

Trial Hearing
WITNESS: CAR-D29-P-5014

(Open Session)

ICC-01/14-01/18

1 International Criminal Court
2 Trial Chamber V
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and
5 Patrice-Edouard Ngaïssona - ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and
7 Judge Chang-ho Chung
8 Trial Hearing - Courtroom 1
9 Monday, 15 January 2024
10 (The hearing starts in open session at 9.34 a.m.)
11 THE COURT USHER: [9:34:26] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:34:47] Good morning, everyone.
15 Court officer, please call the case.
16 THE COURT OFFICER: [9:34:53] Good morning, Mr President, your Honours.
17 Situation in the Central African Republic II, in the case of The Prosecutor versus
18 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.
19 And for the record, we're in open session.
20 PRESIDING JUDGE SCHMITT: [9:35:09] Thank you.
21 I ask for the appearances of the parties.
22 The Prosecution first, please.
23 MR GARCIA: [9:35:14] Good morning, Mr President, your Honours.
24 Lucio Garcia for the Prosecution. I'm here with Mr Pierre Belbenoit-Avich,
25 Mr Kweku Vanderpuye, Mr Tuomas Oja and Mr Yassin Mostfa in the back. Thank

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1 you.

2 PRESIDING JUDGE SCHMITT: [9:35:27] Thank you.

3 I turn to the representatives of the victims.

4 Ms Massidda first.

5 MS MASSIDDA: [9:35:32] Good morning, Mr President, your Honours.

6 I will start with a message from my colleague Mr Dmytro Suprun. He is unable to
7 be at the hearing today because he was on mission, his flight was cancelled, so he will
8 not be able to appear today. Hopefully he will be arriving today. But his team is
9 represented by Ms Ludovica Vetrucchio and Ms Anne Grabowski.

10 Concerning victims of the other crimes, appearing today, Mr Enrique Carnero Rojo,
11 Ms Mouhia Asso and myself Paolina Massidda.

12 PRESIDING JUDGE SCHMITT: [9:36:07] Thank you.

13 I turn to the Defence now.

14 The Defence of Mr Yekatom first.

15 MS DIMITRI: [9:36:12] Good morning, Mr President. Good morning,
16 your Honours. Good morning, everyone.

17 Mr Yekatom is present in the courtroom. He's represented today by Mr Florent
18 Pages-Granier, Ms Anta Guissé, Ms Sabine Bayssat, Ms Lison Grunhut. We have,
19 I believe, Mr Régis Tiangaye remotely, and myself Mylène Dimitri.

20 PRESIDING JUDGE SCHMITT: [9:36:36] Thank you.

21 Mr Knoops next.

22 MR KNOOPS: [9:36:38] Good morning, Mr President. Good morning everyone in
23 the courtroom. I wish the Chamber all the best for this year and my colleagues in
24 the courtroom. We're here today, Mr President, before the Chamber, with
25 Mr Alexandre Desevedavy, Marion Delahousse. And Mr Ngaïssona is present.

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1 Thank you.

2 PRESIDING JUDGE SCHMITT: [9:36:56] Thank you very much.

3 And most importantly we have a new witness.

4 Good morning, Madam Witness.

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6 (The witness speaks Sango)

7 THE WITNESS: [9:37:08](Interpretation) Good morning.

8 PRESIDING JUDGE SCHMITT: [9:37:10] On behalf of the Chamber I would like to
9 welcome you to the courtroom. You are called to testify to assist this Chamber in
10 the case of the Prosecutor against Mr Yekatom and Mr Ngaissona.

11 Madam Witness, I will now read to you the solemn undertaking. I ask you to repeat
12 it slowly after me. Please listen.

13 I solemnly declare.

14 THE WITNESS: [9:37:46](Interpretation) I solemnly swear.

15 PRESIDING JUDGE SCHMITT: [9:37:47] That I will speak the truth, the whole truth
16 and nothing but the truth.

17 THE WITNESS: [9:37:59](Interpretation) That I shall tell the truth, the whole truth
18 and nothing but the truth.

19 PRESIDING JUDGE SCHMITT: [9:38:04] Thank you very much, Madam Witness.

20 You are now under oath. You have already been informed, of course, what this
21 means, that you have to tell the truth and that you have to tell us everything that you
22 know truthfully.

23 And I think for the further practical guidance, I assume, Ms Dimitri, you would, in
24 any way, address that. So I give you immediately the floor.

25 MS DIMITRI: [9:38:30] Thank you, Mr President.

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1 QUESTIONED BY MS DIMITRI: (Interpretation)

2 Q. [9:38:53] Good morning, Madam Witness.

3 A. [9:38:55] Good morning.

4 Q. [9:38:58] I will begin with a few remarks by way of an introduction and then
5 after that we are going to go into private session because you have been granted
6 protective measures.

7 When I speak to you I say "Madam Witness". I'm not saying that out of a lack of
8 respect, it's just that I don't want to utter your name because I don't want the public to
9 be able to identify you. Is that all right?

10 A. [9:39:36] That's all right.

11 Q. [9:39:38] As I explained to you last Wednesday when we met briefly, Ms Guissé
12 is with me today and Mr Florent Pages-Granier, who was visiting Mr Yekatom at the
13 time of the familiarisation meeting, so they were not able to meet with you that day.

14 But before we get going, I'd like to repeat a number of rules. We have interpreters
15 here higher up in the booths and when I speak to you or when the Presiding Judging
16 speaks to you, you may not hear our voices, you will hear the interpreters' voices.

17 It's important for you to pause for a few moments between question and answer.

18 Now, I realise you do understand French rather well, but we do need to allow for this
19 pause so that the interpreters can interpret what the various parties and participants
20 have said.

21 Now, the first part of my questions will be intended to identify you, so that the judges
22 know exactly who you are and where you're from, and we're going to do that in
23 private session. That means the public will not hear what is being said, only
24 the people here in this courtroom. And then for general questions I'll be moving into
25 open session.

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- 1 Now, no one will be able to see your voice or hear -- see your image or hear your
2 voice. Your voice is going to be distorted. That's for the general questions.
3 Now, if ever, when you're giving an answer and you make a mistake and you say
4 something that could identify you, don't worry because Mr Pages-Granier is
5 monitoring closely and if there's an answer that might identify you we have an entire
6 system and we will ask the Presiding Judging to remove the information from
7 the audio. We have a 30-minute lag. So, if, for example, you mention a family
8 member or someone close to you, if you mention that person by name, we do have
9 a 30-minute lag and we can redact that information. Do you understand so far?
- 10 A. [9:42:22] Yes, I understand.
- 11 Q. [9:42:24] If you need a break, just let me know so. I know that you were very
12 cold Wednesday and I promised you that it wouldn't be as cold today, but if you're
13 too cold, and I realise it's cold in this courtroom, please do say so, if you find it too
14 cold.
- 15 A. [9:42:46] I understand.
- 16 MS DIMITRI: [9:42:49] Mr President, I believe I covered all the instructions.
- 17 PRESIDING JUDGE SCHMITT: [9:42:52] You have covered everything. And I can
18 also say, Madam Witness, indeed, it's not only that you, you are coming from
19 a country where it's much warmer than here, but nevertheless also, if I speak for
20 myself, I also find it relatively cold inside here. So if you need a pause, also for other
21 reasons, if you think you need a break, then please let us know, raise your hand, and
22 then I will give you the time.
- 23 We go to private session, I understand.
- 24 MS DIMITRI: [9:43:23] Thank you.
- 25 (Private session at 9.43 a.m.)

