

Trial Hearing
WITNESS: CAR-V45-P-0002

(Open Session)

ICC-01/14-01/18

1 International Criminal Court
2 Trial Chamber V
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard
5 Ngaißsona - ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and Judge Chang-ho Chung
7 Trial Hearing - Courtroom 1
8 Tuesday, 26 September 2023
9 (The hearing starts in open session at 9.33 a.m.)
10 THE COURT USHER: [9:33:20] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SCHMITT: [9:33:41] Good morning, everyone.
14 Court officer, please call the case.
15 THE COURT OFFICER: [9:33:50] Good morning, Mr President, your Honours.
16 Situation in the Central African Republic II, in the case of The Prosecutor versus
17 Alfred Yekatom and Patrice-Edouard Ngaißsona, case reference ICC-01/14-01/18.
18 And for the record, we are in open session.
19 PRESIDING JUDGE SCHMITT: [9:34:05] Thank you very much.
20 I ask for the appearance of the parties. We start with the Prosecution, please.
21 MR GARCIA: [9:34:11] Good morning, Mr President, your Honours. Lucio Garcia,
22 for the Prosecution. I am with Mr Yassin Mostfa and also Mr Kweku Vanderpuye.
23 Thank you very much.
24 PRESIDING JUDGE SCHMITT: [9:34:20] Thank you.
25 For the CLRVs, first, Ms Massidda.

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- 1 MS MASSIDDA: [9:34:26] Good morning, Mr President, your Honours. For
2 victims of the others crimes appearing today, Mr Chenaifa Merouane and myself,
3 Paolina Massidda.
- 4 PRESIDING JUDGE SCHMITT: [9:34:35] Thank you.
5 Next is Mr Suprun.
- 6 MR SUPRUN: [9:34:37] Good morning, Mr President. Good morning, your
7 Honours. The composition of our team is same as last week. Thank you.
- 8 PRESIDING JUDGE SCHMITT: [9:34:42] Thank you. That was very short.
9 I see turn to the Defence. Ms Dimitri first.
- 10 MS DIMITRI: [9:34:47] Thank you, Mr President. Good morning. Good morning,
11 your Honours. Good morning, everyone. Mr Yekatom is present in the courtroom
12 and he's represented today by Ms Anta Guissé, Ms Yousra Lamqaddam,
13 Ms Alexandra Baer, Ms Alexia Legault, Mr Lionel Messi Tikpa, Ms Lena Casiez,
14 Mr Gyo Suzuki. And we also have our visiting professional, Mr Simon Ruel.
15 Thank you. And myself, Mylène Dimitri.
- 16 PRESIDING JUDGE SCHMITT: [9:35:15] Good morning. That is a huge
17 composition, so to speak. So that's the first achievement, to have them all in mind
18 when you announce it. Thank you.
19 Mr Knoops next, please.
- 20 MR KNOOPS: [9:35:26] A very good morning, Mr President, your Honours. Good
21 morning everyone in the courtroom. The Defence team of Mr Ngaïssona appears
22 today before the Chamber with Ms Despoina Eleftheriou, Ms Sorenza Bangaya, and
23 on my left side Mr Mathias Goffe. And Mr Ngaïssona is in the rear right side of the
24 courtroom. Thank you.
- 25 PRESIDING JUDGE SCHMITT: [9:35:47] Thank you very much.

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1 We will now start with the testimony of -- Ms Dimitri, you have an issue.

2 MS DIMITRI: [9:35:52] Yes. Apologies, Mr President. I think -- I'm not sure,
3 because I have no connection at all. I think we might have Ms Sabine Bayssat
4 remotely, but I can't confirm it. So just for the record.

5 PRESIDING JUDGE SCHMITT: [9:36:04] Okay. Thank you very much. So this is
6 under the condition that she is indeed connected, put it this way.

7 We will now start with the testimony of CLRV1, Witness V45-0002.

8 Mr Witness, good morning. On behalf of the Chamber I would like to welcome you
9 to the courtroom.

10 Mr Suprun, we don't welcome the witness?

11 MR SUPRUN: [9:36:36] I'm sorry, Mr President. Sorry for interrupting you.

12 I would like to remind the Chamber that I made a request for reconsideration of
13 the -- your Honours' decision for in-court protective measures.

14 PRESIDING JUDGE SCHMITT: [9:36:46] Mr Suprun, how long are you in this
15 courtroom with us? Do you think we have forgotten that?

16 MR SUPRUN: [9:36:55] No, I'm sure not, Mr President, but just, just to be sure that --

17 PRESIDING JUDGE SCHMITT: [9:36:56] Yes, yes, yes. So this would be really for
18 the first time. No, you can be assured that we have not forgotten that.

19 Again, Mr Witness, sorry for this short interplay. Good morning and welcome to
20 this courtroom.

21 WITNESS: CAR-V45-P-0002

22 (The witness speaks Sango)

23 THE WITNESS: [9:37:14](Interpretation) Thank you.

24 PRESIDING JUDGE SCHMITT: [9:37:16] Then to satisfy the needs or the worries of
25 Mr Suprun, the Chamber has an oral decision for in-court protective measures for this

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1 witness. And I think please understand, everyone, under the specific circumstances
2 that we are facing currently that we do this on such a short notice.
3 The Chamber notes the Common Legal Representative of the former child soldiers
4 request for reconsideration of the Chamber's decision of the in-court protective
5 measures for this witness. It also notes the VWU's observations thereon.
6 The Yekatom Defence submits that there are no grounds for reconsideration but
7 defers to the Chamber's discretion.
8 Considering the information provided the CLRV1, the Chamber grants in-court
9 protective measures in the form of pseudonym, voice and face distortion.
10 Also, an explanation for the parties, but they know -- they know that already because
11 we had this before, the placement of the shield screen between the witness and the
12 accused forms part of the special measures recommended by the Victims and
13 Witnesses Unit. And in this regard, the Chamber reminds the participants that this
14 measure is aimed at the protecting of the witness's integrity and well-being and that,
15 in any event, of course, like always, both accused will be able to fully observe the
16 witness on the monitors in the courtroom.
17 Furthermore, third information before we really start, the Chamber granted the
18 request by counsel of the witness for assurances under Rule 74 of the Rules with
19 regard to specific topics.
20 I have no problem with it, Mr Suprun, to do it -- to deal with it and
21 other -- specifically, Ms Dimitri, in the same way like we did the last witness. When
22 this occurs we can reiterate it for the record, too.
23 Mr Witness, we are now going further with your examination. You have to take on
24 oath. Please speak after me slowly. Listen to me and then speak after me.
25 I solemnly declare --

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1 THE WITNESS: [9:39:50](Interpretation) I solemnly declare that I will speak the
2 truth.

3 PRESIDING JUDGE SCHMITT: [9:39:59] Thank you. The whole truth and nothing
4 but the truth.

5 THE WITNESS: [9:40:10](Interpretation) The whole truth and nothing but the truth.

6 PRESIDING JUDGE SCHMITT: [9:40:14] Thank you very much, Mr Witness. You
7 are now under oath. This means you have to tell us the truth during your
8 examination.

9 I think I -- for the further specifics, meaning the pauses to make, I can give already the
10 floor to Mr Suprun who is the first to question this witness.

