

Trial Hearing  
Procedural Matters

(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 Maria del Socorro Flores Liera

6 and Judge Sergio Gerardo Ugalde Godinez

7 Trial Hearing - Courtroom 2

8 Monday, 24 October 2022

9 (The hearing starts in open session at 10.19 a.m.)

10 THE COURT USHER: [10:19:15] The International Criminal Court is now in session.

11 Please be seated.

12 PRESIDING JUDGE SAMBA: [10:19:42] Good morning, everyone.

13 Madam Court Officer, can you please mention the case. Thank you.

14 THE COURT OFFICER: [10:19:52] Good morning, Madam President. This is the

15 situation in the Central African Republic II, in the case of The Prosecutor versus

16 Mahamat Said Abdel Kani, case reference ICC-01/14-01/21.

17 And we are in open session. Thank you.

18 PRESIDING JUDGE SAMBA: [10:20:05] Thank you very much. Can the parties please

19 introduce themselves, starting with the Prosecution, please.

20 MS MAKWAIA: [10:20:14] Good morning, Madam President, your Honours. For the

21 Prosecutor this morning, Holo Makwaia, senior trial lawyer; Leonie von Braun; and

22 Yuichiro Omori. Thank you.

23 PRESIDING JUDGE SAMBA: [10:20:24] Thank you very much.

24 Ms Pellet for the victims, please.

25 MS PELLET: [10:20:31](Interpretation) Thank you, Madam President. The victims are

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1 represented by Adeline Bedoucha, and myself, Sarah Pellet, counsel with the Office of  
2 Public Counsel for Victims.

3 PRESIDING JUDGE SAMBA: [10:20:45] Thank you very much.

4 The Defence.

5 MS NAOURI: [10:20:51](Interpretation) Thank you, your Honour. Maître Jacobs is  
6 next to me, Simon Appriou and Léa Allix, and I am Jennifer Naouri, lead counsel of Mr  
7 Said.

8 PRESIDING JUDGE SAMBA: [10:21:12] Thank you very much, Ms Naouri.

9 Rule 74 Counsel, can you introduce yourself to the Chamber, please.

10 MR RAIMONDO: [10:21:22] Good morning, Madam President, your Honours. My  
11 name is Fabian Raimondo. I am the legal advisor to the witness.

12 PRESIDING JUDGE SAMBA: [10:21:31] Thank you very much.

13 And for the record, I note that Mr Said is in court. Good morning, Mr Said.

14 MR SAID: [10:21:45](Interpretation) Good morning, your Honour.

15 PRESIDING JUDGE SAMBA: [10:21:53] So the Prosecution is calling P-2105 as its  
16 fourth witness. The Chamber understands that this witness will be testifying in French.

17 I would remind everyone once again of the importance of the need to speak slowly for  
18 the interpreters and to observe the five-second rule between questions and answers.

19 Before commencing, the Chamber notes briefly that protective measures are confirmed  
20 to this witness by virtue of decision number 481. The Chamber notes also that the  
21 VWU does not recommend any further special measures for this witness.

22 We will now discuss the issue of Rule 74 assurances.

23 Can we go into private session, please, Madam Court Officer.

24 (Private session at 10.23 a.m.)

25 THE COURT OFFICER: [10:23:06] We're in private session, Madam President.

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1 (Redacted)

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7 (Redacted)

8 (Redacted)

9 (Redacted)

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11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Open session at 10.24 a.m.)

17 THE COURT OFFICER: [10:24:30] We're back to open session, Madam President, your  
18 Honours.

19 PRESIDING JUDGE SAMBA: [10:24:33] Thank you.

20 At this stage, the Chamber does not see the need to grant Rule 74 assurances to this  
21 witness. However, the Chamber will keep this under review during the course of this  
22 witness's testimony. In this regard, it instructs the parties to notify the Chamber  
23 should they feel that the questions might elicit information which could fall under  
24 Rule 74.

25 So can we bring the witness in, please.

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- 1 (The witness enters the courtroom)
- 2 PRESIDING JUDGE SAMBA: [10:26:25] Good morning, Mr Witness.
- 3 THE WITNESS: [10:26:33](Interpretation) Good morning.
- 4 PRESIDING JUDGE SAMBA: [10:26:36] Now, you're going to testify before the
- 5 International Criminal Court. On behalf of the Chamber, I would like to welcome you
- 6 to this courtroom.
- 7 Mr Witness, you should have in front of you the solemn undertaking to tell the truth
- 8 that every witness who appears before this court must agree to. Can I ask that you
- 9 read that out loud, please.
- 10 THE WITNESS: [10:27:12](Interpretation) I solemnly declare that I will tell the truth,
- 11 the whole truth, and nothing but the truth.
- 12 WITNESS: CAR-OTP-P-2105
- 13 (The witness speaks French)
- 14 PRESIDING JUDGE SAMBA: [10:27:24] And do you understand and agree to what
- 15 you just read, Mr Witness?
- 16 THE WITNESS: [10:27:38](Interpretation) I understand and agree, your Honour.
- 17 PRESIDING JUDGE SAMBA: [10:27:43] Thank you very much. We will continue.
- 18 Mr Witness, let me now explain to you the protective measures that are in place by this
- 19 Chamber for your testimony. The following measures are put in place to protect you.
- 20 Voice and face distortion has been put in place for the duration of your testimony.
- 21 Now, this means that no one outside the courtroom can see your face or hear your real
- 22 voice during your testimony. There will also be the use of pseudonym. In accordance
- 23 with that, we will all refer to you only as "Mr Witness" to make sure that the public
- 24 does not know your real name.
- 25 When you answer questions that will not give away who you are, we will do so in

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1 open session, which means that the public can hear what is being said in the  
2 courtroom. When you are asked to describe anything that is related specifically to you  
3 or you are asked to mention facts that might reveal your identity, we will do so in  
4 private session.

5 And lastly, I also have a few practical matters you should have in mind when giving  
6 your testimony. Everything we say here in the courtroom is written down and  
7 interpreted. It is, therefore, important to speak clearly and at a slow pace.

8 Please speak into the microphone and only start speaking when the person asking you  
9 the question has finished. You will be able to tell when the question is finished when  
10 the speaker turns off their microphone. After that, please wait for five seconds to allow  
11 for the interpretation to finish.

12 If you have any question yourself or if you need something, including if you need a  
13 break, just raise your hand so we know that you wish to say something.

14 Do you understand all that I've said, Mr Witness?

15 THE WITNESS: [10:30:39](Interpretation) I understand.

16 PRESIDING JUDGE SAMBA: [10:30:41] Thank you very much. We will then therefore  
17 start with your testimony, and the Prosecution will put questions to you. Thank you  
18 very much.

19 Madam Prosecutor, your witness.

20 MS VON BRAUN: [10:31:58] Thank you, Madam President. Good morning.

21 QUESTIONED BY MS VON BRAUN:

22 Q. [10:31:04] Good morning, Mr Witness. We have met before. My name is Leonie  
23 von Braun, and I will be asking you questions today on behalf of the Office of the  
24 Prosecutor. If anything I ask you is unclear, please let me know and I can rephrase my  
25 question. Did you understand that?

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1 A. [10:31:36] I understand.

2 Q. [10:31:42] Good. Then let us start.

3 MS VON BRAUN: [10:31:45] Your Honours, for the first parts of my questioning, I  
4 would like to request a brief private session as it relates to the personal information of  
5 this witness.

6 PRESIDING JUDGE SAMBA: [10:31:58] Madam Court Officer, can we go briefly into  
7 private session, please.

8 (Private session at 10.32 a.m.)

9 THE COURT OFFICER: [10:32:12] We are in private session, Madam President.

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

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- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Open session at 10.47 a.m.)
- 5 THE COURT OFFICER: [10:47:20] We're in open session, Madam President, your
- 6 Honours.
- 7 PRESIDING JUDGE SAMBA: [10:47:22] Thank you very much.
- 8 Madam Prosecutor, carry on, please.
- 9 MS VON BRAUN: [10:47:29]
- 10 Q. [10:47:29] So, Mr Witness, you described that you and your friends decided to join
- 11 the Seleka in Bria. Please describe how you travelled there and what happened in Bria.
- 12 A. [10:48:07] Can I speak? It was not interpreted but I've understood. I can take the
- 13 floor.
- 14 PRESIDING JUDGE SAMBA: [10:48:20] The interpreters, please, did you get the
- 15 question by counsel?
- 16 Counsel, can you put your question again for the interpreters.
- 17 MS VON BRAUN: [10:48:46] Yes, of course.
- 18 THE COURT OFFICER: [10:48:48] I'm sorry, I'm just going to interrupt here, because I
- 19 haven't actually heard the interpretation in French from the Presiding Judge already so
- 20 I will just check with the interpretation booths.
- 21 Yeah, I don't hear you.
- 22 THE INTERPRETER: [10:49:00](Speaks French).
- 23 THE COURT OFFICER: [10:49:10](Interpretation) Could I inform the participating
- 24 parties that the French interpretation -- all right. I'll take care of this. Thank you.
- 25 (Speaks English) So we apologise, but the French interpretation is currently

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1 on channel 3, Sango. So I will contact my IT colleagues to fix the issue as soon as  
2 possible. I guess the witness can now hear the French interpretation in channel 3 and I  
3 will ask my colleague to --

4 PRESIDING JUDGE SAMBA: [10:49:53] I think this witness is using French.

5 THE COURT OFFICER: [10:50:01] Yes, to hear the English interpretation, interpreted  
6 in French.

7 Yes, exactly, exactly.

8 Can I ask the Sango interpreters on which channel we can now listen to them? Okay,  
9 so I think -- yeah.

10 THE INTERPRETER: [10:50:55] This is a suggestion from the English booth. We  
11 should immediately get the French to change to channel 2 so the Sango can continue on  
12 channel 3, and that way we will resolve the problem.

13 PRESIDING JUDGE SAMBA: [10:51:35] We can rise the Court for five minutes. We  
14 will be back. Thank you.

15 THE COURT USHER: [10:51:41] All rise.

16 (Recess taken at 10.51 a.m.)

17 (Upon resuming in open session at 11.00 a.m.)