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1 THE COURT OFFICER: [9:43:41] We are in private session, Mr President.

2 MS DIMITRI: [9:43:52](Interpretation)

3 Q. [9:43:53] We are now in private session, Ma'am, so for these questions you don't

4 have to worry, I'll be asking you some questions that will identify you, but this part of

5 the hearing will be confidential. I'd like to ask you, what is your full name?

6 Surname and first name.

7 (Redacted)

8 Q. [9:44:28] And when were you born?

9 (Redacted)

10 Q. [9:44:44] What town or city were you born in?

11 (Redacted)

12 Q. [9:45:05] Do you have a nickname, by any chance? Do people use a different name

13 when they talk to you, a nickname, not your usual name?

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

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21 (Redacted)

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3 (Redacted)

4 (Redacted)

5 Q. [9:47:28] This might seem obvious to you, but could I ask you which faith you
6 follow?

7 A. [9:47:43] I'm a Muslim.

8 Q. [9:47:54] And which ethnic group are you from?

9 (Redacted)

10 Q. [9:48:12] Could you tell us whether you have any children, Ma'am?

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 Q. [9:49:24] And what religion do your children practice?

19 A. [9:49:30] They are all Muslims.

20 Q. [9:49:42] And which neighbourhood do you live in right now?

21 A. [9:49:50] I'm living in the 3rd arrondissement right now.

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 Q. [9:51:00] And what profession do you carry out these days, or trade, or what
4 kind of work?

5 (Redacted)

6 (Redacted)

7 (Redacted)

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 (Redacted)

23 (Redacted)

24 (Redacted)

25 I realised that it was not a deep division between Muslims and *Christians because

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1 *The person who saved me from death was a Christian. (Redacted)

2 (Redacted). If the conflict was just about

3 Christians and Muslims, well, I would not have been saved. (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 Q. [9:56:00] Ma'am, we're going to get to that point a little bit later on in my
10 questioning, but you mentioned someone who saved you from death and that this
11 person was Christian. Who was this person who saved you from death?

12 A. [9:56:23] Yekatom. He was the one who saved me from death during the crisis
13 that the country went through.

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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3 (Redacted)

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5 Q. [10:06:10] And, Madam Witness, during that particular time - I'm looking at the
6 Seleka period and we're going to be taking things chronologically - when the Seleka
7 held power, was there a particular incident that pitted a member of the Seleka against
8 you or a member of your family?

9 A. [10:06:44] The Seleka arrived, and when they did so they did me great prejudice.

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

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8 (Redacted)

9 (Redacted)

10 (Redacted)

11 PRESIDING JUDGE SCHMITT: [10:10:13] Madam Witness, would you like to have
12 a couple of minute's pause?

13 THE WITNESS: [10:10:27](No interpretation)

14 PRESIDING JUDGE SCHMITT: [10:10:35] What was the answer?

15 Well, let's have a 10-minute break. Yeah.

16 (Recess taken at 10.10 a.m.)

17 (Upon resuming in private session at 10.21 a.m.)

18 THE COURT USHER: [10:21:36] All rise.

19 Please be seated.

20 PRESIDING JUDGE SCHMITT: [10:21:56] Before we continue, two scheduling
21 matters.

22 We have an event on Friday and on Monday here at the court, so we have to adjust
23 a little bit our hearings.

24 On Thursday, because of the event on Friday, we will have two two-hour sessions
25 from 9.30 to 11.30 and from 12.30 until 2.30 in the afternoon.

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1 And on Monday, unfortunately, we only have the afternoon, two-hour session, 2 until
2 4 o'clock. We will see how this unfolds. But I want to inform you as soon as
3 possible because from today now we know already that this has to be dealt with, with
4 these changes, the scheduling.

5 Madam Witness, I hope this short break helped you a bit and we appreciate it a lot
6 that you, speaking about these traumatic events, that's also very important for
7 the Judges, for the Court to hear what happened and to hear how people still suffer.

8 Ms Dimitri, please, you have the floor.

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

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7 (Redacted)

8 (Redacted)

9 Q. [10:26:43] Now, before we move into open session, Madam Witness, I have one
10 or two final questions, talking about where you were actually located.

11 On 5 December 2013, we know that that was the date of the attack on Bangui. On
12 the day of the attack, 5 December 2013, where were you? (Redacted)

13 (Redacted)

14 A. [10:27:33] On 5 December I was still in that house (Redacted)

15 (Redacted)

16 Q. [10:27:46] And the following day, on 6 December, and in the subsequent days,
17 were you still in that house (Redacted)

18 A. [10:28:11] On 5 December, on that particular day, people came from our
19 neighbourhood. They started killing and ill-treating people. (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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11 (Redacted)

12 (Redacted)

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15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Open session at 10.31 a.m.)

20 THE COURT OFFICER: [10:31:43] We are in open session, Mr President.

21 THE WITNESS: [10:31:57](Interpretation) I've noted that.

22 MS DIMITRI: [10:32:00](Interpretation)

23 Q. [10:32:01] Ma'am, could you now explain to us what happened once you got to
24 that house in the PK9 area.

25 A. [10:32:26] Once I got to the PK9 area, we were in that house. We didn't go out,

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1 not even at night. Our meals were brought to us. So we were in that house and we
2 spent between one and two months in that house, we never went out. At one point
3 the children were no longer afraid and they began to go outside into the compound
4 and they started to play in the yard and they would go out a little bit further. And
5 they were playing with the children of my elder sister, outside.

6 When people went by -- you see, the faces of Muslim people are not the same to
7 the faces of Christian people, so people began to say "Those are Muslims, those are
8 Muslims in that compound." One day the people living in the neighbourhood rose
9 up and they said, "The owner of that house is sheltering Muslims". Because
10 Christians could not go into Muslim neighbourhoods and Muslims couldn't go into
11 Christian neighbourhoods. If that sort of thing happened, if people from one faith
12 went into the areas of the other faith, they would be killed. And so they said this to
13 the owner of the house, and the owner said, "These are the children of my
14 sister-in-law." They ran. And one day there was a crowd of people, people came
15 from the market, they had sticks and they were heading towards us.

16 The children ran back into the compound. They went and got me. We went into
17 the house. The children of my elder sister said and told me that people had come to
18 kill my children, that the Christians had come to kill the Muslims in that house. I
19 fled into the house and I knew what to do, I knew what to do.

20 The first people who came by pushed the gate closed. You see, there was a place
21 where a motel had been built. They looked for the gate to get into the second
22 concession. The husband -- I knew what to do. I told all the children to come. I
23 gathered them all together. There was nothing to do. I didn't know if they
24 were -- if they had come to torch the house or to kill us all.

