

Trial Hearing  
WITNESS: CAR-OTP-P-2931

(Open Session)

ICC-01/14-01/21

1 International Criminal Court  
2 Trial Chamber VI  
3 Situation: Central African Republic II  
4 In the case of The Prosecutor v. Mahamat Said Abdel Kani - ICC-01/14-01/21  
5 Presiding Judge Miatta Maria Samba, Judge María del Socorro Flores Liera and  
6 Judge Sergio Gerardo Ugalde Godínez  
7 Trial Hearing - Courtroom 3  
8 Wednesday, 18 January 2023  
9 (The hearing starts in open session at 9.36 a.m.)  
10 THE COURT USHER: [9:36:01] All rise.  
11 The International Criminal Court is now in session.  
12 Please be seated.  
13 PRESIDING JUDGE SAMBA: [9:36:27] Good morning, everyone.  
14 Madam Court Officer, can you kindly mention the case.  
15 THE COURT OFFICER: [9:36:33] Good morning, Madam President, your Honours.  
16 The situation the Central African Republic II, in the case the Prosecutor versus  
17 Mahamat Said Abdel Kani, case reference ICC-01/14-01/21.  
18 And we are in open session.  
19 PRESIDING JUDGE SAMBA: [9:36:48] Thank you very much.  
20 Can I ask the parties to introduce themselves, please.  
21 MS MAKWAIA: [9:36:56] Good morning, Madam President, your Honours.  
22 For the Prosecution this morning, myself, Ms Makwaia, senior trial lawyer; Ms Leonie  
23 von Braun, trial lawyer; Ms Brunhild Le Bailly, associate trial lawyer; and Ms Adeline  
24 \*Belle, associate trial lawyer. Thank you.  
25 PRESIDING JUDGE SAMBA: [9:37:15] Thank you very much, Ms Makwaia.

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- 1 Ms Pellet for the victims, please.
- 2 MS PELLET: [9:37:23](Interpretation) Thank you, your Honour.
- 3 The victims are today represented by Tars Van Litsenborgh and myself, \*Sarah Pellet,
- 4 Counsel within the Office of Public Counsel for Victims. Thank you.
- 5 PRESIDING JUDGE SAMBA: [9:37:38] Thank you, Ms Pellet.
- 6 Can I ask Ms Naouri to introduce the team for the Defence, please.
- 7 MS NAOURI: [9:37:51](Interpretation) Thank you, your Honour. Good morning.
- 8 I have Dov Jacobs. I also have Manon Lanselle. \* Capucine Banet and Elina Legat
- 9 are behind me. And my name is Jennifer Naouri, chief counsel. Thank you.
- 10 PRESIDING JUDGE SAMBA: [9:38:08] Thank you very much, Ms Naouri.
- 11 And for the record, I note that Mr Said is in court.
- 12 A very good morning to you, Mr Said.
- 13 MR SAID: [9:38:19](Interpretation) Good morning, your Honour.
- 14 PRESIDING JUDGE SAMBA: [9:38:24] Good morning.
- 15 We have two oral decisions to issue before we commence today's proceedings, the
- 16 one in respect of the Rule 68(3) request by the Prosecution for P-2931.
- 17 The Chamber will render this short decision to introduce the annex to P-2931's
- 18 preparation log under Rule 68(3) of the Rules of Procedure and Evidence. And for
- 19 the record, the request is filing number 585.
- 20 The Chamber received the Prosecution's request on Monday, 16 January. The
- 21 Defence submitted a written response to the Prosecution's request on Tuesday,
- 22 17 January. And for the record, the response is filing number 587.
- 23 The annex contains corrections and clarifications to P-2931's prior recorded testimony,
- 24 whose introduction via Rule 68(3) the Chamber already granted. The annex also
- 25 contains additional information in that the witness was asked to comment on

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1 documents and photographs shown to him during the witness preparation session.  
2 The Prosecution submits that the annex bears sufficient indicia of reliability, is  
3 relevant and probative and that its introduction would expedite the proceedings.  
4 In addition, the Prosecution requests leave to add four items to its list of evidence.  
5 These items were shown to the witness during his witness preparation session and  
6 comprise three photographs annotated by the witness and an identity card.  
7 In its response to the Prosecution's request, the Defence objects to the introduction of  
8 the annex pursuant to Rule 68(3) of the Rules of Procedure and Evidence. First, the  
9 Defence submits that the existence of corrections and additions to prior recorded  
10 testimony means that the only way of proceeding is to discuss these with the witness  
11 in the hearing. In this regard, the Defence notes that there is no control over the  
12 manner in which the annex is prepared and there is no verbatim transcript, so there is  
13 no way to know what questions were put or asked and the manner of such  
14 questioning.  
15 Furthermore, the Defence notes that the use of Rule 68(3) reduces the level of judicial  
16 control over the process and that it is for the Prosecution to clarify contradictions  
17 between a previous statement and the preparation log so that the Defence can  
18 respond in full knowledge of the facts presented.  
19 The Defence submits that this is particularly pertinent given the contradictions and  
20 additions in P-2931's preparation log compared to his earlier statement, particularly in  
21 respect of the nature of his relationships with other individuals and the dates and  
22 chronology of his alleged detention at the OCRB. In this regard, the Defence submits  
23 that the witness's statement must be tested in court before the Chamber.  
24 Last, the Defence avers that the fact that the witness will be available for  
25 cross-examination cannot be used to justify the introduction of the annex because it

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1 would transform Rule 68(3) into the automatic introduction of all witness preparation  
2 logs, which is not the intention of the drafters of Rule 68(3).  
3 Now, at the outset, the Chamber takes into account the content of the annex and does  
4 not find that the Defence would suffer prejudice if the annex were to be introduced  
5 pursuant to Rule 68(3). In this regard, the Chamber finds that the additions and  
6 clarifications are not of such a nature or degree that would preclude the introduction  
7 of the annex. In any event, the Chamber recalls that the Defence will be afforded  
8 reasonable time to raise issues it considers relevant during its questioning of P-2931,  
9 including the reasons behind the corrections and clarifications contained in the annex  
10 to the preparation log. Accordingly, the Chamber finds that the introduction of the  
11 annex of P-2931's preparation log does not unduly infringe upon the rights of the  
12 accused and does not prejudice the Defence. The Chamber therefore authorises its  
13 introduction under Rule 68(3) of the Rules.  
14 In respect of the four items which the Prosecution requests addition to its list of  
15 evidence. The Chamber notes that in respect of the three photographs annotated by  
16 the witness, the Defence does not object to their addition, noting that the originals  
17 already appear on the Prosecution's list of evidence, and indeed two have already  
18 been deemed formally submitted by the Chamber. Accordingly, the Chamber grants  
19 the Prosecution's request to add these items to its list of evidence.  
20 In respect of the identity card, which bears the ERN number CAR-OTP-2128-0747, the  
21 Defence objects to its addition to the list of evidence, noting that the Prosecution has  
22 had this item since 13 October 2020 and did not retain it as evidence during the  
23 confirmation hearing in October 2021. Furthermore, the Defence submits that  
24 disclosure of the item in question does not in and of itself justify its late inclusion to  
25 the list of evidence, particularly given how long the Prosecution has had this item in

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1 its possession.