11 You have the floor, Mr Suprun.

12 MR SUPRUN: [9:40:44](Interpretation) Thank you, Mr President.

13 QUESTIONED BY MR SUPRUN: (Interpretation)

14 Q. [9:40:51] Good morning, Witness.

15 A. [9:40:53] Good morning.

16 Q. [9:40:56] We have already met, but let me introduce myself again. I am
17 Dmytro Suprun and I represent victims who are former child
18 soldiers -- Anti-Balaka -- and it is in that capacity that I will be putting a few questions
19 to you relating to your experience.

20 Before we begin, let me give you some practical guidelines. First, as you may have
21 noticed, everything that will be happening in this courtroom is interpreted into
22 different languages, so in order to enable the witnesses -- the interpreters to do their
23 job properly, we should not speak too fast and we also need to observe a two to
24 three-second pause between question and answer.

25 Secondly, if in the course of your testimony you do not understand any of my

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1 questions, please point it out to me and I will either repeat it or rephrase it.

2 Three, protective measures have been granted to you and so when we will be in open
3 session and you have any consideration or any thoughts during your testimony that
4 your testimony might identify you, please point it out to me and I will refer to the
5 President to act accordingly.

6 Finally, I would like to ask you that throughout your testimony you try to respect
7 chronology as much as possible so that the judges and other parties can fully follow
8 and understand your testimony.

9 Do you follow me?

10 A. [9:42:50] Yes, I do.

11 MR SUPRUN: [9:42:53](Interpretation) Mr President, for the first question, could we
12 go into private session, please.

13 PRESIDING JUDGE SCHMITT: [9:43:15] Of course.

14 (Private session at 9.43 a.m.)

15 THE COURT OFFICER: [9:43:23] We're in private session, Mr President.

16 (Redacted)

17 (Redacted)

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9 (Redacted)

10 (Open session at 9.45 a.m.)

11 THE COURT OFFICER: [9:45:19] We are back in open session, Mr President.

12 MR SUPRUN: [9:45:26](Interpretation)

13 Q. [9:45:29] Mr Witness, I would like us now to talk about your experience in

14 2013-2014 and I would like to remind you that it is important to follow the

15 chronological order of events -- of the events that you experienced. So we will go

16 step by step. I also want to remind you that if any of your answers to my questions

17 is likely to identify you, please point it out to me. First question, can you explain to

18 the Chamber the circumstances in which you joined the Anti-Balaka group?

19 A. [9:46:22] I joined the Anti-Balaka group while I was still in school. One of our

20 friends came to meet me and one of my brothers and asked us why we had not joined

21 the Anti-Balaka. We told him that we were too young and he said we were wasting

22 our time because there was a possibility to make much money within the movement,

23 and so we were wasting our time. And he asked us to then come with him so that *

24 we could benefit from what the movement had to offer in order to be able to build our

25 lives. * We refused to begin with, but he insisted and then we followed him.

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1 We followed him to their base. At the base we were asked why we had come there.
2 We told them we wanted to fight for our country because that is the answer our
3 friend told us to provide if we were asked that question. * So when we arrived, they
4 started to slap us and threw us to the ground. Later on we were given coffee and then
5 on the day of training we were shown how to handle a gun and how to fire it.
6 After that, we were vaccinated. They then tested our fetishes and vulnerability. So
7 the idea was to test the fetish, so if we were not struck by the bullet, it meant that the
8 fetish was working. * That test was also done with machetes. And when the test was
9 done, it was effective. The first time, we held up some Peuls, we arrested these two
10 Peuls. They were arrested, and when they were brought in, I was asked to slit the
11 throat of one of them. The first time--

12 Q. [09:49:14] I'm sorry, I have to interrupt you. Let me follow up a little bit on
13 what you have just said before you continue your narrative because you have
14 provided us with a lot of the information, so I would like us to clarify a few points.

15 PRESIDING JUDGE SCHMITT: [9:49:31] Mr Suprun, just wait a second.

16 Ms Dimitri first.

17 MS DIMITRI: [9:49:34] Yes, Mr President. There is a word missing French. If the
18 witness or interpreter could repeat it. If look at the line 21, "*J'ai intégré le groupe*
19 *anti-balaka quand je fréquentais encore ...*", and then I don't see what was said, what's the
20 location he was talking about.

21 PRESIDING JUDGE SCHMITT: [9:49:53] Perhaps Mr Suprun asks the witness
22 specifically -- you have already interrupted him -- specifically for the location we are
23 talking about so it's -- so that we can orientate ourselves a bit better.

24 Thank you, Ms Dimitri.

25 MR SUPRUN: [9:50:14](Interpretation) Yes, indeed, Mr President. The witness has

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1 touched on a number and a range of topics. I want to go back to them and ask
2 specific questions relating to the things that he said about and what happened,
3 particularly the locations.

4 Q. [9:50:31] Mr Witness, I want to hop back to the beginning of your testimony.

5 You said that at some point someone invited you or proposed to you to join the group.

6 My first question is the following: When did this -- did that happen? And to help
7 you a bit situate this in time, did you join the Anti-Balaka group before the attack on
8 Bangui on 5 December or after?

9 A. [9:51:08] It was before.

10 Q. [9:51:23] You said that you appeared before the Anti-Balaka group to be enlisted.

11 Do you know whom -- who you spoke to specifically in the Anti-Balaka group, whom
12 did you ask to enlist you, who did you talk to so that you should be enrolled in the
13 Anti-Balaka group?

14 A. [9:51:55] Yes.

15 Q. [9:51:55] Could you give us the name of the Anti-Balaka element to whom you
16 talked and with whom you discussed the possibility of joining the group?

17 A. [9:52:18] Coeur de Lion.

18 Q. [9:52:20] At the time of your enlisting or enlistment, did Coeur de Lion ask you
19 any questions on your name and your age?

20 A. [9:52:30] No, he didn't ask me such questions.

21 Q. [9:52:37] To be more specific, where did you go to join the Anti-Balaka? At
22 which location did you join them?

23 A. [9:52:53] It was Bangui-Bouchia.

24 Q. [9:52:57] Did you go to join the Anti-Balaka group all by yourself or were there
25 others who came along with you for the enlistment?

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1 A. [9:53:15] I was with one of my brothers and the friend who invited us to join the
2 group.

3 Q. [9:53:30] I would like to ask you to give us the names of those persons, not now,
4 but later on, when we will be in private session. However, I would like you to
5 clarify whether these two persons who were with you were adults or young persons.

6 A. [9:53:59] One of my friends was within the same age bracket as myself and the
7 other -- for the other, the age difference was a few months.

8 MR SUPRUN: [9:54:17](Interpretation) Mr President, can we please go into private
9 session.

10 PRESIDING JUDGE SCHMITT: [9:54:22] Private session.
11 (Private session at 9.54 a.m.)

12 THE COURT OFFICER: [9:54:33] We are in private session, Mr President.

13 (Redacted)

14 (Redacted)

15 (Redacted)

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3 (Open session at 9.56 a.m.)