18 THE COURT USHER: [11:00:05] All rise.

19 Please be seated.

20 PRESIDING JUDGE SAMBA: [11:00:32] Yes. Just for us to note that we are in open  
21 session.

22 Madam Prosecutor, you may continue with your direct examination of this witness,  
23 please.

24 MS VON BRAUN: [11:00:42] Yes, thank you, Madam President. I will repose the  
25 question I asked before the break.

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1 Q. [11:00:51] Mr Witness, you described that you and your friends decided to join the  
2 Seleka in Bria. Please describe how you travelled there and what happened in Bria.

3 A. [11:01:14] Yes. I agreed with my friends to join the Seleka in Bria. In the  
4 meantime, I got in touch with friends who were already in the Seleka in Bria (Redacted)  
5 (Redacted). We had already agreed for me to  
6 join them.

7 And that's how I left Bangui together with my friends. We took the back roads, the  
8 cart, the cattle tracks, because there were many military checkpoints up until the 75-  
9 kilometre marker on leaving Bangui. We could avoid these military checks by taking  
10 the back roads. And we made our way to Damara after the checkpoints. It was in  
11 Damara that we split ways. I first went to Sibut, and from Sibut, I managed to get a  
12 truck to get to Bria.

13 I arrived in Bria. My friends had already told me where to find them. (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted), and then I came back to Bria to take part in the

19 descent on Bangui with the Seleka.

20 Q. [11:04:22] Thank you. (Redacted)

21 (Redacted). First of all, can you describe Mahamat Saleh to us, please.

22 A. [11:04:54] Yes. Mahamat Saleh was a colonel. First in the Central African army,  
23 he was made colonel by President Bozizé, by presidential order. He was one of the  
24 leaders of the CPJP armed group and one of the Seleka commanders. He is small in  
25 stature, very slim. He is fair-skinned. He speaks -- he speaks a bit of French. He

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1 speaks Sango, Arabic, and the Banda language, the language of my ethnicity.

2 Q. [11:06:18] Do you know where he is from in the Central African Republic?

3 A. [11:06:37] This is what I know: He originally comes from the north of the country,

4 and he grew up in the capital, (Redacted)

5 (Redacted).

6 Q. [11:07:06] Do you know his ethnicity?

7 A. [11:07:15] Yes. He is Rounga.

8 Q. [11:07:27] Mr Witness, I believe you gave us an abbreviation of the group that --

9 the abbreviation you gave was CPJP, if I understood correctly. Can you please explain  
10 what that abbreviation stands for?

11 A. [11:08:05] If I'm not mistaken, this abbreviation is for an armed group, a majority  
12 Rounga group from the north of the Central African Republic, and the abbreviation  
13 stands for the Convention of Patriots for Justice and Peace. This group was created in  
14 order to fight power of Francois Bozizé. And I am not a member of the CPJP.

15 Q. [11:08:55] (Redacted)

16 (Redacted)

17 A. [11:09:22] I'd like to first clarify something here. I joined (Redacted) within  
18 Seleka and not in the CPJP. (Redacted) was part of the CPJP, or he had belonged  
19 to this group, but because when he had become a member of Seleka, that is when I  
20 joined him.

21 And to answer your question, yes, I can identify other men who were together with  
22 (Redacted) and myself.

23 Q. [11:10:16] Can you please do that now?

24 PRESIDING JUDGE SAMBA: [11:10:25] I am mindful that we're in open session,  
25 though, Madam Prosecutor.

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1 MS VON BRAUN: [11:10:32] Yes, your Honour. It would probably be beneficial to go  
2 into private session. I have seen the witness's reaction as well, so I would request a  
3 private session for him to be able to answer.

4 PRESIDING JUDGE SAMBA: [11:10:45] Madam Court Officer, can we briefly go into  
5 private session, please.

6 (Private session at 11.11 a.m.)

7 THE COURT OFFICER: [11:11:00] We're in private session, Madam President.

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 Q. [11:12:54] And how is this group you joined (Redacted), how is it  
23 structured?

24 A. [11:13:17] Structured? I'd say not. There was just a leader, commanders who were  
25 named here and there. You could be a commander today and be demoted tomorrow,

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1 or you could be close to the leader tomorrow, or then you could be replaced by  
2 someone else. The only structure was that there is only the leader of the group that had  
3 to be obeyed within the group because he is the one who provided arms and  
4 munitions, means of transport, and other needs.

5 Q. [11:14:12] Now, you mentioned the leader and commanders. Do you recall names  
6 of commanders under this leader?

7 A. [11:14:30] The best command structure was situated in Bangui. That's where  
8 commanders could be designated and given responsibilities. At Bria there were no  
9 such responsibilities.

10 Q. [11:15:02] All right. So when you came to Bria, what did you do?

11 A. [11:15:17] I did not really understand the question very well.

12 PRESIDING JUDGE SAMBA: [11:15:22] We are still in private session. Do you still  
13 want for us to remain in private session, Madam Prosecutor?

14 MS VON BRAUN: [11:15:29] Well, we can go back to open session for the descriptive  
15 parts, I think, now. I am just mindful of the issue that names may come back. But let's  
16 -- then let's go to open session. Yeah. Let's go back to open session.

17 PRESIDING JUDGE SAMBA: [11:15:47] Mr Witness, can I advise that if you have to  
18 name names, you ask us to go to private session, or if for any reason you don't feel  
19 comfortable talking in open session, please let us know so that we can go to private  
20 session. Am I understood?

21 THE WITNESS: [11:16:22] (Interpretation) Yes, I think it will depend on the nature of  
22 the question.

23 PRESIDING JUDGE SAMBA: [11:16:27] Rightly.

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

25 (Open session at 11.16 a.m.)

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- 1 THE COURT OFFICER: [11:16:40] We are back to open session, Madam President.
- 2 PRESIDING JUDGE SAMBA: [11:16:44] Thank you very much.
- 3 Madam Prosecutor, please carry on.
- 4 MS VON BRAUN: [11:16:48]
- 5 Q. [11:16:48] So when you arrived in Bria and you joined this group, what were your  
6 activities? What did do?
- 7 A. [11:17:10] In Bria, the group's activities were to find the means to enable the group  
8 to function. This means we made little trips in different locations and the environing  
9 towns in order to look for resources to enable the group's survival. But it was the  
10 people responsible, the leaders of the group, who would have meetings in order to plan  
11 the descent on Bangui. We were not part -- we were not part of these meetings, but we  
12 would receive reports on the advance on Bangui from our superiors, from those who  
13 were responsible. (Redacted) who informed us of the  
14 preparations of the descent on Bangui. Those are some of the activities I participated in  
15 in Bria.
- 16 Q. [11:18:50] Was this group -- were the members of this group armed?
- 17 A. [11:19:02] Yes.
- 18 Q. [11:19:10] What type of weapons did you have?
- 19 A. [11:19:21] For the whole group or my personal weapon?
- 20 Q. [11:19:31] If you can answer for both, then please do so.
- 21 A. [11:19:47] At that time I didn't really know about different types of weapons, but  
22 there were weapons and I had a Kalashnikov, an AK-47.
- 23 Q. [11:20:15] Was this type of weapon also provided to others in the group?
- 24 A. [11:20:30] Yes, it was. It made up the majority of the weapons of the group.
- 25 Q. [11:20:43] And was training provided?



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- 1 A. [11:20:51] At the beginning, not.
- 2 Q. [11:21:01] Can you elaborate that a bit more? If you say "at the beginning," then it  
3 sounds like at some point. Can you describe that a bit more, please.
- 4 A. [11:21:19] Yes. Before joining the Seleka, I had no training. It is after having  
5 joined the Seleka that I underwent military training.
- 6 Q. [11:21:35] What do you mean by "military training," please? Can you describe that  
7 a bit more.
- 8 A. [11:21:50] Yes. We were trained on how to use weapons, how to operate weapons.  
9 We were trained on discipline, on respecting hierarchy, and on combat resistance.
- 10 Q. [11:22:29] And who trained you?
- 11 A. [11:22:42] I do not have the name of this person.
- 12 Q. [11:23:01] You said a few minutes ago there were many men or there were several  
13 men in this group. Can you estimate for us how many men were part of this group  
14 when you joined?
- 15 A. [11:23:30] No. As I already told you, it wasn't possible to know the exact number  
16 because people could come today and then join another group tomorrow. They could  
17 also leave the group permanently. They could leave after a couple of days and then  
18 they could come back. So they came and went, and there wasn't an exact number as  
19 there could be in a regular army.
- 20 Q. [11:24:15] That is okay. I mean, if you don't know, you don't know, so all fine.  
21 You spoke about meetings and communications, and I would like to ask you, were  
22 there meetings held in Bria between (Redacted) and other Seleka leaders like him?
- 23 MS NAOURI: [11:24:46](Interpretation) Objection. Objection, your Honour. This is a  
24 leading question, so we object to this kind of question.
- 25 PRESIDING JUDGE SAMBA: [11:25:00] Rightly so.

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1 Madam Prosecutor, can you avoid leading questions. Can you frame your question in  
2 a manner that's not leading.

3 MS VON BRAUN: [11:25:11] I will be mindful of it. No problem.

4 Q. [11:25:15] Were there meetings held in Bria that you obtained knowledge of which  
5 (Redacted) was also a part of?

6 PRESIDING JUDGE SAMBA: [11:25:48] He has said leaders of the group would hold  
7 meetings. You could simply ask him, without naming names maybe, who these  
8 members or leaders were who held meetings, and the name you want may come up,  
9 instead of asking leading questions, Madam Prosecutor.

10 MS VON BRAUN: [11:26:08] All right.

11 Q. [11:26:11] Who were the leaders who held meetings in Bria?

12 A. [11:26:33] There were many group leaders because the Seleka was made up of a  
13 number of groups, and there was no union between all the men. So the leaders would  
14 communicate between each other. And we knew this because our leader would then  
15 make a report, and we did this every time when the leader would give us orders on  
16 what we would have to do. And so he would tell us about the meetings that he had  
17 taken part in, and that is how I knew that there were meetings between the groups'  
18 leaders.

19 Q. [11:27:28] Thank you. And did you learn who those other leaders were?

20 A. [11:27:44] They would not tell us the name of all the leaders, but he mentioned one  
21 name, that of Nouradine Adam, but not all the other leaders. He would tell us about  
22 the instructions that had come from Nouradine Adam.

23 MS VON BRAUN: [11:28:11] I will just ask one last question before the break. I believe  
24 we end at 11.30, Madam President. Is that okay?