2 The Chamber notes that the item in question relates to an identity card of an  
3 individual who features prominently in P-2931's prior recorded testimony and was  
4 disclosed to the Defence on 7 July 2021. Whilst the Chamber acknowledges the  
5 Defence's submissions regarding the lateness of this request, the Chamber finds that  
6 the item is limited in scope, has been in the Defence's possession for a significant  
7 period of time, and that the Defence is free to question the witness on this particular  
8 item if it chooses. Accordingly, the Chamber finds that it would not be unduly  
9 prejudicial to the Defence to add the item to the Prosecution's list of evidence and  
10 allows the Prosecution to add CAR-OTP-2128-0747 to its list of evidence. The  
11 Prosecution is ordered to file an updated list of evidence in line with the present  
12 decision.

13 Now, this concludes the Chamber's oral decision in respect of the Rule 68(3) request  
14 by the Prosecution.

15 Turning to the next oral decision, the Chamber notes that the Defence has submitted a  
16 request to lift certain redactions. I'll ask the court officer to get us into private  
17 session. Thank you.

18 (Private session at 9.47 a.m.)

19 (Redacted)

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17 (Redacted)

18 (Open session at 9.55 a.m.)

19 THE COURT OFFICER: [9:55:11] We are back to open session, your Honours.

20 PRESIDING JUDGE SAMBA: [9:55:12] Thank you very much.

21 The Prosecution is calling P-2931 as its 16th witness.

22 I wish to note the following for the parties: It is our understanding that this witness

23 will be testifying in Sango via AVL. I will therefore remind everyone of the

24 importance of the need to speak slowly and to observe the five-second rule between

25 questions and answers.



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1 The Chamber also notes that the Common Legal Representative of the Victims made a  
2 request to examine P-2931 for 30 minutes in relation to the following topics: The  
3 conditions of detention at the OCRB and the alleged mistreatment of detainees, the  
4 harm he allegedly suffered as a result of the events falling within the scope of the  
5 witness's expected testimony, and reparations.

6 The parties did not object to the Common Legal Representatives' request. The  
7 Chamber agrees that the proposed topics relate to P-2931's interests and accordingly  
8 authorises the Common Legal Representative to question the witness for no more  
9 than 30 minutes.

10 Now, before commencing, the Chamber notes briefly that protective measures are  
11 confirmed for this witness by virtue of decision number 481 and that the VWU  
12 recommends certain special measures which the Chamber reminds the parties and  
13 participants to be mindful of in the questioning of this witness.

14 Can the court officer please connect us to the witness. Thank you.

15 (The witness enters the video-link room)

16 PRESIDING JUDGE SAMBA: [9:57:58] Good morning, Mr Witness.

17 WITNESS: CAR-OTP-P-2931

18 (The witness speaks Sango)

19 (The witness gives evidence via video link)

20 THE WITNESS: [9:58:01](Interpretation) Good morning, your Honour.

21 PRESIDING JUDGE SAMBA: [9:58:03] Can you see us?

22 THE WITNESS: [9:58:09](Interpretation) Yes, I can. Yes, I can, your Honour.

23 PRESIDING JUDGE SAMBA: [9:58:19] Thank you.

24 Mr Witness, you are going to testify before the International Criminal Court. On  
25 behalf of the Chamber, I would like to welcome you to this courtroom.

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1 THE WITNESS: [9:58:42](Interpretation) My thanks, your Honour.

2 PRESIDING JUDGE SAMBA: [9:58:44] Good. You should have in front of you the  
3 solemn undertaking to tell the truth that every witness who testifies before this Court  
4 must agree to. Can I ask you to read that out loud for us, please.

5 THE WITNESS: [9:59:17](Interpretation) I solemnly declare that I will tell the truth,  
6 the whole truth and nothing but the truth.

7 PRESIDING JUDGE SAMBA: [9:59:36] Thank you very much, Mr Witness.

8 Now, do you understand and agree to what you have just read?

9 THE WITNESS: [9:59:52](Interpretation) Yes, I fully understand, and I agree with  
10 what I just read out.

11 PRESIDING JUDGE SAMBA: [10:00:00] Thank you very much, Mr Witness. We  
12 will continue.

13 Mr Witness, let me explain to you the protective measures that the Chamber has put  
14 in place for your testimony. We have for you in place voice and face distortion for  
15 the duration of your testimony. Now, this means that no one outside the courtroom  
16 can see your face or hear your real voice during your testimony.

17 There will also be the use of pseudonym. And in accordance with that, we will all  
18 refer to you only as "Mr Witness", to make sure that the public does not know your  
19 real name.

20 When you answer questions that will give away who you are -- or, rather, when you  
21 answer questions that will not give away who you are, we will do so in -- in the  
22 public, in open session, which means that the public can hear what is being said in the  
23 courtroom.

24 When you are asked to describe anything that relates specifically to you, or you are  
25 asked to mention facts that might reveal your identity, we will do so in private

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1 session.

2 And lastly, I have a few practical matters you should have in mind when giving your

3 testimony. Everything we say here in this courtroom is written down and

4 interpreted. It is therefore important that you speak clearly and at a slow pace.

5 Please speak into the microphone and only start speaking when the person putting

6 the question to you has finished speaking. To allow for the interpretation, everyone

7 has to wait a few seconds before starting to speak.

8 Now, if you yourself have any question you want to ask, or if you need a break, raise

9 your hand so we know that you wish to say something.

10 We hope there are no issues with the video link. However, if there are any issues

11 with the technology, rest assured we will make sure that things are sorted out as

12 quickly as possible.

13 Do you understand all that I have just said, Mr Witness?

14 THE WITNESS: [10:04:25](Interpretation) Yes, I've understood, your Honour.

15 Having said that, earlier on you said that part of my statement will -- or my oral

16 testimony will be given in open session and other parts in private session. Could

17 you shed greater light on that, please, your Honour.

18 PRESIDING JUDGE SAMBA: [10:04:57] Certainly, Mr Witness.

19 We are going to give you as best a protection as possible. That is why we have put

20 in place voice and face distortion and the use of pseudonym. When you talk,

21 nobody outside the courtroom will know that it is you speaking because your voice

22 will be distorted. People outside the courtroom in the public will hear that

23 somebody is speaking, but they will not know that it is you speaking.

