

Trial Hearing  
WITNESS: CAR-D30-P-4496

(Open Session)

ICC-01/14-01/18

1 International Criminal Court  
2 Trial Chamber V  
3 Situation: Central African Republic II  
4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard  
5 Ngaissona - ICC-01/14-01/18  
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács,  
7 Judge Chang-ho Chung and Judge Beti Hohler  
8 Trial Hearing - Courtroom 1  
9 Monday, 10 June 2024  
10 (The hearing starts in open session at 11.34 a.m.)  
11 THE COURT USHER: [11:34:44] All rise.  
12 The International Criminal Court is now in session.  
13 Please be seated.  
14 PRESIDING JUDGE SCHMITT: [11:35:07] Good morning, everyone. Court officer,  
15 please call the case.  
16 THE COURT OFFICER: [11:35:11] 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 Ngaissona, case reference ICC-01/14-01/18.  
19 For the record, we are in open session.  
20 PRESIDING JUDGE SCHMITT: [11:35:29] Thank you very much.  
21 The appearances of the parties. I think Prosecution is unchanged? I think so.  
22 MS CRONIN: [11:35:38] Thank you, your Honour. Yes, the Prosecution is in the  
23 same composition as Friday.  
24 PRESIDING JUDGE SCHMITT: [11:35:42] And I think this also applies to the  
25 representatives of -- no, Mr Suprun has support, but please tell us.

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1 MR DANGABO MOUSSA: [11:35:51](Interpretation) Yes, indeed, your Honour.

2 There has been a change. Thank you.

3 MR SUPRUN: [11:35:59] Good morning, Mr President. Good morning, your  
4 Honours. The former child soldiers are represented today by Anne Grabowski and  
5 myself, Dmytro Suprun.

6 Thank you.

7 PRESIDING JUDGE SCHMITT: [11:36:07] And then we would, of course, know  
8 what the change is in the composition of the victims representatives, if you can tell us,  
9 please, just for the record -- not Mr Suprun, but our other colleague.

10 THE INTERPRETER: [11:36:25] LRV.

11 PRESIDING JUDGE SCHMITT: [11:36 27] You said?

12 MR SUPRUN: [11:36:32] Excuse me, Mr President. Shall I say again?

13 PRESIDING JUDGE SCHMITT: [11:36:34] No. Your colleague has said there is a  
14 change in the composition, but he didn't --

15 MR SUPRUN: [11:36:38] It's not the case. There are no changes.

16 PRESIDING JUDGE SCHMITT: [11:36:43] Okay, then it's fine.

17 Then we turn to Ms Guissé.

18 MS GUISSÉ: [11:36:47](Interpretation) Good morning, Mr President, your Honours.  
19 The line-up is the same for today for Mr Yekatom who is present here in the  
20 courtroom today.

21 PRESIDING JUDGE SCHMITT: [11:36:57] Ms Proulx, finally.

22 MS PROULX: [11:37:00] Thank you. Good morning, Mr President, your  
23 Honours.

24 Mr Ngaissona is represented today by Melissa Beaulieu-Lussier, Alexandre  
25 Desevedavy, Mathias Goffe, Justine Crête and myself, Marie-Hélène Proulx. And he

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1 is present in the courtroom.

2 PRESIDING JUDGE SCHMITT: [11:37:12] Thank you very much.

3 And a very warm welcome to our witness, Ms Namsona. Good morning. I hope  
4 you hear and understand us still well.

5 WITNESS: CAR-D30-P-4496 (On former oath)

6 (The witness speaks Sango)

7 (The witness gives evidence via video link)

8 THE WITNESS: [11:37:32](Interpretation) Good morning, your Honour. I can hear  
9 you just fine.

10 PRESIDING JUDGE SCHMITT: [11:37:36] That is promising because we have been  
11 informed that there might be some hiccoughs with the connection, but it looks very  
12 good at the moment.

13 I give now the floor to the Prosecution, Ms Cronin, for your examination.

14 MS CRONIN: [11:37:52] Thank you, Mr President, your Honours.

15 QUESTIONED BY MS CRONIN:

16 Q. [11:37:59] Good morning, Madam Namsona. We met briefly last Tuesday, but  
17 I will introduce myself again. My name is Orla Cronin and I am a lawyer at the  
18 Office of the Prosecutor.

19 I will be asking you some questions today. I do not expect to take a more than a few  
20 hours of your time.

21 Because we'll be using the interpreters, we will need to speak slowly and wait a few  
22 seconds between my questions and your answers. Please do listen to my questions  
23 carefully, and answer them specifically. If at any point you don't understand what  
24 I'm asking, just let me know and I'll repeat or reformulate what I've said.

25 If you need a break at any time during the hearing, please let the judges know.

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1 I really appreciate your attendance and readiness to answer my questions.