25 PRESIDING JUDGE SAMBA: [11:28:20] You're right. Yes.

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1 MS VON BRAUN: [11:28:25]

2 Q. [11:28:25] And who is Nouradine Adam, Mr Witness?

3 A. [11:28:41] I don't think I understand the question very well. You mean at the time  
4 I was in Bria or in general?

5 Q. [11:28:53] Please describe at the time you were in Bria for now. Thank you.

6 A. [11:29:06] Yes. At that time I knew that Nouradine was the leader who would  
7 plan the advance. I know this because of the reports that were made to us by our  
8 leader.

9 MS VON BRAUN: [11:29:38] Madam President, shall we stop here? I would have  
10 several follow-up questions on this issue, but I'm mindful of the time.

11 PRESIDING JUDGE SAMBA: [11:29:48] Yes, we could.

12 But maybe before we go, Mr Witness, you say Adam was the leader who planned the  
13 advance. Advance on what or where? Can you tell us? As at -- at Bria.

14 THE WITNESS: [11:30:20] (Interpretation) When we were in Bria, the leaders of the  
15 group, including my leader, would receive instructions before taking any action. So  
16 during the reports, they informed us of the instructions that they had received,  
17 received from Nouradine, before any action was taken.

18 PRESIDING JUDGE SAMBA: [11:30:56] Thank you very much.

19 We're going to rise the court for some 30 minutes, and when we come back, we shall  
20 continue with your direct examination. Thank you very much.

21 THE COURT USHER: [11:31:09] All rise.

22 (Recess taken at 11.31 a.m.)

23 (Upon resuming in open session at 12.01 p.m.)

24 THE COURT USHER: [12:01:20] All rise.

25 Please be seated.

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1 PRESIDING JUDGE SAMBA: [12:01:49] All right. We'll continue with the direct  
2 examination of the witness. Just to note that we are in open session.

3 Madam Prosecutor, you can put your questions to the witness, please.

4 MS VON BRAUN: [12:02:05] Thank you, Madam President, and we can continue in  
5 open session for a while, but I will continue to be mindful.

6 Q. [12:02:17] Mr Witness, before we paused for a break, you had mentioned that from  
7 Bria, you went to Bangassou. And this is at transcript page 13, lines 11 and 12. Can  
8 you please state what happened in Bangassou.

9 A. [12:03:03] We went to Bangassou on a scout mission, and that was for the personal  
10 affairs of the chief. As I said a moment ago, each chief had to get their arms and  
11 ammunition and their means of functioning. They had to choose that. So within that  
12 framework, we accompanied him to Bangassou.

13 Q. [12:03:50] Thank you very much. Mr Witness, I would like to show you an item  
14 which relates to your testimony thus far.

15 MS VON BRAUN: [12:04:05] And it is at tab 69 of the Prosecution's list of materials,  
16 and it has the registration number CAR-OTP-2070-0268, for the record, and I would  
17 appreciate if it could be shown on an evidence channel for the witness, please, and the  
18 parties.

19 Q. [12:04:35] And then I will ask you some questions on it.

20 It's on the evidence channel now, Mr Witness. Can you let us know what it is that you  
21 see there.

22 A. [12:05:09] Yes. I can see a map of the Central African Republic.

23 Q. [12:05:19] Thank you. I'm just making sure that it's working well. Now, Mr  
24 Witness, you should have a type of marker on your desk there that I would like to ask  
25 you to use, and if you can indicate whether we can -- you can find Bria on the map

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1 before you. If it is too small, the map, we can zoom in a bit, because for me also it is a  
2 bit small, the way it appears here.

3 A. [12:06:12] Can I?

4 Q. [12:06:16] Would you like to have it zoomed more?

5 A. [12:06:23] Yes, a bit, please.

6 Q. [12:06:37] How about now?

7 A. [12:06:42] Yes.

8 Q. [12:06:48] Can you use the marker that should be at your disposal to indicate  
9 where Bria is.

10 A. [12:07:03] Yes. (Witness marks document)

11 Q. [12:07:19] And from Bria, which route did you take to Bangassou?

12 A. [12:07:30] (Witness marks document)

13 Here there are two routes that are used the most commonly.

14 Q. [12:08:06] Thank you. Do you recall which one of those you took back then in  
15 2012?

16 A. [12:08:22] Both.

17 Q. [12:08:29] So when you arrived in Bangassou, from Bangassou, where did you go  
18 next?

19 A. [12:08:50] From Bangassou, we went back to Bria.

20 Q. [12:09:01] Could you place the number 1 next to the route you took from Bria to  
21 Bangassou.

22 A. [12:09:23] (Witness marks document)

23 Q. [12:09:30] Okay. Now I have a 1 and a 2 and a 3. Can you just explain for the  
24 record what those numbers mean.

25 A. [12:10:47] Yes. The number 1 indicates the point of departure, number 2 indicates

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- 1 the place I went to, and figure number 3 is the return point.
- 2 Q. [12:10:17] Thank you very much. That's very clear. And how did you travel to
- 3 Bangassou and back?
- 4 A. [12:10:34] We travelled on a vehicle, a 4x4. It was a Land Cruiser, a family type of
- 5 Land Cruiser.
- 6 Q. [12:11:00] Thank you. And when you arrived back in Bria, what happened then?
- 7 A. [12:11:21] When we arrived back in Bria, we were preparing for the descent to
- 8 Bangui.
- 9 Q. [12:11:45] And how did these preparations go? Can you describe that?
- 10 A. [12:12:04] Yes. By "preparations", what I understand by that here is controlling the
- 11 vehicles, to ensure that the weapons were working properly, to control the ammunition
- 12 and to be aware of the plan put in place by the chief.
- 13 Q. [12:12:47] And what plan was that?
- 14 A. [12:13:00] It was a plan to show us how we should behave and what we should do
- 15 for the descent to Bangui.
- 16 Q. [12:13:26] Can you describe that a bit more, please.
- 17 A. [12:13:45] Well, as regards the details, it was just the conduct that we were
- 18 expected to follow. First of all, with regards to the population, not to abuse the
- 19 population, and to focus on our target, namely, the FACA, and to try to advance as fast
- 20 as possible.
- 21 Q. [12:14:31] And who conveyed this plan to you?
- 22 A. [12:14:48] My colonel at the time, (Redacted) did.
- 23 Q. [12:15:03] And what happened next?
- 24 A. [12:15:19] Afterwards, on the day of departure, we left Bria for Bambari, and then
- 25 from Bambari to Sibut before entering Bangui.

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1 Q. [12:15:42] Can I ask you again, please, to take the marker and indicate the route  
2 you took from Bria to Bambari and then on to Sibut.

3 A. [12:16:01] Yes. The same colour?

4 Q. [12:16:12] Yes, you can use the same colour, and we can also then, again, for each  
5 route, use numbers.

6 A. [12:16:27] (Witness marks document)

7 Q. [12:16:52] Can you also indicate, perhaps with a line, if possible, the route you  
8 took approximately.

9 A. [12:17:06] (Witness marks document)

10 Q. [12:17:21] Thank you very much. Now, who -- when you arrived in Bambari,  
11 what happened there?

12 A. [12:17:52] When we arrived in Bambari, there were already commanders who had  
13 left Bambari to go to Sibut, others going through Bambari and others going through the  
14 bush -- others going through Grimari and others going through the bush. And the last  
15 Seleka column to have left Bambari was the column of General Souleyman with one of  
16 the Seleka commanders, and that was the General Mohamed Dhaffane. The aim was  
17 for -- the point of convergence of all the Seleka groups was Sibut. Everyone had to  
18 come together in Sibut.

19 Q. [12:19:16] Thank you. Who are the commanders that had left already?

20 A. [12:19:36](No interpretation).

21 Q. [12:19:45] Would you like to go into private session for this question?

22 A. [12:19:50] Yes.

23 PRESIDING JUDGE SAMBA: [12:19:52] Madam Court Officer, can we go briefly into  
24 private session, please.

25 (Private session at 12.20 p.m.)

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- 1 THE COURT OFFICER: [12:20:04] We're in private session, Madam President.
- 2 PRESIDING JUDGE SAMBA: [12:20:07] Thank you very much.
- 3 And thank you very much, Mr Witness, for that.
- 4 Madam Prosecutor, yes, your witness.
- 5 MS VON BRAUN: [12:20:15]
- 6 Q. [12:20:15] So who were the commanders that had already left, Mr Witness?
- 7 PRESIDING JUDGE SAMBA: [12:20:24] Left where? Can you complete the question,
- 8 please.
- 9 MS VON BRAUN: [12:20:28]
- 10 Q. [12:20:28] Left Bambari.
- 11 A. [12:20:43] General Arda, General Issa Issaka Aubin. So General Arda and General
- 12 Issa Issaka Aubin.
- 13 Q. [12:21:10] Thank you. And what do you know about these two commanders?
- 14 A. [12:21:25] \*General Issa and General Zoundeko were former trackers, they should
- 15 take the bush from Grimari to go to Bangui after Sibut, via the bush. And the General
- 16 Arda, he was coming afterwards, after General Moussa Assimeh who had joined
- 17 Seleka in Bambari because there was a lack of means, because to get to Bambari, to
- 18 advance, the Seleka had a problem of arms and ammunition and of means of transport.
- 19 And that's why General Moussa came to Bambari to reinforce -- to provide
- 20 reinforcements with his troops. And he had General Arda helping with the arrival on
- 21 Sibut.
- 22 Q. [12:22:50] Thank you. Could you indicate perhaps --
- 23 MS VON BRAUN: [12:22:54] Is it possible to use a different colour? Yeah.
- 24 Q. [12:23:00] In a different colour to -- yeah, to indicate the route that you just
- 25 described that Issa Issaka took through the bush, if you know.



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1 A. [12:23:21] It hasn't appeared on the map.

2 Q. [12:23:29] The route, you mean, has not appeared on the map, or the -- what has  
3 not appeared on the map?

4 A. [12:23:44] It was the route taken by the cattle, or the cattle paths don't appear on  
5 the map. I can try to -- to go from 6, you have this path. This comes out approximately  
6 here.

7 (Witness marks document)

8 Q. [12:24:10] Okay. And can you put a number there, please. Maybe the number 8.

9 A. [12:24:24] (Witness marks document)

10 THE INTERPRETER: [12:24:25] the interpreter adds that in a previous answer, the  
11 witness stated that General Issa and General Zoundeko were former trackers and that  
12 they had taken the bush from Grimari.