24 And because we shall be using pseudonym, we will only -- all of us here will only

25 refer to you as "Mr Witness", so that nobody outside the courtroom in the public will

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1 know your real name.

2 Do you understand that, Mr Witness?

3 THE WITNESS: [10:06:18](Interpretation) Yes, I fully understood now. Thank you.

4 PRESIDING JUDGE SAMBA: [10:06:24] If during your testimony you have any  
5 concerns as to your security, or any other issue, or if you need a break, kindly just  
6 raise your hand and we shall listen to you. Is that okay?

7 THE WITNESS: [10:06:47](Interpretation) Yes. It means that if I want to have  
8 something to drink, should I also raise my hand?

9 PRESIDING JUDGE SAMBA: [10:06:59] If you want to have something to drink, I'm  
10 sure you have some water by your side and a cup. So you don't need to raise your  
11 hand to do that. Just grab your bottle of water and pour it in your cup and have  
12 your drink. Okay?

13 THE WITNESS: [10:07:21](Interpretation) Very well.

14 PRESIDING JUDGE SAMBA: [10:07:31] Thank you.

15 I will now call on the Prosecution to start with the testimony of this witness via  
16 Rule 68(3), please. Thank you.

17 MS LE BAILLY: [10:07:45](Interpretation) My thanks, your Honour.

18 QUESTIONED BY MS LE BAILLY: (Interpretation)

19 Q. [10:07:54] Mr Witness, good morning. My name is Brunhild Le Bailly. We've  
20 already met. And I'll be putting questions to you this morning on behalf of the  
21 Prosecution. If one of my questions is not clear to you, then please don't hesitate, tell  
22 me, and I will rephrase it.

23 Have you understood?

24 A. [10:08:17] Yes, I have.

25 MS LE BAILLY: [10:08:24](Interpretation) Your Honour, could we go into private

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1 session so I can take the particulars of the witness, please.

2 PRESIDING JUDGE SAMBA: [10:08:31] Certainly.

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

4 (Private session at 10.08 a.m.)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

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1 (Open session at 10.10 a.m.)

2 THE COURT OFFICER: [10:10:59] We are back to open session, your Honours.

3 PRESIDING JUDGE SAMBA: [10:11:01] Thank you very much.

4 Madam Prosecutor, carry on.

5 MS LE BAILLY: [10:11:08](Interpretation)

6 Q. [10:11:10] Mr Witness, do you remember having been questioned by

7 investigators emanating from the Office of the Prosecutor?

8 A. [10:11:25] Yes, I do. Yes, I do remember. I remember having met them in

9 Bangui.

10 Q. [10:11:32] And do you remember the dates of those meetings in Bangui?

11 A. [10:11:42] I think it was in 2022, more exactly in the month of February.

12 Q. [10:11:57] And subsequent to those February 2022 meetings, do you remember if

13 you supplied one or several statements?

14 A. [10:12:16] Yes, I do remember. I even signed my statements after my meeting

15 with the investigators.

16 Q. [10:12:31] Very well. Now I'd like to show you a document. I'd like to ask

17 you whether you recognise it.

18 Court officer, could we bring up document on tab 1 in our list of materials.

19 ERN - it's a confidential document - CAR-OTP-2135-2245. And I'm interested in the

20 title page, ERN 2245.

21 So, Mr Witness, do you have sight of the document that is displayed on the screen

22 before you?

23 A. [10:13:19] It's not yet on my screen.

24 Q. [10:13:32] Do you see it now?

25 A. [10:13:39] Yes, I can see it, but it's -- it's too small on my screen.

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1 Oh, no, it's fine now.

2 Q. [10:13:49] Do you recognise that document, Mr Witness?

3 A. [10:13:59] That's my statement. I can also see my name, my mother's name and  
4 my father's name. I can also see here my date of birth, my Central African  
5 nationality. That's all I -- that's all I can see on this -- on this screen. And I  
6 recognise the document.

7 Q. [10:14:19] Very well. Now, just to remind you, we are in open session, so  
8 please do not read aloud any information, personal information, therefore, that relates  
9 to you. All right?

10 A. [10:14:36] Thank you. I have taken that on board.

11 MS LE BAILLY: [10:14:42](Interpretation) Court officer, could we bring up the next  
12 page, please, ERN 2246. And if you wouldn't mind zooming in to the top of the page.  
13 That's it. Thanks very much.

14 Q. [10:15:01] Mr Witness, do you recognise a name and a signature at the top of this  
15 particular page?

16 A. [10:15:12] Yes, I do. I can see my signature. I recognise it perfectly.

17 Q. [10:15:22] And your name is on the first line or the second line?

18 A. [10:15:32] My name is on the first line.

19 Q. [10:15:37] Very well.

20 Court officer, could we now move to another page, ERN 2256, please, within the same  
21 document.

22 Mr Witness, do you recognise this signature?

23 A. [10:16:11] Yes, I do. That's my signature.

24 THE INTERPRETER: [10:16:24] The Sango interpreter indicates that sound was cut  
25 off between him and the witness and would he mind resuming his utterance.

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1 MS LE BAILLY: [10:16:37](Interpretation)

2 Q. [10:16:37] Mr Witness, forgive me. The sound was cut momentarily. Could  
3 you just repeat what you just said.

4 A. [10:16:49] Thank you. As I just said, this is indeed my signature when I met the  
5 Office of the Prosecutor investigators at Bangui on 9 February 2022, in Bangui.

6 Q. [10:17:16] Very well. Thank you very much.

7 And did you provide any documents as an annex to this, your first statement, do you  
8 remember, that you may have given to those same OTP investigators?

9 A. [10:17:37] Thank you. I remember having drawn up a number of documents  
10 with them during our meetings.

11 Q. [10:17:56] Very well. Let me show you more documents. And I'd like to ask  
12 you whether you recognise them.

13 Court officer, could we bring up a document featuring in tab 2 in my list. This is  
14 confidential. ERN CAR-OTP-2135-2258.

15 Mr Witness, do you recognise this particular document?

16 A. [10:18:29] Yes, I do, perfectly, because it was me who drew up this document as  
17 an annex.

18 Q. [10:18:43] Do you recognise any writing at the bottom of this document, and the  
19 initials?

20 A. [10:18:55] Yes, I recognise that writing. I wrote it.

21 THE INTERPRETER: [10:19:08] Interpreter correction: Annex A, 9 February 2022, I  
22 recognise it is my writing, my handwriting.

23 MS LE BAILLY: [10:19:18](Interpretation)

24 Q. [10:19:19] Very well. And can you, very succinctly, could you tell us what we  
25 see in this sketch. What is it representing?