2 To start with, just so we are all clear, although I know you did not know

3 Mr Ngaïssona very well at the time, are you aware that Mr Ngaïssona was the

4 national general coordinator of the Anti-Balaka in 2014 while you were in Bangui?

5 A. [11:39:20] Thank you for the question. I had no idea about that. I didn't know  
6 that Mr Ngaïssona was the coordinator of the Anti-Balaka. I have no idea about that.

7 Q. [11:39:41] Thank you, Madam Witness. Is that something you're aware of  
8 now?

9 A. [11:40:01] Yes. Ever since I gave -- ever since the time of my deposition,  
10 I understood that that was the case.

11 Q. [11:40:17] Thank you. I would now like to ask you about your meetings with  
12 members of the Defence team of Mr Ngaïssona.

13 Who was the first person to approach you about being a witness in this case?

14 A. [11:40:48] Thank you. When I met the Defence team, that began in Bossangoa.  
15 The team came to my home. The person who brought them, I know -- I remember  
16 the name of the person who was with them, but as for the other people on the team,  
17 I forget. But I do remember someone called Marie-Hélène whom I met in Bangui.  
18 There were two men and another person, Samson - he was with the team - but I didn't  
19 know them before that time.

20 Q. [11:41:54] Thank you, Madam Witness.

21 On 6 June 2022, you met with members of the Defence of Mr Ngaïssona in Bossangoa  
22 and Mr Ngaïbona and Mr Landry were present. Your husband was also present.

23 He was there with you while you were discussing with Mr Ngaïbona and Mr Landry;  
24 is that correct?

25 A. [11:42:24] (No audible answer)

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1 PRESIDING JUDGE SCHMITT: [11:42:27] We take this as a yes, it was a nodding  
2 and a clear --

3 THE WITNESS: [11:42:35](No interpretation)

4 MS CRONIN: [11:42:36]

5 Q. [11:42:36] Thank you, Madam Witness. And you talked about what you have  
6 discussed in your testimony during this meeting; is that correct?

7 A. [11:42:54] Yes, indeed. That's the case. My husband was there. We were  
8 under the mango tree when the visitors arrived and we began to work. During that  
9 time, my husband was beside me. You know, usually when I receive visitors I have  
10 my husband with me, present. Sometimes he went off to the side while I was talking  
11 to the visitors.

12 Q. [11:43:31] And how long did this meeting last?

13 A. [11:43:48] We talked for a long time. We met at about 9 and we spoke for a  
14 long time. They asked me many questions and I answered their questions.

15 Q. [11:44:18] Thank you, Madam Witness.

16 And in this meeting you talked about what you have discussed in your testimony; is  
17 that correct?

18 A. [11:44:36] Yes, that's right. I answered the questions. They put various  
19 questions to me and I answered them.

20 Q. [11:44:54] Madam Witness, is that when you were informed that Mr Ngaïssona  
21 was the Anti-Balaka coordinator?

22 A. [11:45:16] Yes, I heard about that well before their arrival. When they got there,  
23 they asked me about that; namely, whether Ngaïssona had been the coordinator for  
24 Bossangoa. And I told them, no, I was not aware of that. I learned like everyone  
25 else that he was the coordinator, but I had no specific information, no details, about

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1 that. If you want, I can say a bit more if you like, if you give me the opportunity.

2 Q. [11:46:02] Thank you, that is sufficient for now, Madam Witness. Thank you  
3 very much.

4 PRESIDING JUDGE SCHMITT: [11:46:07] Well, but when you ask her, and we're  
5 going this way and then she confirms that Mr Ngaïssona had nothing to do with  
6 Bossangoa, we want to hear that.

7 Madam Witness, please continue with your answer.

8 THE WITNESS: [11:46:34](Interpretation) Thank you. It's something that I knew  
9 about. The women, and I'm speaking on behalf of all the women in Bossangoa.

10 I am in charge of them all. We knew that he was the coordinator, and that really  
11 spoke to us, because if you're a coordinator, that means you come to the field to see  
12 for yourself what's going on. And when Tamkoro (phon) had been, they -- they  
13 gathered in Gobere.

14 Today, Ngaïssona is in prison, but he's in prison today, so he wouldn't be able to say  
15 where Gobere is, because if...

16 It was a place, it was a place for initiations, and Ngaïssona had never been there.

17 And this was the first time we had heard anything about him. In Gobere nor in  
18 Bossangoa, he didn't know -- they didn't know Ngaïssona. They saw him elsewhere.

19 In Bangui, they were in a difficult way. They were hungry and they went to meet  
20 with Ngaïssona in Bangui.

21 Myself, today, if you were to ask anyone in Bossangoa, they will say that Ngaïssona is  
22 not the coordinator because he was a businessman in Bangui. He was taking care of  
23 his various businesses and all he did was provide food to his children. He is thought  
24 of -- to the people that were thought of as his children; namely, people from his  
25 region.

