

Trial Hearing
WITNESS: CAR-D29-P-4013

(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 Yekatom and Patrice-Edouard Ngaissona -
5 ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and Judge Chang-ho Chung
7 Trial Hearing - Courtroom 1
8 Monday, 15 April 2024
9 (The hearing starts in open session at 9.30 a.m.)
10 THE COURT USHER: [9:30:49] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SCHMITT: [9:31:09] Good morning, everyone. Court officer,
14 please call the case.
15 THE COURT OFFICER: [9:31:17] Good morning, Mr President, your Honours.
16 Situation in the Central African Republic II in the case of the Prosecutor versus Alfred
17 Yekatom and Patrice-Edouard Ngaissona, case reference ICC-01/14-01/18.
18 And for the record, we are in open session.
19 PRESIDING JUDGE SCHMITT: [9:31:33] Thank you very much.
20 I ask for the appearances of the parties.
21 Ms Berdennikova, first.
22 MS BERDENNIKOVA: [9:31:38] Good morning, your Honours. Good morning,
23 everyone in the courtroom.
24 This morning the Prosecution is represented by Ms Manochitra Prathaban, by Kweku
25 Vanderpuye, by Lucio Garcia, Yassin Mostfa and myself, Maria Berdennikova.

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1 PRESIDING JUDGE SCHMITT: [9:31:54] Thank you very much.

2 And Ms Massidda next.

3 MS MASSIDDA: [9:31:57] Good morning, Mr President, your Honours. For the
4 victims of the other crimes appearing today, Ms Evelyne Komerwa Ombeni, Ms
5 Orchlou Narantsetseg and myself, Paolina Massidda.

6 PRESIDING JUDGE SCHMITT: [9:32:08] Thank you.

7 Mr Suprun.

8 MR SUPRUN: [9:32:13] Good morning, Mr President. Good morning,
9 your Honours. The former child soldier are represented by myself, Dmytro Suprun.

10 PRESIDING JUDGE SCHMITT: [9:32:18] Thank you.

11 I turn to the Defence.

12 Ms Dimitri next.

13 MS DIMITRI: [9:32:23] Good morning, Mr President. Good morning,
14 your Honours. Good morning, everyone. Good morning to Mr Witness.

15 Mr Yekatom is present in the courtroom and today he is represented by

16 Mr Gyo Suzuki, Ms Yousra Lamqaddam, Ms Anta Guissé, Ms Charlotte Floquet and
17 Mr Régis Tiangaye as well as myself, Mylène Dimitri.

18 PRESIDING JUDGE SCHMITT: [9:32:46] Okay. Thank you very much. I turn to

19 Mr Knoops.

20 MR KNOOPS: [09:32:48] Good morning, Mr President, your Honours. Good
21 morning, everyone in the courtroom.

22 Our team today consists of Mr Mathias Goffe, Mr Clémence Fontaine and

23 Mr Ngaissona is present. Thank you.

24 PRESIDING JUDGE SCHMITT: [9:33:05] Thank you.

25 And, of course, most importantly, we have a new witness in the courtroom. I

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1 welcome Mr Gaston Sallo. Good morning.

2 WITNESS: CAR-D29-P-4013

3 (The witness speaks Sango)

4 THE WITNESS: [9:33:16](Interpretation) Good morning.

5 PRESIDING JUDGE SCHMITT: [9:33:17] On behalf of the Chamber, I would like to
6 welcome you to the courtroom. You are called as a witness to assist the Chamber in
7 the case of the Prosecutor v. Mr Ngaïssona and Mr Yekatom.

8 Mr Sallo, there should be a card in front of you with the solemn undertaking. Okay.

9 Mr Sallo, you first have to take an oath, the solemn undertaking, so please listen to me,
10 I speak, and then repeat after me.

11 I solemnly declare --

12 THE WITNESS: [9:33:54](Interpretation) I solemnly declare --

13 PRESIDING JUDGE SCHMITT: [9:33:59] That I will speak the truth --

14 THE WITNESS: [9:34:03](Interpretation) That I shall speak the truth --

15 PRESIDING JUDGE SCHMITT: [9:34:08] The whole truth and nothing but the truth.

16 THE WITNESS: [9:34:14](Interpretation) All the truth and nothing but the truth.

17 PRESIDING JUDGE SCHMITT: [9:34:20] Thank you very much, Mr Witness. You
18 are now under oath.

19 We can start with the examination by the Defence. And I think the Defence will
20 explain to you that there are some specificities to abide to, so to speak. I give the
21 floor to you.

22 MR SUZUKI: [9:34:42] Thank you, Mr President. Good morning, your Honours.

23 QUESTIONED BY MR SUZUKI:

24 Q. [9:34:46] Good morning, Mr Sallo. Good morning, Mr Sallo.

25 A. [9:35:00] Good morning.

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1 Q. [9:35:02] We have already met before but I will reintroduce myself. My name
2 is Gyo Suzuki and I will be asking some questions on behalf of Mr Yekatom this
3 morning. As the Presiding Judge mentioned, there are a couple of housekeeping
4 matters that I would like to go over with you.

5 First of all, you were probably informed during your familiarisation process, but my
6 questions and your answers are going to be interpreted and translated between
7 English, French and Sango. So it's very important that you and I both speak slowly
8 and that we pause between questions and answers to ensure that everything is
9 properly and accurately translated.

10 Is that clear, Mr Sallo?

11 A. [9:36:00] Yes, I've understood you well.

12 Q. [9:36:07] Thank you. And so I'll ask you to take your time and to listen
13 carefully to my questions, and if there is anything unclear in my questions, please
14 don't hesitate to ask me and I'll clarify or I'll rephrase. So we will go slowly and
15 please don't feel any need to rush and, lastly, if ever you feel like you need a break,
16 Mr Sallo, please don't hesitate to let me know and we will ask the Presiding Judge
17 whether we can take a short break.

18 Is that clear enough?

19 A. [9:36:50] Yes, it's clear, I have understood you.

20 Q. [9:36:58] Thank you.

21 Now, Mr Sallo, I'd like to start with some questions --

22 A. [9:37:04](Overlapping speakers)

23 Q. [9:37:05] -- about your ...

24 PRESIDING JUDGE SCHMITT: [9:37:10] I think you can continue.

25 MR SUZUKI: [9:37:13] Thank you, your Honour.

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1 Q. [9:37:13] Mr Sallo, I'd like to start with some questions about your personal
2 circumstances.

3 Could you please state your full name for the record?

4 A. [9:37:24] My name is Sallo, Gaston.

5 Q. [9:37:38] (Overlapping speakers) Thank you.

6 And can we have your date of birth, please?

7 A. [9:37:45] I was born on 6 February 1972.

8 Q. [9:37:52] Thank you.

9 And can you tell the Court where you were born, please?

10 A. [9:38:01] I was born in the district Boeing.

11 Q. [9:38:08] Thank you.

12 And where do you currently live?

13 A. [9:38:14] I still live in Boeing.

14 Q. [9:38:28] Thank you, Mr Sallo.

15 And apart from Boeing, have you ever lived anywhere else?

16 A. [9:38:44] No, I've always lived in Boeing.

17 Q. [9:38:53] Thank you.

18 And do you have any nicknames, Mr Sallo, any other names?

19 A. [9:39:05] I'm -- I also go by the name Yaoundou.

20 Q. [9:39:20] Thank you.

21 And what -- why do they call you Yaoundou in your neighbourhood?

22 A. [9:39:29] I was nicknamed Yaoundou because I'm bald and a bit plump, and
23 that's why I'm called Yaoundou.

24 Q. [9:39:45] Thank you, Mr Sallo.

25 And what do you do for a living, Mr Sallo?

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1 A. [9:39:54] I do a bit of everything. I'm a volunteer. I also manufacture bricks;
2 sometimes I also work as a mason's assistant.

3 Q. [9:40:17] Thank you, Mr Sallo.

4 Now, you said you do a little bit of everything. Have you ever kept animals as a
5 way of supporting yourself or your family?

6 A. [9:40:32] Yes, I've kept pigs.

7 Q. [9:40:43] Thank you.

8 And just in terms of where your home is --

9 MR SUZUKI: [9:40:59] Actually, your Honour, if we can go into private session very
10 briefly just for these questions.

11 PRESIDING JUDGE SCHMITT: [9:41:06] Yes, yes. But shortly only, yes.

12 MR KNOOPS: [9:41:09] Mr President, I was just informed that the French transcript
13 is blocked with the Defence.

14 PRESIDING JUDGE SCHMITT: [9:41:16] I've seen it. I think we are in the process
15 of solving that. Thank you for reminding me. Thank you.

16 MR KNOOPS: [9:41:23] Thank you, Mr President.

17 PRESIDING JUDGE SCHMITT: [9:41:24] However we simply continue. I think the
18 lady is on it.

19 (Private session at 9.41 a.m.)