25 We went into the first compound. They started to throw stones at us and they

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1 started to force the second gate to get to the compound where we were. Everyone
2 fled. Some people jumped the fence. I knew what to do. I gathered my children
3 around me and I waited for death because I knew that that -- that
4 the Muslims -- correction: That the Christians had counted the Muslims and were
5 going to -- and were going to kill them and vice versa. I knew that they were going
6 to kill us. I knew that our time had come.
7 They broke the second gate down, but they weren't quite yet where we were.
8 Someone started to yell out and said, "Don't touch them. Don't touch them.
9 The Muslims aren't our enemies. Our enemies are the Seleka. *We are not seeking
10 to kill all the Muslims." I was with my children there and I thought that our days
11 were numbered.
12 After a few moments I heard someone speaking. I never saw that person. I had
13 never seen him before. I had just heard about him. They said, "Where are they?
14 Where are they?" and I was afraid and I thought maybe they had come to kill me too.
15 And he said, "Ma'am, don't be afraid. Don't be afraid. Don't run away." I was
16 frightened. I had fled. He said to me, "Don't be afraid. Don't be afraid." He took
17 me in his arms. He took me in his arms and he took me aside with the children as
18 well. There was this huge crowd and the people were calling out, "Kill them, kill
19 them." They had sticks in their hands. "Kill them. They're Muslims. The Seleka
20 have killed us. We can't have Muslims amongst us. Kill them."
21 He came, he took me by his hand. He took me, and he said, "Ma'am, don't be afraid.
22 Open your eyes, look at me." I was crying and my children were crying. And he
23 said -- I said -- "Ma'am, look at me. I'm not going to do anything to you." He
24 started to get the crowd under control. There was this huge crowd. He said, "Don't
25 be afraid. I've come to save you. I'm not the enemy of the Muslims. We rose up

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1 to fight the Seleka, not the Muslims. We have come to save the Muslims, the people
2 of the Central African Republic who have suffered so much under the reign of
3 the Seleka." When other people saw this man they started to withdraw. It took
4 about an hour.
5 After that, he took us and we went down and sat down under the straw hut. My
6 sister-in-law brought him a chair, but he sat down and he said, "We have come to
7 protect you, to protect the Muslims. The Muslims have suffered under the Seleka.
8 Don't worry." I wasn't reassured. I was afraid that people might come back at
9 night and kill us. He calmed us down and then he left. My sister-in-law and her
10 children all fled.
11 He reassured us and then he left. He said, "Ma'am, don't be afraid of anything.
12 Nothing is going to happen to you."
13 After, my sister-in-law came back and some neighbours came back and they
14 comforted me and they said to me, "Don't be afraid of anything." They comforted
15 me. They gave us something to eat. We had no appetite because we were afraid.
16 We thought that the people might come back any time to kill us.
17 At night, I gathered together all the children and we slept in the same room. *At 18.30
18 or 1900 hours he sent two or three of his elements to make sure that no one had come
19 back to trouble us. *He told us, "He doesn't live far away, just on the other side of the
20 barrier, and if something happens, send someone quickly to call us. I can assure you
21 that nobody will bother you." I didn't believe him. I said that maybe at night people
22 might come back and kill us because people were being killed. Some people were
23 even eating human flesh at the time. The children were able to sleep, but I remained
24 awake the whole night. In the morning he sent his elements once again to make sure
25 that we were okay.

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1 From time to time he would come, he would enter the compound and he would say,
2 "Hadja, are you all right, are your children all right?" Sometimes he would buy food
3 and bring it to us and he would say, "Make some food for your children. No one
4 will hurt you. We have risen up against the Seleka, not against the Muslims."
5 A while after that, when the situation would become calmer, he would come and visit
6 us. If he didn't come himself, he would send some of his elements to find out how
7 we were doing. We stayed in the house in the compound. He would call us, he
8 would greet us, he would talk to us a bit and then he would leave. Sometimes he
9 would send his elements to make sure that we were doing fine and once there was
10 a lull we were able to go back to Kilometre 5.

11 PRESIDING JUDGE SCHMITT: [10:41:31] Just shortly. We appreciate it always
12 when we get a narrative by a witness, and in that regard I have to thank
13 the interpreter, because it's very important to follow that and it's also very difficult,
14 we know that. So, Ms Dimitri, I think there is one important question to ask.

15 MS DIMITRI: [10:41:55] Indeed.

16 *And merci beaucoup aux interprètes.*

17 Q. [10:41:56](Interpretation) You've spoke a lot about "him", about "he", the one
18 who said don't be afraid, the one who brought you food, the one who called out
19 against the members of the population, the one who said, "We are against the Seleka,
20 not against the Muslims." Who is this person you're talking about? Who is "he"?

21 A. [10:42:33] His name is Yekatom Alfred.

22 PRESIDING JUDGE SCHMITT: [10:42:40] Is the person in the courtroom here?

23 THE WITNESS: [10:42:56](Interpretation) Yes. When I went into the room I saw
24 him. When the people rose up, he too rose up. I saw him. He is in this room.

25 PRESIDING JUDGE SCHMITT: [10:43:06] Thank you.

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1 Ms Dimitri, I think a lot of questions that you might have on your list have been
2 answered by the witness.

3 Please continue.

4 MS DIMITRI: [10:43:14] Thank you, Mr President.

5 Indeed, if I can just have a moment or two to skip quite a number of questions.

6 PRESIDING JUDGE SCHMITT: [10:43:24] Because of that I'm ...

7 MS DIMITRI: [10:43:26] Thank you.

8 (Pause in proceedings)

9 PRESIDING JUDGE SCHMITT: [10:43:50] We could also, if you -- we could also
10 have the break now, if this is -- no, okay, then we continue.

11 THE WITNESS: [10:44:08](Interpretation) Thank you.

12 MS DIMITRI: [10:44:10](Interpretation)

13 Q. [10:44:12] Ma'am?

14 A. [10:44:20] Yes, I'm listening.

15 Q. [10:44:23] I'll be asking you a few questions before the break, which is in
16 15 minutes.

17 Now, I've understood from what you said that the people, the population, attacked
18 you and your children and Mr Yekatom intervened to protect you.

19 Do you know whether within the neighbourhood where you were, did you know if
20 there were other families of the Muslim faith or *other people whom he helped ?

21 A. [10:45:11] Yes, that's right. There were many Muslims who had remained in
22 the Bimbo area. They never left Bimbo, particularly the Peuhl people who were
23 selling goods in the market. {ICR: (Redacted)}

24 (Redacted)

25 (Redacted)} they had stayed in Bimbo and they were still

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1 there, up until this day.

2 PRESIDING JUDGE SCHMITT: [10:45:45] Ms Dimitri.

3 One question, Madam Witness, it's difficult after so much time has passed, but can
4 you tell us when this happened. You know, if we take as a point in time
5 the 5 December attack, so what you have told us, when did this happen?

6 THE WITNESS: [10:46:15](Interpretation) It was after 5 December, because I told
7 you on 5 December we were in front of our house and when those people came from
8 our neighbourhood to attack us in our neighbourhood at -- in our neighbourhood,
9 pardon, and our neighbour who was behind our house came and got us and we
10 stayed with him. We spent one night there, and the day after that he took us to our
11 elder sister, our elder sister who I told you about. I think that was in January,
12 towards late January or perhaps early February.

13 PRESIDING JUDGE SCHMITT: [10:47:01] Thank you very much. That's very
14 important information.

15 Please, Ms Dimitri, continue.

16 MS DIMITRI: [10:47:12](Interpretation)

17 Q. [10:47:15] Ma'am, you said that Mr Alfred Yekatom sent some of his elements to
18 make sure -- several times to make sure that you were safe.