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1 A. [10:19:32] Thank you. So let me tell you, so we all see here a sketch on our  
2 screens. How can I put it? This is the layout of the location that I was in on  
3 (Redacted). So this is the layout of the OCRB compound in the centre of Bangui.

4 Q. [10:20:14] My thanks.

5 Your Honour, with your leave, could we go briefly into private session to elicit  
6 information going to a further document.

7 PRESIDING JUDGE SAMBA: [10:20:27] Madam Court Officer, can we go quickly  
8 into private session, please.

9 (Private session at 10.20 a.m.)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

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- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Open session at 10.23 a.m.)
- 5 THE COURT OFFICER: [10:23:11] We're in open session, Madam President.
- 6 PRESIDING JUDGE SAMBA: [10:23:14] Thank you.
- 7 Carry on, Madam Prosecutor.
- 8 MS LE BAILLY: [10:23:19](Interpretation)
- 9 Q. [10:23:22] Mr Witness, I'm now going to show you another document and I
- 10 would like to know whether you recognise it.
- 11 Court officer, could you bring up on the screen document in tab 4 in our list of
- 12 materials. This is confidential. ERN CAR-OTP-2135-2260.
- 13 Mr Witness, do you recognise that document, if you can see it properly on your
- 14 screen?
- 15 A. [10:24:20] Yes, I can see the document, except that it's too small.
- 16 Q. [10:24:37] Can you see it better now as it's displayed on the screen?
- 17 A. [10:24:45] Yes, it's better now.
- 18 Q. [10:24:51] Do you recognise that document, Mr Witness?
- 19 A. [10:24:59] Yes, I do, perfectly, as I said a moment ago.
- 20 Q. [10:25:09] Could we zoom in on the bottom of this page, please, where we'll see
- 21 a name and a signature -- names and signatures.
- 22 So remember we're in open session, Mr Witness, so please do not mention any name.
- 23 Do not yield any personal information. But do you recognise a name or a signature
- 24 here at the bottom of this particular page?
- 25 A. [10:25:47] I can see a signature at the bottom of this document. And it's my

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1 signature. I recognise it easily.

2 Q. [10:26:07] And your name, is it on the first line or the second line?

3 A. [10:26:23] My name is at the bottom of this document.

4 Q. [10:26:42] And --

5 THE INTERPRETER: [10:26:48] Witness continues.

6 MS LE BAILLY: [10:26:53](Interpretation)

7 Q. [10:26:54] Very well. And is your name the first name we see at the bottom of  
8 this page, on the first line or the second line, the second name that we see at the  
9 bottom of the -- of the document?

10 A. [10:27:13] Would you mind scrolling down a little bit. That would help me see  
11 it better. Or perhaps scroll it up a bit.

12 Q. [10:27:34] Well, perhaps we can zoom in more, once again homing in on those  
13 names and signatures.

14 A. [10:27:50] I can see my name written in blue ink on the first line. That is indeed  
15 my name.

16 Q. [10:28:01] Very well, Mr Witness.

17 Now I would like to bring up another page, ERN 2264, if that would be possible.

18 Mr Witness, do you recognise that signature that is displayed here?

19 A. [10:28:39] Yes, I recognise, recognise it perfectly. This is my signature. It has  
20 my name's initials in it. And this was on 10 February 2022 in the centre of town.

21 Q. [10:29:05] Very well. So is this the second statement that you gave to the OTP  
22 investigators on that, therefore on 10 February 2022?

23 A. [10:29:23] Yes, that's right.

24 Q. [10:29:29] Very well. Thank you.

25 Your Honour, honourable members of the bench, in light of your decision, your oral

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1 decision going to our motion, I will now continue with the additional procedural  
2 requirements.

3 Witness, before appearing before the Court to testify today, did you have the  
4 opportunity to reread and review your statement during a preparatory session with  
5 the Office of the Prosecutor via video link?

6 A. [10:30:17] Yes, I had the opportunity to do so with them. They gave me the  
7 opportunity to look at my statement via video.

8 Q. [10:30:33] And during this preparatory session did you have the opportunity to  
9 make corrections thereto or to make clarifications with regard to your previous  
10 statement?

11 A. [10:30:53] Yes, indeed, I made certain corrections and clarifications thereto. I  
12 recognise that. Because I swore an oath to tell the truth.

13 Q. [10:31:10] Very well. I would now like to show you a document and I'd like to  
14 ask you once again if you recognise it.

15 Court officer, could you show the document on tab 25 of the list, confidential list,  
16 ERN CAR-OTP-00000802.

17 Could we just go up to the very top of the page to see the title of the page. Thank  
18 you.

19 Witness, do you see -- can you read this document?

20 A. [10:32:17] I can see the document. I can see it well. I can read it well and I  
21 recognise it. It's the document which was drawn up during the preparatory session  
22 for my statement.

23 Q. [10:32:38] Very well.

24 I would now like to ask that page 5 is shown, 00005, of the same document. Could  
25 we zoom in a bit more to the bottom of the document and the signature. Thank you.

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1 Witness, do you recognise the signature?

2 A. [10:33:27] Yes, I recognise the signature. I recognise it because I used a pen and  
3 made -- or I used a marker and did it on a tactile screen -- a tactile keyboard.

4 THE INTERPRETER: [10:33:58] Corrects the interpreter.

5 MS LE BAILLY: [10:34:01](Interpretation)

6 Q. [10:34:01] Witness, so these are the corrections and clarifications that you made  
7 to the Office of the Prosecutor on 13 January 2023?

8 A. [10:34:25] Yes, it is indeed that.

9 Q. [10:34:30] Very well.

10 Witness, we've now noted your corrections and clarifications, in addition to your two  
11 statements, your two previous statements. I would therefore like to know, to the  
12 best of your knowledge and awareness, when you provided all this -- when you  
13 provided all this statement, did you do it to the best of your knowledge and memory?

14 A. [10:35:01] I said all the truth, indeed.

15 Q. [10:35:08] Very well.

16 And to finish with my examination-in-chief, I just have two more questions to put to  
17 you before the Court.

18 Taking into account all your corrections and clarifications once again, I would like to  
19 know if you are in agreement that the judges use your two previous statements that  
20 we've just seen together as evidence in this case?

21 A. [10:36:03] Would you allow me to put a question to you?

22 Q. [10:36:08] Yes, of course.

23 A. [10:36:15] As in February, my statement was taken in January 2023, and once  
24 again my statement was taken again. But for the proper functioning of justice, if the  
25 two statements are to be useful, then it causes no problem for me whatsoever. If

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1 they are to be used as evidence in this case, it would pose absolutely no problem to  
2 me whatsoever.