20 THE COURT OFFICER: [9:41:35] We are in private session, Mr President.

21 MR SUZUKI: [9:41:44] (Redacted)

22 (Redacted)

23 Q. [9:41:49] (Redacted)

24 (Redacted)

25 (Redacted)

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- 1 (Redacted)
- 2 A. [9:42:14] (Redacted)
- 3 (Redacted)
- 4 Q. [9:42:31] (Redacted)
- 5 (Redacted)
- 6 A. [9:42:42] (Redacted)
- 7 Q. [9:42:51] (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 A. [9:43:08] (Redacted)
- 11 Q. [9:43:23] (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 A. [9:43:35] (Redacted)
- 15 PRESIDING JUDGE SCHMITT: [9:43:48] (Redacted)
- 16 (Redacted)
- 17 MR SUZUKI: [9:43:56] (Redacted)
- 18 (Redacted)
- 19 PRESIDING JUDGE SCHMITT: [9:44:15] (Redacted)
- 20 (Open session at 9.44 a.m.)
- 21 THE COURT OFFICER: [9:44:23] We are back in open session, Mr President.
- 22 MR SUZUKI: [9:44:32] Thank you, Madam Court Officer.
- 23 Q. [9:44:36] Mr Sallo, I'd like to take you back in time a little bit and ask you some
- 24 questions about the period before the arrival of the Seleka in Bangui.
- 25 Now, before the arrival of the Seleka in Bangui, did you used to frequent the Boeing

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1 market?

2 A. [9:45:10] Yes, I would frequently go to the Boeing market.

3 Q. [9:45:19] Thank you.

4 And why would you go to the Boeing market, Mr Witness?

5 A. [9:45:28] Sometimes I would go to buy cigarettes and many other things that I
6 could possibly need.

7 Q. [9:45:49] Thank you.

8 We're going to show you a photo now, Mr Witness, and that's at Defence
9 tab number 3. For the record, that's CAR-OTP-2126-0291.

10 Do you see that photo on the screen in front of you, Mr Witness?

11 A. [9:46:43] Yes, I do.

12 Q. [9:46:52] Thank you.

13 Now, the woman on the left there in the blue dress and the blue head covering, do
14 you know who that woman is?

15 A. [9:47:10] She is the head of the Boeing market and was in charge of selling
16 tickets.

17 Q. [9:47:32] Thank you, Mr Sallo.

18 And do you know her name by any chance?

19 THE INTERPRETER: [9:47:33] Overlapping speakers.

20 PRESIDING JUDGE SCHMITT: [9:47:35] Please slow down a little bit.

21 THE WITNESS: [9:47:40](No interpretation)...

22 PRESIDING JUDGE SCHMITT: [9:47:45] Can we perhaps repeat it. I think there
23 were overlapping speakers.

24 MR SUZUKI: [9:47:54] Thank you, Mr President. Of course.

25 Q. [9:47:57] Could you repeat your answer, Mr Sallo, please?

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1 A. [9:48:02] Her name is Bangué.

2 Q. [9:48:14] Thank you, Mr Sallo.

3 And the man on the right in the red -- the red boubou, do you know who that man is?

4 A. [9:48:28] We would call him Delegue.

5 Q. [9:48:42] Do you know the full name of Delegue?

6 A. [9:48:49] No, I know him by Delegue only because this is how we would call
7 him.

8 PRESIDING JUDGE SCHMITT: [9:49:05] Mr Witness, why would you call him
9 "Delegue"? Do you know that?

10 THE WITNESS: [9:49:14](Interpretation) He spent a lot of time in the Boeing market.
11 He was one of the first to come there and, from time to time, he would actually go
12 and buy things on behalf of his shopkeepers; in fact, he would go to buy goods for the
13 other shopkeepers as well.

14 MR SUZUKI: [9:49:42]

15 Q. [9:49:42] Thank you, Mr Sallo.

16 And do you know what religion Delegue was or what religion he practised?

17 A. [9:49:56] Delegue was Muslim.

18 Q. [9:50:02] Thank you.

19 I'm going to show you another photo, Mr Witness. It's at Defence tab number 4,
20 CAR-OTP-2126-0290.

21 Do you see that photo on the screen in front of you, Mr Witness?

22 A. [9:50:30] Yes, I do see the photo.

23 Q. [9:50:38] And do you recognise what's depicted in this photo?

24 A. [9:50:46] These are the doors of the various shops.

25 Q. [9:51:11] Thank you.

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1 First of all, when you say "boutiques", can you tell us where these boutiques are
2 found, roughly?

3 A. [9:51:26] These are the shops in the Boeing market.

4 Q. [9:51:40] Thank you.

5 And do you know who this boutique, or these boutiques, belonged to?

6 A. [9:51:49] It was Delegeu who sold his goods and the other Muslims who came
7 subsequently, I wouldn't know where their shops were.

8 Q. [9:52:15] Thank you, Mr Witness.

9 Now, still talking about the period before the arrival of the Seleka in Bangui, did you
10 ever hear of an incident involving thieves breaking in or trying to break in to the
11 Muslim traders' boutiques at the Boeing market?

12 A. [9:53:10] Before that, Muslims were robbed.

13 Q. [9:53:17] Can you tell us what you know about these break-ins at the Muslim
14 traders' boutiques?

15 A. [9:53:30] It was about 2, 3 at night and we heard gunshots until 6. We were
16 informed that there were thieves who tried to break in and entry into the shops and
17 this is what I can say for the moment.

18 Q. [9:54:07] Thank you.

19 And where were you when you heard the sound of gunfire?

20 A. [9:54:27] There were no problems at that point of time. I was at home and my
21 home was less than 500 metres from the market. This is the question you asked me,
22 and I asked you -- so if there were gunshots fired, you could hear them. It was about
23 2 to 3 in the morning, we couldn't go out and we actually waited till the morning to
24 go and collect information and we were told that there were thieves who tried to
25 break the shops of the Muslim. We couldn't go out at night. It's in the morning that

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1 we left to look -- to gather information.

2 Q. [9:55:06] Thank you, Mr Witness.

3 And you said "we heard." Can you tell the Court who you heard this from -- who
4 did you hear this information from?

5 A. [9:55:21] Who could give me this information? I was at home and I started
6 hearing gunshots. It was night. I couldn't leave, I was forced to stay indoors.

7 There were gunshots. I couldn't know what was happening and I had to actually
8 wait till the morning to go and collect information and it's on the site that we were
9 informed that there were thieves who wanted to actually break in and entry.

10 Q. [9:55:59] Thank you, Mr Witness. My apologies, my question wasn't clear. I
11 mean, the next day you said you heard this information and I just want to know who
12 did you hear this information from?

13 A. [9:56:13] There were people in small groups who were talking about this
14 situation. So I approached these people, I asked questions with respect to what
15 happened, and that's when they told me that there were thieves who tried to break in
16 and entry into the Muslim shops.

17 This is how I got the information.

18 Q. [9:56:49] Thank you, Mr Witness.

19 And you said that the thieves attempted to break in to the shops. Do you know
20 whether they were successful in breaking in?

21 A. [9:57:04] That's not the problem, counsel. Let me be more specific. I told you
22 that it was about 2 to 3 in the morning. There were gunshots fired. I did not have
23 binoculars to see that it's the thieves who wanted to break in and entry, no. The
24 Muslims started chasing them, but I wasn't actually there to see all this. I did not see
25 this with my own eyes, and this is what I got to know and this is what I can tell you

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1 now.

2 Q. [9:57:52] Thank you.

3 PRESIDING JUDGE SCHMITT: [9:58:00] Ms Dimitri.

4 MS DIMITRI: [9:58:02] Yes, Mr President, a slight correction and I'm sorry for the
5 delay, but Mr Tiangaye doesn't have Transcend, so the process is slower.

6 At page 10, line 19, in French, there's a correction from Sango to French. The witness
7 did not say that he doesn't know the shops of the other Muslim traders; he said he
8 doesn't know the name of the other Muslim traders at the market. Thank you.

9 PRESIDING JUDGE SCHMITT: [9:58:32] Thank you. And I think you can leave
10 this point with the attempted or successful breaking in into the shops. I think you
11 can leave that. You know, the witness heard gunshots - obviously, I would have
12 done the same - he stayed at home. Next day, obviously, I would have done the
13 same, I would like to -- want to know what had happened, and then he hears from
14 people. Well, then I think we can take it at that.

15 MR SUZUKI: [9:59:08] Thank you, your Honour. I just have one minor follow-up if
16 you wouldn't mind, with your leave.

17 Q. [9:59:20] Mr Witness, you said -- you said, or it's written in the transcript that
18 you said in French:

19 "*les musulman se sont mis á les poursuivre*".

20 (Interpretation) "The Muslims gave chase".

21 (Overlapping microphones)...could you clarify who you are referring to when you say
22 "*les musulman*"?

23 A. [9:59:52] Well, I'm talking about what happened during the night, but how
24 could I possibly see them? I think you need to put your questions more clearly.

25 People came to steal from them. There was some gunfire. I was at home, I couldn't

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1 leave my home, and so I couldn't take the risk of going out to see whether they were
2 successful in getting into these shops or not.

3 It was the following day that -- then I went up to people who were there, a little
4 group of people to ask them what happened and they answered that there had been
5 an attempted break-in or robbery.

6 But I wasn't there at the -- during the night to see them and to chase them and to offer
7 an accurate answer to your question, counsel.