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1 He helped them. He became the coordinator. That is what I can tell you about that.

2 Today, if Ngaïssona had gone to Gobere, I would have known about it.

3 PRESIDING JUDGE SCHMITT: [11:49:44] Well, Madam Witness, you have -- for the  
4 first time you have mentioned a place called Gobere. Could you perhaps tell us  
5 what you know about this place and what happened there? I think you said that  
6 it's -- it was a place for initiation. Could you elaborate on that, what you recall still  
7 today?

8 THE WITNESS: [11:50:19](Interpretation) Thank you, Mr President.

9 As you've heard, the young people gathered at that place. They were at that place  
10 for initiation purposes to learn about fighting techniques from the ancestors.

11 Women did not have access to that place. Gobere was like an initiation camp, just  
12 like Ngargé, Soumalé, the divinities, and all the people who wanted to be initiated  
13 and go through these rights of passage from the ancestors had to be there\*.

14 Ngaïssona was not aware of what was being done there. He wasn't living there.

15 Under what conditions did he become the coordinator? It was maybe because he  
16 provided food to them. And as a -- as the representative of the Bossangoa people,  
17 I refute this allegation. He never set foot in Gobere. Ngaïssona does not know  
18 about the ancestors' traditions. He grew up in Bangui. He's a Gbaya person, but  
19 he's a city-dweller. He's an urban person and now he is being accused of all these  
20 crimes.

21 PRESIDING JUDGE SCHMITT: [11:52:14] Madam Witness, still from the Presiding  
22 Judge, I have two follow-up questions.

23 You said that women did not have access to Gobere. So where do you have this  
24 information from?

25 THE WITNESS: [11:52:37](Interpretation) Thank you, Mr President.

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1 I'm telling you that I grew up in Bossangoa. I am a woman from Bossangoa and  
2 Benzambe is my commune. I was born there. I am 66 years old. My father said to  
3 me -- well, he told me how they were initiated into the ancestral practices.

4 PRESIDING JUDGE SCHMITT: [11:53:13] And then I know this is very difficult,  
5 Madam Witness, after so many years, could you tell us roughly when this happened,  
6 when these people went to Gobere. So if you perhaps have as a reference date, the  
7 5 December attack, when were you in Bangui. Was it before or afterwards? Can  
8 you try to at least approximately tell us when this happened?

9 THE WITNESS: [11:53:51](Interpretation) In Gobere the young people came together  
10 and that was well before. The young people knew beforehand. It wasn't on 5  
11 December. The Anti-Balaka movement was not born then. It was a movement that  
12 emerged before that. I told you that in 2003 they may have forgotten certain practices.  
13 There was the conflict in 2013. They had abandoned ancestral practices in order to  
14 dedicate themselves to farming. In 2013, the young Muslims attacked these young  
15 people. They decided to come together, to gather at this ancestral location. Gobere  
16 existed well before. It was an initiation camp. And after the conflict, they were  
17 angry. They gathered in Gobere to be trained and to learn the ancestral warrior  
18 rights. \*

19 PRESIDING JUDGE SCHMITT: [11:55:28] Thank you, Madam Witness.  
20 And also thank you for bearing with me, Ms Cronin, that I took a little bit over but  
21 perhaps you continue from there.

22 MS CRONIN: [11:55:39] Thank you, Mr President.

23 Q. [11:55:42] Madam Witness, were you asked about Gobere when you met with  
24 the Defence?

25 A. [11:56:05] When the lawyers came, they asked me whether Ngaïssona had been



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1 the coordinator of the Anti-Balaka and I told them I didn't know and we only had  
2 heard rumours. He never came to work with the Anti-Balaka. And I am telling  
3 you once again, the Anti-Balaka phenomenon existed well beforehand. And this  
4 movement was known about in 2013 because it proved to be -- and he proved to be  
5 their coordinator. For the second time I am telling you those young people, when  
6 I was asked, they asked me where were they trained and I said that it was at a place  
7 that used to exist. But to say that the Gbaya who grew up in Bangui had gone to  
8 Gobere, that is not true.

9 Q. [11:57:18] Thank you, Madam Witness. My question was more specifically:  
10 Were you asked about Gobere when you met with the Defence? Thank you.

11 A. [11:57:40] When I met with the Defence they didn't ask me about that. Maybe  
12 I forgot, but when they asked me questions they didn't mention Gobere. It was just  
13 the second time when we met at the Ledger Hotel, that's when it was mentioned.  
14 But when they came the first time, they didn't ask me any questions about that.  
15 Maybe I've forgotten, but they didn't ask me any questions about that.

16 Q. [11:58:15] Thank you very much.

17 When you spoke to Mr Ngaïbona or Mr Landry, did they inform you about the  
18 charges against Mr Ngaïsona at any point?