3 Q. [10:37:14] So I note that there's no problem with the judges using your previous  
4 statements, both of them, and it's no problem for them, therefore, to use your  
5 corrections and clarifications, the corrections and clarifications which we made in  
6 January 2023 during the preparatory session.

7 A. [10:37:47] I have no problem with that whatsoever.

8 Q. [10:37:51] Very well.

9 So my last question is a bit repetitive, but it's a procedural question. Would you  
10 have any objection to us using all of your documents?

11 A. [10:38:23] I think the decision doesn't come from me. You asked me to give an  
12 account of what I experienced and what I know. So my motivation was to give my  
13 statement and if it is to be used for the purposes of justice I have absolutely no  
14 problem with that.

15 Q. [10:38:49] Very well. I'd like to thank you, Witness, for your testimony. I  
16 have finished with my questions and I now turn towards Madam President.

17 Your Honours, if that satisfies your procedural requirements under 68(3) without any  
18 other instructions from you.

19 PRESIDING JUDGE SAMBA: [10:39:14] Thank you very much, Madam Prosecutor.

20 We confirm that we deem -- we deem that the requirements of Rule 68(3) are satisfied.

21 So we will now call on Ms Pellet for the victims to put questions to this witness,  
22 please.

23 MS PELLET: [10:39:39](Interpretation) Thank you, your Honour. I would just  
24 crave your indulgence for a minute such that I can get the lectern.

25 Thank you, Madam President.

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1 I maintain my request that in accordance with your \* decision on the Conduct of  
2 Proceedings, and because my colleague from the Prosecution has just satisfied the  
3 requirements of Rule 68(3), I will limit my questions to the harm suffered by the  
4 witness during the events of 2013 and the impact of these events on his life and that of  
5 his family.

6 QUESTIONED BY MS PELLETT: (Interpretation)

7 Q. [10:40:42] Good morning, Witness.

8 A. [10:40:45] Good morning, Counsel.

9 Q. [10:40:49] We know each other, but for the purpose of the transcript \* I would  
10 like to specify that I am your legal representative because you were authorised to  
11 participate in the proceedings on 27 May on the basis of a form that we filled in  
12 together on 10 February 2022 via video link and telephone, when the network didn't  
13 allow us to continue with the video link.

14 So you were in the office of *Maître* Bekoy. Could you confirm that, please, this  
15 information.

16 A. [10:41:35] \* Yes, I confirm that, indeed we know each other and we had  
17 discussions together when I was in the office of *Maître* Dibert-Bekoy. We did it by  
18 video link and by phone.

19 Q. [10:42:00] Thank you, Witness.

20 Your Honour, I would now like to refer to our submissions in paragraph 30 and 31  
21 thereof, ICC-01/14-01/21-518.

22 Witness, do you still think back to the events which led to your victimisation in  
23 2013?

24 A. [10:42:48] Yes, I still remember what happened to me in 2013.

25 Q. [10:43:03] And how do you feel when you think back to these events?

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1 A. [10:43:30] When I remember that, well, a long time ago I was very afraid, but the  
2 conditions are no longer the same. The context is no longer the same. To a certain  
3 extent, I've been able to overcome certain difficulties and I'm trying to find peace  
4 within myself.

5 Q. [10:43:57] Thank you, Witness.

6 Do you still have nightmares?

7 A. [10:44:19] No. I no longer have nightmares like before, because my life is  
8 improving positively with the help that I'm receiving.

9 Q. [10:44:34] And what help is that, Witness?

10 A. [10:44:48] I think the fact that I am before justice and the fact that I discuss with  
11 lawyers, Madam Sarah gives me advice. The Office of the Prosecutor gives me  
12 something to survive with and that gives me less stress and it improves my general  
13 condition.

14 Q. [10:45:21] \* Mr. Witness, did you benefit at any time, since your release in 2013,  
15 from psychological treatment?

16 A. [10:45:49] I had the possibility through the advice that was given by the elders  
17 or the experts who were working in the area of trauma, post-traumatic stress  
18 syndrome. I participated in certain workshops, seminars, and that was certainly  
19 beneficial for me.

20 Q. [10:46:22] Thank you very much, Witness.

21 In your statement to the Office of the Prosecutor, you indicated that at the time of  
22 your arrest you were a student; is that correct?

23 A. [10:46:48] That's correct, I was a student. I was in -- when these people, these  
24 wrongdoers came to the house, I was no longer sleeping. I was carrying out  
25 different exercises. And at that time I was a student. I was learning.



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1 Q. [10:47:16] Did you have another activity that you were carrying out, another  
2 activity which would generate revenue at the time of your arrest?

3 A. [10:47:35] \* At that time I was a student and I had some income-generating  
4 activities when I went home. I used to sell different articles, pharmaceutical products  
5 from a small kiosk, and that made it possible for me to buy periodicals and books, to  
6 facilitate my studies.

7 Q. [10:48:14] I'm sorry, I'm going back to your status as a student. Have you been able  
8 to go back to your studies, or were you able to go back to your studies after your arrest?

9 A. [10:48:37] After my arrest and after I was freed, the conditions, the living  
10 conditions were not good. What I tried to do was to get employment. And, thank  
11 God, I managed to find employment, a job which I still hold to this day.

12 Q. [10:49:03] Thank you, Witness.

13 Now, you indicated previously that at the time of your arrest you were selling  
14 different articles in a kiosk. So what happened to your stock after your arrest?

15 A. [10:49:36] I think I lost everything. I lost all the stock that I had. I said that I  
16 was selling pharmaceutical products, different articles such as clothing. And when I  
17 tell you that I lost everything, that's because when I was arrested by these criminals I  
18 was asked to wash shoes or clean shoes, and I saw that these were articles that I was  
19 selling. I noted that they had pillaged my kiosk, my shop. So when I was freed, I  
20 had nothing to do and I decided to go into the provinces on (Redacted).

21 Q. [10:50:33] Thank you, Witness.

22 Who are you referring to when you say "they" pillaged everything?

23 A. [10:50:48] Here I'm referring to those people who smashed down our door and  
24 arrested me. I'm clearly speaking about the Seleka.

25 Q. [10:51:02] Thank you, Witness.

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1 You've just indicated that after your arrest you fled into the provinces. And was it  
2 \*of your own will?

3 A. [10:51:32] No, it wasn't of my own will. It's not what I wanted to do, not at all.  
4 Because when I was freed and my older brother was buried --

5 \*MS PELLET: [10:51:53](Interpretation) Your Honour, with a view to security, I  
6 would ask that we go into private session for this answer.

7 PRESIDING JUDGE SAMBA: [10:52:01] Madam Court Officer, can we go into  
8 private session, please.

9 (Private session at 10.52 a.m.)