19 I'd like to show you a photo -- rather, a screenshot and I'm going to ask you whether
20 you've ever seen the person. So you're going to see an image of this person.

21 This is a screenshot at 6 seconds and this is tab 2 of the binder. It's a video,
22 CAR-OTP-2065-3097.

23 I'm not going to play the footage. This is really just a screenshot and I'd like to ask
24 Madam Witness if she knows the person displayed up on the screen.

25 PRESIDING JUDGE SCHMITT: [10:48:46] Madam Witness, do you recognise

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1 someone on this photo or screen? There are two persons on it. Do you recognise
2 one of them?

3 THE WITNESS: [10:49:04](Interpretation) I recognise one person.

4 PRESIDING JUDGE SCHMITT: [10:49:06] Can you tell us which person.

5 THE WITNESS: [10:49:17](Interpretation) The person who is wearing a black and
6 white T-shirt.

7 PRESIDING JUDGE SCHMITT: [10:49:23] Thank you.

8 Ms Dimitri.

9 MS DIMITRI: [10:49:28](Interpretation)

10 Q. [10:49:30] Thank you.

11 For the record, the person who is completely to the right of the image - this is
12 a screenshot timestamp 6 seconds - now, this person wearing a black and white
13 T-shirt on the screenshot, did you see that person with Mr Yekatom during that
14 period of time?

15 A. [10:50:07] That day I was a bit traumatised. I didn't know that man who was
16 called Yekatom. Even this man, I didn't recognise him that day. One day I was
17 travelling about to get my products and there was an outage in the village and
18 the driver took me to another place where I could spend the night in safety. So we
19 went -- got to that person's home and I was introduced to that person and I was told
20 that, well -- no, I was introduced to them and they said, "This is a Muslim lady, we
21 would rather that she stay here." I was given a room.

22 The next day they gave me something to eat while the vehicle was being repaired.
23 After that, we got back into the vehicle and we continued along our way.

24 THE INTERPRETER: [10:51:17] Message from the interpreter: the outage mentioned
25 was a breakdown of a car.

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- 1 MS DIMITRI: [10:51:23](Interpretation)
- 2 Q. [10:51:24] Ma'am, just to make sure that we've understood properly. Zila is
3 a small neighbourhood very close to Pissmiss, opposite Pissmiss; is that correct?
- 4 A. [10:51:37] Yes, that's right.
- 5 Q. [10:51:42] And that is where you met the person who we just saw up on
6 the screen; is that what I am to understand?
- 7 A. [10:51:50] Yes, that was the -- that was the context, that's when I met him.
- 8 Q. [10:51:56] And, to your knowledge, Madam Witness, is that person still alive
9 today?
- 10 A. [10:52:07] No, he has passed away. He's dead. He died in an accident.
- 11 Q. [10:52:14] What kind of accident, if you know?
- 12 A. [10:52:26] I learned that he was hit by a motorcycle or some kind of vehicle in
13 Pissa, on the Pissa road. I think it was a motorcycle of some kind, or a vehicle. It
14 was on the Mbaïki road.
- 15 Q. [10:52:47] Did you attend the burial, Ma'am?
- 16 A. [10:52:54] No. It was later that I heard about it. And I went to give my
17 condolences to the family a few days after his death. I brought some sugar and some
18 coffee to his wife and to his children.
- 19 Q. [10:53:17] My last question about this man, do you know his name? Do you
20 remember his name?
- 21 A. [10:53:30] It was a very long time ago. I no longer recall his name.
- 22 Q. [10:53:39] And do you know someone by the name of Habib Beina?
- 23 A. [10:53:49] I know Habib Beina. I grew up with that boy. Their house was
24 opposite -- well, you have to go past our house first to get to his house. He was still
25 very young at that time. I don't know where he now lives.

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1 Q. [10:54:21] Ma'am, do you know a Vivien Beina? Vivien Beina.

2 A. [10:54:31] Yes. That's who I'm talking about. Not Habib. I made a mistake.

3 I was talking about Vivien. It was Vivien who's kind of tall, large, and black

4 skinned.

5 Q. [10:55:04] And what about Habib Beina, is he still alive?

6 A. [10:55:12] I know Beina. When you mentioned Habib Beina I got mixed up.

7 {ICR: (Redacted)} I know

8 the Beina family well. And his brothers, the brothers would play with the kids from

9 my husband's family.

10 Q. [10:56:03] Ma'am, you said that after a period of time, once a lull was established,

11 you left the Bimbo area --

12 PRESIDING JUDGE SCHMITT: [10:56:15] That's something completely new, I think

13 let's have the break now. I think that that makes sense. It's, so-called, a natural

14 break, if you allow me to say that.

15 So break until 11.30.

16 THE COURT USHER: [10:56:29] All rise.

17 (Recess taken at 10.56 a.m.)

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

19 THE COURT USHER: [11:31:04] All rise.

20 Please be seated.

21 PRESIDING JUDGE SCHMITT: [11:31:27] I think we are in open session.

22 And, Ms Dimitri, my question would be if we can stay there?

23 Yeah, okay, then you have the floor.

24 MS DIMITRI: [11:32:06](Interpretation)

25 Q. [11:32:08] Hello again, Madam Witness.

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1 A. [11:32:13] Hello.

2 Q. [11:32:17] Now, before the mid-morning adjournment, you told us that you left
3 the PK9-Castel vicinity at a given point in time.

4 Now, should I understand it then that you returned to PK5, to the place where you
5 live today?

6 A. [11:32:47] Yes, that's exactly right.

7 Q. [11:32:52] And, Madam Witness, on the day that you left Castel to go to PK5,
8 can you tell the Chamber what was your itinerary, what route did you take, and did
9 you take any particular precautions to go from Castel to PK5?

10 A. [11:33:30] We went to PK5. When we were leaving there were still killings at
11 the time, from Petevo all the way through to PK5. There was a group at the Fatima
12 *lycée*, there was a group of thieves and bandits. So that meant you had to take
13 certain precautions. My children and myself, we raised our veils. We -- I had my
14 girls wear shorts and skirts. I removed my veil. I wore a pair of trousers and a
15 t-shirt.

16 And at the Fatima Church, to go to Kilometre 5, it wasn't easy to go there as a group
17 because you might get attacked. So at our house I said, right, to get to that particular
18 location, we need to separate. So we got out of the bus, and so, for each of us, as
19 soon as we got out of the bus we had to walk to PK5. We had to give the impression
20 that we'd arrived separately.

21 So everybody got through, and I came last, and we all met up at the PK5 market.

22 And then we moved around the neighbourhood to ultimately get to our house and
23 that's how we came back to our original home.

24 Q. [11:35:38] Madam Witness, at PK5, in that particular neighbourhood, to the best
25 of your knowledge, were there armed self-defence groups?

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1 A. [11:35:59] Yes. And I know them.

2 Q. [11:36:06] And those self-defence groups at PK5, Madam Witness, were they
3 behaving properly, to the best of your knowledge or based on what you saw, or did
4 they commit crimes and offences?

5 A. [11:36:25] At a given point in time I wondered why I had actually returned to
6 PK5, because there were acts of violence. Muslims were still suffering because of
7 those self-defence groups.

8 Q. [11:36:50] And can you give us an example? Can you tell us why the Muslims
9 were suffering because of these self-defence groups operating within PK5?