13 MS VON BRAUN: [12:24:43]

14 Q. [12:24:43] All right. Now, was the -- sorry, one second. Now, you mentioned  
15 Moussa Assimeh, who was bringing in certain types of reinforcements. Can you  
16 explain that a bit more, please.

17 A. [12:25:44] As I said, on arriving in Bambari, the Seleka had problems where it  
18 concerned ammunition, heavy weapons, and mobility as well. So on the other side, the  
19 South African army had already arrived in reinforcement, so it was necessary to  
20 reinforce the Seleka position.

21 And that's how from Bambari General Moussa arrived with these materials and these  
22 troops in order to provide support to Seleka or to open the road for Seleka to descend  
23 on Bangui.

24 Q. [12:27:00] Thank you.

25 For the record, I would just like to note that the line in blue, which also has the number

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1 8, related to the route taken by Issa Issaka through the bush.

2 Now, Mr Witness, what do you know about Moussa Assimeh? Who is that?

3 A. [12:27:43] According to the information that I had, he was Sudanese. Apart from  
4 that, I don't have any other information about him.

5 Q. [12:28:07] And what can you tell us about Arda, the person named Arda, that you  
6 mentioned?

7 A. [12:28:28] At that time -- after was the deputy chief of staff of Seleka responsible  
8 for operations, and he played the role of spokesperson, military spokesperson of the  
9 Seleka as well.

10 Q. [12:28:51] Just so I understand, are you referring to this point in time when -- of  
11 your narrative or a later period?

12 A. [12:29:11] The period of the descent on Bangui, before Bangui was taken.

13 Q. [12:29:25] And then you mentioned two other names, a Souleyman and Dhaffane.  
14 What can you tell us about these two?

15 A. [12:29:41] Could you repeat, please.

16 Q. [12:29:44] Yes, of course. You mentioned two other names, Souleyman and  
17 Dhaffane. What can you tell us about these two people?

18 A. [12:30:06] \*Well, Souleyman was a career doctor, a veterinary doctor by career, of  
19 the Peul ethnic group. And Dhaffane, he was one of the founding members and in  
20 charge of Seleka. His ethnic group was close to the ethnic group of Souleyman. So  
21 generally, they're Peuls. But Dhaffane is Haoussa, which means that they came  
22 together for the descent on Bangui.

23 I have to state here, to clarify, that most of the groups within the Seleka were done by  
24 ethnic group, by friendship or by knowing each other. If you were from the same  
25 ethnic group, you were going to come together. You would get weapons and you

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1 would get ammunition, and one of you would become the colonel and you would  
2 become a group. If you were people who knew each other, you could make a group  
3 and get a colonel. You would become a group. And that is how also for the Peul  
4 ethnic group, they came together in order to carry out the descent on Bangui.

5 Q. [12:31:50] And what ethnic groups did Arda and Issa Issaka belong to?

6 A. [12:32:11] They are both Gula, from the same ethnic group.

7 Q. [12:32:26] And do you recall what type of weapons Moussa Assimeh supplied?

8 A. [12:32:50] I was not close to Moussa. When we arrived in Bambari, I received  
9 information from my leader, saying that we had to support the Seleka with heavy  
10 weapons in order to resist the advances of South African troops. But I do not know  
11 what types of weapon were brought.

12 Q. [12:33:31] Thank you. Can you indicate, using yet another different colour, which  
13 route Arda took to Sibut?

14 A. [12:33:54] (Witness marks document)

15 Q. [12:34:30] For the record, the witness is using the colour green. And can you put  
16 the number 9, please.

17 A. [12:34:38] (Witness marks document)

18 Q. [12:35:46] Indicating the said route. Thank you.

19 So now, Mr Witness, what happened in Sibut?

20 A. [12:35:13] In Sibut, first of all, we had to wait for the report from the Libreville  
21 talks which had brought together members of the government, Seleka representatives,  
22 members of the opposition, and Central African civil society. The Seleka had not  
23 received a favourable outcome to all their demands, and so a strategy was put in place  
24 in Sibut in order to attract Seleka leaders who were already part of the government  
25 after the Libreville talks. The strategy was to attract them in order to take them hostage

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1 which would facilitate the troops' arrival in Bangui.

2 And because of this, Djotodia, who was leading the Seleka delegation in the  
3 government with the interior minister, at that time came to Sibut. They were taken  
4 hostage. The interior minister was freed. The Seleka ministers stayed in order to plan  
5 the descent on Bangui.

6 In the meantime, General Nouradine, who had health issues, had stayed at the French  
7 base at M'Poko to undergo treatment. And that is how the descent on Bangui was  
8 planned, and my group and the Seleka descended on Bangui.

9 PRESIDING JUDGE SAMBA: [12:38:00] Just to note, Madam Prosecutor, that we're still  
10 in private session, if that's where you want the information to be given.

11 MS VON BRAUN: [12:38:14] I understand that parts of this could have been in open  
12 session, but since there are certain names the witness appears to have more issues with  
13 than others, it is -- yeah. But I will be -- we can -- we can go back to open session.

14 Q. [12:38:135] But then, Mr Witness, you indicate again whether any of my questions  
15 prompt you to request a private session, please.

16 A. [12:38:53] Understood.

17 PRESIDING JUDGE SAMBA: [12:38:56] So shall we go to open session?

18 MS VON BRAUN: [12:39:00] Yes, we can.

19 PRESIDING JUDGE SAMBA: [12:39:00] Madam Court Officer, can we go to open  
20 session briefly, please.

21 (Open session at 12.39 p.m.)

22 THE COURT OFFICER: [12:39:10] We're back in open session, Madam President, your  
23 Honours.

24 PRESIDING JUDGE SAMBA: [12:39:16] Thank you very much.

25 Madam Prosecutor, carry on, please.

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- 1 MS VON BRAUN: [12:39:20] Thank you, Madam President.
- 2 Q. [12:39:23] Mr Witness, do you recall when you arrived in Sibut?
- 3 A. [12:39:42] There was an important event that happened in Sibut after the Libreville  
4 talks. First of all, every colonel in Sibut had to identify his men in order to integrate  
5 2.000 to 3.000 men into the Central African army. And so a selection was made and a  
6 bonus was given to every selected man in Sibut.
- 7 As I stated a moment ago, after this, all Seleka men had to stay in Sibut, according to  
8 the Seleka leaders. But according to the Libreville agreement, the Seleka had to go back  
9 to where they'd come from. And the members of Seleka belonging to the -- who were  
10 part of the government and the leaders of Seleka who stayed in Sibut set up a strategy.  
11 This strategy was to have the members of the government come there, the Seleka  
12 members of the government to come there, under a pre-text which was to report on the  
13 Libreville agreement. On their arrival, these would be taken hostage of. After they  
14 were taken hostage, the Seleka soldiers were to descend on Bangui in order to take the  
15 power.
- 16 The members of the government arrived accompanied by the minister of interior  
17 security who was not a member of Seleka, and he alone was free to make his way to  
18 Bangui. The other members of the government, the Seleka leaders, stayed in Sibut  
19 together with the other group leaders. They stayed to plan the descent on Bangui.  
20 The only leader who was not in Sibut was General Nouradine. He had stayed on the  
21 French military base at M'Poko because he had some health issues. All the others were  
22 in Sibut.
- 23 This is how the descent on Bangui was planned and how the Seleka descended on  
24 Bangui.
- 25 Q. [12:43:12] And can you explain to us how you know this, what you just described

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1 to us.

2 A. [12:43:36] I think I already told you that every colonel, after the meeting of the  
3 high command, would have to report to their men the behaviour they had to adopt.  
4 Each colonel would bring his men together and would have to give them the  
5 instructions that their leaders had given them with regards to the advance. So it is  
6 thanks to my leader that I was aware of what had happened and on the decisions that  
7 had been taken.

8 Q. [12:44:27] Thank you. And who were the members of the government that you  
9 just referred to, the members of the government that were in Sibut?

10 A. [12:44:50] The members of the government who had stayed in Sibut were all  
11 Seleka leaders in the National Unity government, because after the Libreville  
12 agreement, a government was set up together with the opposition, civil society, and the  
13 armed groups. There were Seleka representatives within this government. Those who  
14 were part of the government, those who had leading positions, who had been assigned  
15 these positions, they all came back to Sibut.

16 Q. [12:45:50] And who were the ones -- or who were those taken hostage? You had  
17 referred to a hostage-taking.

18 A. [12:46:05] I said it wasn't really hostage taking. It was a strategy. This implied  
19 that they were blocked, that they were stopped, because they were part of the  
20 government, but they actually knew when they came there that they would stay in  
21 Sibut. They did not stay there as hostages. They stayed there in order to plan the  
22 descent on Bangui. So it was not in reality a hostage situation. It was just a pre-text for  
23 them to leave Bangui and make their way to Sibut.

24 And a member of the government who was not part of the Seleka and who is with  
25 them, who's minister of the interior, he went back to Bangui.

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1 Q. [12:47:09] Thank you very much. When I ask you for names, would you prefer we  
2 go into private session again on this issue?

3 A. [12:47:33] I think I remember at least two names of the government members, and  
4 these are well-known names throughout the country, so I can give them to you here.  
5 All the country knows that they were ministers at the time.

6 There was the minister delegate of defence who is Djotodia and who is part of the  
7 delegation. There was also the minister of herding, Mohamed Dhaffane, and others  
8 whom I do not remember.

9 Q. [12:48:23] And who was the minister of interior that you referred to that went  
10 back?

11 A. [12:48:42] The minister of the interior was the Reverend Pastor Josué Binoua.

12 Q. [12:48:56] All right. Thank you very much. Now, you've referenced several times  
13 the advance on Bangui. Please describe to us what you recall from this event.

14 A. [12:49:27] I can give you a short explanation. First of all, this was a quick decision.  
15 I think I can say that. In Damara, there were CEAC troops. They were there as  
16 interposition troops between the Seleka troops and the government troops, supported  
17 by the South Africans. And these CEAC troops had retreated from what was known as  
18 the Red Line that had been traced by the CEAC. This was an imaginary line that had  
19 been set up by the CEAC.

20 The CEAC had freed this line, and all that was left facing them were the FACA, the  
21 Central African forces, supported by the South African forces. But the FACA who were  
22 in front of them were very numerous. They were in forward positions, and the South  
23 African troops were behind.