8 Q. [10:00:45] I understand, Mr Witness, and I'm not asking you to tell us -- or,
9 rather, let me rephrase.

10 I'm just asking for a little bit precision about when you say "the Muslims chased off
11 the thieves". I understand that you didn't see this and that you heard this
12 information the next day, but specifically who are you referring to when you say, "the
13 Muslims chased off the thieves"?

14 A. [10:01:29] No, no, I never said that the Muslims ran after the robbers. This
15 happened during the night, and I wasn't there to see what happened. There was
16 some gunfire, right, you understand there were gunfire, so it was the robbers who
17 were attacking the Muslims and there was some gunfire. And why would I take
18 a risk to go outside?

19 It was only the following morning that I actually came out of my home to see what
20 happened. I saw some young people in a group and so I asked them and they said
21 that there had been people who had tried to steal from the Muslims.

22 But -- but driving them away or chasing away the thieves, I can't -- I mean, who could
23 I have been -- with what courage could I have armed myself with to come and see
24 what was going on?

25 Q. [10:02:27] Thank you, Mr Witness.

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1 Now, just in general, the traders at the Boeing market, how did they ensure security
2 of their boutiques?

3 A. [10:03:02] Well, they watched over their shops themselves. I think they even
4 spent the night in their shops.

5 Q. [10:03:14] Thank you. And more specifically, did they use any kind of means
6 or any kind of tools or instruments to defend themselves or ensure the security of
7 their boutiques?

8 A. [10:03:29] Who are you talking about exactly?

9 Q. [10:03:44] I'm talking about the Muslim traders at the Boeing market,
10 Mr Witness.

11 A. [10:03:52] Mm-hmm.

12 Q. [10:04:04] The Muslim traders at the Boeing market, did they (overlapping
13 speakers)

14 A. [10:04:14] Well, look, if they were hiding their weapons in their shops, I mean,
15 I didn't have any binoculars or any sensors or whatever, I'm not a policeman, I can't
16 discover that.

17 Q. [10:04:44] Thank you, Mr Sallo.

18 I understand you didn't see whether the Muslim traders at the market hid their
19 weapons in their shops. Did you ever hear that any of the Muslim traders had
20 weapons?

21 A. [10:05:11] No, I've never heard -- I've never heard anything about that. And if
22 somebody had a weapon, then they couldn't just declare that they had a weapon
23 because that wasn't what was done.

24 Q. [10:05:42] Thank you, Mr Sallo.

25 Now, after this -- after this robbery at the Boeing market, or this attempted robbery at

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1 the Boeing market that you told us about, did anything change in the way that the
2 Muslim traders treated or interacted with the other residents of Boeing?

3 A. [10:06:13] Of course, yes. The Muslims entered around 7 p.m. and they set up
4 in twos, in front of the shops up until a certain time, from 6 p.m. Well, it was just
5 after this robbery episode that we saw, in fact, that there was a certain watch that was
6 set up and maybe they had some sort of inkling into the fact that something was
7 happening behind the scenes.

8 Q. [10:07:11] Thank you. Thank you for that, Mr Sallo.
9 Now, aside from security, did you perceive or did you sense any change in the way
10 that the Muslim traders interacted with the people or the residents of Boeing?

11 A. [10:07:54] Yes, of course. Beforehand, everybody lived together in harmony.
12 And then after this robbery, the atmosphere wasn't like it was before. It wasn't
13 cooperative anymore. They used rather shocking language, which means -- which
14 meant that we were constantly on a reserve.

15 Q. [10:08:36](Overlapping speakers) Thank you, Mr Sallo.

16 And shocking language, they used shocking language towards who?

17 A. [10:08:46] Well, the Christians. It was in respect of the Christians; it wasn't
18 people from their own community. They were Christians. It was Christians that --
19 that were involved, so they didn't want -- after the robbery, it was the Christians they
20 didn't want to have dealings with anymore.

21 Q. [10:09:32] Thank you, Mr Sallo.

22 Now, when the Seleka arrived in Bangui, where were you? Do you remember where
23 you were living when the Seleka arrived in Bangui?

24 A. [10:09:54] When the Seleka arrived in Bangui, they were with the Muslims. We
25 were at home, we were in our homes.

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1 Q. [10:10:15] Thank you.

2 Now, you referred to the fact that the Muslim traders' boutiques -- I'm going to
3 rephrase, Mr Witness.

4 You spoke about the Muslim traders surveying their boutiques at night. And my
5 question is: When the Seleka arrived in Bangui, did anyone else secure the shops of
6 the Muslim traders in Boeing?

7 A. [10:11:10] No. Are you certain of the fact that Muslims could entrust -- watch
8 over their shops to the Christians or to the Central Africans? Can you imagine such
9 a thing for one instant?

10 Q. [10:11:48] Maybe my question -- my question wasn't clear, Mr Witness. That's
11 my fault.

12 I'm going to change tack slightly.

13 Mr Witness, you referred to the fact that the Seleka were with the Muslims. Could
14 you explain what you mean by that?

15 A. [10:12:30] After the robbery, things deteriorated. After that robbery event, after
16 that event, they -- they started turning to their brothers. I mean, they're very
17 close-knit and so they laid out the situation to their brothers, and there was this
18 robbery attempt, there was this gunfire, and so I would imagine that that's the type of
19 thing they said amongst themselves. So in each case, in the evening, they would
20 come, this was very probably to make sure that their brothers would be properly
21 protected.

22 Q. [10:13:16] Thank you, Mr Sallo.

23 And just to be specific, when you say "they" came to secure the boutiques, who are
24 you talking about? Can you specify, please?

25 A. [10:13:35] When I'm saying "them", I'm referring to their brothers; in other

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1 words, the Muslims -- the Muslims who were coming to talk with other Muslims.

2 They weren't Christians.

3 Q. [10:14:05] And these other Muslims that came, do you know where they came
4 from?

5 A. [10:14:23] Counsel, you're putting a question to me and I -- I just don't know.

6 Did I take them from A to B? You just had to look at these people, and just by
7 looking at them you couldn't imagine they came from Paoua or Chad? I didn't know
8 where they came from, whether they came from Bossangoa or Chad?

9 Q. [10:15:11] When they came to visit the Muslim traders, these other Muslims, did
10 they come in vehicles? How did they come to the Boeing market?

11 A. [10:15:25] Sometimes they came in vehicles or on motorcycles; sometimes they
12 came with a vehicle or a motorcycle and then they would go off again.

13 Q. [10:15:54] Just to be specific, Mr Witness, these Muslims that came to visit the
14 traders at the market, were they Seleka?

15 A. [10:16:13] Counsel, I don't know how to get it across to you. You know, at the
16 time, a Muslim couldn't cooperate with a Christian -- the Muslims collaborated or
17 cooperated with their own. I'm a Christian and so I couldn't go up to them to see
18 what had happened. These were people who had been Islamised and people who
19 were Islamised could go up to them. But a Christian, how could a Christian go up to
20 the Muslims? If he had done so, he would be regarded with suspicion, so I couldn't
21 go up to them to establish what had actually happened --

22 PRESIDING JUDGE SCHMITT: [10:17:11] Please move on.

23 THE WITNESS: [10:17:12](Interpretation) -- and who the people were.

24 MR SUZUKI: [10:17:17] Your Honour, I do have a couple of further details to

25 (Overlapping speakers)

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1 PRESIDING JUDGE SCHMITT: [10:17:21] Yes, I understand, but, you know, we
2 have a witness in the courtroom, and every witness has a certain personality, has
3 a certain, let's say, mode of answering, and I think we all have to adapt to that. Let
4 me be unspecific in this regard.

5 MR SUZUKI: [10:17:42] Thank you, Mr President.

6 Q. [10:17:46] Mr Witness, I understand these questions might seem a little bit
7 strange or it might seem like I'm asking you to repeat yourself, but I'll just ask for
8 your patience, Mr Witness, because we just need to get specific details about what
9 you saw or heard during the events. So, yeah, if you could...

10 Just returning to what you said earlier, Mr Witness.

11 These Muslims who came in vehicles to the Boeing market, can you tell us where they
12 would park their vehicles?

13 A. [10:18:41] I don't know how to tell you -- next door to the shops, there's a place
14 where they would sell *méchouis*, so they would come. Sometimes they would stop
15 a bit where the *méchouis* was being sold, and then the vehicle would come and collect
16 them.

17 Otherwise, they could also spend the night with their brothers, and they would sit
18 down on rugs. I don't know where they spent the night with them or -- I don't know
19 whether a vehicle came back to collect them at a certain time. That I couldn't
20 possibly know.

21 Q. [10:19:36] Thank you, Mr Sallo.

22 And these -- and these people who used to come -- used to come to visit the Boeing
23 market traders, the Muslim traders, were they dressed in military uniforms or were
24 they dressed in civilian clothing?

25 A. [10:19:57] They were wearing a hotchpotch of clothing. Some people were

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1 wearing the boubou, Muslim dress, and other people were dressing like ordinary
2 people.

3 Q. [10:20:27] Thank you, Mr Witness.

4 Now, did you ever see the Seleka in Boeing?

5 A. [10:20:38] Are you talking about -- well, what particular time you're referring
6 to? At the time of the clashes or when they came to visit their brothers in Boeing?
7 When they came to visit their fellow Muslims, they didn't -- wouldn't -- didn't have
8 any distinctive signs to establish that they were Seleka. For us, these were people
9 who were just coming to speak to their brothers or their friends. There was no
10 distinctive sign to identify them as Seleka.