19 A. [11:58:42] They asked me some questions. They asked me if I knew about what  
20 had happened to Mr Ngaïsona and I told them that I had no idea about that. It was  
21 only later, after 2013, that it became well-known. It was then that we heard that he  
22 had been charged. And it was after the events of 5 December. It was after that date.  
23 That is when we found out that he had been charged, accused.

24 Q. [11:59:34] Thank you.

25 And do you know what Mr Ngaïsona is charged with?

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1 A. [12:00:02] Thank you very much.

2 He has been charged with being the coordinator of the Anti-Balaka.

3 Q. [12:00:30] Thank you, Madam Witness.

4 I take it that this meeting between yourself, Mr Ngaïbona and Mr Landry was not  
5 recorded; is that correct?

6 A. [12:00:58] No, the meeting was not recorded. I also had meetings with Mr  
7 Ngaïbona among others and I don't think the meeting was recorded\*.

8 Q. [12:01:26] Thank you very much.

9 Did you ever discuss your testimony with Mr Ngaïbona or Mr Landry, apart from  
10 during your meeting of 6 June 2022, prior to starting your testimony last week?

11 A. [12:02:05] On 6 June in Bossangoa he came home and we had a meeting on the  
12 arrest of Mr Ngaïssona. After this, we met for the second time in Bangui at the  
13 Ledger Hotel. And before our meeting, I did not see him, Mr Ngaïssona, before.  
14 In fact, I did not know him before. I saw him for the first time in Bossangoa and he  
15 had come the second time around with lawyers\* to the Hotel Ledger. But I don't  
16 know him well.

17 PRESIDING JUDGE SCHMITT: [12:03:25] Well, Ms Cronin, the Chamber would  
18 appreciate it if at some point in time, and we would prefer it close to this time now,  
19 your examination would focus on the content of the testimony of the witness, be it the  
20 Rule 68(3) statement or what the witness said during the examination last week.

21 MS CRONIN: [12:03:55] Thank you, Mr President.

22 Q. [12:03:58] Madam Witness, I will now turn to another topic. Were you a  
23 member of Bozizé's KNK party?

24 A. [12:04:27] No. I am the president of OFCA. I was never a member of the  
25 KNK party. You can check that out. You see, I'm the president of the women's

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1 association. I do not have any political affiliation\*. I work for all women.

2 PRESIDING JUDGE SCHMITT: Ms Proulx, can we help you.

3 MS PROULX: [12:04:57] I apologise for the interruption. I have a transcript  
4 correction.

5 PRESIDING JUDGE SCHMITT: [12:05:03] I wondered. It could not have been an  
6 objection.

7 MS PROULX: [12:05:04] In the French transcript at lines 18 and 19 it says: "I have not  
8 seen Mr Ngaïssona elsewhere". I think she meant Mr Ngaïbona.

9 PRESIDING JUDGE SCHMITT: [12:05:14] Yeah, actually, actually, this seems to be  
10 absolutely clear. There are some things which understand themselves, yeah, but  
11 thank you for reminding us. Thank you very much.

12 So she was not a member of -- the witness was not a member of the KNK party.

13 Please move on.

14 MS CRONIN: [12:05:35] Thank you.

15 Q. [12:05:36] Did you hold the position of president of women of Bossangoa  
16 throughout 2013 and 2014?

17 A. [12:06:00] Thank you so much for your question.

18 It's been more than eight years that I'm the president of the women of Bossangoa.

19 I was in this position even before the events that occurred in 2013.

20 Q. [12:06:25] Thank you. And you represented the interests of all women in  
21 Bossangoa, that includes Christians?

22 A. [12:06:50] Yes, I work for all the women of Bossangoa, all the children of  
23 Bossangoa. And also I'm an adviser to the youth of Bossangoa and in the church

24 I am the president of a religious movement called Saint Rita, and this is why I'm

25 telling you the truth. You see, OFCA is an independent party working for everyone,

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1 by -- I'm actually providing testimony on behalf of everyone. I have never shaken  
2 hands with Mr Ngaissona. I have seen him from a distance. I have not come here  
3 to take sides. I am not here -- I'm here on behalf of everyone and not -- I've not come  
4 here to take sides.

5 Q. [12:07:55] Thank you, Madam Witness. And you also represented Muslim  
6 women and children during the time of the events; is that correct?

7 A. [12:08:14] Yes. That is true. I work with everybody. You see, before the  
8 crisis, we were united, but the crisis brought division.

9 Q. [12:08:39] Thank you, Madam Witness.

10 And in your function as president, you kept yourself informed of events in and  
11 around Bossangoa; is that correct?

12 A. [12:09:07] Yes, that is right. I kept -- I was kept abreast of certain events. The  
13 youth would tell me what's happening in Bossangoa and in the surrounding areas,  
14 but I did not get all information about all the events that took place.