10 THE COURT OFFICER: [10:52:19] We're in private session, your Honours.

11 PRESIDING JUDGE SAMBA: [10:52:21] Thank you very much.

12 Ms Pellet, continue, please.

13 \*MS PELLET: [10:52:27](Interpretation) Thank you, Madam President.

14 Q. [10:52:30] Witness, I'm sorry for interrupting you, but as you -- as the President  
15 explained to you at the beginning, during your testimony, for security measures so as  
16 not to reveal information which could identify you, it is more sure to go into -- it's  
17 safer to go into private session.

18 Could you once again reply to my question. Please excuse me.

19 A. [10:53:07] Thank you. What I was saying a moment ago when I was  
20 interrupted, I was saying the following: \* I didn't go of my own volition, because of  
21 what I experienced, my parents wanted to protect me. And it was for this reason  
22 that they gave me some money to pay for the transport in order for me to take refuge  
23 in the provinces. So I left with nothing.

24 Q. [10:53:59] Thank you, Witness.

25 And do you feel safe now, Witness?

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1 A. [10:54:22] \* What I can say by way of answer to that, I see that the State  
2 authorities, the defense and security forces, and the judiciary are working and that  
3 gives me a certain assurance, a relative degree of security. But where it concerns me  
4 myself, I don't know. I'm a human being. I can't reply. I can't answer that.

5 Q. [10:54:57] Thank you.

6 Witness, what do you expect from the trial of Mr Said?

7 \*A. [10:55:21] As far as I know, I never knew who Mr Said was, and it is up to  
8 justice to decide what happens next.

9 MS PELLET: [10:55:42](Interpretation) Thank you, Mr. Witness. Madam President. I  
10 have finished with my questions.

11 PRESIDING JUDGE SAMBA: [10:55:49] Thank you very much, Ms Pellet.

12 Ms Naouri for the Defence, I see we have five minutes before the break. We could as  
13 well take an early break and come back at 11.25, if that's fine for you.

14 Mr Witness, we are going to take a break, so we come back in 30 minutes, at  
15 11.35 -- 11.25. I'm sorry, 11.25.

16 So I rise the Court and ask that we come back for 11.25, please. Thank you.

17 THE COURT USHER: [10:56:26] All rise.

18 (Recess taken at 10.56 a.m.)

19 (Upon resuming in open session at 11.28 a.m.)

20 THE COURT USHER: [11:28:51] All rise.

21 Please be seated.

22 PRESIDING JUDGE SAMBA: [11:29:13] Good morning, everyone, again.

23 Good morning, Mr Witness. We're going to have you cross-examined by counsel for  
24 the Defence. And I'll ask for your cooperation.

25 Ms Naouri, your witness. And for your information, I think we're in open session.

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- 1 We're in open session, yes.
- 2 MS NAOURI: [11:29:49](Interpretation) My thanks, your Honour. The  
3 cross-examination will be done by Counsel Jacobs, in actual fact.
- 4 PRESIDING JUDGE SAMBA: [11:29:57] That's fine.
- 5 Mr Jacobs, your witness then.
- 6 MR JACOBS: [11:30:09](Interpretation) My thanks, your Honour.
- 7 QUESTIONED BY MR JACOBS: (Interpretation)
- 8 Q. [11:30:23] Good morning, Witness.
- 9 A. [11:30:31] Good morning, Counsel.
- 10 Q. [11:30:35] My name is Dov Jacobs and I'm going to be putting questions to you  
11 on behalf of Mr Said's defence.
- 12 Can you hear me properly, Mr Witness?
- 13 A. [11:30:48] Yes, I can. I can hear you perfectly.
- 14 Q. [11:30:57] Perfect. As was recalled by the Presiding Judge, we need to speak  
15 slowly to facilitate the interpretation. So we need to wait before responding to each  
16 other so that things can be properly interpreted and we have a clear and accurate  
17 record. All right?
- 18 A. [11:31:27] I fully understood.
- 19 Q. [11:31:40] Fine.
- 20 Your Honour, for my first set of questions, could we move into private session,  
21 please.
- 22 PRESIDING JUDGE SAMBA: [11:31:49] Madam Court Officer, can we move into  
23 private session, please.
- 24 (Private session at 11.32 a.m.)
- 25 (Redacted)

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1 (Redacted)

2 (Open session at 12.36 p.m.)

3 THE COURT OFFICER: [12:36:24] We're in open session, your Honours.

4 PRESIDING JUDGE SAMBA: [12:36:26] Thank you very much.

5 Mr Jacobs, your witness, please.

6 MR JACOBS: [12:36:35](Interpretation) Thank you, your Honour.

7 Q. [12:36:38] Mr Witness, I'll put my question to you again then. Do you  
8 remember when you were contacted by the Office of the Prosecutor for the very first  
9 time?

10 A. [12:36:56] The very first time was on the day when I signed at the bottom of that  
11 particular document, so 9 February 2022.

12 Q. [12:37:17] All right. I'm going to narrow down my question so that we're  
13 absolutely sure. Here you're talking about the day that you signed your written  
14 statement, Mr Witness, in February 2022. But before that, before you actually met  
15 the investigators to make your statement, when did the Office of the Prosecutor  
16 initially contact you? Did they write to you? Did they telephone you for the very  
17 first time to ask to meet you?

18 A. [12:37:59] That goes way back. It's a long way back, because it's been a  
19 protracted process. It was since 2022 that they started to contact me, and then they  
20 did it again in 2021. It was in 2022 that we were able finally to meet.

21 Q. [12:38:36] Thank you, Mr Witness. Maybe this will jog your memory, but the  
22 interview memo that we talked about earlier on bears the date 26 September 2020.  
23 Does that help you recall when the investigators contacted you for the very first time?

24 A. [12:39:11] You know, there were telephone contacts and physical meetings.  
25 That's why I'm talking about this.

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1 Q. [12:39:36] All right. And when the Office of the Prosecutor contacted you for  
2 the very first time, did they do so by telephone?

3 A. [12:40:05] Would you mind rephrasing your question so I can understand it  
4 properly, please.

5 Q. [12:40:16] Of course, Mr Witness. You spoke to investigators in 2020, 26  
6 September 2020, to offer your account. Did you speak to them over the phone,  
7 Mr Witness; is that right?

8 A. [12:40:45] Thank you for your question. Yes, we had a telephone conversation.  
9 And in 2022 I was able to sign the document that you saw. As you know, I have  
10 taken an oath here to tell the truth.

11 Q. [12:41:06] Of course, Mr Witness. All we're trying to do is trying to establish  
12 the chronology of events.

13 So when they called you up on the phone for the very first time, did they explain to  
14 you, did they tell you how they had obtained your telephone number? Please don't  
15 give any names at this point. The question is, did they explain over the phone how  
16 they knew who you were?