11 Even on their vehicles, there was no inscription to know that they were Seleka. For
12 us, they were just other Muslims coming to talk with their Muslim friends in the
13 market.

14 Q. [10:21:42] I understand that you couldn't identify them as Seleka, but did you
15 ever hear anyone else identify them as Seleka?

16 A. [10:22:05] No. I didn't seek to establish that. For me, these were just Muslims
17 who were coming to visit other Muslims. But to know whether they were Seleka,
18 whether they were gathering there to visit this, that and the other, no, I didn't hear
19 anything about that.

20 Q. [10:22:34] And did you -- did you overhear them speaking with the Muslim
21 traders? And, if so, do you know what language they were speaking?

22 A. [10:22:51] They were speaking in Arabic. They didn't speak Sango; they only
23 spoke in Arabic. So we would go by and we would hear them speaking Arabic; they
24 weren't speaking in Sango.

25 Q. [10:23:18] Thank you, Mr Witness.

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1 And apart from when you saw these individuals at the market, did you ever see or
2 hear that the Seleka had come to Boeing?

3 A. [10:23:59] Are you talking -- sorry, I didn't -- I didn't understand the question.
4 Whether they -- you need to give me some sort of marker (indiscernible) event-wise
5 or time-wise so I can get my bearings.

6 Q. [10:24:21] I'll be more precise, Mr Witness.

7 Did you ever see or hear that the Seleka attacked Boeing?

8 * A. [10:24:34] Why did they attack? I'll tell you. They took somebody who had a
9 motorcycle-taxi business, and they chained him up. They were beside him, and they were
10 eating papaya. The person they chained up was their brother-in-law. He had had some
11 children with their sister, and he wasn't looking after the child. So they took their
12 brother-in-law and they chained him up and then people rebelled. They went and they
13 ransacked a bridge. And the people rose up. And then the neighbourhood leaders turned up,
14 and they spoke with the delegate, the person whose photograph you showed me a few
15 moments ago. They talked to the delegate and he went off to see them to ask them to free
16 their brother-in-law. And that's how things flared up between them and the local population.

17 Q. [10:25:40] Thank you, Mr Witness.

18 And when you say "things flared up" between the Seleka and the local population,
19 what do you mean specifically by they "flared up"?

20 A. [10:26:19] Well, after what actually happened, the Seleka, they were all going
21 to -- they were going to kill us, they were going to do us in. So the young people,
22 therefore, ransacked the bridge and so they said that they were going to do us in.

23 Q. [10:26:49] Thank you. And did they ever act on that threat? Did they ever
24 actually commit violence in -- against the population in Boeing?

25 * A. [10:27:06] Are you talking about the Seleka? Or the -- who are you talking

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1 about? The question is not clear.

2 When the young people had ransacked the bridge, the Seleka threatened us and the
3 young people went to the bridge and they freed their brother-in-law that had been
4 tied up and then they didn't come back to create more -- further disturbance in the
5 district.

6 Q. [10:27:59] (Overlapping microphones) Thank you, Mr Witness.

7 I understand now why they attacked, but can you describe what happened when the
8 Seleka did attack Boeing?

9 A. [10:28:10] So the Seleka attacked Boeing and there was lots of upheavals. There
10 was nobody to withstand them. They beat people up, they looted, and it was only
11 thanks to the rain, in fact, that they ultimately went back home.

12 Q. [10:28:48] Thank you, Mr Sallo.

13 Now, are you familiar with a place called Ledger?

14 A. [10:29:06] Yes, I know that place.

15 Q. [10:29:18] And where is Ledger? Or where was Ledger?

16 A. [10:29:26] Ledger is located at the Bangui M'Poko airport.

17 Q. [10:29:37] Thank you, Mr Sallo.

18 And what was Ledger?

19 A. [10:29:44] Ledger was a camp for displaced people. This was where people
20 who fled the district due to violence because there was no authority, no law
21 enforcement; so all these people fled the districts and came to Ledger, which was
22 a camp for displaced people.

23 Q. [10:30:18] Thank you, Mr Sallo.

24 And during the Seleka period, did you ever flee to Ledger?

25 A. [10:30:27] Yes, it was rather violent, you see. If you didn't flee, you wouldn't

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1 live. It was really a manhunt. I fled as well.

2 Q. [10:30:54] Thank you.

3 And, specifically, why did you --

4 A. [10:31:04] (Overlapping speakers)

5 Q. [10:31:07] -- why did you flee to Ledger, Mr Witness? What made you flee to
6 Ledger?

7 A. [10:31:16] As I said, I just took to the streets and I fled to Ledger, I couldn't go
8 back, and I just sought refuge where I could, in Ledger.

9 Q. [10:31:45] And when you say in French, "*c'était la chasse à l'homme*", who was
10 chasing you essentially to Ledger?

11 A. [10:32:10] It was obviously the Seleka, the Seleka.

12 Q. [10:32:20] Thank you.

13 And how long did you stay at Ledger when you fled the Seleka, Mr Sallo?

14 A. [10:32:37] I spent almost one year and three months, but from time to time I
15 would get out and go to my pigs that I was raising. I would go back home from time
16 to time to see what was happening at home -- and, I repeat, I was a pig farmer.

17 Q. [10:33:15] Thank you, Mr Witness.

18 Now, I understand that -- so you would go home -- you would return to your home in
19 Boeing from Ledger to feed your pigs.

20 Was there any other reason why you would go back to your home in Ledger -- sorry,
21 your home in Boeing?

22 A. [10:33:41] When we were in Ledger, there was a famine. We didn't have water
23 to wash and there was a food shortage. So from time to time I would go back home
24 to collect food and I would also collect food to help my family and I would also tend
25 to my pigs.

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1 Q. [10:34:29] Thank you, Mr Witness.

2 So I understand that you would -- you would return to your home in Boeing to feed
3 the pigs, to wash, to get food.

4 How often would you go visit your home in Boeing from Ledger?

5 A. [10:34:55] Could you actually tolerate this for -- to -- even two days? Were the
6 NGOs looking after us? No. I would basically sell wood in order -- twigs, in fact,
7 to make some money.

8 Q. [10:35:29] I understand, Mr Witness.

9 But just more precisely, was it every day, every two days? How often was it that
10 you would return home from Ledger?

11 A. [10:35:42] You -- could you leave in the morning and stay in the same place in
12 the evening? No. Sometimes you needed to relax and go out and, you see, your
13 heart lies where your treasure is. And sometimes, I would actually go out to find
14 out what's happened at home and also to take a bath. And I also would go and
15 collect some fruit called *balapa* to feed my family. So I said I would actually go, from
16 time to time, to do all this.

17 Q. [10:36:37] Thank you, Mr Witness.

18 And when you would go to Ledger from your home in Boeing, roughly speaking,
19 what time would you leave Ledger?

20 A. [10:37:09] I would wait for the morning. Am I mad to leave at night? I would
21 wait till 8, and as of 8, I would leave, and there was no traffic. I would actually wait
22 till 9 before I left and children would have already left for school. I would leave --
23 gather the items, and wash and eat, and then come to the airport at about 1.

24 Q. [10:37:48] And in terms of the route that you took from Ledger to your home in
25 Boeing, could you describe that route for us, please?

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1 A. [10:38:00] My itinerary was fixed, I couldn't actually go via any route. I would
2 leave the end of the road to go to the -- to go home. It was very tough. There were
3 stray bullets and there were Muslims in the districts. * Sometimes I would go by way
4 of the Kpangaba school, the dispensary, then the apostolic school. I would continue
5 towards the antenna, then I would pass by the mosque before reaching my home.

6 Q. [10:39:00] Thank you, Mr Sallo, for that.

7 And just to be a little bit more precise, when you say that you couldn't go until the
8 end - in French, you used the word "*piste*" - are you referring to the *piste* of the
9 airport?

10 A. [10:39:24] I'm talking about the runway in the M'Poko airport.

11 Q. [10:39:36] Thank you for that, Mr Witness.

12 Now, I understand that you -- when you walked from Ledger to your home in Boeing,
13 you would pass through the Boeing neighbourhood. Now, do you remember
14 walking this route from Ledger to your home with Maître Tiangaye in October of last
15 year?

16 A. [10:40:13] Yes, we did travel this path on foot with him.

17 Q. [10:40:20] Thank you, Mr Witness.

18 I'm going to show you an image or a document that's at Defence tab number 2. It's
19 CAR-D29-0009-0310 at 0311.

20 Do you see the document on your screen, Mr Witness?

21 A. [10:41:09] Yes, I do.

22 Q. [10:41:11] Now, this document on the screen, Mr Witness, is a satellite image of
23 Boeing. And you will see there, the rectangle in the middle is the Boeing airport, or
24 the Bangui airport. And you'll see that blue line or that blue pathway starting at the
25 airport, running down through Boeing in the direction of the mosque.

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1 Now, can you tell us what that blue line depicts?

