't know any of them, but
10 the only girl who was raped and kidnapped in the town of Mongoumba, she was to
11 my knowledge -- well, I was the only person, to my knowledge. Now, when it
12 concerns the men, they were responsible for transporting the booty.

13 Q. You said that you had heard people speak about the Banyamulengue who were
14 in Bangui, in Sibut. Did you hear people speak about other troops who were in
15 these localities?

16 A. I think that since I was an adult, and since I suffered from these atrocities, I have
17 never heard anyone speak about such events in the Central African Republic. It was
18 only the Banyamulengue who we considered to be like animals. We were less than
19 anything.

20 THE INTERPRETER: The interpreter also asks the witness to speak more slowly,
21 please.

22 MS DOUZIMA LAWSON: (Interpretation)

23 Q. Witness, all the explanations that you're giving here are very clear. As I
24 mentioned to you this morning, the questions that I put to you are put in order to
25 enlighten the Chamber as to what happened to you and your community

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1 Mongoumba. We understand that there were times when you might speed up when
2 giving your explanations, but please remember what the President asked you this
3 morning; namely, that what you say appears on a transcript and is transcribed. You
4 have accepted that your statement be used in these proceedings as evidence, and the
5 interpreters who have just said that a moment ago you were speaking too fast. If
6 you would please slow down a bit, that would be perfect. Do you understand what
7 I have just asked?

8 A. I understand.

9 Q. Thank you. Thank you, Madam Witness.

10 Is it the first time that you or your community in Mongoumba had suffered such an
11 event?

12 A. The question that you put to me today is the same as the one I asked my mother
13 after these events took place. I asked the question, since when in the life of -- in the
14 Central African Republic has there ever been such incidents? And she said, as far as
15 she could remember, in the Central African Republic there had never been such
16 incidents. And since I've been living in the locality, I was born in the locality, it was
17 the first time in my life to see or experience or suffer such atrocities in that locality.
18 Thank you.

19 Q. You still say that the perpetrators of what you suffered are the Banyamulengue;
20 that is to say, the soldiers who came from Zaire. What makes you say that they were
21 soldiers from Zaire?

22 A. I know that there weren't other troops. These men came from the other side of
23 the river. They were soldiers from the other side of the river. I know this because
24 of their language. That's what made it possible for me to know who these soldiers
25 were. And another point, another piece of information I could add, is that I had the

1 opportunity to cross to the other side of the river to go shopping and for trade. We
2 used to give them money in order to pay to be present in their territory, their national
3 territory, and I know what their customs are and I am certain of it.

4 Q. You stated that among other things you recognise them by their language,
5 which is Lingala. You said this morning, speaking about Lingala, that some
6 inhabitants of Mongoumba also spoke Lingala. Might there not have been a
7 confusion with regards to the language?

8 A. There's no possible confusion. If only it was soldiers from Congo-Brazzaville,
9 then we would have known that they were from Congo-Brazzaville because they
10 have a particular accent when they speak, and they speak Lingala, and that is a
11 determining factor. We know that it was them, and why? I speak Lingala. The
12 inhabitants of the locality speak Lingala. The border is not far. We are neighbours.
13 We are used to trading with each other. We cross to the other side of the river.
14 They do the same thing, and that's the information that I can give you in response to
15 your question.

16 Q. And if I put it to you that these troops and their leader say that it was not them
17 who perpetrated these atrocities, what would you say to that?

18 A. For me, if someone says such a thing to me, I would consider that to be
19 offensive. If you are asking me the question, Counsel, I'm not going to get offended;
20 I'm just going to explain really what happened before the Judges. I'm not offended
21 by your question, Counsel, because you take me to explain what happened to the
22 Judges, and I maintain and I persist in saying I know that it was the Banyamulengue
23 who perpetrated such atrocities on the population and upon myself.

24 Q. Madam Witness, why did you not request special protection measures in order
25 to give your testimony?

1 A. I will answer as follows: I cannot ask for my voice or image to be distorted. I
2 want it to be natural, be myself and say before the Judges and before the whole world
3 what I suffered. I know myself who asked the Central African counsel not to enjoy
4 protective measures. I accepted to testify publicly. God is my witness. I cannot
5 come here and ask for my image or voice to be distorted.

6 Q. Witness, after all that's happened to you and what happened to your
7 community, how do you feel?

8 A. Thank you for putting this question to me. In my community I'm no longer
9 considered a human person, and by extension in the whole of the CAR I'm not
10 considered a human being. You know, I was a human being, but I was treated like
11 an animal, a burden, and that is why I cannot live normally. I cannot live
12 with -- calmly and live as all other girls of my age do. I cannot do that because I was
13 treated like an animal.
14 You see, I'm a woman. Before these events I was a woman with dignity. I could
15 have a family with dignity, but I lost my dignity. I was forced to change the man in
16 my life. Really, I have no longer any dignity. That is the reason I insisted to come
17 to testify publicly without any protective measures. Really, I suffered humiliating
18 treatment, degrading treatment and inhuman treatment.