17 A. [12:41:39] They telephoned me. And because they had done so, immediately I  
18 became frightened, because I thought it may be my torturers ringing me up. And  
19 when I saw the number, it was strange. I couldn't pick up the call.

20 Next day they called me three times. First time it was 9 a.m., then at 10 a.m. And  
21 then at 1 p.m., after lunch, they called me and I picked up this time. (Redacted)

22 (Redacted)

23 (Redacted) and that's how we started our conversation.

24 \* MR JACOBS: [12:42:19]: (Interpretation) Mr Witness, I'm sorry, we are in open  
25 session.

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1 PRESIDING JUDGE SAMBA: [12:42:29] Can we have that portion redacted, please.

2 Thank you.

3 Mr Witness, can you avoid naming names, please. Thank you.

4 MR JACOBS: [12:42:58](Interpretation) Thank you, your Honour.

5 Once again I'll continue with my question, but it could be ...

6 Q. [12:43:03] Mr Witness, please be careful. Please don't provide revealing  
7 information or tell us -- you know, if you want to give us additional information, then  
8 perhaps we can move into private session. All right?

9 A. [12:43:23] Very well. You were asking me about the telephone call that I  
10 received from the Office of the Prosecutor and that's why I tried to provide an answer.

11 Q. [12:43:37] Yes, of course.

12 I have one or two questions by way of clarification, based on what you've told us.

13 Perhaps, out of an abundance of caution, we should move into private session,  
14 your Honour.

15 PRESIDING JUDGE SAMBA: [12:43:53] If that's good.

16 Madam Court Officer, can we go into private session, please. Thank you.

17 (Private session at 12.44 p.m.)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)



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- 1 (Redacted)
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- 3 (Redacted)
- 4 (Recess taken at 1.01 p.m.)
- 5 (Upon resuming in open session at 2.32 p.m.)
- 6 THE COURT USHER: [14:32:44] All rise.
- 7 Please be seated.
- 8 PRESIDING JUDGE SAMBA: [14:33:11] Good afternoon, everyone.
- 9 We are going to continue with the cross-examination of the witness by Mr Jacobs. I
- 10 hope we all had a good lunch.
- 11 So, Mr Jacobs, your witness, please.
- 12 MR JACOBS: [14:33:34](Interpretation) My thanks, your Honour.
- 13 Q. [14:33:44] Good afternoon, Mr Witness.
- 14 A. [14:33:54] Good afternoon, Counsel.
- 15 PRESIDING JUDGE SAMBA: [14:33:56] Yeah, Mr Jacobs, just to inform you that we
- 16 are in open session. Thank you.
- 17 MR JACOBS: [14:34:08](Interpretation) Yes. Thank you, your Honour. I was
- 18 going to ask if we could move into private session for my next line of questioning.
- 19 PRESIDING JUDGE SAMBA: [14:34:19] Definitely.
- 20 Madam Court Officer, can you please get us into private session. Thank you.
- 21 (Private session at 2.34 p.m.)
- 22 (Redacted)
- 23 (Redacted)
- 24 (Redacted)
- 25 (Redacted)

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Pursuant to the Trial Chamber VI's Conduct of proceedings, ICC-01/14-01/21-251, dated 9 March 2022, the public reclassified and lesser redacted version of this transcript is filed in the case.

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12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 Q. [14:52:23] Thank you, Mr Witness.

24 And harking back to your written statement, you met the investigators on three

25 consecutive days. Were you asked to sign a document or reread notes each day

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1 throughout the course of this meeting?

2 A. [14:52:48] Yes. In each case, I signed for each day. Each day, at the end of the  
3 interview, I signed my statement. So over the three days that spanned the interview,  
4 each time I was given a document that I was to sign.

5 On the last day, for example, we reread the entire document, and the corrections and  
6 the amendments had been incorporated. And I had to fill out a form, I think. I had  
7 to sign.

8 THE INTERPRETER: [14:53:29] Correction from the interpreter: There was a form  
9 that I had to sign.

10 MR JACOBS: [14:53:43](Interpretation)

11 Q. [14:53:43] Thank you, Mr Witness.

12 So here you are talking about rereading. So the document was read back to you. In  
13 which language, Mr Witness?

14 A. [14:54:04] The rereading was done in Sango so that I could properly understand  
15 its content and what had been transcribed.

16 Q. [14:54:20] Thank you, Mr Witness.

17 Now, can we bring up on our screens page 2264 of the written statement, the  
18 statement which is currently appearing on our screens. I'll give you the number  
19 again, 2264.

20 Do forgive me. It's my mistake. I'd like to clarify.

21 Sorry, I muddled up the two written statements. 2256 is the page of interest to me to  
22 clarify.

23 Just waiting for the document to appear on your screen, Mr Witness.

24 Can you see the document, Mr Witness, or not quite yet?

25 A. [14:56:42] I can see the document.

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1 Q. [14:56:46] Perfect. So here we can see a witness acknowledgment that you've  
2 signed. And the first sentence reads: "This statement was read out to me in French  
3 and Sango." Can you see that, Mr Witness?

4 A. [14:57:12] I think I've already said that.

5 Q. [14:57:19] That's right. But you've just told us that this statement was reread to  
6 you in Sango just a few minutes ago, and here we read that it was read out to you in  
7 French and Sango. So I want to understand, the statement was read back to you also  
8 in French?

9 A. [14:57:51] I think that, in the group, some people didn't understand Sango, so  
10 the document or the statement was read out for those who didn't understand Sango.  
11 And for me, it was read out in Sango.

12 Q. [14:58:22] Thank you, Mr Witness.

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 Q. [15:00:10] Okay. That's very clearly understood, Mr Witness. So you made a  
25 second statement on (Redacted) (Redacted), the following day. When did the

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1 investigators ask you to come back the next day?

2 A. [15:00:36] On (Redacted), it was in the afternoon that they took my statement.

3 Q. [15:00:58] Okay. And are the people whom you meet the same as those you  
4 had met when you gave your first statement?

5 A. [15:01:15] No, they were not the same people. There was another interpreter  
6 who was there.

7 Q. [15:01:35] So there was another interpreter. Were the investigators from the  
8 Office of the Prosecutor the same?

9 A. [15:01:50] I have just told you, they were not the same people. They were other  
10 people who were there that day. They showed me other documents that were not  
11 the same as the other ones, the first documents I saw.

12 Q. [15:02:18] Okay. I'm merely trying to understand so that the case could be as  
13 clear as possible. (Redacted)  
14 (Redacted). Everyone  
15 had changed.