10 A. [11:37:17] {ICR: I can give you a number of examples. (Redacted)}

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 There was a number of, a number of acts of abuse and violence and I, you know, as
23 basically I've already detailed.}

24 Q. [11:39:07] Okay, Madam Witness, can we now return to the matter of Alfred
25 Yekatom.

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1 PRESIDING JUDGE SCHMITT: [11:39:14] Mr Garcia.

2 MR GARCIA: [11:39:17] Your Honour, just an objection and comment as well.

3 I was waiting to see if Defence counsel would broach this, but I don't see any time
4 frame in the questioning or in the answer of the witness. And I'm referring
5 specifically to this whole part of the narrative relating to the return to PK5. I don't
6 have a time frame for it.

7 PRESIDING JUDGE SCHMITT: [11:39:36] Well, that's not an objection. That's
8 simply something that we perhaps could require.

9 MR GARCIA: [11:39:41](Overlapping speakers)

10 PRESIDING JUDGE SCHMITT: [11:39:41] And Ms Dimitri also of course has an
11 interest in doing so. Thank you very much for that.

12 Ms Dimitri, you have heard it. It would be good to have also a time reference here.

13 MS DIMITRI: [11:39:54] Of course.

14 Q. [11:40:00](Interpretation) Madam Witness, now I've understood that when you
15 left the Castel-PK9 vicinity to reach PK5, at the time the tension was still running high.
16 Can you tell us how much time went by after January 2014, if you take as your
17 reference point the time when Yekatom intervenes with you, how much -- how many
18 weeks or months elapse before you ultimately return to PK5?

19 A. [11:40:55] I don't know, and I'm not very good with dates, but I think it must
20 have been at least two months, but my testimony really rests on memories, memories
21 that I have today.

22 Q. [11:41:24] All right, Madam Witness.

23 Since you talk of memories, I'd like to refer you to Mr Yekatom based on your
24 memory. So you're at PK5. Do you keep in touch with Mr Yekatom at that period
25 of time?

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1 A. [11:41:55] Yes. Sometimes we would speak over the phone.

2 Q. [11:42:04] And can you tell the Court, Madam Witness, why was it that you
3 would speak over the telephone, what was the purpose of your telephone contact
4 with Mr Yekatom?

5 A. [11:42:27] When I was still at Bimbo he would call me from time to time to see
6 how things were going, and that of the family. We had each other's phone numbers
7 and when I arrived in the 3rd district I called him because some of our brothers had
8 left Boda to go to Bangui. There were five of them and among them there was a
9 mother, the wife of his little brother and two children that were to go to Bangui. At
10 that time it wasn't straightforward to move around, so when they left, they were
11 transported in a -- in a FACA vehicle. Each person had to pay a sum of 50,000
12 francs.

13 So they were taken from Boda to Bangui and they arrived at PK9, and to cross
14 over -- well, the road was blocked. It was the transition period, Samba-Panza was
15 the sitting president and she was on assignment in the United States and the
16 population was not -- well, in fact, she wasn't allowed to return to the country
17 because she had embezzled money given by Angola. So there were demonstrations
18 in Bangui and roads were blocked. The FACA arrived at PK9 and wanted to cross
19 over with -- no, they were -- even they were frightened to cross over with them with
20 men and women. So these five people were driven to the PK9 gendarmerie in the
21 3rd arrondissement.

22 When my social cohesion and awareness-raising work was being done I had lots of
23 contact with people and people knew that Yekatom had saved our lives. So they
24 came up to me. They came to me to ask me to contact Yekatom to facilitate the
25 arrival of those people to PK5. So their relatives came to see me to tell me of their

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1 circumstances and basically ask me to contact Yekatom, which is what I did.
2 I told him that they are relatives who have come from Boda and who are in the -- at
3 the gendarmerie brigade. And he said, "Okay, I'll go off and see them." And he
4 re-established contact to say that he seen them, but that it wasn't possible to take them
5 that evening. But the following day, at 5, they were going -- well, he was going to
6 drive them to the Jackson bridge. And I believe that our entire conversation was
7 listened in on by the members of the family, because he called at 5 to say that he
8 hadn't found the members of family, the five members. And I was frightened,
9 I thought they had been killed.

10 But the prosecutor had already asked that the five people be taken to the *Gendarmerie*
11 *nationale*. They spent five days there and the MINUSCA got them out to drive them
12 to PK5.

13 Q. [11:46:30] One or two questions for the avoidance of doubt, Madam. Why do
14 you -- well, why does Mr Yekatom say to you at that particular point that it's not
15 possible to take them at that particular moment in time?

16 A. [11:46:59] Because there were demonstrations all over. The local populations
17 were demonstrating. The roads were barricaded. People wanted to stop the return
18 of Samba-Panza, and so he told me that if he were to step in, people would in all
19 likelihood accuse him of being complicitous with the Muslims because at that
20 particular time the crisis was at its height, the crisis between the Christians and the
21 Muslims. So if he were to step in on behalf of the Muslims, then he may have been
22 accused of being complicit with the Muslims and he would be risking his life if he did
23 that. This is what he told me.

24 And I thought that they had been killed and he told me no, no, no, no, they weren't
25 killed, but the prosecutor had instructed that they should be taken to the *Gendarmerie*

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1 *nationale.*

2 Q. [11:48:10] And another clarification, please, Madam. You said that
3 Mr Yekatom, as far as I've understood, that at 5 -- at 5 o'clock, those people hadn't
4 been found.

5 Who was talking about the time 5 o'clock? Is it 5 o'clock in the morning or 5 o'clock
6 in the evening? Where does this time 5 o'clock come from, Madam Witness?

7 A. [11:48:38] When I rang him to lay before him this problem, this problem that
8 had -- you know, around Boda and, you know, I called him to say, "Right, these
9 people have come from Boda and they're at the PK9 brigade." So he went to the
10 gendarmerie to see them. Subsequently, he called me up to say that there was a
11 crowd on the road and he couldn't go and free them, but that I should wait for the
12 following day at 5 o'clock when people were asleep, people were sleeping at that
13 particular time, and so that he could do that and he could then take them to the
14 Jackson bridge and he could reach the Jackson bridge and then he could call me.
15 And he told me that I should wait for that particular time, 5 o'clock. He would take
16 them at 5 o'clock in the morning, take them to the Jackson bridge, and then I should
17 go and collect them at that particular point.

18 Q. [11:49:48] Thank you, Madam. And if I've followed your evidence correctly, it
19 was subsequent to that that you realised that at 5 o'clock they hadn't met up and the
20 prosecutor asked that they should be taken to the *Gendarmerie nationale*. Have I got
21 that right, Madam Witness?

22 A. [11:50:08] Yes, that's exactly right.

23 Q. [11:50:13] Now, we're talking about the -- the prosecutor of the Central African
24 Republic; is that right?

25 A. [11:50:25] Yes. It was the public prosecutor, because he wanted to make sure

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1 that those people were safe. So he wanted to look after them until things had calmed
2 down before they could be returned to their nearest and dearest.

3 Q. [11:50:45] And do you know whether Mr Yekatom went -- hang on, I'll just
4 rephrase my question.

5 Now, as far as I've understood from your evidence, Madam, it was too difficult to
6 make the transfer at that particular time because of the demonstrations, because of the
7 barricades on the road, so that's why Mr Yekatom said let's do this at 5 o'clock in the
8 morning when everybody is still fast asleep.