2 A. [10:42:21] Is it -- this is the path we took with Mr Tiangaye. In my opinion, this
3 is it.

4 Is it not that, I don't know.

5 Q. [10:42:41] Thank you, Mr Witness.

6 I'm going to move on -- I'm going to change topics slightly, Mr Witness.

7 Now, Mr Witness, are you familiar with the Boeing mosque?

8 A. [10:43:07] Yes, I know the mosque.

9 Q. [10:43:14] (Overlapping microphones)...and to your knowledge was the Boeing
10 mosque destroyed during the events of 2013, 2014?

11 A. [10:43:24] Yes, it was destroyed.

12 Q. [10:43:33] And how do you know that the Boeing mosque was destroyed,
13 Mr Witness?

14 A. [10:43:42] Would you like me to take you back to the past? You asked me,
15 where did I seek refuge? I told you that I sought refuge in Ledger and sometimes I
16 would go back home because there was no food, and it was actually even difficult to
17 take a bath. And I would regularly go back home to take a bath and collect food for
18 my family.

19 So, since I couldn't take the main path because of stray bullets, I couldn't take the
20 main path. So I had to go via the neighbourhood, and when I went via the
21 neighbourhood, I saw the mosque being destroyed.

22 Q. [10:44:40] Thank you, Mr Witness.

23 Now, I understand that you said that you saw the mosque being destroyed while you
24 were walking home from Ledger.

25 But can you tell the Court what drew you towards the mosque that day?

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1 A. [10:45:15] It's because of security reasons. I told you that the main route from
2 the airport -- going from the airport was not safe. So I had to go via the
3 neighbourhoods to go home. This is what I said. If -- now I -- if I took the main
4 road, I would have been a victim of stray bullets, so I had to go through the
5 neighbourhoods to come back home -- to go back home. This is what I told you.

6 MS DIMITRI: [10:46:07] Mr President.

7 PRESIDING JUDGE SCHMITT: [10:46:07] Yes.

8 MS DIMITRI: [10:46:09] Page 28, line 2. Is it?

9 Page 28, line 2, it was not translated and I -- no blame to the interpreters, I know the
10 witness is talking very fast.

11 The witness said that, in French:

12 "*J'ai aperçu les jeunes en train de détruire la mosquée.*"

13 PRESIDING JUDGE SCHMITT: [10:46:33] I think -- my French is not so good

14 (Overlapping microphones)

15 THE INTERPRETER: [10:46:34](Interpretation) "I saw" --

16 PRESIDING JUDGE SCHMITT: [10:46:35] But I think "*en train de*" is also more
17 precise than -- "being destroyed" could be ambivalent. But okay.

18 Excuse me for this intervention. Yes.

19 And I think, indeed, it's correct what you are pointing out. This is what we have in
20 the French transcript.

21 Yes, thank you. Please continue.

22 MR SUZUKI: [10:47:01] Thank you, Mr President.

23 Q. [10:47:02] Thank you, Mr Witness.

24 I understand that you were passing through the neighbourhood to -- to avoid the
25 stray bullets coming across the airport.

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1 Now, did anything in particular attract you to the mosque that day while you were
2 walking? Did you hear anything? What drew you towards the mosque that day?

3 A. [10:47:42] Now, if on your way you hear noises, you hear people who are taking
4 off the roof with nail pullers or with a hammer, obviously it will draw your attention,
5 and this -- and then you will know what's happening, you'll discover the incidents.
6 So when I heard such noises, I just turned back to see and I observed that the roofs
7 were being removed.

8 Q. [10:48:31] And when you say "people" - I think you said "youths" earlier - do
9 you remember were these people wearing civilian clothing, or were they wearing --
10 what kind of -- how were they dressed, these people, these youths?

11 A. [10:48:52] Now, someone who's going to remove the roofs is not going to take
12 the time to wonder what he's wearing. These were adults. I really couldn't go
13 closer to find out how they were dressed.

14 Q. [10:49:42] I don't need specifics, Mr Witness. Just, generally speaking, were
15 they wearing civilian clothing or, for example, were they wearing military uniforms
16 or clothing?

17 A. [10:50:00] It's nice to have specific questions because I feel sometimes I'm telling
18 you about the bush. They were civilians. They were not wearing military attire.

19 Q. [10:50:21] And were these people carrying weapons that you saw, these youths
20 in civilian clothing?

21 A. [10:50:27] I've taken an oath to speak the truth here. I saw them with machetes,
22 with nail pullers, with hammers and iron bars. This is what I saw.

23 Q. [10:51:14] Thank you, Mr Witness.

24 But just to be a little bit more precise, did you see any of them carrying weapons?

25 A. [10:51:39] I think I just told you that I've sworn to speak the truth. I never saw

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1 firearms. I saw nail pullers, axes, machetes and iron bars. These are the
2 implements they used -- or tools.

3 Q. [10:52:06] Thank you, Mr Witness.

4 And these youths in civilian clothes that were -- that you saw that day, did you see
5 whether they were wearing any visible *gris-gris* on their heads or around their necks
6 or on their arms?

7 A. [10:52:34] I'm telling you the truth, I did not see any such thing.

8 THE INTERPRETER: [10:52:55] Correction from the booth: the victim referred to
9 a "crowbar", not an iron bar. Thank you.

10 MR SUZUKI: [10:53:02] Thank you, Mr Witness.

11 Q. [10:53:04] And you said that they were -- these youths were removing the
12 roofing of the Boeing mosque.

13 Now, can you tell the Court what the roofing of the Boeing mosque was made of?
14 What material?

15 A. [10:53:23] It was a -- tin sheets, metal.

16 Q. [10:53:43] Thank you. And was the -- was the roofing of the mosque, you said
17 it was *tôle*, was it painted or was it just unpainted corrugated iron?

18 A. [10:54:10] You've got to be clear. This corrugated iron made of iron, I don't
19 think so. Perhaps I've misunderstood your question.

20 (Counsel confers)

21 THE WITNESS: [10:54:58](Interpretation) It was -- the size of the *tôle* was 6 by 10.

22 MR SUZUKI: [10:55:13]

23 Q. [10:55:14] Oh, okay. My apologies, you specified earlier that it was tin. Now,
24 you said that the youths were removing the tin roofing sheets. What were they
25 doing with the tin roofing sheets?

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1 A. [10:55:40] I don't know what to say. Perhaps they needed it. I don't know
2 what they would do with it, with these tin roofing sheets. Given the time actually
3 they took to rip off the tin sheets, are they going to use it? Are they going to sell it
4 off? I don't know what answer to give to this question.

5 Q. [10:56:24] I understand, Mr Witness.
6 But just in relation to what you saw the youths doing with those roofing sheets, so
7 they took them off the mosque, and then -- and then what did you see them do with
8 the roofing sheets?

9 A. [10:56:44] I told you that this was 6 by 10 tin roofing sheets. So either you had
10 to cut it down to size, and, if there were two of them, they would divide the tin
11 roofing sheets into two and each one would take their share and they would decide
12 what to do with it because they've actually removed the roof. Now, what they
13 would do with that, I don't know. It's for them to say.

14 Q. [10:57:39] Thank you, Mr Sallo.

15 MR SUZUKI: [10:57:49] Your Honour, would it be a good time to take the break?

16 PRESIDING JUDGE SCHMITT: [10:57:54] Indeed, I assume you don't have so
17 much left, I would assume? Well, it's an assumption born out of experience of many,
18 many years, let me put it this way.

19 MR SUZUKI: [10:58:06] My apologies, your Honours, I missed some. In terms of
20 time left, no, your Honour's right, we don't have all that much time left. I think we
21 will finish tidily within the next session.

22 PRESIDING JUDGE SCHMITT: [10:58:21] How much -- no, it doesn't make sense to
23 delay the coffee break, you mean? You still have some 15, 20 or...?

24 Okay, then, let's have the coffee break until 11.30.

25 THE COURT USHER: [10:58:33] All rise.

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1 (Recess taken at 10.58 a.m.)

2 (Upon resuming in open session at 11.31 a.m.)

3 THE COURT USHER: [11:31:10] All rise.

4 Please be seated.

5 PRESIDING JUDGE SCHMITT: [11:31:31] Mr Suzuki, you have the floor.

6 MR SUZUKI: [11:31:38] Thank you, Mr President.

7 Q. [11:31:43] Hello again, Mr Sallo.

8 A. [11:31:54] Good morning.

9 Q. [11:31:59] Mr Sallo, when we left off, we were talking about the Boeing mosque,
10 but for my next couple of questions I'm going to ask you to forget about the mosque
11 for a very short period and, my apologies, this might seem like a little bit of a silly
12 question, but please bear with me. Have you ever seen a building that was
13 destroyed or partially destroyed by fire?

14 A. [11:32:35] A house which is burned is different altogether to a house that's been
15 destroyed.

16 Q. [11:32:59] I understand from your answer that you have. Do you remember
17 where you saw a house that was burnt down or partially damaged by fire?

18 A. [11:33:16] Well, the church, the Gbaya Dumbia church, for example, that church
19 was burned because a grenade had been thrown into it by Muslims.

20 Q. [11:33:46] Thank you, Mr Witness. And can you describe what this building
21 looked like after it had been damaged or partially destroyed by fire?