16 A. [15:02:43] It is the truth that I'm telling you. They were not the same people.

17 Q. [15:03:01] Thank you, Mr Witness.

18 During this second statement, you talk about certain things. Namely, you spoke of  
19 some mistakes, things that were presented as errors and dates during the first  
20 statement. When you had the first statement reread or read back to you (Redacted),  
21 why did you not correct those errors at that point, when it was being read back to  
22 you?

23 A. [15:03:51] On that day, I was a bit disturbed because there were many things to  
24 do. That is why I did not have the opportunity to do this.

25 Q. [15:04:13] What do you mean by "many things to do", Mr Witness?

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1 A. [15:04:30] The investigators insisted that I be able to provide them clarifications,  
2 and so I recounted to them everything I had experienced. Moreover, I had made a  
3 mistake. (Redacted), I had referred to the month of  
4 June, and that prompted me to correct myself.

5 Q. [15:05:29] Thank you, Mr Witness.

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

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9 (Redacted)

10 Q. [15:35:49] Thank you, Witness. I'm going to move on to another topic now.

11 Your legal representative this morning recalled that - T-46, page 26, lines 11 to

12 36 -- page 26, lines 19 --

13 THE INTERPRETER: [15:36:30] Interpreter is not sure of the lines.

14 MR JACOBS: [15:36:33](Interpretation)

15 Q. [15:36:33] And that you have filled out on (Redacted) your request to participate

16 as a victim, and that you were at the office of *Maître* Bekoy. Do you remember that,

17 Witness?

18 A. [15:36:50] Yes, I do remember. In 2022, at the office of *Maître* Dibert-Bekoy, my

19 lawyer, legal representative, and myself, we have had a contact through Skype.

20 There was a connection issue, and I filled out a form.

21 Q. [15:37:28] Thank you, Witness.

22 And when were you contacted for the first time to testify as a participating victim in

23 this case?

24 A. [15:37:55] Do you mean recently or prior to now?

25 Q. [15:38:01] I will rephrase my question. (Redacted), you were in the office of

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1 *Maître* Bekoy and you were filling out your participation request. We agree on that,  
2 right, Mr Witness?

3 A. [15:38:17] Yes, we agree on this, absolutely.

4 Q. [15:38:20] Very well. So my question is: How did that meeting take place?  
5 So you were contacted to come to the office of *Maître* Bekoy. So how is it that that  
6 day you ended up in the office of *Maître* Bekoy, and how is it that you filled out your  
7 participation request on that day?

8 A. [15:38:45] It's *Maître* Sarah Pellet who contacted me by telephone.

9 Q. [15:39:10] Thank you. And when did this phone contact take place,  
10 Mr Witness?

11 (Redacted)

12 (Redacted)

13 Q. [15:40:01] You just told us that the phone call took place at the office of *Maître*  
14 Bekoy, but I was referring to prior to that. Who contacted you to tell you to go to the  
15 office of Mr Bekoy to meet *Maître* Tiangaye?

16 A. [15:40:33] Before I went there, since we had finished, the investigators of the  
17 Office of the Prosecutor told me that the legal representatives of victims should -- or  
18 were going to call me in order to talk to me. And it is after that that the legal  
19 representative of victims called me. She told me that her name is Sarah Pellet and  
20 that I should call to plus 01 at 74, where I should find *Maître* Dibert-Bekoy in order to  
21 get in touch with her. So I went at 9 o'clock and *Maître* Sarah and *Maître* Bekoy had a  
22 telephone exchange. And I myself had the opportunity to take part in this.

23 Q. [15:42:03] Thank you, Witness.

24 When you filled out your participation request, did you have a copy of your prior  
25 statement that you made with the OTP representatives?



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1 A. [15:42:30] No, absolutely not. I did not have a copy. But when I arrived, I was  
2 asked some questions regarding what happened to me, my life, but it was not based  
3 on the statement that I had given to the OTP investigators.

4 Q. [15:43:21] Witness, you just talked to us about Mr Tiangaye when you  
5 mentioned. That person is the prime minister, right?

6 A. [15:43:45] I believe I've already told you that at the office of *Maître* Tiangaye,  
7 which is at address number 74, it is in the office of *Maître* Tiangaye that I went and I  
8 talked there with *Maître* Dibert-Bekoy. But this has nothing to do with Tiangaye. I  
9 have never met him.

10 Q. [15:44:27] Yes, it's understood, Witness. But the office of *Maître* Tiangaye, you  
11 went there. That is the office of the person who became prime minister under the  
12 Seleka; is that correct?

13 A. [15:44:58] I believe that I've already stated, and I only say what I know and I can  
14 only say what I saw. I went to that office to meet *Maître* Dibert-Bekoy, and I do not  
15 have any answers to give you regarding questions relating to Mr Tiangaye.

16 Q. [15:45:29] Thank you, Witness.

17 This was my last question, Madam President. This is -- this puts an end to the  
18 cross-examination of the Defence.

19 PRESIDING JUDGE SAMBA: [15:45:46] Well, thank you very much, Mr Jacobs.  
20 Thank you.

21 Mr Witness, we've come to the end of questioning by parties and participants. Now  
22 I'm going to ask the Prosecution whether they have any questions in re-examination,  
23 after which one of my colleagues, my brother on my left, will put a question to you.

24 Madam Prosecutor, do you have any questions in re-examination, please?

25 MS LE BAILLY: [15:46:24](Interpretation) I do not have any additional questions,

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- 1 Madam President. Thank you.
- 2 PRESIDING JUDGE SAMBA: [15:46:29] Thank you very much.
- 3 Judge Ugalde, you have a question for this witness. Thank you.
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
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1 that we do not have the transcript as it is right now.

2 PRESIDING JUDGE SAMBA: [15:53:49] I'm informed there are about - I think, is  
3 it - nine pages missing.

4 But yes, Madam Court Officer, how do we take care of that?

5 THE COURT OFFICER: [15:54:02] I saw my colleagues took care of it and they  
6 restarted and now I see it working.

7 If the Defence counsel could confirm that they now see the running French transcript,  
8 please.

9 Any missing excerpt, just to clarify to the Chamber, also will be caught up later.

10 Thank you.

11 PRESIDING JUDGE SAMBA: [15:54:28] Is it okay, Ms Naouri? Okay.

12 So that brings us to the end of today's session.

13 Mr Witness, on behalf of the Chamber, I wish to thank you very much for your  
14 cooperation and for helping us so that at the end of this trial we will be able to  
15 dispense justice. We really do wish you well in your future endeavours.

16 (The witness is excused)

17 PRESIDING JUDGE SAMBA: [15:54:52] On that note, Counsel for the Defence,  
18 Victims and the Prosecution, this Court stands adjourned until further notice.

19 THE COURT USHER: [15:55:06] All rise.

20 (The hearing ends in private session at 3.55 p.m.)