9 Now, based on your conversations with Alfred Yekatom, do you know whether at 5
10 o'clock he did indeed go and see these people as agreed with you prior, as agreed
11 with you beforehand?

12 A. [11:51:33] Yes, he went. He went there at 5 o'clock and I called him up and he
13 said, "Oh, I wanted to ring you. I went to the gendarmerie and they told me that the
14 prosecutor had freed them because they couldn't stay for fear that the local
15 inhabitants would do them harm or even kill them."

16 Q. [11:51:59] Thank you, Madam.

17 You also talked about the Jackson bridge. Why did you choose the Jackson bridge?

18 A. [11:52:17] You may know that the Jackson bridge is the frontier, if you will, the
19 limit, the outer limit. The Muslims couldn't cross that bridge to go into the areas
20 inhabited by the Christians, so the Muslims could only circulate up to Cattin and the
21 Jackson bridge as an outer limit to their movements.

22 So that was the limit, if you like, between -- or the border or the frontier between the
23 Christians and the Muslims. They could look at each other but they couldn't
24 traverse, nobody could traverse that outer limit.

25 Q. [11:53:06] Do you recall, Madam, of any other similar contact that you had at the

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1 time with Alfred Yekatom?

2 A. [11:53:20] Yes. Well, there were many such examples, because at Boda, if some
3 families wanted to come, then he would call and {ICR: (Redacted)}
4 {Redacted}} and sometimes people would ring me to ask me to step in and to see with
5 Mr Yekatom there was an opportunity for him to intervene to have them freed. He
6 even drove people to Pissa, to Fatima, to the Jackson bridge so that I could then take
7 them onwards to PK5.

8 Q. [11:54:14] And can you tell the Court, Madam, to fully understand, because we
9 weren't there at the material time, can you tell us practically how did that go, this
10 physical -- this physical transfer, if you will, at the Jackson bridge between you and
11 Mr Yekatom when he had escorted people there?

12 A. [11:54:48] There was that outer limit. There was a MINUSCA base there
13 because at that particular time the national army wasn't in operation. There were
14 only the MINUSCA troops on the ground. A Muslim simply couldn't cross over into
15 the Christian area. And a Muslim, once he had traversed that outer limit, well, he
16 was running the risk of being killed. And vice versa, in actual fact. So when he
17 escorted those people, once he'd reached the MINUSCA soldiers, then he would stay
18 to one side because at that particular point there were the UN MINUSCA troops. So
19 people would get out at a certain distance. And the Christians were there and
20 watching and they couldn't do anything, given the MINUSCA soldiers were -- were
21 there. And that's how I would then retrieve them, and with them, then we could go
22 to PK5.

23 Q. [11:56:00] So today, Madam -- well, I don't want to go into the finer detail of
24 each individual operation designed to save people, but do you know a lady who lives,
25 who lives either opposite or in the immediate vicinity of the Central Mosque at PK5?

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1 A. [11:56:32] Yes, I do. Yes, I do know that lady. It's Madam Amina.

2 Q. [11:56:42] And to the best of your knowledge, do you know how she ended up
3 at that particular place?

4 A. [11:56:59] She was among the five people who were escorted to PK9. They
5 were at the national gendarmerie's location and I went up to the UN soldiers at the
6 *Koudoukou school, more specifically the Burundian contingent. They were there.
7 For five days they had nothing to eat. And they were there and he asked me to hand
8 on the information to the authorities. There we have it. It was a question of going to
9 see them. The Burundians asked the 500 soldiers of the Sangaris, telling them that
10 there were Muslims at the Gendarmerie who were there for their safety, and was it
11 possible to go and get them. The elements from the French army had gone to the
12 Gendarmerie, they sounded their horn to ask those who were there to come out.
13 Now, there was a soldier who was a FACA element. He was killed ultimately. He
14 lived in Boy-Rabe. He was killed in the vicinity of the gendarmerie. At that
15 particular time all the gendarme had fled. And the EUFOR Sangaris elements, when
16 they arrived, well, they sounded their horns, even at night. They were frightened.
17 They didn't know that they had come to free them. They didn't come out.
18 And so the next day, the Burundi contingent soldiers -- well, we went up to them to
19 ask them and they said the French were there, that they sounded their horn, their car
20 horn, their vehicle horn, to free them, but nobody came out. Well, it looked like
21 nobody was there and so they were ready to go off and collect them. But all this
22 time we were in front of the Koudoukou school and we could hear them. You know,
23 we heard them. And they took a tank to go to that particular place and they met up
24 with the mayor Awo, Amina, and another woman with a baby in her arms. And
25 they were taken at the *Gendarmerie nationale* location and took them in front of the

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1 Central Mosque.

2 At the time there were a number of people who were waiting for them there. Amina

3 didn't have any family there, all his family was at Boda. But she didn't have

4 any -- any member of the family in Bangui. The mayor, yes. But Amina, {ICR:

5 (Redacted)

6 (Redacted)

7 (Redacted)}

8 Q. [12:00:20] A few moments ago you explained that you had worked with

9 Mr Yekatom to save people and you also said that "people knew that Yekatom had

10 saved my life".

11 To your knowledge, going by your conversations with the Muslim community at PK5,

12 the ones who knew that Yekatom had saved your life, do you know whether they, too,

13 had turned to Mr Yekatom just as you had done to save them?

14 A. [12:01:10] I heard people say that. Some people gave testimony before, before

15 being in contact with him for the same reasons.

16 Q. [12:01:24] Ma'am, we talked about the trip from Boda to PK9 and then from PK9

17 to PK5. Going by your own experience, at the time in 2014 and going by your

18 conversations with the Muslim community, which one of these two distances was

19 more dangerous, Boda to PK9 or from PK9 to PK5?

20 A. [12:02:04] No, PK9 was not all that dangerous. It was much more from Petevo

21 onwards. In Petevo there were many bandits, people who would assault others. So

22 when you left PK9, you would get to the bridge between PK9 and the 6th

23 arrondissement heading towards Fatima. That was a location that was very

24 dangerous and everyone, absolutely everyone heard about human flesh being

25 consumed in that location.

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1 (Counsel confers)

2 MS DIMITRI: (Interpretation)

3 Q. [12:03:28] Ma'am, judging by your conversations with various people from the
4 Central African Republic of the Muslim faith who were at PK5, do you know whether
5 the road -- the Lobaye road was more dangerous than the Damara road or was the
6 Damara road more dangerous, if you know and if you had any discussions about this
7 with people in PK5, be it at the time of the events or when you met people {ICR:
8 (Redacted)}?

9 A. [12:04:16] {ICR: (Redacted)}
10 (Redacted)} there was less danger in Lobaye. But the road, the Boali
11 or Damara roads were the most dangerous ones.

12 Q. [12:04:42] Ma'am, you've told us about how Mr Yekatom intervened to help you
13 and earlier in your testimony you talked about a Peuhl family in Bimbo, and the
14 family remained there in Bimbo, you said. And I forgot to ask you something: Do
15 you know who had them stay there in Bimbo?

16 A. [12:05:20] It was Mr Yekatom who asked the local people not to attack the Peuhl
17 people and that their enemy was the Seleka, because they had committed acts of
18 violence and abuse in all the provinces. They looted, they attacked churches, and
19 they even attacked Muslims.
20 So the ones who came spared neither Christians nor Muslims, and in that case it was a
21 matter of not attacking the Muslim population who had already suffered at the hands
22 of the Seleka.