22 A. [11:34:15] You can immediately tell what a burnt-down house looks like because
23 there's smoke and traces of smoke, which tells you that the house had been burnt
24 down, and you've got -- the heat of the fire can also soften the cement.

25 Q. [11:34:36] Thank you, Mr Sallo. And the *église*, Gbaya Dumbia, when you saw

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1 that this building was damaged or partially damaged by fire, did you see the wooden
2 framework underneath the roof of that building, the *charpente*?

3 A. [11:35:21] Dry wood, dry wood that meets with a fire produces damage. Fire is
4 more powerful than wood. As soon as fire reaches wood -- reaches the wood where
5 the corrugated iron sheets have been attached, as soon as that wood meets with the
6 fire, well, then the fire will completely destroy the wood.

7 Q. [11:35:56] Thank you, Mr Sallo. And in terms of the fire damage to the roof of
8 the *église*, Gbaya Dumbia, can you describe what that looked like?

9 A. [11:36:09] Well, you asked me about the mosque and, then, you sent me down
10 the track of the Dumbia church and now you're taking me off to the mosque again.
11 Are you talking about the church or the mosque?

12 What's this way of putting questions to me?

13 Q. [11:36:45] I understand that this might seem strange to you, but I just have a few
14 more questions about the church and then we'll return to the mosque. Okay. So,
15 please bear with me, I'll ask for a little bit of patience, Mr Sallo. Is that okay? I'm
16 going to continue with the church for now.

17 A. [11:37:06] *Voilà* --

18 Q. [11:37:07] So can you please describe --

19 A. [11:37:08] (Overlapping speakers)

20 Q. [11:37:09] -- what -- the fire damage to the roof of the *église*, Gbaya Dumbia, can
21 you describe what that looked like, please?

22 A. [11:37:25] Well, the Muslims burned it. This is what people told us, that they
23 even took the benches and piled them up and then they threw in the grenade and the
24 building caught fire. So what does that mean, if the building was burned?

25 Q. [11:38:04] Thank you, Mr Sallo. Now, please listen to the question, okay. It's

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1 a very specific question. Can you please describe what the roof of the church, the
2 *église*, Gbaya Dumbia --

3 A. [11:38:18] Mm-hmm.

4 Q. [11:38:19] -- what did it look like on the day that you saw that it had been burnt
5 down?

6 A. [11:38:26] The entire framework had been destroyed, the walls blackened. You
7 know, when the fire meets the corrugated iron, then necessarily the corrugated iron is
8 going to melt.

9 Q. [11:39:02] Thank you, Mr Sallo, and thank you again for your patience and for
10 your answer.

11 I'm going to return to the Boeing mosque now and I want you to help us, or to
12 describe the roofing sheets that you saw the witness -- you saw the youths removing
13 from the Boeing mosque. Did you see any -- you told us about traces of fire that you
14 saw. Did you see any traces of fire on the roofing of the Boeing mosque that day?

15 A. [11:39:48] I understood your question, counsel, and I told you when fire affects a
16 house, then necessarily it will leave traces to tell you that the building was indeed set
17 alight. Because there are necessarily traces of smoke, but I didn't see that type of
18 trace on the mosque. I told you that the metal roofing sheets had been removed
19 by -- by people.

20 Q. [11:40:40] Thank you, Mr Sallo. And when you were watching the youths take
21 the roofing off the mosque, can you tell us were you standing in one place or were
22 you moving around a little? Can you tell us where you were standing?

23 A. [11:41:07] As I've already said, when you're a man and you leave your home,
24 you can't stay put all day; you're going to get a cramp. You're going to have to move
25 around. I couldn't stay where I was and that's why I went home. There were

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1 problems for finding food, children were crying, and it was -- and it bothered me, so I
2 had to go out to collect food, to find firewood for my family. And sometimes I sold
3 that firewood to buy food to feed the family and it was when I went by that I saw
4 those youngsters removing the roofing from the mosque.

5 Q. [11:42:15] Thank you, Mr Witness. But, more precisely, when you were
6 watching the youths removing the roofing from the mosque, were you standing in
7 one place or were you moving around a little? Can you help us with that, please.

8 A. [11:42:30] I went up to them and I could see what they were doing. I went up
9 to them. I went closer to them.

10 Q. [11:42:56] Thank you. And you said you approached the youths as they were
11 removing the tiles from the -- or the roofing from the mosque. Did you see more
12 than one side of the mosque?

13 A. [11:43:28] If you want to know what's -- what's going on, obviously you can't
14 stay still, you have to approach. You have to go up to where things are going on.
15 You can't stay there from 9 till 5, and that's why I moved. I went closer and I went
16 around their house to see what was going on behind. And so, as I said, I went
17 around the house to see what was going on and that's what youngsters were doing,
18 by the way.

19 Q. [11:44:07] Thank you. And when you saw the youths removing the roofing
20 from the Boeing mosque, did you see the wooden framework underneath the roof?

21 A. [11:44:24] When they finished with the metal roofing, obviously then they
22 would turn their minds to the wooden eaves and the brickwork. And initially they
23 could take off the metal roofing and then come back to the wooden eaves and then
24 continue with the bricks.

25 Q. [11:45:02] Thank you, Mr Sallo.

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1 Now, I understand that you saw the framework underneath the roofing. Can you
2 describe the framework to us, please -- what colour was the framework, for example?

3 A. [11:45:23] It was 3 by 30. That was the -- that was the size, and it was redwood.

4 Q. [11:45:44] And again we spoke about traces of fire that you saw on the *église*,
5 Gbaya Dumbia. Did you see any traces of fire on the *charpente* of the Boeing mosque
6 that day?

7 A. [11:46:13] No, no, I didn't see anything at all. If there's a fire, you can see traces
8 of smoke but I didn't see anything.

9 Q. [11:46:29] Thank you, Mr Witness.

10 Now -- and when the youths were taking away the roofing of the mosque, was the
11 *charpente* intact still?

12 A. [11:46:45] I told you that when they had finished with the metal roofing, then
13 they could return to get the eaves. Given that they needed something, all they had
14 to do was just serve themselves to meet their needs. So, as I said, when they'd
15 finished with the metal roofing, then they turned to the wood.

16 Q. [11:47:22] Thank you, Mr Witness. But my question is about while the youth
17 were still removing the roofing. So before they started removing the *charpente*, the
18 *charpente*, was it
19 intact?

20 A. [11:47:45] It wasn't affected by the fire. They used tools. The wooden
21 structure was there, was intact, and once they removed the metal roofing they
22 returned to remove the wooden structure, this redwood structure. It wasn't burned
23 by the fire but it was removed.

24 MR SUZUKI: [11:48:30] Your Honour, if I could have just a brief moment.

25 PRESIDING JUDGE SCHMITT: [11:48:32] Yes.

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1 (Counsel confers)

2 MR SUZUKI: [11:48:58]

3 Q. [11:49:00] Thank you, Mr Sallo, for that.

4 Now, I understand that you watched the youths removing the roofing for a while and
5 then where did you go after, after this, when you left the area of the Boeing mosque?

6 A. [11:49:24] I went back to Ledger.

7 Q. [11:49:41] Thank you, Mr Witness.

8 I'm going to change topics now, Mr Sallo.

9 Are you familiar with the Finindo bar -- the Finindo bar at Boeing?

10 A. [11:50:09] Yes, I am. Yes, I know it.

11 Q. [11:50:13] Thank you.

12 And where is this bar?

13 A. [11:50:18] It's after the bridge, where there's the crossroads where you can find
14 the motorcycle taxis.

15 Q. [11:50:38] And how far is this bar from the Boeing mosque?

16 A. [11:50:48] I don't think it's very far away. You see, you go back to the Finindo
17 bar, I go to my house, and before you get to the mosque, so four or five metres.

18 Q. [11:51:16] Thank you, Mr Witness. And did you ever learn or hear that there
19 were Anti-Balaka based at that bar?

20 A. [11:51:25] Before or after the arrival of the Seleka?

21 Q. [11:51:47] After the Seleka arrived?

22 A. [11:51:56] Was it the Seleka or the Anti-Balaka that came? It was the Seleka
23 that arrived and took over the city of Bangui. It wasn't the Balaka. If you listen to
24 the outgoing President Bozizé, he gathered together the district chiefs at the stadium
25 to alert the Central Africans. But this was an item of information that was neglected,

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1 really, because the Seleka were already in the city. They were already in the
2 compounds. It was the Seleka that arrived before the Balaka.

3 Q. [11:52:42] Thank you, Mr Witness.

4 But, very specifically, if you could just listen to my question, the specific question.
5 Did you ever hear or learn that there were Anti-Balaka based at the Finindo bar in
6 Boeing?

7 A. [11:53:45] No. To be honest with you, I just don't know. That's why I asked
8 you whether it was before or after the Seleka's arrival, but there it is. Before or
9 after -- I didn't really -- wasn't able to understand your question.

10 Q. [11:54:04] That's not a problem, Mr Witness. It's okay, I'm going to move on.

11 Mr Witness, I'm going to show you -- I'm almost finished. I'm just going to show
12 you a few videos. The first one is at Defence tab number 8, CAR-OTP-2121-2859,
13 and this is a video filmed in January 2020, so four years ago, Mr Witness.