24 When the troops retreated, the Seleka launched their assault. Since the FACA were at  
25 kilometre 55 from Bangui, the Seleka attacked their positions. In first position, there

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1 was General Moussa who was to play the role of scout, followed by Arda and others,

2 (Redacted)

3 We arrived near the FACA positions at PK55. We fought with the FACA. The fighting  
4 was intense. Arda had to retreat from there to Damara. We stayed in place in these  
5 forward positions with General Moussa Assimeh. This was on the night of 23 March, if  
6 I'm not mistaken.

7 During the battle of PK55, General Issa Issaka, who was in the bush, had left the bush  
8 at kilometre -- PK16, meaning 16 kilometres from Bangui, near the position of the South  
9 African forces, which pushed the South Africans and the FACA back and allowed us to  
10 advance to the checkpoint near the entrance to the capital, meaning at PK12. That was  
11 the night of the 23rd.

12 We spent the night at PK12. There was a South African base at PK10, meaning 10  
13 kilometres from Bangui. The FACA and the South Africans re-grouped on this base.  
14 We stopped at PK12.

15 The following morning, there was talk of going to Bangui. In the meantime, General  
16 Alkhatim, who was a former member of President Bozizé's presidential guard, and he  
17 knew a route that leads to a presidential palace, a hill road. He took this road, this  
18 route, and attacked the presidential palace, whilst at the same time General Moussa  
19 launched a combat from PK12 towards the city centre.

20 The fighting was intense.

21 Can we go into private session because there is something that might identify me here.

22 PRESIDING JUDGE SAMBA: [12:55:26] Madam Court Officer, can we briefly go into  
23 private session, please.

24 (Private session at 12.55 p.m.)

25 THE COURT OFFICER: [12:55:44] We're in private session, Madam President.



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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 PRESIDING JUDGE SAMBA: [12:58:23] Thank you very much, Mr Witness.

17 Madam Court Officer, can we go back to open session, please.

18 MS VON BRAUN: [12:58:37]

19 Q. [12:58:37] Mr Witness, you mentioned --

20 THE COURT OFFICER: [12:58:40] Stop, please.

21 MS VON BRAUN: [12:58:40] Oh, sorry.

22 (Open session at 12.58 p.m.)

23 THE COURT OFFICER: [12:58:44] We are now in open session. Thank you.

24 PRESIDING JUDGE SAMBA: [12:58:48] Thank you very much.

25 Yes, Madam Prosecutor, carry on.

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- 1 MS VON BRAUN: [12:58:53] My apologies for going too fast.
- 2 Q. [12:58:57] Mr Witness, you mentioned two dates. And just so the record is clear,  
3 you mentioned once the 23rd and the other time 24th. Which month are you referring  
4 to?
- 5 A. [12:59:17] March 2013.
- 6 Q. [12:59:27] And I would like to go to the beginning of this narrative that you just  
7 gave us and turn back to the map briefly. You mentioned Damara and a line in  
8 Damara. Can you point out where, if you know, this line would have been.
- 9 A. [13:00:04] Should I continue in green?
- 10 Q. [13:00:11] Let me ask you another question before, before we can decide that.  
11 Were you part of the group that crossed that line? Did you take that route via Damara?
- 12 A. [13:00:41] All the Seleka men who had gone from Bria to Bambari who were in  
13 that column, as well as other columns, received instructions to stay in Sibut and not to  
14 go through Damara. It is the CEAC that decided that the city of Damara was a Red  
15 Line. So the city represented this Red Line, and so crossing the city of Damara is  
16 something that the FACA should not cross in order to attack the Seleka in Sibut, and  
17 the Seleka should not cross this line in Damara to go and attack the FACA in Bangui.  
18 And that is why the CEAC had placed these troops in Damara, and they represented  
19 the Red Line. So on both sides nobody had the right to cross this Red Line.  
20 It is after the hostage-taking that the troops retreated from Damara to Bangui. That  
21 was understood to be the green light, and the Seleka left Sibut to descend on Bangui.  
22 Of course, I was part of the Seleka troops who had taken that action of Bangui and  
23 crossed through Damara.
- 24 Q. [13:02:40] All right. Thank you very much for clarifying that for me one more  
25 time, and I'm sorry that I had to ask you a repetitive question. But it is now clear for

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1 me that it would, indeed, be better if you would use another colour to indicate this line  
2 that you spoke about, this line of Damara.

3 A. [13:03:05] (Witness marks document)

4 Q. [13:03:33] Thank you very much.

5 And for the record, the witness has used, I think it is, a black colour and indicated a  
6 circle.

7 And, Mr Witness, can you just say what this circle now stands for in your own words,  
8 please.

9 A. [13:04:05] This circle, number 10, represents the town of Damara, the town that  
10 was considered to be a Red Line.

11 Q. [13:04:24] Thank you very much. That's very clear now. And now please indicate,  
12 using the colour red, which we have used in the past, to indicate your own route, the  
13 route you were a part of, to show which route you took as part of the advance you  
14 described.

15 A. [13:04:52] (Witness marks document)

16 Q. [13:05:07] And perhaps you can put another number. I'm sorry, it's for the record.  
17 It's easier then to reconstruct later on.

18 So for the record, the witness has placed a number 11 and used the red markings to  
19 indicate the route he described between Sibut and Bangui. Mr Witness, before we turn  
20 to what then happened later in Bangui, you mentioned another name which I believe  
21 was Alkhatim. Who is that?

22 A. [13:06:20] He was one of the Seleka officers who also had his own group. He was  
23 a former FACA soldier who was in the presidential guard of Francois Bozizé.

24 Q. [13:06:58] And how did he -- from where did he arrive in Sibut?

25 A. [13:07:22] Well, he had another column. His column left from Kabo Bandoro --

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1 Kabo, Kaga-Bandoro and Sibut.

2 Q. [13:07:54] Could I ask you to take yet another colour and indicate that, if you can,  
3 on the map.

4 A. [13:08:00] (Witness marks document)

5 Q. [13:08:53] So for the record, the witness has used the colour blue and indicated the  
6 numbers 12, 13, and 14.

7 Mr Witness, can you please explain what these numbers stand for.

8 A. [13:09:18] The number 12 represents Kabo. This is a town close to the border with  
9 Chad. 13 represents Kaga-Bandoro, and 14 represents Dekoa to get to Sibut.

10 Q. [13:09:58] Thank you, Mr Witness. Now please describe what happened next in  
11 Bangui after your narrative had just left off. What happened next on 24 March?

12 A. [13:10:30] After we arrived at the capital, entered the capital, everyone went their  
13 own way to go and find their war booty. First of all, before going in, we stopped at  
14 President Bozizé's house, which was already empty. The house is in PK11, before the  
15 South African base.

16 (Redacted)

17 (Redacted)

18 (Redacted). And in the capital, everybody went their own way to get whatever they  
19 could find, either vehicles, material goods, anything that was beneficial.

20 So at that time, we weren't looking to know where the leaders were, nor to follow the  
21 leaders. Everyone, first of all, they were trying to get to where their leaders' base was.

22 THE INTERPRETER: [13:12:57] And just to add, the interpreter adds: Bozizé's house  
23 was a base of the South Africans prior thereto.

24 MS VON BRAUN: [13:13:15] Thank you very much.

25 Madam President, for now I would not require the map anymore, so I would like to

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1 request a registration number for this item, please.

2 PRESIDING JUDGE SAMBA: [13:13:30] Madam Court Officer, can you give us an ERN  
3 number, if we may, please. Thank you.

4 THE COURT OFFICER: [13:13:38] Yes, Madam President. This item will bear the  
5 following reference CAR-REG-0002-0035. I was waiting for the interpretation. Thank  
6 you.

7 PRESIDING JUDGE SAMBA: [13:13:57] Thank you very much.

8 MS VON BRAUN: [13:14:03]

9 Q. [13:14:03] Mr Witness, was there more fighting in Bangui when you arrived?

10 A. [13:14:24] No. There were only two pockets of resistance in Bangui. The first was  
11 PK10 where the South African base was, and the second was at the party HQ, President  
12 Bozizé's party's headquarters. In the meantime, we heard that President Bozizé had  
13 fled towards the south, and there was fighting towards the south with the troops that  
14 were following him. But myself and my group, we stayed in the capital on that day.  
15 Apart from those two pockets, there was no fighting. The other firing that was going  
16 on in the city was shooting out of joy and not shooting as part of combat.

17 Q. [13:15:58] (Redacted), as you said?

18 Where did you go in Bangui?

19 A. [13:16:16] Well, we went -- everybody went their own way, but on the second day  
20 we came together. We came together with ...

21 Q. [13:16:49] Yes. Would you like to go into private session?

22 A. [13:16:52] (Speaks English) Yes.

23 PRESIDING JUDGE SAMBA: [13:17:55] Madam Court Officer, can we go briefly into  
24 private session, please.

25 (Private session at 1.17 p.m.)

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1 THE COURT OFFICER: [13:17:06] We're in private session, Madam President, your

2 Honours.

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

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18 (Redacted)

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25 (Redacted)

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- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Open session at 1.21 p.m.)
- 6 THE COURT OFFICER: [13:21:13] We are back to open session, your Honours.
- 7 PRESIDING JUDGE SAMBA: [13:21:17] Thank you very much.
- 8 Madam Prosecutor.
- 9 MS VON BRAUN: [13:21:37] Sorry for the delay, but I would request item at tab 8 to be
- 10 shown to the witness, which is at CAR-OTP-2081-0066, and it relates to the issue of
- 11 (Redacted) that he had just referred to.
- 12 Q. [13:22:53] Mr Witness, do you recall this item?
- 13 A. [13:23:03] Yes.
- 14 Q. [13:23:07] (Redacted)
- 15 A. [13:23:20] Yes.
- 16 Q. [13:23:25] Thank you very much.
- 17 MS VON BRAUN: [13:23:27] It can be removed.
- 18 Q. [13:23:50] Now, Mr Witness, what did you do next? What happened next?
- 19 A. [13:24:09] (Redacted)
- 20 (Redacted)
- 21 (Redacted)
- 22 (Redacted)
- 23 (Redacted)
- 24 (Redacted)
- 25 (Redacted)

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7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 Q. [13:28:02] Thank you very much. Mr Witness, I will have some follow-up

14 questions on that, but those will probably best be dealt with in private session after the  
15 break.