4 THE COURT OFFICER: [9:56:22] We are back in open session, Mr President.

5 MR SUPRUN: [9:56:28](Interpretation)

6 Q. [9:56:31] Mr Witness, a short while ago you said that you went to see

7 Coeur de Lion at Bangui-Bouchia so that you could be enlisted in the -- in his

8 Anti-Balaka group. Now, I want to ask you to follow the chronology and this is my

9 next question: How much time did you spend at the Anti-Balaka base at

10 Bangui-Bouchia?

11 A. [9:57:10] I am not able to say how much time I spent there.

12 Q. [9:57:16] During your narrative at the beginning of your testimony you said a

13 number of things. First of all, you said that you received some military training.

14 My question is as follows: Did you follow that military training at the

15 Bangui-Bouchia base or was it at another location?

16 A. [9:57:45] It was in a forest in Mogné, Mogné.

17 Q. [9:57:58] Can you describe the location of the Mogné forest in relation to the

18 other major villages like Bouchia, Pissa, Kapou. Where was this forest located?

19 A. [9:58:17] It was close to Pissa.

20 Q. [9:58:26] Could you provide more details about your military training. What

21 did it entail?

22 A. [9:58:42] During the military training, it involved how to handle weapons, how

23 to load and how to target people before shooting.

24 MR SUPRUN: [9:59:01](Interpretation) Mr President, can we briefly go into private

25 session.

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1 PRESIDING JUDGE SCHMITT: [9:59:05] Yes.

2 For the audience, you have, I think, recognised that this is a protected witness and
3 whenever issues are discussed where the information that comes out could identify
4 the witness, we have to go into private session, this explains the back and forth.
5 Private session.

6 (Private session at 9.59 a.m.)

7 THE COURT OFFICER: [9:59:28] We are in private session, Mr President.

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- 18 (Redacted)
- 19 (Open session at 10.06 a.m.)
- 20 THE COURT OFFICER: [10:06:46] We are back in open session, Mr President.
- 21 MR SUPRUN: [10:07:06](Interpretation)
- 22 Q. [10:07:08] Witness, you indicated earlier that when you arrived in the
- 23 Anti-Balaka group you were vaccinated. Could you explain what that was when
- 24 you said that you were vaccinated. What was that about?
- 25 *A. [10:07:29] This vaccination consisted of making cuts in the skin and putting a

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1 product on them to make a bulletproof protective layer, or "blindage".

2 Q. [10:07:50] So this process of protecting you, did this happen before or after your
3 military training?

4 A. [10:08:07] This was after the training, after the military training.

5 Q. [10:08:14] And who was it who administered this process of protection? Who
6 was the person who administered that within the group, this protective layer?

7 A. [10:08:29] It was a Pygmy.

8 Q. [10:08:39] With regards to this Pygmy, was this person an adult or was this
9 person a young person?

10 A. [10:08:51] It was an adult.

11 Q. [10:08:56] And according to your memory, how did you feel during this process
12 of applying this protective layer, if you remember? If you don't remember, it's not a
13 problem.

14 A. [10:09:17] After the vaccination, well, I didn't feel anything, in fact.

15 Q. [10:09:25] Now, you also stated that after this process of applying the protective
16 layer, there was a test to see if the protection did indeed work. Could you explain in
17 some detail how these tests were carried out?

18 A. [10:09:44] So, first of all, the test was done -- when the test was done, weapons
19 were used. We were shot at towards the chest. If the bullet hit us, then that meant
20 that -- well, if the bullet hit us that meant that the vaccination wasn't working. And
21 afterwards, they also used machete. They would hit us with machetes, and if we
22 were wounded, that meant that the vaccination was not working.

23 Q. [10:10:33] This Pygmy who's responsible for applying this protective later, did
24 he explain to you or indicate to you any rules that had to be respected or prohibitions
25 that you could not transgress such that this * protective layer would keep protecting

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1 you?

2 A. [10:10:55] Yes. He asked us not to eat certain foods.

3 Q. [10:11:16] Did you stay in the Anti-Balaka base in the Mogné forest for your
4 entire experience, or did you at some stage go to another location?

5 A. [10:11:32] We stayed there until we left -- until we left the movement.

6 Q. [10:11:54] During your experience in the Anti-Balaka group, under what
7 conditions were you lodged or how did you sleep? Where did you stay?

8 *A. [10:12:11] Where we went, we would build small huts for our commander.

9 And as for ourselves, we slept under the trees in the forest on palm leaves. Those
10 were the conditions in which we lived.

11 Q. [10:12:42] And when you were in the group, what type of food would you have
12 normally and how many times would you have it per day?

13 A. [10:12:52] We would eat at midday and in the evening.

14 Q. [10:13:02] What type of food would you normally eat?

15 * A. [10:13:16] Sometimes we would send certain people into the villages to buy
16 smoked meat and vegetables which we would eat. * And sometimes we would eat
17 tinned foods.

18 THE INTERPRETER: [10:13:39] Corrects the interpreter.

19 MR SUPRUN: [10:13:42](Interpretation)

20 Q. [10:13:43] In your experience in the Anti-Balaka group, were you ever subject to
21 bad treatment or mistreatment?

22 A. [10:13:51] No.

23 Q. [10:13:55] During your experience did you -- were you ever subject to
24 punishments for being disobedient or for not carrying out certain tasks?

25 * A. [10:14:16] Sometimes our elders would punish us by not giving us food, and

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1 the commander would oppose this from time to time.

2 When they sent us to fetch water and we refused, they would punish us in that
3 way.

4 Q. [10:14:44] So from your experience in the Anti-Balaka group, did you ever
5 observe the presence of other young people within the group?

6 A. [10:15:00] Yes, there were a lot of young people.

7 Q. [10:15:06] And because you speak about young people, what age range did they
8 have, according to you? Were they approximately your age, were they older or were
9 they younger?

10 PRESIDING JUDGE SCHMITT: [10:15:19] Please before you answer, Mr Witness,
11 wait a second.

12 Ms Dimitri.

13 MS DIMITRI: [10:15:23] Mr President, for the record, respectfully, I object to the
14 question. The decision your Honours issued said that there was a limited purpose,
15 and I believe we're going beyond that, and in my respectful opinion limited purpose
16 needs to have a meaning. And he spoke about his experience. He spoke about his
17 harm. He spoke about his training. Now we're going beyond that by introducing
18 additional evidence regarding other individuals that would or would not have been
19 part of the group.

20 PRESIDING JUDGE SCHMITT: [10:15:56] Well, I disagree. If we -- also in line with
21 what we said with regard to the last witness, experiences can be interpreted in a more
22 narrow or a more broader way. I allow the question, Mr Suprun, but, please, make
23 the reference to, because he's obviously not an expert, about, as a reference point, his
24 own age, perhaps, or whatsoever.

25 MR SUPRUN: [10:16:37](Interpretation)

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1 Q. [10:16:38] Witness, because you've just said that in your group there were other
2 young men in your -- according to your personal perception, these young men who
3 were present in the group, were they approximately the same age as you, younger
4 than you or were they older than you?

5 A. [10:17:02] They were -- there were some who were older than me and there were
6 some who were younger than me.

7 Q. [10:17:18] Now, you told us a moment ago that in your experience in the group
8 that you were never subject to mistreatment. Now, to the best of your knowledge
9 and according to what you saw, were any of these young people subject to
10 mistreatment?