23 Q. [12:06:31] Ma'am, earlier in your testimony, you made mention of the ministry
24 of reconciliation. I'd like to play some video footage and you will hear the minister
25 of national reconciliation Antoinette Montaigne speaking. Oh, I'm sorry. It's not a

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1 video, actually. It's an audio recording. It's not very long and it dates back to
2 March 2014. And you'll recognise the voice of the minister. I'll play this recording
3 for you. You mentioned the ministry of reconciliation. And then after that I'll have
4 a question for you.

5 This is tab 5. For the interpreters, you should have a small binder, and this is tab 6,
6 CAR-D29-0006-1353.

7 And the actual audio is CAR-OTP-2076-0803. And I'll just wait for the interpreters in
8 the booth to signal that they are ready.

9 Madam, please listen to Antoinette Montaigne and then I'll put a question to you.

10 (Playing of the audio excerpt)

11 THE INTERPRETER: [12:08:20](Interpretation of the audio excerpt)

12 "Speaker one: Escorted by heavily armed MISCA troops, the minister of
13 communication and reconciliation crossed part of Bangui to reach the Muslim enclave
14 at PK5. Once she got to the great mosque, Antoinette Montaigne, smiling and
15 wearing a black head scarf over her hair, she attended the Friday prayer and then
16 asked Muslims not to leave the capital, despite the pressure exercised by the
17 Anti-Balaka.

18 Speaker number 2: (Ms Montaigne): I've come to the great mosque because this
19 week, as of 24 March, we have begun a week of prayer to bring peace and to calm
20 people down, we want national reconciliation and today naturally I've come to great
21 mosque of Bangui to meet with Muslim brothers who today are afraid of everything
22 that is going on in the country, but I've managed to convince them to remain in their
23 country.

24 Speaker number 1: The two Imams of PK5 thanked the minister for her gesture and
25 her remarks. They also designated this man to answer questions from the press.

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1 The message is simple, the symbolic gestures are significant but they're not enough.

2 Speaker 3: We are happy but we're expecting something more significant: Security,
3 we want to be kept safe. We are being attacked from all sides, be it Muslims or
4 Christians, we have to be able -- we have to feel safe in our country.

5 Speaker 1: This Friday -- correction -- This Sunday, the Imams have been invited by
6 the minister to attend the cathedral for an ecumenical prayer. Richard Efaunau
7 (phon), Olivier Roger, Bangui RFI."

8 End of sight translation.

9 MS DIMITRI: [12:10:42](Interpretation) Thank you.

10 Q. [12:10:43] Ma'am, now, you've listened to the minister of national reconciliation.
11 Do you remember her efforts to ensure social cohesion and to raise awareness?

12 A. [12:11:02] {ICR: Thank you very much for that question. The minister was
13 Minister Montaigne. (Redacted). At one point
14 in time it was difficult for Muslims to move about. It was difficult to find food or
15 drinking water. (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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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 Q. [12:14:26] I'd like to play some other footage for you and this is the last one.

14 This is tab 7 of the Defence binder. CAR-OTP-2042-3879.

15 And for the interpreters, once again, this is in the binder, tab 8 of the Defence binder,

16 CAR-D29-0006-1353.

17 And this is a recording that goes back to 6 May 2014. I'll ask you to listen to the

18 recording, Ma'am, and then I'll be putting a few questions to you.

19 And if the interpreters could signal from the booth once they're ready.

20 (Playing of the audio excerpt)

21 THE INTERPRETER: [12:15:35](Interpretation of the audio excerpt)

22 "Speaker 1 (Ms Montaigne): The objective was to get them to take part, to work with

23 us so that we could see how we could bring about -- or implement, rather, an

24 emergency plan to restore peace, beginning by diffusing the tension. You must

25 realise that for weeks, a number of weeks now there was a great deal of tension in the

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1 city of Bangui that was not explain -- could not be explained, and in my mind the
2 tension was not necessarily related to religious issues. These were other issues,
3 organised crime, petty crime, drug use that was on the rise in our country during the
4 crisis. So we took stock and the imams had many requests. They wanted the
5 security to be responsibility of the State, the government in particular. In their
6 minds, the FACA forces needed to have the resources so that they could play their
7 role. Even if we understood that there were difficulties, we had to see with FACA,
8 we had to see with FACA elements who were of good character and get them to begin
9 playing their role of protection and defence of the Muslim population. You see full
10 well that the Muslims themselves, the imams, were asking for the national army. It
11 was -- I was something -- it was something I was truly satisfied with. It was proof
12 that the tension was lessening, it was proof that there was a desire to live together, to
13 cohabitate with the institutions of the Central African Republic State and I will try to
14 report to the chief of State, to the prime minister, the entire government, so that all
15 aspects that were looked at here, all the proposals that were made could be part of an
16 emergency programme to help this country rapidly."

17 End of sight translation.

18 MS DIMITRI: [12:18:06](Interpretation) Thank you to the booth.

19 Q. [12:18:09] I'm sorry, Madam Witness, for the delay, but I was just waiting for the
20 interpreter to finish his sight translation.

21 Now, you were listening to the video recording and I could see you nodding your
22 head several times. Now, did you observe the same thing at that time as what
23 Ms Montaigne saw?

24 A. [12:18:34] As I've told you, we asked to meet with Montaigne because she was
25 the minister responsible for reconciliation. We wanted her to help us raise the

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1 awareness of the population. She did this after meetings that were -- we had with
2 her. We wanted the FACA forces to be rearmed so that they could protect us. You
3 know, at the time many Christians wanted to kill us, so some took vehicles or carts.
4 You must realise that in the Central African Republic it's the Muslims who hold the
5 economy. So these people were coming to kill the young Muslim -- to kill Muslims,
6 to take their possessions.
7 I don't know how to explain this, but people came in large numbers. Some came
8 from the provinces and they wanted to battle it out with us and to take our
9 possessions. That is why we rose up, why we spoke on the -- over the radio.
10 Montaigne held this meeting, and I know that when she said that it was subsequent to
11 the meeting. We explained to her that all we wanted was peace and that the
12 Christians needed to leave us alone. And that is why she held that meeting and tried
13 to make people more aware, the people from the various religions, the Seleka, the
14 Anti-Balaka. Many meetings were held.
15 Initially, they wanted to ensure our safety, but after a while they began to commit
16 violence and abuse. I was present at that meeting and after that meeting we started
17 and we were somewhat relieved, but then some Christians still were killing Muslims.
18 And so along the main roads, people could travel about. But in the alleyways or in
19 remote areas it was very difficult to move about.

20 Q. [12:21:24] Now, regarding these points you've just made about the Christian
21 population at the time, I'd like to show you some footage.

22 Tab 3 of the Defence, CAR-D29-0008-0025. Tab 3.

23 And for the interpretation booth, I'll just let you know that you don't need to look for
24 the transcript. This is actually in Spanish. I'm just playing the footage for the sake
25 of the images.

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1 I would like to ask you, Ma'am, just to focus on what you see, the actual images, and
2 then after you've viewed the video I'll put some questions to you.