15 Q. [12:09:30] Thank you.

16 And you would also keep yourself informed as regards the fate of children and  
17 women in the area; is that correct?

18 A. [12:10:08] Yes. The events that occurred concerning children, women, and  
19 drivers\* of taxi motorbikes, I was informed of certain events.

20 Q. [12:10:31] Thank you. And you would also keep yourself informed with  
21 regard to the security situation, is that so?

22 A. [12:10:54] I told you that I had some information on security. You see, I'm part  
23 of a movement called Femin (phon). Now, in this movement there were women,  
24 there were defence and security forces\*. We had meetings with them. We had  
25 meetings on peace and security. If they had security information, they would

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1 actually call us and keep us informed. As the representative of women, I would go  
2 to these meetings and the authorities like the prefect would share this information.  
3 If there was information, the prefect convene the various strata of society and I would  
4 go to these meetings, represent women and keep myself informed about what was  
5 going on in the community\*.

6 Q. [12:12:01] Thank you.

7 And in 2013 to 2014, you also listened to the radio to keep yourself informed?

8 A. [12:12:26] Yes, I would listen to the radio. You see, we have two community  
9 radio stations in Bossangoa. I would also listen to the radio station Ndeke Luka.

10 Q. [12:12:47] Thank you.

11 And in that time period, you followed the news and media in general, is that so?

12 A. [12:13:12] Yes, I would listen to some information, but sometimes I would not  
13 listen to the radio on a daily basis. You know, some people who would listen to the  
14 radio would also keep me informed. I wasn't actually glued to my radio.

15 PRESIDING JUDGE SCHMITT: [12:13:33] I think, again, at some point in time we  
16 could leave preparatory questions. We can assume the witness had a position in her  
17 community. We assume, and she told us, she was informed. She kept herself  
18 informed. She has listened to radio and so on and so forth, and now we would  
19 appreciate it if we proceed to the questions that you steer at, to put it this way.

20 MS CRONIN: [12:14:03] Thank you, Mr President.

21 PRESIDING JUDGE SCHMITT: [12:14:05] We don't ask her now if she read  
22 newspapers or whatsoever, yeah.

23 MS CRONIN: Thank you, Mr President. There was a period of time while she was  
24 away, which is why I felt the information was important. I will now proceed with  
25 the questions as you have requested.

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1 PRESIDING JUDGE SCHMITT: [12:14:28] But we know when she was away. This  
2 is part of the Rule 68(3) statement. And she was definitely not -- in December,  
3 during the 5 December attack of Bossangoa, she was definitely not in Bossangoa.  
4 She has told us that.

5 MS CRONIN: [12:14:44] Thank you, Mr President.

6 Q. [12:14:45] Madam Witness, we understand that you were in Bangui from the  
7 end of November 2013 to March or April 2014. On 5 December, you were in Boeing.  
8 Can you tell us where in Boeing you were staying on that date?

9 A. [12:15:21] Thank you for the question. On 5 December when the children  
10 entered the city of Bangui, I was still in Boeing. I was not yet in Ledger. I was  
11 behind a house. I was staying with my younger sister just across the school in  
12 Galabadja.

13 Q. [12:16:03] Thank you, Madam Witness.

14 And I take it that you had been to Boeing over the years at different times?

15 A. [12:16:33] Yes. But this is where the funeral happened. When I came to  
16 Bangui I was actually staying with my children, the 8th arrondissement. My  
17 younger sister, after the death of her son, I went to her place and this is when I was  
18 exposed to the situation.

19 Q. [12:17:06] Thank you, Madam Witness. So I take it you are very familiar with  
20 Boeing; is that correct?

21 A. [12:17:21] No. I'm not familiar with Boeing because I haven't spent a lot of time  
22 there. Boeing is where my younger sister stays. I'm going to repeat myself. I've  
23 got two younger brothers or younger sisters in Boeing and when I would come to  
24 Boeing for official missions for the OFCA, I would stay in the 8th arrondissement so  
25 that I could quickly go to work. Now, when I would -- I would go to Boeing from

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1 time to time and that's how I was somehow familiar with the district.

2 Q. [12:18:05] Thank you, Madam Witness.

3 You did not go out on 5 December, the day of the attack. When was the first time  
4 you went out afterwards?

5 A. [12:18:25] It was two days afterwards that the inhabitants of the district after the  
6 5th got out, and we met them there. We fled two days later. On that day all the  
7 inhabitants of the district fled and so did we. We fled and sought refuge at the  
8 airport. But on the day of 5 December we were still there.

9 Now, why didn't we flee on that day? It's because when the Anti-Balaka entered the  
10 city, the Seleka had invaded the neighbourhood to hurt people. They even went to  
11 the funeral and we were scared. We basically fled from the funeral site and we  
12 wanted to save our skins and this is why we went towards the airport to seek refuge.