11 MS DIMITRI: [10:17:38] Mr President.

12 PRESIDING JUDGE SCHMITT: [10:17:41] Please wait.

13 Ms Dimitri.

14 MS DIMITRI: [10:17:42] It's just for the record, Mr President. It's the same
15 objection.

16 PRESIDING JUDGE SCHMITT: [10:17:44] Yeah, I understand. I understand.

17 Mr Witness, you may answer.

18 THE WITNESS: [10:18:06](Interpretation) There wasn't mistreatment. The
19 mistreatment at the time was generally when the commanders were absent, and when
20 the commander was absent, then the older ones would mistreat the younger ones.

21 PRESIDING JUDGE SCHMITT: [10:18:25] I think we leave it at that, Mr Suprun,
22 please.

23 MR SUPRUN: [10:18:33](Interpretation)

24 Q. [10:18:34] Witness, according to your experience in the Anti-Balaka group, did
25 you ever participate in fighting?

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1 A. [10:18:51] I participated in two fights.

2 Q. [10:18:55] And which ones were they?

3 PRESIDING JUDGE SCHMITT: [10:18:59] Mr Suprun, don't you think it's better to
4 go to private session for this? Yes. Then let's go to private session. Yeah, I think
5 it's better.

6 (Private session at 10.19 a.m.)

7 THE COURT OFFICER: [10:19:28] We are in private session, Mr President.

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

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1 (Redacted)

2 (Open session at 10.39 a.m.)

3 THE COURT OFFICER: [10:39:29] We are back in open session, Mr President.

4 MR SUPRUN: [10:39:37] (Interpretation)

5 Q. [10:39:40] Mr Witness, just to be clear, you said that you joined the Anti-Balaka
6 group before the attack on Bangui on 5 December 2013. My question then is as
7 follows: Did you participate in the attack on Bangui as well?

8 A. [10:40:01] No.

9 Q. [10:40:06] Was there a specific reason why you did not participate in that attack?

10 A. [10:40:15] Yes.

11 Q. [10:40:18] Please tell the Court, please explain what the specific reason was to
12 the Court.

13 A. [10:40:30] Talking about the attack of 5 December, our chief refused or stopped
14 us from going because we were still too small, we were still grouped up together in
15 the Kapou forest and he said that if things went well upon their return, he would fire
16 three warning shots. But if they didn't hear the three warning shots, then they
17 should know that they had not succeeded. That's how they left us in the bush and
18 then went to Bangui.

19 Thereafter on their way back, they fired the three warning shots and we came out and
20 they told us that everything had gone well and we were very happy and we
21 applauded them.

22 Q. [10:41:39] During the battles in which you were involved, were you ever
23 wounded?

24 A. [10:41:50] No.

25 Q. [10:41:54] You said that during the Boda battle your chief was killed. Now,

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1 who became your chief, your new chief after the Boda battle?

2 A. [10:42:14] After the Boda battle, some of the older ones in our movement asked
3 us to -- to man the checkpoints.

4 Q. [10:42:32] During the time you were active at the checkpoints, did you have an
5 Anti-Balaka leader? Was there someone who was your leader or did you not have a
6 leader?

7 A. [10:42:46] Yes, we had a chief.

8 Q. [10:42:53] Can you give us his name or nickname?

9 A. [10:43:01] Diouf.

10 Q. [10:43:08] You have just testified that after the Boda battle you were deployed to
11 some checkpoints, which checkpoint were you deployed to? Where were the
12 checkpoints located?

13 A. [10:43:28] In Mbaiki.

14 Q. [10:43:33] What were your duties or your tasks or your role or your activities at
15 the -- at those checkpoints when you were manning them?

16 A. [10:43:47] {ICR: (Redacted)}

17 (Redacted)

18 (Redacted)}

19 Q. [10:44:09] Mr Witness, how much time in total did you more or less remain
20 within the Anti-Balaka group?

21 A. [10:44:29] After the last battle in Boda, I left the group in 2015.

22 Q. [10:44:47] Did you decide to leave the Anti-Balaka group for a specific reason?

23 A. [10:44:54] Yes, there was a reason, yes.

24 Q. [10:44:59] Can you explain to the Chamber what that reason was?

25 A. [10:45:10] It was simply that my parents had objected. They were against it.

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1 My mother, I could no longer talk with my mother. We did not even greet each
2 other any more. * So I took a personal decision to leave the movement because I no
3 longer got along with my parents, specifically with my mother. That's how I took
4 the decision.

5 And at around 5 a.m., I knocked at the door and she asked me who it was and I said,
6 {ICR: (Redacted)}

7 (Redacted)} So I had to plead with her and she still objected. And then I came back

8 and knocked at the door again and started crying and I asked her to forgive me. I

9 told her that from that day onwards, I would no longer be a member of the

10 Anti-Balaka group. That is when I decided to stop everything.

11 PRESIDING JUDGE SCHMITT: [10:46:41] {ICR: (Redacted)}

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)}

20 PRESIDING JUDGE SCHMITT: [10:47:46] Could you please repeat -- perhaps it's

21 my mistake that I haven't heard it, the chief that you are speaking of, could you please

22 repeat the name?

23 THE WITNESS: [10:48:10](Interpretation) Chief Diouf.

24 PRESIDING JUDGE SCHMITT: [10:48:16] Okay. And did this chief tell you what

25 to do with the money, so to speak? Meaning, when you got money, did he say, "You

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1 can keep something for yourself and the rest you give to me"? Was there something
2 like that? Or did you simply -- and you and your colleagues, did you simply keep
3 something for yourself without telling?

4 THE WITNESS: [10:48:45](Interpretation) Well, we gave the money to the chief.
5 We gave him the money because, you know, we would be on duty till about 5 a.m. in
6 the morning and then we would hand over the collections to the chief. * Sometimes
7 he would give us a small amount, 30,000, and then sometimes when -- when there
8 were very few vehicles passing, then we would have collected maybe 2 to 3,000
9 during those times when we were at the checkpoints.

10 PRESIDING JUDGE SCHMITT: [10:49:49] Mr Suprun, please move on.

11 MR SUPRUN: [10:50:13] (Interpretation)

12 Q. [10:50:14] Mr Witness, after you left the Anti-Balaka group and returned to your
13 home, did you face any emotional or psychological problems in relation to your
14 experience within the Anti-Balaka group?

15 A. [10:50:29] After I left the group, I was in a state of shock. I suffered a
16 depression and it is my mother who treated me and then I became well later on.

17 Q. [10:51:08] Am I to understand that you received treatment for your
18 psychological problems only from your mother, that you never went to the hospital,
19 that you never sought professional help?

20 A. [10:51:28] No.

21 Q. [10:51:31] Mr Witness, let me now move to another line of questioning. After
22 leaving the Anti-Balaka group, did you take part in the demobilisation programme,
23 an assistance programme organised by the NGO *Enfants sans frontières*?