16 MS VON BRAUN: [13:28:14] However, Madam President, I could take the remaining  
17 two minutes to show the witness one more item that is related directly to what he just  
18 said.

19 PRESIDING JUDGE SAMBA: [13:28:26] Go ahead, please.

20 MS VON BRAUN: [13:28:28] So then I would request, please, to have shown on the  
21 evidence channel an item at tab 7 which has the registration number CAR-OTP-2081-  
22 0065, please. (Redacted)

23 (Redacted)

24 Q. [13:29:05] Can you see the item, Mr Witness?

25 A. [13:29:13] Yes.



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1 Q. [13:29:16] (Redacted)

2 A. [13:29:27] Yes.

3 Q. [13:29:32] Thank you very much.

4 MS VON BRAUN: [13:29:34] Then the item can be removed, and I would reserve my  
5 further questioning until after the lunch break, Madam President, if okay with you.

6 PRESIDING JUDGE SAMBA: [13:29:47] That's fine.

7 Mr Witness, we are going to break here for lunch, and we will come back at 2.30 to  
8 continue with your direct examination.

9 So I'll rise the court and ask that we come back at 2.30, please, after lunch. Thank you.

10 THE COURT USHER: [13:30:08] All rise.

11 (Recess taken at 1.30 p.m.)

12 (Upon resuming in open session at 2.32 p.m.)

13 THE COURT USHER: [14:32:34] All rise.

14 Please be seated.

15 PRESIDING JUDGE SAMBA: [14:33:05] Good afternoon, again. Good afternoon,  
16 everyone.

17 Mr Witness, we will continue with your direct examination, please.

18 Madam Prosecutor, your witness.

19 I think we're in open session, aren't we, Madam Court Officer? Yes.

20 MS VON BRAUN: [14:33:23] Thank you, Madam President.

21 Q. [14:33:26] Mr Witness, I have a few brief follow-up questions regarding the issues  
22 we touched upon before the break. And for the first set, I believe we can remain in  
23 open session, but do please indicate if that is a misinterpretation on my side. All right?  
24 Okay.

25 So Mr Witness, my first follow-up question regards the advance on Bangui. Can you

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1 tell us how the Seleka communicated during that advance.

2 A. [14:34:28] The commander had Thuraya phones, thanks to which they could  
3 communicate between themselves and with the command.

4 Q. [14:34:45] And during the advance, who did the commander communicate with?

5 A. [14:35:07] Most of the time, the colonel would have to step aside before being able  
6 to communicate. Sometimes he had to mention the name of General Nouradine, who  
7 he addressed as "your excellence", which is how I knew that he was communicating  
8 with the high command.

9 Q. [14:35:47] Thank you very much. My next follow-up question regards first a  
10 clarification, which is possibly due to the way it is captured in the transcript. For the  
11 record, I would like to ask you to clarify, at page 34, line 11 of the English transcript, it  
12 says "these CAC troops", and I would like to ask you what does "CAC", this  
13 abbreviation, stand for.

14 A. [14:36:49] It's not CAC but rather \*CEEAC. This stands for the Economic  
15 Community of Central African States.

16 Q. [14:37:15] Thank you very much for that clarification, Mr Witness. Then my next  
17 follow-up question relates to page 35, lines 10 and 11 of the English transcript, and  
18 there, at the moment it reads, and I'll quote this, Mr Witness, from this transcript: "We  
19 stopped at PK12. The following morning there was talk of going to Bangui." End of  
20 quote.

21 And my question is: Who talked? What do you mean by this?

22 A. [14:38:28] PK12 is not Bangui. It is a town at the entrance to Bangui, meaning it is  
23 12 kilometres from point 0, from the town centre. And so during the night, the night of  
24 the 23rd, which we spent at PK12, and this is less than 2 kilometres, less than 2  
25 kilometres from the South Africans' base. They were still armed and were continuing

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1 fighting. It was on the morning of the 24th that the South Africans retreated to their  
2 base, leaving the road open to be able to go into the town centre, to be able to enter  
3 Bangui.

4 Q. [14:39:50] Thank you very much. My question related more to who was talking  
5 there in Bangui, but only if you can answer that, of course. Sorry, not in Bangui. Who  
6 was talking there at PK12? Because you said there was talk of going to Bangui.

7 A. [14:40:26] (Redacted)

8 (Redacted)

9 (Redacted).

10 MS VON BRAUN: [14:41:56] All right. Madam President, maybe we can move into a  
11 brief private session for my next follow-up question, please.

12 PRESIDING JUDGE SAMBA: [14:41:07] Madam Court Officer, can we go briefly into  
13 private session, please.

14 (Private session at 2.41 p.m.)

15 THE COURT OFFICER: [14:41:20] We are in private session, Madam President, your  
16 Honours.

17 PRESIDING JUDGE SAMBA: [14:41:23] Carry on, Madam Prosecutor. Put your  
18 question, please.

19 MS VON BRAUN: [14:41:25] Yes, thank you.

20 Q. [14:41:27] So who was part of this high command that you just referenced?

21 A. [14:41:41] When I'm -- when I speak about the high command, I'm talking about  
22 Nouradine Adam.

23 Q. [14:41:56] All right. Thank you very much.

24 And we can remain in private session for a little longer concerning my next questions,  
25 please.

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1 Around this time at PK12, where was Arda?

2 A. [14:42:30] On the morning of the 24th, early in the morning, almost all the officers  
3 were on the spot at PK12, on that morning. It was Moussa who launched the attack.  
4 Like I said, the attack was launched when he was trying to bring back the captive South  
5 African man. It is that that triggered the early morning attack at PK12.

6 Q. [14:43:19] Thank you. And does this group of commanders that you just referred  
7 to also include Issa Issaka? Was he also there?

8 MS NAOURI: [14:43:29](Interpretation) Objection.

9 PRESIDING JUDGE SAMBA: [14:43:35] I'm sure you're well advised. Yes, thank you.

10 MS VON BRAUN: [14:43:38] I will rephrase. I'm sorry. That -- that was ...

11 Q. [14:43:41] Who else was present at PK12?

12 A. [14:43:56] At PK12, there were already many people who had given themselves  
13 the title of commander and -- commander, people who had not been that before. At  
14 PK12, there were many people, many vehicles, many new vehicles. There were also  
15 people who were not from the Bria-Bambari column. They were from other columns,  
16 other columns who had joined the columns there.

17 So this means that I can't tell you exactly who was there, but there were many people  
18 there, and everyone remained near their leaders to allow them to advance.

19 Q. [14:45:03] All right. Thank you very much, Mr Witness.

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Open session at 2.49 p.m.)

23 THE COURT OFFICER: [14:49:06] We are back to open session, Madam President.

24 PRESIDING JUDGE SAMBA: [14:49:08] Thank you very much.

25 Madam Prosecutor, carry on, please.

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1 MS VON BRAUN: [14:49:11] Thank you.

2 Q. [14:49:13] And this Colonel Said, who is this?

3 A. [14:49:34] As I stated, these were Seleka officers who were part of the military  
4 police, and they were in charge of providing the names and identification of the men so  
5 that they could be part of the military police. So before taking the photos and taking  
6 down the names, all the leaders of these men had to be present. So if I remember  
7 correctly, they had started before this in other bases, (Redacted)  
8 (Redacted).

9 At that time, I did not know precisely who did what or who held what position at that  
10 time.

11 Q. [14:50:48] What is Colonel Said's full name?

12 A. [14:51:00] His full name is something I learnt at the OCRB. His name is Mahamat  
13 Said Abdel Kani.

14 Q. [14:51:21] Thank you very much. Mr Witness, you just spoke about other bases.  
15 What do you mean by that, "other bases"?

16 A. [14:51:44] I'm referring to bases. Bases at the time were considered to be any  
17 house or any location where there was a Seleka colonel with his men. Each colonel had  
18 either a house, an individual private person's house or a house that belonged to the  
19 state. And in this house, the colonel lived with his men. For the Seleka, these were  
20 military bases.

21 Q. [14:52:39] And where were such bases established?

22 A. [14:52:49] Everywhere in the city of Bangui. Like I stated previously, these could  
23 either be private person's houses or houses belonging to the state or even the family  
24 houses of the given colonel. If a person was a Seleka colonel, their house would  
25 automatically become a base, meaning the location where all his men would come

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1 together, where they would be located.

2 Q. [14:53:32] Thank you. (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 Q. [14:54:31] (Redacted)

7 A. [14:54:50] Not the date, but I can remember the circumstances, the circumstances

8 (Redacted). But not the exact date.

9 Q. [14:55:08] Thank you.

10 MS VON BRAUN: [14:55:12] For the next follow-up questions, I would like to request

11 private session, please.

12 PRESIDING JUDGE SAMBA: [14:55:20] Madam Court Officer, can we go briefly into

13 private session, please.

14 (Private session at 2.55 p.m.)

15 THE COURT OFFICER: [14:55:31] We are in private session.

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

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21 (Redacted)

22 (Redacted)

23 (Redacted)

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9 (Redacted)

10 Q. [15:04:37] All right. And then you mentioned these special prisoners and you  
11 gave the name Yalo brothers. Can you please tell us a bit more about these prisoners.

12 A. [15:05:00] Yes. I wasn't the one that gave the term. (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 whilst waiting for a commander to arrive to manage the location.

18 Q. [15:05:54] Which president are you referring to?

19 A. [15:06:05] President Michel Djotodia.

20 Q. [15:06:14] And do you know the full names of these two prisoners?

21 A. [15:06:25] Yes. The older brother, Sani Yalo was his name. He was a businessman  
22 from the Central African Republic. And the second, the youngest, \*Danzoumi Yalo was  
23 his name. He was a colonel in the Central African army, a close collaborator of Bozizé.

24 Q. [15:07:12] Thank you. Now, you mentioned that Said arrived. Can you describe  
25 him for us.

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1 A. [15:07:35] Yes. I saw a strong, well-built man arrive. He was well built. He was  
2 leaning a bit towards the front. He had a dark skin, black skin. With his men, his  
3 bodyguard, and all the rest.

4 Q. [15:08:19] What else do you know about him?

5 A. [15:08:34] He was presented as the new person responsible for the OCRB,

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 Q. [15:09:25] And where is Said from?