13 Q. [12:19:41] Thank you, Madam Witness.

14 Are you aware that during that attack the Anti-Balaka attacked the Boeing  
15 market?

16 A. [12:20:06] During the Boeing attack -- the Boeing market attack, I was present.  
17 We fled after that and went to Nbagbara (phon). We crossed the swamps and went  
18 to the airport, but I did not see them\* during the attack. It was after the attack that  
19 we fled and we went through swampy areas to go to the airport.

20 PRESIDING JUDGE SCHMITT: [12:20:50] So, Madam Witness, again, a question  
21 from the Presiding Judge, if I may.

22 You said - it was translated like that - that you were present during the attack of the  
23 Boeing market. Can we understand there that you were an eyewitness of this attack  
24 or is this a misunderstanding?

25 THE WITNESS: [12:21:24](Interpretation) We were in a house on the edge\* of the

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1 bushes, but we did not see what happened. We couldn't go out to see the events.  
2 We weren't outside; we were in the house. It was only afterwards that we saw the  
3 cadavers of certain Muslims and we learnt that they were killed by the Anti-Balaka.  
4 On that day the Seleka were running all over the place. They were killing people.  
5 We couldn't go out of the house. We were inside the house and it's only after things  
6 calmed down that we went out to go to the airport. We really couldn't bear, endure  
7 the violence and the gunshots. We couldn't go out to see what was happening.

8 PRESIDING JUDGE SCHMITT: [12:22:19] Thank you, Madam Witness, for this  
9 clarification because how it was translated could have been misunderstood. And  
10 also makes perfect sense, obviously, that had you to hide during these events.

11 Please continue, Ms Cronin.

12 MS CRONIN: [12:22:36]

13 Q. [12:22:37] Thank you, Madam Witness.

14 Madam Witness, how many cadavers did you see?

15 A. [12:23:06] In Boeing, I saw two dead bodies of Muslims, in the market. When  
16 I fled, we saw two Muslim dead bodies and the third one was that of a member of my  
17 family. The Seleka were attacking. It was -- the name of the person was Boniface.  
18 He was killed because he refused to flee. We left his dead body on that place and  
19 then we left, and it's only afterwards that they came to take his body to bury him.  
20 I could not go out to count the dead bodies.

21 Q. [12:24:09] Thank you, Madam Witness.

22 And these were the bodies of Muslim civilians; is that correct?

23 A. [12:24:28] Yes. These were the bodies of Muslim civilians. It was in front of  
24 their shops.

25 Q. [12:24:45] Thank you.



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1 And who told you that the Anti-Balaka killed these Muslim civilians?

2 A. [12:25:06] It was the Muslim themselves who told us this. Their spouses were  
3 crying when we fled. It was a whole mess. The Seleka were fleeing in one direction  
4 and the Anti-Balaka, the other. It was a situation of chaos where the Seleka were  
5 killing and the Anti-Balaka were killing as well.

6 Q. [12:25:41] Thank you.

7 And these Muslims who were killed at the market, were they traders at the market?

8 A. [12:26:07] I got to know that they were the traders of this market. They were  
9 actually killed in front of their shops and they were actually sleeping in the market,  
10 and their bodies were there in the market.

11 Q. [12:26:26] Thank you very much, Madam Witness.

12 You're aware that many other Muslim civilians were also killed in the course of this  
13 attack of 5 December; is that correct?

14 A. [12:26:50] I have no idea of the numbers. I only saw two dead bodies in the  
15 Boeing market. For the others, I have absolutely no idea.

16 Q. [12:27:04] Thank you.

17 And you were aware that bodies of civilians killed during this attack were taken to  
18 the Ali Babolo mosque and the Central Mosque in PK5; is that right?

19 A. [12:27:35] Yes, I was informed about this. I did not see it with my own eyes.  
20 I just got to know that they were transferred to the Ali Babolo mosque, but I did not  
21 see this with my own eyes.

22 Q. [12:27:53] Thank you for that, Madam Witness.

23 And these Muslim civilians, they were not taken to the Muslim cemetery in Boeing,  
24 correct?

25 MS PROULX: [12:28:12] Excuse me, Mr President.

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1 PRESIDING JUDGE SCHMITT: [12:28:18] Ms Proulx.

2 MS PROULX: I think that this will call for speculation. The witness does not know  
3 about anything about the civilians who died.

4 PRESIDING JUDGE SCHMITT: [12:28:25] Like always, if you rephrase it, you can  
5 do it in a way that does not call for speculation. For example, if she has information  
6 about this. But, Ms Cronin, we have a lot of evidence on these facts or alleged facts,  
7 and the witness, as I'm always saying, every witness we have has a certain  
8 understanding, a certain experience, yeah, which is reflected here in this case by the  
9 Rule 68(3) statement already and also by her statement here in the courtroom last  
10 week.