24 A. [10:51:55] Yes, I did.

25 Q. [10:51:57] In which village did you take part in that programme?

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- 1 A. [10:52:06] Please, can you repeat your question? What did you say.
- 2 Q. [10:52:15] Where did this programme, this demobilisation and assistance
3 programme by the NGO take place?
- 4 A. [10:52:25] In Pissa.
- 5 Q. [10:52:29] When you came to participate in that ESF programme, were you still
6 in possession of your weapon at that time?
- 7 A. [10:52:39] No.
- 8 Q. [10:52:44] Can you give us further details and explain to the Court the kind of
9 assistance that you received from that programme?
- 10 A. [10:52:59] In the *Enfants sans frontières* programme, we were transported to
11 Mbaiki where we spent two months, or some two months or thereabouts. During
12 that time, we were trained on how to engage in income-generating activities. That is
13 it.
- 14 Q. [10:53:35] Let me hop back a little bit. When you went to join the ESF
15 programme at that time, were you asked to provide your name and your date of birth
16 and your age, so to speak?
- 17 A. [10:53:55] Yes, those questions were put to me.
- 18 Q. [10:54:04] Under the ESF assistance programme, did you ever receive any
19 psychological assistance?
- 20 A. [10:54:17] No.
- 21 Q. [10:54:23] Do you still experience any emotional or psychological problems
22 linked to your experience or participation in the Anti-Balaka activities?
- 23 A. [10:54:38] Yes. I do have some scars. I cannot stand looking at people
24 fighting and I also tend to involve myself in conflicts which really do not involve me,
25 even if I'm not concerned by them.

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1 Q. [10:55:06] Do you believe that you still need assistance?

2 PRESIDING JUDGE SCHMITT: [10:55:10] I have to say the interpreter is extremely
3 quick, thank you very much.

4 But Mr Suprun, nevertheless, please slow down a bit. Thank you. Perhaps the last
5 question, please repeat it.

6 MR SUPRUN: [10:55:25](Interpretation) Thank you, Mr President. And my
7 apologies to the interpreters.

8 Q. [10:55:36] Mr Witness, do you think that you need professional assistance in
9 order to address your emotional and psychological problems?

10 A. [10:55:51] Yes.

11 Q. [10:55:57] Apart from your psychological and emotional ongoing problems,
12 were there any other impacts on your life deriving from your participation in the
13 Anti-Balaka group activities?

14 A. [10:56:18] What did you say?

15 Q. [10:56:23] You have just said that you continue to experience emotional and
16 psychological problems linked to your participation in the Anti-Balaka group
17 activities. My question, therefore, is: Apart from these emotional and
18 psychological problems that you continue to encounter, did your experience within
19 the Anti-Balaka group give rise to any other types of problems or, in your life, any
20 other kind of harm or any negative impacts?

21 A. [10:56:54] Yes, there have been many and several negative impacts on my life.

22 Q. [10:57:01] Can you specify to the Court what types of negative impacts you are
23 talking about?

24 A. [10:57:09] Sometimes I have nightmares. The experience within the
25 Anti-Balaka is something that causes me to cry when I think about it. I am quite

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1 uncomfortable about all this. And I have a lot of remorse.

2 Q. [10:57:33] Did your experience within the Anti-Balaka group also negatively
3 impact your life plans and projects?

4 A. [10:57:46] A lot, yes.

5 Q. [10:57:55] Could you be more specific and give the Court -- your life -- give the
6 Court details on how your life plans were affected by your experience within the
7 Anti-Balaka group?

8 A. [10:58:12] I regret, I sincerely regret having joined the Anti-Balaka group
9 because, you see, if I had continued schooling, I believe that today I would not be
10 where I am today. Where I live today, I have become an enemy to the youth,
11 because we don't have any relations. I am stigmatised. I am referred to as a
12 murderer and as a thief. So when I think about these things, I am quite
13 uncomfortable.

14 Q. [10:59:03] Mr Witness, before you joined the Anti-Balaka group, is it correct to
15 say that you were attending school? Is that correct?

16 A. [10:59:13] Yes.

17 Q. [10:59:18] Is it also correct, Mr Witness, to say that after you left the Anti-Balaka
18 group, you were unable to return to school; is that correct?

19 A. [10:59:27] Yes, that is correct.

20 MR SUPRUN: [10:59:30] (Interpretation) Mr President, I am looking at the time.
21 Maybe it's a good time to take the break.

22 PRESIDING JUDGE SCHMITT: [10:59:37] Indeed. So we have a break until 11:30.

23 THE COURT USHER: [10:59:42] All rise.

24 (Recess taken at 10.59 a.m.)

25 (Upon resuming in open session at 11.33 a.m.)

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- 1 THE COURT USHER: [11:33:59] All rise.
- 2 Please be seated.
- 3 PRESIDING JUDGE SCHMITT: [11:34:17] Before we continue, Mr Suprun, I assume
- 4 you will finish during this session.
- 5 MR SUPRUN: [11:34:23] Absolutely, Mr President. I think my -- the remaining
- 6 questions will take not more than 20 minutes.
- 7 PRESIDING JUDGE SCHMITT: [11:34:31] I also would have thought that.
- 8 And it has been brought up by participants and I understand that you all know that
- 9 there will be a town hall meeting this afternoon and I think the Chamber thinks that
- 10 we should give everyone who wants to attend the opportunity to attend.
- 11 So, I'm of course addressing then specifically you, Ms Dimitri. I assume that at
- 12 12 o'clock the examination by Mr Suprun will have finished, and perhaps you can
- 13 help a little bit out what your -- what your plans your thoughts are and then we can
- 14 discuss the way forward.
- 15 MS DIMITRI: [11:35:09] Thank you, Mr President. Well, first of all, it depends on
- 16 the Prosecution because my understanding was that they had one hour for each
- 17 witness. Now, I don't know if they're going to ask any question to this witness.
- 18 PRESIDING JUDGE SCHMITT: [11:35:21] Well, I have forgotten the Prosecution.
- 19 How could that happen?
- 20 MR GARCIA: [11:35:26] I was thinking it was purposefully done, your Honour.
- 21 But I can --
- 22 PRESIDING JUDGE SCHMITT: [11:35:30] No, absolutely not. Absolutely not.
- 23 MR GARCIA: [11:35:31] -- answer that question and maybe help the Court out. For
- 24 the moment I don't -- I don't have any questions and I don't think I'll be having any
- 25 questions for this witness. Thank you.

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1 PRESIDING JUDGE SCHMITT: [11:35:38] Well, I -- you know, I saved myself by
2 saying I assumed that already.

3 Okay. Thank you.

4 Ms Dimitri.

5 MS DIMITRI: [11:35:46] Yes. So that being said, I would be ready to start with
6 if -- if -- I will only need a few minutes to reorganise myself and search for a few
7 things in the transcript because I can't have the transcript on my personal computer
8 because of the current situation. And then I would be ready to continue for -- until
9 the lunch break and do the remaining tomorrow, if -- if your Honours want to give
10 everyone the opportunity to -- especially my team, because we're very much affected
11 with this as well. We have questions.

12 PRESIDING JUDGE SCHMITT: [11:36:20] Well, well, everybody is affected.
13 An alternative would be that we have a lunch break already then at, let's say at 12,
14 until 1 o'clock, or a bit later if you also want to have lunch, and then have some sort of
15 afternoon session would also be a possibility.

16 MS DIMITRI: [11:36:41] Really, I'm in your hands. I don't mind whether it's -- yes,
17 and if we have an afternoon session from -- we would do an afternoon session from
18 1:30 to 3 o'clock, which is the time of the town hall.