11 A. [15:09:39] He was a Rounga from Bria.

12 Q. [15:09:49] And who were his -- the men that came with him that day at OCRB?

13 A. [15:10:05] On the first day of his arrival, he arrived with part of his team. As I said  
14 previously, the Seleka is made up of men who are not fixed, as it were. From day to  
15 day, you see new troops arrive, and then sometimes they go elsewhere. Others arrive,  
16 and there are new troops recruited who also come.

17 So the first day when he arrived, there was the Commander Yaya and other troops  
18 with him who stayed and later became duty officers and troops as well.

19 Q. [15:11:06] So you mentioned Yaya. Is that his full name?

20 A. [15:11:19] No. His full name is Yaya Soumayele.

21 Q. [15:11:31] And what do you know about him?

22 A. [15:11:39] He was a former soldier who was in the army before joining Seleka, and  
23 he's also Rounga.

24 Q. [15:11:59] And where is he from?

25 A. [15:12:10] I can't say that exactly. There are too many villages you can be from in

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1 the Central African Republic. I couldn't say that exactly.

2 Q. [15:12:27] All right. And you mentioned that there were other troops and then  
3 permanent duty officers. Do you recall any of their names?

4 A. [15:12:47] Well, the troops who arrived, among them there were officers; that is to  
5 say, there were commanders, there were captains, lieutenants. And among them,  
6 others were appointed as duty officers; that is to say, those who should plan the guard,  
7 the interventions, the calls or call-ups. There were also privates, and they were  
8 appointed by the duty officers. There was the gaolers, the people who dealt with the  
9 gaol. They were appointed by the duty officers.

10 And there were the troops. The troops had to go into the field, and the duty officers  
11 would carry out duty at the (Redacted), and the others who weren't from the  
12 service would carry out the role of investigator, the one who would receive the  
13 complaint and would try and deal with the problem at the OCRB.

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 So whenever the duty officers or the others or the gaolers or the colonels or the

24 commanders wanted to have access to it, they had to ask for the key, (Redacted)

25 (Redacted)

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1 And if a detained person was brought in, or a suspect (Redacted)

2 (Redacted). And if he knew that he was going to be freed,

3 (Redacted) issue a paper that the colonel would sign either through an order from

4 Commander Yaya, either that had to be signed to show on exit before the person left

5 the OCRB.

6 Q. [15:17:50] Thank you. When you say "the colonel would sign", who do you refer

7 to?

8 A. [15:18:05] Colonel Said.

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 Q. [15:19:22] Thank you. Before we turn to that in a bit more detail, except for

14 signing such orders, as you've just referred to, what else was Colonel Said's role at the

15 OCRB?

16 A. [15:20:03] He was the chief in charge of the OCRB. When it came to orders, when

17 it came to reports, they went through him. And he would decide to imprison

18 somebody or not. He would decide if a prisoner had to be released or not. He would

19 decide on the interventions to be carried out or not.

20 Q. [15:21:02] And was there someone that Said was reporting to?

21 A. [15:21:20] Yes. He reported in turn to the minister of the interior, Nouradine

22 Adam.

23 Q. [15:21:41] And how do you know this?

24 A. [15:21:54] Nouradine would come to the OCRB in order to find out about the

25 situation, and every time he would come, everyone -- well, (Redacted)

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1 (Redacted), and he would take the book of  
2 releases to see who was here and why, and he would take the charge book.  
3 And if somebody came and he had given the order to Said to arrest somebody, that had  
4 to be done in front of the table (Redacted)  
5 (Redacted)  
6 (Redacted)  
7 (Redacted)  
8 (Redacted)  
9 (Redacted)  
10 (Redacted). It was, if you like, the OCRB secretariat.  
11 Q. [15:24:00] So what were your working hours, Mr Witness?  
12 (Redacted)  
13 (Redacted)  
14 (Redacted)  
15 (Redacted)  
16 (Redacted)  
17 (Redacted)  
18 (Redacted)  
19 (Redacted)  
20 (Redacted)  
21 (Redacted)  
22 (Redacted)  
23 (Redacted)  
24 Q. [15:26:22] All right. And what about Mr Said? What were his hours of presence  
25 or times of presence at the OCRB?

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1 A. [15:26:38] He had to be there every morning. He also had a table as a desk just  
2 opposite the courtyard. So every morning he would come, (Redacted).He would leave  
3 in the afternoon. And he would often come in the evening, but he didn't spend the  
4 night at the OCRB. He would come and go, and he would sleep at his home. He  
5 would come back the next day. But every morning he was at the OCRB.

6 Q. [15:27:32] And what about Mr Adam? How often would he come to the OCRB?

7 A. [15:27:46] If he had no personal problems to deal with, he could come two or three  
8 times a week. But if he wanted to send a prisoner here, he would either come with a  
9 prisoner, or he would send him, and then he would come to see if the prisoner was  
10 being guarded before leaving. But other than those problems, in the week he would  
11 come two or three times, in order to get news from the OCRB and to check that there  
12 was food and that the men were working well enough.

13 Q. [15:28:49] Where did this food come from?

14 A. [15:29:04] It could come from two places. The beef and the tapioca flour came  
15 from the military rations from Camp de Roux. Camp de Roux is the camp of the  
16 presidential guard. And rice and sugar, sardines and oil came from traders who  
17 Nouradine would pay, or he would tell us that the traders had to deliver rice, sugar,  
18 sardines, and oil. Those are the two sources of food that would usually come to the  
19 OCRB.

20 Q. [15:30:13] And for who was this food meant?

21 A. [15:30:23] For all the men of the OCRB.

22 Q. [15:30:33] And by "men" - sorry, just to be clear on the record - who do you mean  
23 by "men"?

24 A. [15:30:47] I'm referring to the Seleka men working at the OCRB.

25 Q. [15:31:00] And were these Seleka men at the OCRB paid?

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1 A. [15:31:10] No.

2 Q. [15:31:21] Okay. Thank you very much. (Redacted)

3 (Redacted)

4 (Redacted)

5 Q. [15:32:04] Okay. Can you describe that a bit more. "Often sleep", what do you  
6 mean by that?

7 A. [15:32:19] I mean he wouldn't sleep there every day. There were days that he slept  
8 there and other days that -- when he slept at home. But he was always present at the  
9 OCRB every day.

10 Q. [15:32:43] And what was his role at the OCRB?

11 A. [15:32:58] He was the colonel's deputy. He was his direct deputy, and he was  
12 responsible for overseeing planning the -- and the actions carried out by the duty  
13 officers. If the colonel was absent, he would make the decisions, all the while  
14 mentioning that he'd received orders from the colonel. And if there were little issues  
15 among the troops, he would intervene in order to guarantee order.

16 PRESIDING JUDGE SAMBA: [15:33:59] Madam Prosecutor, do you want for us to still  
17 remain in private session?

18 MS VON BRAUN: [15:34:04] Yes, I -- some of the issues could have been done in open  
19 session, but what I would like to do with the remainder of our time would again  
20 require private session, which is related to images of the OCRB (Redacted)  
21 (Redacted). So I snuck these issues in. Yes.

22 PRESIDING JUDGE SAMBA: [15:34:26] That's okay. Carry on, then.

23 MS VON BRAUN: [15:34:31] Thank you.

24 Q. [15:34:32] So as just indicated, we have about 25 minutes left, Mr Witness, for  
25 today, and I would like to use this remaining time to look at a few images and see

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- 1 whether you can provide additional information when looking at these images.
- 2 MS VON BRAUN: [15:35:00] So I would like to start with the image on tab 12, which
- 3 has the registration number CAR-OTP-2033-7718. If that could be brought up for the
- 4 witness, that would be great.
- 5 Q. [15:35:39] So, Mr Witness, do you see the image on your screen?
- 6 A. [15:35:48] Yes.
- 7 Q. [15:35:51] And what is it that you see there?
- 8 A. [15:36:02] I see the gate, the main entrance gate to the OCRB.
- 9 Q. [15:36:19] All right. Thank you very much. Would you like to add anything on
- 10 this image?
- 11 A. [15:36:32] Just to say that this is the main entrance.
- 12 Q. [15:36:40] All right. Thank you very much.
- 13 MS VON BRAUN: [15:36:42] Then we can remove this image. And I would request
- 14 tab 13 with the registration number CAR-OTP-2033-6811 to be brought up and onto the
- 15 screen.
- 16 Q. [15:37:12] Mr Witness, do you -- please tell us what you see in this image.
- 17 A. [15:37:32] I can recognise six items on this image.
- 18 Q. [15:37:50] Go on, please.
- 19 A. [15:38:05] Figure 1 is the main entrance, the gate to the main entrance. Figure 2,
- 20 this is the OCRB's main building, meaning the front courtyard. Number 3, this is a
- 21 police vehicle that the Seleka would use at the OCRB as well. Figure 4, this is a
- 22 building, the building that was used for the toilets and showers. Figure 5, this is a
- 23 building that was also used as a gaol. And figure 6, in the background, this was also a
- 24 building that was used as a gaol, (Redacted)
- 25 (Redacted).



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- 1 Q. [15:39:43] All right. Thank you very much.
- 2 And for the record, this witness has marked this image with red numbering, as he just
- 3 described.
- 4 MS VON BRAUN: [15:39:56] So, Madam President --
- 5 PRESIDING JUDGE SAMBA: [15:39:58] Madam Court Officer, can we have an ERN
- 6 number for that, please.
- 7 THE COURT OFFICER: [15:40:02] Thank you, Madam President. This item will bear
- 8 the following reference: CAR-REG-0002-0036.
- 9 PRESIDING JUDGE SAMBA: [15:40:14] Thank you very much.
- 10 Madam Prosecutor, carry on, please.
- 11 MS VON BRAUN: [15:40:17] Thank you. And then next would be tab 14, with the
- 12 registration number CAR-OTP-2033-6820, please.
- 13 PRESIDING JUDGE SAMBA: [15:41:00] Did you say tab 13 or 14?
- 14 MS VON BRAUN: [15:41:04] 14.
- 15 PRESIDING JUDGE SAMBA: [15:41:05] 1-4.
- 16 MS VON BRAUN: [15:41:06] Yes, 1-4. So I can also repeat the registration number, if
- 17 necessary.
- 18 PRESIDING JUDGE SAMBA: [15:41:14] I have it.
- 19 MS VON BRAUN: [15:41:16] Okay, thank you. Yeah -- no, no.
- 20 PRESIDING JUDGE SAMBA: [15:41:17] I was just reading something else in the
- 21 transcript. That's why I asked again.
- 22 THE COURT OFFICER: [15:41:20] We have the right item. We are just encountering
- 23 some technical difficulties to save the previous Registry items, and once we're done,
- 24 we'll display the next one. Thank you. Apologies for the delay.
- 25 It's now on evidence channel 1.