14 And, first of all, do you recognise the building here with the blue doors that we see in
15 this frame of the video?

16 Mr Sallo, do you see something on the screen in front of you?

17 A. [11:55:21] Yes. That's the new apostolic church that is really very much next
18 door to the mosque.

19 Q. [11:55:50] Thank you, Mr Witness.

20 MR SUZUKI: [11:55:51] Your Honour, just for this next one question, if we could
21 move into private session.

22 PRESIDING JUDGE SCHMITT: [11:55:56] Private session.

23 (Private session at 11.56 a.m.)

24 THE COURT OFFICER: [11:56:18] We are in private session, Mr President.

25 MR SUZUKI: [11:56:26] (Redacted)

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- 1 Q. [11:56:29] (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Viewing of the video excerpt)
- 5 MR SUZUKI: [11:56:59]
- 6 Q. [11:56:59] (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 A. [11:57:32] (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 Q. [11:58:14] (Redacted)
- 16 (Redacted)
- 17 PRESIDING JUDGE SCHMITT: [11:58:22] (Redacted)
- 18 MR SUZUKI: [11:58:24] (Redacted)
- 19 PRESIDING JUDGE SCHMITT: [11:58:28] (Redacted)
- 20 (Redacted)
- 21 (Open session at 11.58 a.m.)
- 22 THE COURT OFFICER: [11:58:51] We are back in open session, Mr President.
- 23 MR SUZUKI: [11:58:55] Thank you, Madam Court Officer.
- 24 Q. [11:58:58] Mr Witness, another video for you. That's at Defence tab number 5,
- 25 CAR-D29-0008-0105. Do you see that in front of you, Mr Witness? Mr Witness, do

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1 you see a video or do you see an image on the screen in front of you?

2 A. [11:59:34] Yes, I can see it.

3 Q. [11:59:39] Thank you. Now, you've already identified this building with the
4 blue door as the *église néo-apostolique*. We are going to play until 9 seconds and I'm
5 going to ask you a question.

6 (Viewing of the video excerpt)

7 MR SUZUKI: [12:00:09]

8 Q. [12:00:10] Mr Sallo, do you recognise the building that we see in this video?

9 A. [12:00:20] Yes, I do.

10 Q. [12:00:26] Can you tell the Court what that building is, please?

11 A. [12:00:34] This is the new mosque that's been rebuilt.

12 Q. [12:00:47] Thank you, Mr Witness.

13 And one last video for you, that's at Defence tab number 6, CAR-D29-0008-0107. I'm
14 going to play it through to you first until 14 seconds and then I'm going to rewind a
15 little bit and then ask you a question.

16 (Viewing of the video excerpt)

17 MR SUZUKI: [12:01:58]

18 Q. [12:01:59] Now, Mr Witness, this building on the left of the screen across from
19 that hole that we see in the ground, do you recognise that building?

20 A. [12:02:12] Yes, I do recognise this building.

21 Q. [12:02:22] Thank you. And do you know who lives in that building?

22 A. [12:02:27] There's a pastor living in that home who is ill. He -- one of his hands
23 is paralysed and he's the one, you know, growing the kitchen garden on the side.

24 Q. [12:02:55] Thank you.

25 MR SUZUKI: [12:02:58] Your Honour, if I could just have one moment.

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- 1 PRESIDING JUDGE SCHMITT: [12:03:00] of course.
2 (Counsel confers)
3 MR SUZUKI: [12:03:31] Thank you, your Honour.
4 Q. [12:03:33] Mr Witness, do you know when this building was built, just roughly?
5 Is it a new building in the neighbourhood, is it an old building, the building of the
6 pastor that we see on the screen?
7 A. [12:03:59] It's not his home. I think he rents this. He just bought the house
8 recently and it's the neighbour to his left who's the oldest, but he recently bought this
9 house.
10 Q. [12:04:43] Thank you, Mr Sallo. Mr Sallo, do you know someone by the name
11 of Julienne Kobi-ro?
12 A. [12:05:02] I'm sorry, you're pulling out a name. I can't tell you. Do you have a
13 photo? Do you have a photo of the gentleman in your documents?
14 Q. [12:05:17] That's okay, Mr Witness. It was just whether you remember that
15 name, but I can move on. It might have been lost in translation. The name,
16 Mr Sallo, is Kobi-ro, Julienne Kobi-ro. Do you know this person?
17 A. [12:05:52] I do know this person. I thought you wanted to show me his photo
18 on the screen. He's one of the elders of the neighbourhood --
19 Q. [12:05:53] Thank you, Mr Sallo. And do you know, roughly speaking, where
20 she lives in Boeing?
21 A. [12:05:53] He -- she is in fact like an elder sister and she even carried me when I
22 was a baby.
23 PRESIDING JUDGE SCHMITT: [12:06:15] Mr Suzuki, please repeat your question.
24 There was an overlap. Not a problem.
25 Please repeat your question. It didn't come through. No problem.

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1 MR SUZUKI: [12:06:41] I'm going to repeat the question, Mr Sallo.

2 Q. [12:06:44] Julienne Kobirow, do you know roughly where she lives in Boeing?

3 A. [12:06:53] Yes, I do. She is -- she lives zero metres from the mosque.

4 Q. [12:07:08] Thank you, Mr Sallo, for your patience. Those are all of our
5 questions that we have for you today. Thank you.

6 PRESIDING JUDGE SCHMITT: [12:07:16] Thank you, Mr Suzuki.

7 Ms Berdennikova will not be surprised what my next question will be. How long do
8 you intend to question the witness?

9 MS BERDENNIKOVA: [12:07:29] Mr President, I don't think that we will have a lot.
10 We will probably have a little bit, but not very long.

11 PRESIDING JUDGE SCHMITT: [12:07:36] That's quite unspecific, I have to say.

12 MS BERDENNIKOVA: [12:07:39] Less than one session. Less than one session.

13 PRESIDING JUDGE SCHMITT: [12:07:43] Okay. We can do two things. We can
14 have the lunch break now and you start and finish in the afternoon, if you prefer --
15 yes?

16 MS BERDENNIKOVA: [12:07:56] Yes, I think that's fine.

17 PRESIDING JUDGE SCHMITT: [12:07:58] Then let's have the lunch break until 1.30.

18 THE COURT USHER: [12:08:11] All rise.

19 (Recess taken at 12.08 p.m.)

20 (Upon resuming in open session at 1.30 p.m.)

21 THE COURT USHER: [13:30:30] All rise.

22 Please be seated.

23 PRESIDING JUDGE SCHMITT: [13:30:53] Good afternoon, everyone.

24 Ms Berdennikova, you have the floor.

25 MS BERDENNIKOVA: [13:31:16] Thank you, your Honours.

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1 QUESTIONED BY MS BERDENNIKOVA:

2 Q. [13:31:21] Good afternoon, Mr Sallo.

3 A. [13:31:25] Good afternoon.

4 Q. [13:31:28] Mr Sallo, we already had the chance to very briefly meet with each

5 other last Thursday, but I'm going to reintroduce myself. My name is Maria

6 Berdennikova, I'm working for the Office of the Prosecution, and I will ask you only a

7 very few questions this afternoon. I will not take too much of your time.

8 Are you with me so far?

9 A. [13:31:58] Yes, I understand.

10 Q. [13:32:03] Excellent. And just like it happened with the questioning of the

11 Defence this morning, we'll need to continue to speak slowly and make a little pause

12 between my questions and your answers, all right. Of course, if you don't

13 understand some of my questions, let me know so that I know that I need to rephrase

14 them or repeat them, okay.

15 A. [13:32:32] I've understood.

16 Q. [13:32:36] Now, Mr Witness, I would like to turn to the day that you say you

17 saw the Boeing mosque being damaged.

18 Now, you were still residing at the Ledger displaced camp at this time; correct?

19 A. [13:32:55] That is correct.

20 Q. [13:33:00] And that's because this was still a very dangerous time, and in fact

21 this morning you said if you didn't flee, you wouldn't live; is that right?

22 A. [13:33:18] That is correct.

23 Q. [13:33:26] So I understand that during the one year and three months that you

24 spent at the Ledger displaced camp, you would periodically go back to check on your

25 house, but only using neighbourhood streets to avoid stray bullets; correct?

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1 A. [13:33:52] That is correct.

2 Q. [13:33:56] So I would just like you to clarify something for me. Now, you
3 testified this morning that the people destroying the mosque were at a distance and
4 you really couldn't go closer to see how they were dressed -- and this is at page 30 of
5 the real-time transcript. Now, the reason you did not go closer was that your main
6 objective was to check on your house; is that correct?

7 A. [13:34:35] The path that I took to go back to me went that way.

8 Q. [13:34:46] And your main objective in making this visit was to check on your
9 house; is that correct?

10 A. [13:35:01] That's correct. I came from the airport to check my house and the
11 situation, and when I left for my home, I saw these people who were in the process of
12 destroying the mosque.