19 PRESIDING JUDGE SCHMITT: [11:36:54] Yeah, of -- yeah, of course we would have
20 to --

21 MS DIMITRI: Okay.

22 PRESIDING JUDGE SCHMITT: [11:36:52] -- finish a little bit earlier.

23 MS DIMITRI: A little -- yes.

24 PRESIDING JUDGE SCHMITT: [11:36:55] So let's say one hour, one hour 15.

25 MS DIMITRI: [11:37:00] Yes, that's -- that's fine as well with me.

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- 1 PRESIDING JUDGE SCHMITT: [11:37:02] Perhaps, perhaps I think that's a
2 better (Overlapping speakers)
- 3 MS DIMITRI: [11:37:03] Yes. Thank you very much.
- 4 PRESIDING JUDGE SCHMITT: [11:37:05] So you have -- also you are not -- not
5 under pressure, I think that's better.
6 Okay. Then we do it this way.
7 Mr Suprun, please move on.
- 8 MR SUPRUN: [11:37:21](Interpretation)
- 9 Q. [11:37:23] Witness, good morning once again. I would like to clarify certain
10 points with you that you mentioned prior to the break. Now, you indicated that
11 after the fighting in Boda you were deployed to Mbaiki checkpoint and I just wanted
12 to make sure whether you were on a checkpoint in Mbaiki or other checkpoints as
13 well in addition thereto?
- 14 A. [11:37:58] It was just one. It was just one checkpoint.
- 15 Q. [11:38:08] You also indicated earlier that in your experience in the Anti-Balaka
16 group you consumed drugs such as Tramal. And my question is as follows: Did
17 you consume other drugs?
- 18 A. [11:38:33] Yes.
- 19 Q. [11:38:38] Could you specify which drugs those were other than Tramal?
- 20 A. [11:38:47] There was an Indian cannabis and other drugs as well.
- 21 Q. [11:39:03] Just to confirm, did you use these drugs on a daily basis or not every
22 day?
- 23 A. [11:39:13] It was daily.
- 24 Q. [11:39:26] And having left the Anti-Balaka group, at any time or during that
25 period did you continue to consume drugs, already being home?

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1 A. [11:39:43] Yes.

2 Q. [11:39:51] Another question that I wanted to clarify with you, Witness: When
3 you spoke about the fighting in Boda and when you stated that your commander
4 Coeur de Lion was killed by a bullet, you stated that "We withdrew or we took away
5 Coeur de Lion's body." When you say "we", I understand there were other people
6 with you who were also responsible for removing Coeur de Lion's body?

7 A. [11:40:29] (No interpretation)

8 Q. [11:40:35] I'm sorry, could you repeat your answer because it was not
9 transcribed.

10 A. [11:40:44] I said yes.

11 Q. [11:40:52] And the people who were with you who were responsible for
12 transporting Coeur de Lion's body, were they adults or were they young people who
13 had approximately, in your opinion, the same age as you?

14 A. [11:41:07] They were adults.

15 Q. [11:41:11] Thank you. And the last clarification that I would like to ask and
16 check with you, do you remember the period in which you joined the demobilisation
17 programme and the assistance programme by *Enfants sans frontières*? Do you
18 remember which month, which year it was?

19 A. [11:41:38] I just remember the year.

20 Q. [11:41:48] And which year was it?

21 A. [11:41:53] 2016.

22 Q. [11:41:59] Witness, you spoke just before the break about the fact that since you
23 were demobilised, from the moment you left the group, you were subject to
24 stigmatisation because of your experience in the Anti-Balaka group. Now, my
25 question is as follows: Have you always been subject to stigmatisation up to today?

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1 Are you still subject to this stigmatisation because of your experience in the group?

2 A. [11:42:34] Yes. It continues.

3 Q. [11:42:42] Witness, what would you like to do in the future by way of activity or a
4 job?

5 A. [11:43:07] For work, I really don't know what I could do as a job. I would like
6 to have work to make it possible for me to look after my family.

7 Q. [11:43:30] But when you say you would like to have work, do you have a more
8 precise idea about the field in which you would like to work? What would you like
9 to do more precisely or personally?

10 A. [11:43:47] I would like to be a trader or a business person.

11 Q. [11:44:12] Could you please tell the judges why you accepted the invitation,
12 Witness, the invitation from our team to speak before the International Criminal
13 Court in the trial against Mr Yekatom and Ngaïssona?

14 A. [11:44:38] I accepted this invitation because where I am at the moment my spirit
15 is not calm with regards to the exactions that I carried out. I walk around with a lot
16 of concerns. I went to school. I had to leave it. If I had been able to continue with
17 my education now I would not be in this situation. A third point, where I'm living, I
18 don't get on well with my young fellow youths.

19 Q. [11:45:47] Witness, if -- at any time did somebody from your family, from your
20 near family or from your village, family and friends or anyone else ask you ever to
21 tell our team or to tell the International Criminal Court things which you yourself
22 never experienced, i.e., did they ever ask you to lie?

23 A. [11:46:14] Nobody.

24 MR SUPRUN: [11:46:22](Interpretation) Your Honour, for my last questions, could
25 we go into private session, please.

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- 1 PRESIDING JUDGE SCHMITT: [11:46:28] Private session.
- 2 (Private session at 11.46 a.m.)
- 3 THE COURT OFFICER: [11:46:43] We are in private session, Mr President.
- 4 (Redacted)
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15 (Upon resuming in open session at 1.35 p.m.)
16 THE COURT USHER: [13:35:50] All rise. Please be seated.
17 PRESIDING JUDGE SCHMITT: [13:36:15] Good afternoon, everyone. We are in
18 open session.
19 Ms Dimitri, you have the floor.
20 And, well, Mr Witness, it's perfectly okay that you have a blanket. I also feel it that
21 autumn or even winter is coming soon.
22 QUESTIONED BY MS DIMITRI: (Interpretation)
23 Q. [13:36:55] Good afternoon, Mr Witness.
24 I'll introduce myself. I'm Mylène Dimitri. I'm one of the Defence attorneys for
25 Mr Rambo Yekatom and I'm the one who will be putting some questions to you on

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1 behalf of Mr Yekatom's Defence.

2 Just like Mr Suprun, I'll be speaking to you in French. I seem to have the impression
3 that you understand French because you were answering the questions very quickly.
4 We also have Sango interpreters and English interpreters who are interpreting what
5 you say. We also have people recording everything that is being said. And
6 the people who write down what you are saying will need some help, so please pause
7 for a couple of seconds.

8 A. [13:38:03] Yes, I understand.

9 Q. [13:38:09] I'll also be asking you some questions in open court as much as
10 possible and I'll be very careful to make sure you're not identified. If at any time an
11 answer to one of my questions might identify you, please tell me so and I'll ask
12 the Presiding Judging if we can go into private session. Do you understand?

13 A. [13:38:39] Yes, I do.

14 Q. [13:38:48] My first question is just aimed at clarifying one point. And I'm
15 talking about the timeline you gave us this morning. I won't be asking you about
16 each and every place - I'll be doing that tomorrow - but I just want to make sure that
17 I've understood what you said this morning when you were answering questions
18 from Mr Suprun.