19 Q. Witness, in your participation form, or application form, you said that you were
20 stigmatised. Who has stigmatised you?

21 A. It is not for nothing that I say that. You know, I have to live in peace, without
22 any concerns in my country, and be able to make a household with a man that I love,
23 but now if I speak to somebody, or I have problems with somebody, everything that's
24 said to me goes back to what the Banyamulengue did to me. They say, "You're not a
25 human being. The Banyamulengue humiliated you. Can you stand before me and

1 say anything?" And sometimes people spit on me, so that's how I'm stigmatised.

2 How can I stand before somebody and say anything to anyone?

3 Q. Did you file a complaint with the Central African courts?

4 A. I filed a complaint before I was transferred to Bangui because of the illness. I
5 fought with somebody and the mother of that person said to me, "You, you are a
6 Banyamulengue wife. You have AIDS. How can you dare to speak to my daughter
7 like that?" I was so upset, humiliated, and they were asking -- and that's why I was
8 asking for the government to intervene. I spoke to the police for two days following
9 this fight, and when I was interviewed I was freed and I was advised to file a
10 complaint and this is why I filed a complaint with the police. And the person who
11 had said that to me was not a common person. It was an officer, an army officer,
12 somebody of rank, and that's why it was asked that the case be transferred given the
13 developments in the situation and I told this person no longer to refer to that and that
14 is why I withdrew my complaint after pardon had been asked for.

15 Q. Did you file a complaint against the Banyamulengue who raped you?

16 A. Me, during these events, I didn't know where to go to complain. I didn't know
17 where to go. It was thanks to the ICC that I was advised and I'm now before the
18 Judges and can testify about what happened, but during the time of those events I
19 didn't know where to go where I could file a complaint.

20 Q. So exactly what do you expect from the ICC, madam?

21 A. After having testified in the documents that are before the Judges, I said that I'm
22 a human being. The Judges have to pay particular attention to my situation and the
23 Judges have to decide - rule - on this issue in rendering justice to me. That's what I
24 expect from the ICC.

25 MS DOUZIMA LAWSON: (Interpretation) Witness, thank you very much for

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1 having answered all my questions.

2 Your Honour, I would like to finish there.

3 PRESIDING JUDGE STEINER: Thank you very much, Maître Douzima.

4 Maître Zarambaud, we have only five minutes. Do you think that you can do it in
5 five minutes, or it's better if we adjourn and you can put your questions calmly
6 tomorrow morning?

7 MR ZARAMBAUD: (Interpretation) Thank you, your Honour. I would prefer to
8 do so tomorrow morning.

9 PRESIDING JUDGE STEINER: Madam Witness, thank you very much. It's almost
10 4 o'clock. We have to adjourn because our interpreters and court reporters need to
11 take some rest, as well as you deserve to take some rest, so we will stop now and
12 resume tomorrow morning at 9.30. We wish that you have a very, very restful night
13 and, if you need anything, you will have VWU - the Victims and Witnesses Unit - at
14 any time at your disposal if need be.

15 I thank very much the Prosecution team, legal representatives of victims and Dr An
16 Michels, the psychologist. I thank very much the Defence team, Mr Jean-Pierre
17 Bemba Gombo, our interpreters, court reporters.

18 I ask, please, court officer to take the witness outside the courtroom, and in the
19 meantime we will adjourn and resume tomorrow at 9.30 in this very same courtroom.
20 (The witness stands down)

21 THE COURT OFFICER: All rise.

22 (The hearing ends in open session at 3.58 p.m.)

23 CORRECTION REPORT:

24 The Court Interpretation and Translation Section has made the following correction in the
25 transcript:

1 *Page 28 lines 9 to 13
2 “ When they pulled out the dead body let me say that the dead body was still
3 wearing the bishop's cassock, but the cross remained in the vehicle. Some of the
4 attackers said that the dead body should be abandoned there, but others objected
5 because they argued that it would give the loyalists the impression that they had lost
6 someone.” Is corrected by “ When they pulled out the dead body let me say that the
7 dead body was still wearing the bishop's cassock, but they had not touched the cross,
8 which remained in the vehicle. Some said that the dead body should be abandoned
9 there because it was war, but their leader said: if we leave the body behind, the
10 soldiers of the country will think we have lost human lives.