11 And if -- if I may say, this is not her expertise, why she is here in the courtroom  
12 specifically. So there is nothing -- if you rephrase it, there's nothing, let's say,  
13 objectionable to the question as such, but the probative value that will be derived  
14 from this line of questioning might be very little.

15 MS CRONIN: [12:29:26] Thank you, Mr President. I will move on.

16 Q. [12:29:36] Madam Witness, were you aware that Muslims from in and around  
17 Bangui fled their neighbourhoods to take refuge including at PK5?

18 A. [12:30:00] Yes, I got to know of that. I got to know that they gathered at PK5.

19 Q. [12:30:13] And most were civilians, were you aware of that?

20 A. [12:30:30] Yes, it was far more civilians.

21 Q. [12:30:37] Thank you. And they were fleeing the Anti-Balaka attacks; is that  
22 correct?

23 A. [12:31:01] They were also fleeing the Seleka. To tell you the truth -- well, to tell  
24 you the truth, there were Seleka members and Anti-Balaka who were squared off.  
25 So the people who were running away, were running away from both groups.

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1 Q. [12:31:25] Thank you, Madam Witness.

2 And you know that most of those Muslims who were fleeing towards PK5 and  
3 elsewhere were children and women; is that correct?

4 PRESIDING JUDGE SCHMITT: [12:31:42] Ms Proulx.

5 MS PROULX: [12:31:43] I apologise. I think, again, it calls for speculation. She  
6 did not witness the attack.

7 PRESIDING JUDGE SCHMITT: [12:31:47] Well, I repeat -- I repeat my last  
8 intervention. Same thing. We -- if we ask the witness if she has information on that,  
9 if she has seen something in that regard it calls not for speculation, but still we have  
10 heard -- we have so many evidence in that regard what happened on 5 December,  
11 that the population -- civilian population fled and who fled and how these people  
12 who had to flee were composed, that it were civilians and so on and so forth. I -- the  
13 witness was mainly presented by the Defence because of the events in Bossangoa  
14 and -- well, if you are of the opinion then everything is okay with that, we could  
15 really shorten the questioning.

16 MS CRONIN: [12:32:47] Thank you, Mr President. If I might just confer with my  
17 colleagues for one moment.

18 PRESIDING JUDGE SCHMITT: [12:32:51] You understand my point? I don't  
19 want -- I don't want to be too pushy, so to speak, but still, this is a Defence witness  
20 who was presented by the Defence for a certain reason and we are circling around  
21 completely other parts of her testimony, which is not a problem as such. Not that  
22 I would say that it is in any way, as I said, objectionable, but it is -- it is really not the  
23 main reference for her experience, what we are talking about since 11:30. But you  
24 may, of course, confer.

25 MS CRONIN: Thank you, Mr President.

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1 We believe that her information is very important because she was in Bangui for a  
2 considerable number of months at the time of the events and we are coming shortly to  
3 Bossangoa, but if would you permit a select few questions.

4 PRESIDING JUDGE SCHMITT: [12:33:57] Well, the more we discuss, the longer it  
5 lasts, so please ask your select questions.

6 MS CRONIN: [12:34:08] Thank you very much, Mr President.

7 Q. [12:34:20] Madam Witness, I wanted to ask you again if you were aware that  
8 most of these Muslim civilians fleeing were children and women?

9 A. [12:34:51] Thank you for your question. You know, when one is facing danger,  
10 it is women and children who run away first, but not just them, everyone was  
11 running away, and we fled as well, trying to find a place where we could be safe.

12 Q. [12:35:17] Thank you, Madam Witness.

13 And you heard that these Muslim civilians who had fled to PK5 could not leave; is  
14 that correct?

15 A. [12:35:48] I just heard that they all gathered at PK5. I don't know really  
16 whether they had moved to other places. I was already at the airport by then so  
17 I didn't try to find out about that.

18 Q. [12:36:14] Thank you, Madam Witness.

19 You will be aware that in the time before you yourself left Bangui, the Anti-Balaka  
20 controlled the area, correct?

21 MS PROULX: [12:36:31] Can we specify which area?

22 PRESIDING JUDGE SCHMITT: [12:36:33] Indeed, yeah.

23 MS CRONIN: [12:36:38] I do apologise. I will reformulate my question.

24 Q. [12:36:44] Madam Witness, you will be aware that in the time before you left  
25 Boeing that the Anti-Balaka controlled the area, correct?

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1 A. [12:37:11] I left Boeing when the Anti-Balaka arrived. But I already -- I was  
2 already at the site for displaced people at the airport, but I wasn't in a position to  
3 know if they controlled the neighbourhood. When they got there, there was fighting  
4 going on and people were firing everywhere. We fled and we took refuge at the  
5 airport. As for who was controlling the neighbourhood, I'm not in a position to  
6 know whether it was they who controlled the neighbourhood or if it was the Seleka.