19 If I've understood your timeline correctly, you told us that you joined the Anti-Balaka
20 movement before 5 December 2013 in Bangui-Bouchia and you didn't know how
21 much time you were going to stay at the Bangui-Bouchia base, but then after
22 that - and once again this is before 5 December - you went to the Mogné forest. Have
23 I understood the timeline correctly so far, Mr Witness?

24 A. [13:40:06] Yes.

25 Q. [13:40:07] Thank you.

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1 Now, this morning at 10:11 you said -- you testified, you said that you stayed in that
2 forest until you left the movement. So my question to you is this: Did I understand
3 correctly from your testimony that it was from the Mogné forest that went to
4 the fighting in Boda; is that correct?

5 A. [13:40:46] We left the Mogné forest and we went to Kapou forest before we went
6 to fight in Boda.

7 Q. [13:41:04] Now, once again, the timeline. After the fighting in Boda, that is
8 when you were deployed to the Mbaïki checkpoints; is that correct?

9 A. [13:41:22] That's right.

10 Q. [13:41:26] Thank you.

11 (Speaks English) I would like to go into private session, please.

12 PRESIDING JUDGE SCHMITT: [13:41:30] Yes, private session.

13 (Private session at 1.41 p.m.)

14 THE COURT OFFICER: [13:41:47] We are in private session, Mr President.

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22 (Open session at 2.07 p.m.)

23 THE COURT OFFICER: [14:07:58] We are in open session, Mr President.

24 MS DIMITRI: [14:08:04](Interpretation)

25 Q. [14:08:06] Mr Witness, I'm going to ask you questions on the first time when you

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1 met someone from the ICC in order to fill in the various forms so that you could
2 participate as a victim, you know, the document which allowed you to become
3 a participating victim. Do you follow what I'm saying?

4 A. [14:08:36] Yes, I understand.

5 Q. [14:08:44] (Speaks English) Not to be shown to the public, but I will be using
6 tab 54 of the Defence binder, CAR-V45-00000007.

7 (Interpretation) Well, Mr Witness, the first time that you met a representative of
8 victims from the ICC, do you remember who you met?

9 A. [14:09:31] Yes, I do remember.

10 Q. [14:09:34] And was it someone from Pissa?

11 A. [14:09:40] No, he wasn't from Pissa.

12 Q. [14:09:45] Who was it?

13 A. [14:09:52] The people came from Bangui to meet us.

14 Q. [14:10:02] Do you remember someone who was called Marie-Edith Douzima
15 who helped you to fill in the form, the application as a victim? * She is a lawyer who,
16 if I am not mistaken, is from Pissa.

17 PRESIDING JUDGE SCHMITT: [14:10:24] Mr Suprun.

18 MR SUPRUN: [14:10:25] Mr President, I think we need to deal with these matters in
19 private session because the reference was made of the person who assisted
20 the witness, the victim, in filling the application form. And reference also is made to
21 the location. So I think this information should not be made public.

22 PRESIDING JUDGE SCHMITT: [14:10:43] Well, I -- I'm not so sure with regard to
23 the location, because it's -- the location is, let's say, not one which -- where you would
24 conclude that you immediately know who the witness is. And, well, that -- that this
25 lawyer might have played a role in it, well, I disagree, actually.

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1 You can continue.

2 MS DIMITRI: [14:11:09] Thank you, Mr President.

3 PRESIDING JUDGE SCHMITT: [14:11:15] So, Mr Witness, this was sometimes we
4 have discussions in the courtroom and then somebody, that's normally me, has to
5 decide what's going on.

6 So I repeat the question: The name Marie-Edith Douzima, does that ring a bell?

7 THE WITNESS: [14:11:41](Interpretation) Yes. I do remember it.

8 MS DIMITRI: [14:11:51] Thank you, Mr President.

9 Q. [14:11:55](Interpretation) And she was the one who helped you when you filled
10 in the participation form; is that right?

11 A. [14:12:17] That's correct.

12 Q. [14:12:20] And she explained to you the content of the form and that it must be
13 truthful and accurate information that had to be put into the form; is that correct?

14 A. [14:12:39] That is correct.

15 Q. [14:12:41] Just explain to me how you completed the form. Did counsel
16 Douzima ask you questions and you answered those questions, then she wrote down
17 what you said and then she read it out to you; is that how it went?

18 A. [14:13:04] She questioned me. I provided my answers to those questions.

19 THE INTERPRETER: [14:13:16] The Sango interpreter says that he didn't quite catch
20 the end of that statement from the witness.

21 PRESIDING JUDGE SCHMITT: [14:13:23] Mr Witness, there was an interpretation
22 issue. Could you please repeat your answer. So we have understood from your
23 answer that you provided Ms Douzima with the information. And could you
24 continue from there, please, and just repeat it, what you said.

25 THE WITNESS: [14:13:53](Interpretation) When she arrived, she asked me questions,

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1 but she didn't insist that I answer the questions -- that I answer the questions that she
2 put to me.

3 PRESIDING JUDGE SCHMITT: [14:14:11] Mr Witness, though, when you answered
4 her questions, you answered obviously some of her questions, did she take down
5 notes? Did she write down what you told her?

6 THE WITNESS: [14:14:35](Interpretation) Yes, she noted down everything I said
7 with a pen in a notebook.

8 PRESIDING JUDGE SCHMITT: [14:14:42] And once your conversation, yeah, she
9 putting questions to you, your answering was over, did she read out your answers
10 again to you?

11 THE WITNESS: [14:15:07](Interpretation) No, she didn't read out her notes so that I
12 could understand them.

13 MS DIMITRI: [14:15:23] I think that -- thank you.

14 Q. [14:15:32](Interpretation) When she explained to you that it was important
15 because it was written down on the form "The victim certifies by -- through
16 the signature that the information, as far as you are able, correct and exact", it is
17 important that it is precise and accurate and truthful. In order to make sure that it is
18 precise and truthful, how did she check that what she wrote down corresponded to
19 what you had told her?

20 PRESIDING JUDGE SCHMITT: [14:16:27] Mr Suprun.

21 MR SUPRUN: [14:16:29](Interpretation) Your Honour, this calls for speculation.
22 Your Honour, this question calls for speculation because the witness cannot know
23 what the person who assisted her thought of how she could check or certify
24 the accuracy of the information. She could only look at her notes and can only say
25 that the notes were not read out later on.

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1 PRESIDING JUDGE SCHMITT: [14:17:03] However, often when we have this
2 objection, calls for speculation, if we rephrase the question a little bit, it does not call
3 for speculation anymore and I give you the chance to do that, Ms Dimitri.
4 MS DIMITRI: [14:17:19] Thank you, Mr President.
5 Q. [14:17:34](Interpretation) In the form, just above your signature, it's written that
6 you -- you certify that what is written in the form is accurate and true. Now, my
7 question to you: Counsel Douzima took notes. Specifically, how did she -- how did
8 she make sure with you that everything that had been written down was accurate and
9 truthful?
10 * I don't want to know what she thought, but I want to know, in essence, what
11 measures did she take, what measures did she act upon to make quite sure that what
12 she noted down corresponded precisely to what you had said?
13 A. [14:18:58] I don't know. In the statement, in the form -- can you read
14 the content of the form and then I can confirm -- can say to you whether it's correct or
15 not and whether it reflects what I said?
16 PRESIDING JUDGE SCHMITT: [14:19:15] I think, Mr Witness, we will come to that,
17 I assume. We have understood from what you answered before that she
18 did -- Ms Douzima did not read out loud to you what she had taken down you told
19 her. So this -- this we have understood.
20 So did you -- do we understand the situation correctly, that after you had given her
21 the information, that you signed this immediately? Would that be a correct
22 understanding?
23 THE WITNESS: [14:19:57](Interpretation) That is correct. I discussed and talked
24 with her. She just asked me to sign the document.
25 PRESIDING JUDGE SCHMITT: [14:20:04] So, Ms Dimitri.