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- 1 MS VON BRAUN: Q. [15:42:06] Okay. Mr Witness, please, what can you -- what can  
2 you see in this image?
- 3 A. [15:42:21] As I mentioned in the previous image, I can see the main building of the  
4 police from the front. I can see a police vehicle, a building used for toilets, another  
5 used as a gaol, and another in the background also used as a gaol. And there's also  
6 another building housing toilets in the background.
- 7 Q. [15:43:02] Thank you. Could you mark the parts of the image that you have just  
8 referred to quickly with numbers again. So number 1, 2, 3, and so follow, like you did  
9 with the other image.
- 10 A. [15:43:42] 1, the main building from the front; 2, a police vehicle; and we have 3, a  
11 building used for toilets; 4, a building used as a gaol; 5, a building used as toilets; and  
12 6, a building used as a gaol.
- 13 Q. [15:44:13] Thank you very much.
- 14 MS VON BRAUN: [15:44:15] And, please, I would also request this image to be  
15 registered.
- 16 PRESIDING JUDGE SAMBA: [15:44:19] Madam Court Officer, an ERN number,  
17 please. Thank you.
- 18 THE COURT OFFICER: [15:44:23] CAR-REG-0002-0037.
- 19 PRESIDING JUDGE SAMBA: [15:44:29] Thank you very much.  
20 Continue, Madam Prosecutor.
- 21 MS VON BRAUN: [15:44:32] Yes. So next would be item 15 on the Prosecution's list of  
22 materials, which is CAR-OTP-2033-7154.
- 23 Is the ERN captured correctly on the transcript? There seems to be a typo on the  
24 English transcript. So I'll just repeat it just to -- I'm sorry, but just to be absolutely sure.  
25 It will be CAR-OTP-2033-7154. Thank you.

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- 1 Q. [15:46:05] Mr Witness, can you tell us what you see in this image?
- 2 A. [15:46:20] Yes. I see the entrance opposite the main building of the OCRB.
- 3 Q. [15:46:39] Thank you. And in relation to this building, where was the desk placed
- 4 that you mentioned was occupied by Mr Said?
- 5 A. [15:47:00] He did not have a desk within the building.
- 6 Q. [15:47:09] Yes, but you mentioned a desk outside the building, I understood.
- 7 A. [15:47:18] Yes. But you asked me about a desk within the building, and that's why
- 8 I said that there was no desk within the building.
- 9 Q. [15:47:30] I'm very sorry. That must have been a translation issue or my question
- 10 wasn't posed clearly enough. So I'm asking about the desk that you had mentioned.
- 11 PRESIDING JUDGE SAMBA: [15:47:47] Do we need to be in private session, though,
- 12 for this, may I ask?
- 13 MS VON BRAUN: [15:47:54] We can go out of private session, but for the next photo,
- 14 then we would have to go back probably. But I'm in your hands. I mean, I understand
- 15 completely that ...
- 16 PRESIDING JUDGE SAMBA: [15:48:05] Madam Court Officer, can we go briefly into
- 17 open session and deal with this photo, please.
- 18 (Open session at 3.48 p.m.)
- 19 THE COURT OFFICER: [15:48:24] We're in open session, Madam President.
- 20 PRESIDING JUDGE SAMBA: [15:48:27] Thank you very much.
- 21 Yes, Madam Prosecutor, carry on, please.
- 22 MS VON BRAUN: [15:48:31]
- 23 Q. [15:48:31] So, Mr Witness, I'll just repeat my question again. You had mentioned a
- 24 desk of Mr Said. Where was this desk?
- 25 A. [15:48:47] This desk cannot be located on this image.

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- 1 Q. [15:48:59] All right. Then we will move to another image. Thank you.
- 2 MS VON BRAUN: [15:49:05] And that would be tab 21, which is CAR-OTP-2033-6871.
- 3 Q. [15:49:34] And before you answer, I think we should move back into private  
4 session.
- 5 MS VON BRAUN: [15:49:47] Unless, we say, this is not displayed to the public and he  
6 can speak about it freely. But I think now it could be identifying.
- 7 PRESIDING JUDGE SAMBA: [15:49:49] Okay. Madam Court Officer, let's go into  
8 private session.
- 9 (Private session at 3.50 p.m.)
- 10 THE COURT OFFICER: [15:50:04] We are back to private session, Madam President.
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 (Redacted)
- 21 (Redacted)
- 22 (Redacted)
- 23 (Redacted)
- 24 A. [15:51:43] Yes. (Witness marks document)
- 25 Q. [15:51:54] And what is the white building there in the background? Do you

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1 know?

2 A. [15:52:08] The building in the background is used as offices for a mobile telephone  
3 company called Moov RCA.

4 Q. [15:52:26] And then you've just mentioned names or numbers G1 to G4. What is  
5 that exactly?

6 A. [15:52:44] G1 to G4 are the names used to designate each compartment in this  
7 building. G1 is a room used as food storage. This is where we would store our food.  
8 G2 is a gaol used to keep prisoners in, more specifically military prisoners, either  
9 members of FACA or Seleka. G3 was to begin with for special prisoners, meaning the  
10 Yalo brothers, and would later become a gaol for civilians. And G4 which was used as  
11 a storage room in which we would keep all the belongings that we would keep. And  
12 all the keys to these doors had to be left at the table (Redacted).

13 Q. [15:54:08] Thank you very much. That's very clear.

14 For the record, (Redacted).

15 And, Mr Witness, can you take another colour and please add for us the G numbers  
16 that you've just described to where they belong so we're absolutely clear. Thank you  
17 very much.

18 A. [15:54:40] (Witness marks document)

19 Q. [15:55:08] Thank you very much.

20 For the record, the witness has marked in green G1, G2, and G3, and G4 on this image.

21 Mr Witness, would you like to add anything else concerning this witness -- this image?

22 Sorry.

23 A. [15:55:33] Yes. If you could add somewhere here, this is where there was a table  
24 that Colonel Said used as a desk. (Redacted).

25 Q. [15:56:00] Now, what did this table look like? Do you remember?

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1 A. [15:56:10] Yes. It was a table that had the same shape as the figure number 3, but  
2 it was made of iron. (Redacted) the desk he used was made of  
3 iron.

4 Q. [15:56:33] Thank you.

5 And for the record, the witness has marked in green where Mr -- he says Mr Said's  
6 table was positioned.

7 MS VON BRAUN: [15:56:51] Then I have one additional image to show you before we  
8 end for today, if that's okay, Madam President. It would concern tab 25 --

9 PRESIDING JUDGE SAMBA: [15:57:03] Do you want this marked?

10 MS VON BRAUN: [15:57:05] Oh, yes. Yes, I do.

11 PRESIDING JUDGE SAMBA: [15:57:08] Madam Court Officer, can we have an ERN  
12 number for it.

13 MS VON BRAUN: [15:57:09] I do, I would like to have a registration number. Thank  
14 you.

15 THE COURT OFFICER: [15:57:12] This item will have the following reference: CAR-  
16 REG-0002-0038.

17 MS VON BRAUN: [15:57:23] Thank you very much.

18 Can I continue or is it still -- yeah? Okay, sorry. I was trying to give you time.

19 And the last image would be tab 25, which is at -- which is registered

20 CAR-OTP-2033-7064.

21 Q. [15:58:33] And, Mr Witness, when you have the image in front of you, please let us  
22 know what you can say about this, please.

23 PRESIDING JUDGE SAMBA: [15:58:41] And do you want for us to remain in private  
24 session?

25 MS VON BRAUN: [15:58:45] I think here we can go into open session, Madam

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- 1 President. You're absolutely right.
- 2 PRESIDING JUDGE SAMBA: [15:58:51] Madam Court Officer, can we go into open  
3 session, please.
- 4 (Open session at 3.58 p.m.)
- 5 THE COURT OFFICER: [15:59:04] We are back to open session, Madam President,  
6 your Honours.
- 7 PRESIDING JUDGE SAMBA: [15:59:06] Thank you very much.
- 8 Madam Prosecutor, please.
- 9 MS VON BRAUN: [15:59:11]
- 10 Q. [15:59:11] Mr Witness, do you recognise what is on this image?
- 11 A. [15:59:21] Yes.
- 12 Q. [15:59:30] Please describe to us what you remember.
- 13 A. [15:59:41] Number 1 is a building used as toilets. Figure 2 is a building used as a  
14 gaol, from G5 to G7.
- 15 Q. [16:00:04] Anything else you would like to add regarding this image?
- 16 A. [16:00:11] No.
- 17 Q. [16:00:15] Okay. Thank you very much.
- 18 MS VON BRAUN: [16:00:17] Then I would also have this tendered, registered, please.  
19 Thank you. Madam President, a registration number.
- 20 PRESIDING JUDGE SAMBA: [16:00:37] I'm busy giving my own registration number.  
21 Madam Court Officer, can you kindly give us an ERN number, please.
- 22 THE COURT OFFICER: [16:00:44] Of course, Madam President. CAR-REG-0002-0039.  
23 Thank you.
- 24 MS VON BRAUN: [16:01:55] So we are nearing the time to end today, so I'm very  
25 mindful of that. However, I would -- since I've been advised also that it seems that the

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1 ERN for tab 14 may not have been captured fully in the transcript. So I'm just going to  
2 repeat that for the transcript now once, so we're absolutely sure it's in the transcript,  
3 which was CAR-OTP-2033-6820. And then from my side, we could end the session  
4 today.

5 PRESIDING JUDGE SAMBA: [16:01:41] Thank you very much, Madam Prosecutor.  
6 Mr Witness, we are going to end today's session at this point, but we'll continue  
7 tomorrow with your direct examination by the Prosecutor. And I'm going to ask that  
8 you do not discuss your testimony with anyone when you leave here today. So  
9 tomorrow we will meet here at 9.30 in the morning.

10 I rise the court, please.

11 (The hearing ends in open session at 4.02 p.m.)