3 (Viewing of the video excerpt)

4 PRESIDING JUDGE SCHMITT: [12:23:02] Ms Dimitri, do you know when this
5 footage was taken?

6 MS DIMITRI: [12:23:10] 28 January 2014.

7 PRESIDING JUDGE SCHMITT: [12:23:12] Thank you.

8 MS DIMITRI: [12:23:20](Interpretation)

9 Q. [12:23:23] You've seen the footage, Ma'am. You've seen some women
10 destroying buildings, taking down roofs, men doing the same. Now, what we just
11 saw up on the screen, is that an accurate representation of what happened?

12 MR GARCIA: [12:23:55] Object.

13 PRESIDING JUDGE SCHMITT: [12:23:55] Mr Garcia.

14 MR GARCIA: [12:23:58] Your Honour, I was just waiting to see what the question
15 was going to be. Obviously, it's a video. We don't have any information as to the
16 location of this video, where it was taken exactly. The date has been given. It's the
17 date of creation, I imagine, that's the date on the metadata. But as for the question
18 that follows, I'm wondering what the witness can add to this video and why it was
19 shown. I mean, the question could simply have been put to the witness as to what
20 was the situation at the time.

21 PRESIDING JUDGE SCHMITT: [12:24:20] Well, well, this is, you know, these
22 images create also images in the heads of those who are in the room and those who
23 have to decide in the end, and I think we can ask the witness if she saw something
24 similar.

25 Ms Dimitri, if you knew where this happened -- actually, Mr Garcia, I wanted -- I

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1 asked about the date and I wanted to have the follow-up where it was taken. But if
2 you don't have the information, what I would allow is a question did she see things
3 like that herself.

4 MS DIMITRI: [12:24:57] Yes. Thank you, Mr President.

5 PRESIDING JUDGE SCHMITT: [12:24:59] And if, where and when.

6 MS DIMITRI: [12:25:01] Yes.

7 Q. [12:25:05](Interpretation) Ma'am, you've seen the footage of women and men
8 destroying furniture, removing sheets of metal off the roofs. Did you see anything
9 like that yourself, anything like what we've just seen up on the screen?

10 A. [12:25:41] Thank you for that question. I've always said that it is true that
11 when what happened people talked about the Anti-Balaka, but it wasn't just the
12 Anti-Balaka. In particular, the Christian population wanted to get revenge and
13 wanted to fight it out with the Muslims. Yes, there were Anti-Balaka, but during
14 these events the Christians committed many acts of violence and abuse against
15 Muslims because when the Seleka were still in power they committed acts of violence
16 and abuse against Christians. After the Seleka left, the Christians began going after
17 the Muslims, destroying their houses. And so, you see, the two communities began
18 squaring off against one another. A Christian would come across a Muslim and try
19 to kill him and vice versa.

20 It's true people talked about the Anti-Balaka and the Seleka, but later everything just
21 degenerated. And given that there were more Christians and they were threatening
22 the Muslims, we had to go and meet with Ms Montaigne for her to raise awareness.
23 If we had just stayed there and done nothing and the assaults had continued, what
24 was the international community going to say? Let me tell you. Those acts of
25 violence and abuse were committed by both communities.

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1 Q. [12:27:43] Ma'am, there's been a great deal of talk about Mr Yekatom today
2 during your testimony today. Now, before he intervened - and you yourself said
3 that it was when he saved your life - did you know him? Was there some sort of
4 family link between him and you?

5 A. [12:28:16] I didn't know him before. I didn't know that man. I had never seen
6 him before in my life, not before he intervened. I didn't know him.

7 Q. [12:28:32] Ma'am, now I realise that you have a business and you travel about
8 within the Lobaye area and you have a number of business activities and you're a
9 busy person. Could I ask you this: Why did you agree to come and give testimony
10 on behalf of the Defence of Mr Yekatom?

11 A. [12:29:12] Thank you. I came for two reasons.
12 As I've told you, if it hadn't been for him, my children and I wouldn't be alive. There
13 were statements, people have said that in the Lobaye area Yekatom helped a lot of
14 people, a lot of families. From Bimbo all the way to Kilometre 5, people have been
15 speaking out on -- in defence of this man. That is why I'm saying to myself someone
16 who saved my life, who saved the life of my children, I have to go and testify on his
17 behalf. Many people have explained how this man saved them from death. This is
18 what led me to come here and give testimony.

19 Q. [12:30:12] Thank you very much, Madam. That was my last question. And
20 I think my friend from the other side will, no doubt, have questions for you, possibly
21 also from the victims.

22 (Speaks English) Mr President, this was my -- my last question.

23 PRESIDING JUDGE SCHMITT: [12:30:24] Thank you very much.

24 But it's not -- not yet the turn of Mr Garcia. We don't know if -- first of all, we don't
25 know if Mr Knoops has any questions.

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- 1 MR KNOOPS: [12:30:36] Mr President, in this stage I don't have questions.
- 2 PRESIDING JUDGE SCHMITT: [12:30:39] Okay.
- 3 MR KNOOPS: [12:30:40] I of course have to see whether the Prosecution will have
4 questions.
- 5 PRESIDING JUDGE SCHMITT: [12:30:44] Obviously. Obviously, yes.
- 6 MR KNOOPS: [12:30:45] But for this moment, no, Mr President. Thank you.
- 7 PRESIDING JUDGE SCHMITT: [12:30:48] Yeah. Yeah.
- 8 Ms Massidda, do you have any questions?
- 9 MS MASSIDDA: [12:30:57] It depends on the question by my colleague from the
10 Prosecution. But we will have, I think, maximum of 10 minutes and Mr Carnero
11 Rojo will question this witness.
- 12 PRESIDING JUDGE SCHMITT: [12:31:09] Good.
- 13 And, Mr Garcia, we can do it several ways. We can have now the break so that you
14 have a bit more time to prepare. I would leave it up to you, what you would prefer.
- 15 MR GARCIA: [12:31:20] Yes. Your Honour, actually I would prefer that we take
16 the break at this instance. Certain things obviously are not in the summary, so we're
17 going to have to be prepared. I'm going to have to reread the transcript.
- 18 PRESIDING JUDGE SCHMITT: [12:31:27] I can also, because we have done this
19 several times when it was still the Prosecution case, I can -- if you tell us that you
20 don't need more than, let's say, two sessions tomorrow, so that we, together with the
21 questioning by the victims, we can finish anyway tomorrow, the Chamber could also
22 give you the time to prepare and you start tomorrow. I think, I think that that would
23 also be fair.
- 24 But it's up to you. You have a better idea of your line of questioning and the time it
25 will take.

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- 1 MR GARCIA: [12:32:02] Thank you, your Honour. And I do appreciate the
2 suggestion.
3 Actually, given the information, the amount of information that has been given today
4 by the witness, many things that are not in the summary I would prefer, obviously, to
5 continue tomorrow morning. And I can assure the Chamber that I will not have
6 more than two sessions with this witness tomorrow.
7 PRESIDING JUDGE SCHMITT: [12:32:21] Then we do it this way. And I think that's
8 fair to everyone.
9 Madam Witness, thank you very much for today. But you have followed what
10 we -- what we said. You are not finished with your testimony.
11 The court is adjourned until tomorrow, 9.30.
12 THE COURT USHER: [12:32:36] All rise.
13 (The hearing ends in open session at 12.32 p.m.)