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1 Also, let's say for all the future when -- when these participation forms are signed and,
2 let's say, produced, so to speak, it would be I think advisable to read it out afterwards.

3 But just a comment by me.

4 I think, Ms Dimitri, we have the information here that you wanted to elicit, so you can
5 move on.

6 MS DIMITRI: [14:20:40](Interpretation)

7 Q. [14:20:44] And when Counsel Douzima put questions to you, did she write as
8 you answered? Was it done in your presence?

9 A. [14:21:00] Yes, she wrote down what I was saying.

10 * Q. [14:21:07] Do you agree with me that Maître Douzima talked to you in Sango?
11 She speaks Sango well, judging by your conversations with her?

12 A. [14:21:19] Yes.

13 Q. [14:21:33] In the form, there's also a section on your identity, your date of birth,
14 the name of your parents, et cetera. How did Maître Douzima obtain the identity
15 elements which appear on your form? Did you provide the information,
16 the name -- your name, the name of your parents, your date of birth? Was it you
17 who provided all the information which she noted on the last page of the form?

18 A. [14:22:17] Yes, I provided her with the information.

19 Q. [14:22:28] When she noted down the information on your identity, once again
20 she was next to you, you saw her writing down the information about your identity
21 specifically for you?

22 A. [14:22:44] She was seated on the other side of the table, she asked me questions,
23 I told her the answers and she wrote them down.

24 Q. [14:22:58] At any point in time did you provide information to confirm your
25 identity? Did Maître Douzima, for example, ask you do you have an ID card or

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1 a voting card, a baptism certificate or a birth certificate? Did she in any way make
2 sure that it was indeed the correct person who was in front of her? Do tell me if you
3 don't understand my question.

4 A. [14:23:35] I didn't understand your question.

5 Q. [14:23:39] No problem. So, when you met Maître Douzima for your
6 identification, you gave her your first name and your last name. You provided
7 the name of your father, your mother and your date of birth, and also where you were
8 born, and she writes everything down. Now, specifically did Maître Douzima make
9 sure with you that you were that person by asking you, for example, if you could give
10 any ID documents, a voting document, any document whatsoever that could prove,
11 yes, yes, indeed this is the right person, this is the person I am dealing with?

12 A. [14:24:31] No, she didn't ask me this type of question.

13 Q. [14:24:41] When you met Maître Douzima and she put questions to you on your
14 identity, were you alone or were there a few of you with her?

15 A. [14:24:55] There were several of us.

16 Q. [14:25:03] So, can you explain to me physically how it happened. It's a room
17 with a desk where she notes down that you're talking in front of other participants
18 and she goes from one participant to another participant? Can you tell me a bit
19 about how it all worked?

20 A. [14:25:32] Well, indeed, there were quite a few of us. We all took turns in
21 answering the questions.

22 Q. [14:25:46] At that moment, was there someone who, together with
23 Maître Douzima, had the role of certifying your identity? Was there anyone there
24 who did that?

25 A. [14:26:07] No, she wasn't accompanied by another person.

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1 Q. [14:26:22] So, in addition to you, was there someone else who, in your presence,
2 signed any of the pages of the participation form?

3 A. [14:26:53] Sorry?

4 PRESIDING JUDGE SCHMITT: [14:26:55] I think you can word that much easier.
5 So this was a little bit too complex, the question.

6 MS DIMITRI: [14:27:02] I'll rephrase.

7 PRESIDING JUDGE SCHMITT: [14:27:04] Mr Witness, you spoke about there were
8 quite a few of you young people, so to speak. When you were there, did the others
9 also sign their participation form? Could you observe that?

10 THE WITNESS: [14:27:23](Interpretation) Yes. After the interview, everyone
11 signed the form.

12 PRESIDING JUDGE SCHMITT: [14:27:34] But now I'm also still -- now I'm
13 interested more.

14 So, excuse me when we make -- make things perhaps too complicated, but let me try
15 to understand.

16 So, did Ms Douzima, when you filled the form out with her, first finish you, you
17 signed it, and then turned to the next who was there? Or was this little bit
18 a meddling, you know, because you just answered that in the end everybody signed.
19 Does "in the end" mean everybody signed after his questioning was completed, or
20 when you had been questioned by Ms Douzima, then in the end one after the other
21 signed? Do you understand me? If I'm too complicated please tell me, that's my
22 fault then.

23 THE WITNESS: [14:28:44](No interpretation)

24 PRESIDING JUDGE SCHMITT: [14:28:55] Well, we don't have -- Mr Witness, I
25 apologise for that, we did not have interpretation for your last answer. That's, of

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1 course, not your fault. Could you please repeat, simply, what you said.

2 THE WITNESS: [14:29:18](Interpretation) The form was filled in and signed one
3 after the other. That's how we proceeded. That was the case for everyone.

4 PRESIDING JUDGE SCHMITT: [14:29:35] Ms Dimitri.

5 MS DIMITRI: [14:29:39] Thank you. But I still don't have the answer to my
6 question. But I'll give it a try in a simple way.

7 PRESIDING JUDGE SCHMITT: [14:29:46] Yeah, yeah, absolutely, but I did not want
8 to take over. I understand this, of course, you're right. Give it perhaps an easier
9 try.

10 MS DIMITRI: [14:30:02](Interpretation)

11 Q. [14:30:02] Two questions of clarification. I'm going to try and keep it simple.
12 If you don't understand, don't worry, let me know, say "I haven't understood your
13 question" and I'll rephrase it, all right?

14 My first question: When you personally signed your form in the presence of
15 Maître Douzima, was there someone else, another individual other than you and
16 Maître Douzima who also signed the form, who certified your identity in your
17 presence?

18 A. [14:30:50] No, no one else.

19 Q. [14:30:52] Thank you. Now, where did this process take place, in Pissa or in
20 Bangui?

21 A. [14:31:13] It was in Pissa.

22 Q. [14:31:16] So if I've understood correctly, you were in a room, there were several
23 of you, there was a table, there was Ms Douzima, and one after the next you
24 would -- you were there in the room and you would go up to the table where
25 Ms Douzima was putting questions to people; have I understood the process

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1 correctly?

2 A. [14:31:45] Yes, that's how it was done.

3 MS DIMITRI: [14:32:09] Mr President, for the next series of questions, if we could go
4 to private session, please.

5 PRESIDING JUDGE SCHMITT: [14:32:14] Private session.

6 (Private session at 2.32 p.m.)

7 THE COURT OFFICER: [14:32:36] We are in private session, Mr President.

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- 16 (The hearing ends in private session at 2.38 p.m.)