13 Q. [13:35:25] Thank you.

14 And is it correct that you also did not approach the mosque on that occasion and that
15 you remained at a distance?

16 A. [13:35:46] I -- I came from the Ledger and I was going to my home.

17 I don't think you've understood me correctly. Now, when the people removed the
18 roof, you could hear the noise, and then I approached and came closer to the mosque
19 and it was then that I saw them destroying the mosque. The noise, I heard the noise
20 from far away, and then I came closer to see what was going on and they were
21 removing the roof. So I moved closer to see what was going on.

22 Q. [13:36:36] Thank you for that clarification.

23 I understand that when you moved closer, you were nevertheless not close enough to
24 see what they were wearing. This is what you testified this morning?

25 A. [13:36:57] No, but you asked me about the military uniform and that's why

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1 I said they were dressed as civilians.

2 Q. [13:37:14] All right, Mr Witness, I'm going to --

3 PRESIDING JUDGE SCHMITT: [13:37:16] May I shortly perhaps.

4 Mr Witness, perhaps we can give it a try. You know we have a huge room here,
5 courtroom here, and if we take this as a reference, yeah, for example, the distance
6 between you and me. How close to the people who were dismantling the mosque,
7 to word it this way, how close were you, if you compare it with the distance between
8 you and me in this courtroom, roughly? It's only an estimate, we know that.

9 THE WITNESS: [13:37:53](Interpretation) In any case, I wasn't far from them.
10 Everything they were doing, I could see it because I wasn't very far away.

11 PRESIDING JUDGE SCHMITT: [13:38:06] And if you -- if you compare this distance,
12 was it further away or were you closer to these people, if you can tell? It was a long
13 time ago, we all know that.

14 THE WITNESS: [13:38:28](Interpretation) When I'm here I think that the distance
15 isn't -- isn't further than the one that -- from me to you. You've shown me a photo
16 here with a field. You also showed me a photo with the apostolic church.

17 PRESIDING JUDGE SCHMITT: [13:38:57] Thank you, Mr Witness.
18 Please, continue, Ms Berdennikova. Excuse me for interrupting.

19 THE INTERPRETER: [13:39:05] Underneath the mango tree.

20 MS BERDENNIKOVA: [13:39:15]

21 Q. [13:39:16] And would it be correct to say that you did not walk all around the
22 mosque on that day?

23 A. [13:39:30] No, that's not true. I did walk around. I walked around.

24 Q. [13:39:41] So how long were you there, approximately?

25 A. [13:39:49] Are you talking about what they were doing when they were

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1 removing the roof?

2 Q. [13:40:04] Yes, I'm talking about that incident, when you saw people removing
3 the roof?

4 A. [13:40:18] Oh, okay. If I can put it in order. What are you asking me exactly?
5 The time when they were removing the roof? In any case, I haven't understood what
6 you're asking me.

7 PRESIDING JUDGE SCHMITT: [13:40:36] I think, Mrs Berdennikova, both would be
8 interesting, if the witness recalls at what point of the day, if it was afternoon or
9 evening or whatsoever, and also simply we could ask him how long he stayed there
10 and watched and went around the mosque. Simply, these two things might be of
11 interest.

12 MS BERDENNIKOVA: [13:41:00]

13 Q. [13:41:01] Would you like me to repeat the questions from the Presiding Judge?

14 PRESIDING JUDGE SCHMITT: [13:41:10] Well -- well, I can do it.

15 Mr Witness, you see, sometimes different people are asking you, so you have to
16 constantly switch your attention, so to speak.

17 I'm asking you first the question: Do you recall at what point of the day, what time
18 of the day you -- you saw this? You know, was it in the morning, was it midday,
19 afternoon; do you recall that?

20 THE WITNESS: [13:41:44](Interpretation) It was between 8 and 9 o'clock. When
21 I left Ledger to go back to my home, I passed by the mosque, and at that time, it was
22 already 9 o'clock, it was 9 o'clock.

23 PRESIDING JUDGE SCHMITT: [13:42:03] So I take it in the morning, 9 o'clock in the
24 morning?

25 THE WITNESS: [13:42:11](Interpretation) Yes, that's correct.

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1 PRESIDING JUDGE SCHMITT: [13:42:14] And are you aware that on one of those
2 days, at the time, there was an -- an attack, there was a fight between the Anti-Balaka
3 and the Seleka in town; do you recall that?

4 THE WITNESS: [13:42:41](Interpretation) Are you talking about a fight that took
5 place in Boeing? I don't know.
6 Are you talking...

7 PRESIDING JUDGE SCHMITT: [13:42:55] I'm talking about an incident.
8 We have had that many times there was an attack on 5 December 2013, and I'm
9 talking of this attack.

10 Have you heard of that? Have you any knowledge of that? Do you recall that?

11 THE WITNESS: [13:43:31](Interpretation) The 5th of December 2013? But it's you
12 who know that date. I don't really know what the date is. If you want to give me
13 the details of what happened and then maybe I can visualise again, but I can't
14 remember the precise date.

15 PRESIDING JUDGE SCHMITT: [13:43:56] No, that's not a problem. And you're
16 right, of course, for us this is a date that was mentioned very often and -- because --
17 we know it, of course.

18 So then, back to you being at the mosque now. And as you have told us, and the
19 mosque has been dismantled -- is going to be dismantled at that time.

20 And the question of Ms Berdennikova was if you recall roughly how long you stayed
21 there. And you also said you went around the mosque. So, again, after more than
22 10 years, it's extremely difficult to say it was five, 10 or 15 minutes, but do you have
23 roughly, approximately, a recollection?

24 THE WITNESS: [13:44:55](Interpretation) Thank you, your Honour.

25 When they were removing the roof, I was there. I was looking at what was

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1 happening. You know, I was there, I looked at them, I saw them doing this. They
2 were sharing the roof. Everybody was sharing a piece of the roof. But I didn't take
3 note of the time of how long I was actually present there.

4 PRESIDING JUDGE SCHMITT: [13:45:20] I think this is absolutely understandable,
5 but at least we gave it a try.

6 Please continue, Ms Berdennikova.

7 MS BERDENNIKOVA: [13:45:30] Thank you.

8 Q. [13:45:32] Now, Mr Sallo, the people who were damaging the mosque were
9 already there when you arrived; is that correct?

10 A. [13:45:52] Yes, when I was there, from the Ledger, when I returned, a large part
11 of the roof of the metal sheeting had been removed, but they were still continuing
12 with those activities. When I arrived, I stopped to watch and see what was going on.

13 Q. [13:46:15] And, of course, you also do not know how long people had been there
14 before you arrived.

15 A. [13:46:40] (No interpretation)

16 THE INTERPRETER: [13:46:51] The English booth did not hear the answer.

17 PRESIDING JUDGE SCHMITT: [13:46:54] Mr Witness, not your fault, sometimes
18 this happens when things are translated. The interpreters did not get your last
19 answer.

20 Please be so kind and repeat it.

21 THE WITNESS: [13:47:10] (No interpretation)

22 PRESIDING JUDGE SCHMITT: [13:53:10] I don't -- I don't hope that the
23 interpretation has stopped, finally.

24 THE INTERPRETER: [13:47:27] Our apologies, we still did not get the answer.

25 PRESIDING JUDGE SCHMITT: [13:47:36] So, Mr Witness, you see sometimes back

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1 and forth in a courtroom things happen. For the third time, and I really hope for the
2 last time - apologies from the side of the bench - what was your answer?

3 Can you please repeat it?

4 THE WITNESS: [13:48:05](Interpretation) What answer do you want me to repeat?
5 That regarding the roofing?

6 PRESIDING JUDGE SCHMITT: [13:48:16] Please repeat the question.

7 MS BERDENNIKOVA: [13:48:18]

8 Q. [13:48:18] I'll ask the question again, because indeed we had some interpretation
9 issues.

10 So you don't know how long people that were damaging the mosque had been there
11 by the time you arrived; is that correct?

12 A. [13:48:53] It's difficult for me to say when I left from the Ledger until I arrived
13 there. I only arrived when they were removing the second part of the roofing. So
14 I don't really know when they started and the time between that and when I arrived
15 to see what was going on.

16 Q. [13:49:33] All right, Mr Witness, those are all my questions for you. So
17 thank you very much for your patience. Thank you.

18 PRESIDING JUDGE SCHMITT: [13:49:40] Thank you very much, Ms Berdennikova.
19 I don't assume there are further questions, that would be surprising, actually. And
20 then there are no questions by the victims.

21 And this means, Mr Witness, that this concludes, also, your testimony.

22 On behalf of the Chamber I would like to thank you that have you made yourself
23 available as a witness to these proceedings, and even coming to The Hague to testify
24 here. We appreciate that a lot as the Chamber and the judges, and we wish you a
25 safe trip back home, Mr Sallo.

Trial Hearing
WITNESS: CAR-D29-P-4013

(Open Session)

ICC-01/14-01/18

- 1 THE WITNESS: [13:50:24](Interpretation) I, too, would like to thank you.
- 2 (The witness is excused)
- 3 PRESIDING JUDGE SCHMITT: [13:50:27] This concludes the hearing for today.
- 4 I think we continue with the next witness on Thursday, if I have understood it.
- 5 Thank you very much.
- 6 THE COURT USHER: [13:50:35] All rise.
- 7 (The hearing ends in open session at 1.50 p.m.)