7 Q. [12:38:01] Thank you, Madam Witness.

8 You said on Friday that you spent four weeks at the airport in Bangui. Where did  
9 you stay, apart from the number of nights that you stayed in Boeing for --

10 A. [12:38:24] (No interpretation)

11 Q. [12:38:25] Thank you. And you referenced another --

12 PRESIDING JUDGE SCHMITT: [12:38:27] Well, we didn't get a -- actually, at least  
13 I did not get a translation.

14 THE INTERPRETER: [12:38:37] Message from the interpreter: There were  
15 overlapping speakers and channels. Could the witness be asked to repeat her reply?

16 PRESIDING JUDGE SCHMITT: [12:38:48] Please do that, Ms Cronin. Please ask  
17 the witness to repeat.

18 MS CRONIN: [12:38:55] Perhaps I will formulate my question again as I hadn't quite  
19 finished.

20 Q. [12:39:02] You said on Friday that you spent four weeks at the airport in Bangui  
21 and also some nights in Boeing. Where did you stay for the remainder of your time  
22 in Bangui before you returned to Bossangoa?

23 A. [12:39:24] I was still at the airport. I told you that when I was in Boeing, before  
24 the arrival of the Anti-Balaka in Boeing it was the Seleka who were in Boeing. When  
25 the Anti-Balaka got to Bangui, two days after their arrival, it was no longer possible to

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1 stay at our home. We fled and we took refuge at the airport. My husband was with  
2 his family in the Ramandji neighbourhood and we followed. All my children and  
3 my daughters-in-law, we spent four weeks at the airport. After that, I spent one  
4 week at the *foyer* \*looking for some work because at the *foyer* \*we hired people to do  
5 work and that is what I did to have a little bit of money. All this to say, all in all,  
6 I spent five weeks -- four weeks at the airport and one week at home looking for work.  
7 And I did not go out. This was just within the compound.

8 Q. [12:40:54] Thank you, Madam Witness.

9 And after the airport, where -- where did you stay after that until March or April  
10 when you left to return to Bossangoa?

11 A. [12:41:16] I had returned to my family not far away from the place for the  
12 celebrations. I went back to them for the festivities and this was still in the Boeing --  
13 I went back to my husband, not far away, and this was still in the Boeing  
14 neighbourhood.

15 Q. [12:41:53] Thank you very much.

16 I'll now move to your return to Bossangoa from Bangui.

17 You testified that on your return there were no Muslims in the town, there were no  
18 Muslim civilians; is that correct?

19 A. [12:42:18] Yes, that's right.

20 PRESIDING JUDGE SCHMITT: [12:42:20] And I have said this several times, many  
21 times, a dozen times in this courtroom, we need not repeat in the question what the  
22 witness has already said. We simply take it as the evidence of the witness, be it part  
23 of the Rule 68(3) statement or be it what she said live here in the courtroom last week.  
24 So we don't have to ask, "You did say that, didn't you?" She did say that and from  
25 there we ask our questions.

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1 MS CRONIN: [12:42:51] Thank you, Mr President.

2 Q. [12:42:54] They were no longer in their neighbourhoods and they were no  
3 longer at the *école de la liberté* where they had taken shelter; is that correct?

4 A. [12:43:20] That is correct. They had gone. All of them had gone. By the time  
5 I got back to Bossangoa there were no longer any Muslims in the town.

6 Q. [12:43:31] Madam Witness, these displaced Muslims had begun to fill the *école de*  
7 *la liberté* before November 2013; is that correct?

8 A. [12:44:06] When the Seleka were there in the town, the Muslims were there.

9 When the Seleka got there on the 13th, the Muslims were there because they all spoke  
10 the same language. It was us, the Christians, we were the ones who fled. The  
11 Muslims remained. From 8 December, they had invaded all the neighbourhoods.\*  
12 It was a Sunday, from 8 o'clock onwards, when people were going to church. That is  
13 when activities were just getting going, but they had organized themselves in order to  
14 invade the neighbourhoods and strike the Christians with machetes\*. The young  
15 ones were in the bush and they were getting ready to go and drive them out. As best  
16 I know, when the Seleka were there, the Muslims were there. They hadn't gone  
17 away.

18 When I -- after me -- well, after, they were at the *la liberté* school, and under pressure  
19 from their leaders, we went back to our houses. They were present. They were  
20 present. But after the response by the Christians, they fled and went to the *la liberté*  
21 school. But that was after me. I was -- I had already left the town.

22 MS PROULX: [12:45:51] Apologies. Mr President. The transcript has recorded  
23 8 December. I think it might be a mistake. Maybe we should ask the witness to  
24 specify the dates she meant.

25 PRESIDING JUDGE SCHMITT: [12:46:04] Yeah, I think we should give this a try,

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1 Ms Cronin. Can you perhaps pick this up and ask the witness to repeat when this  
2 happened so that we have clarity in that regard.

3 MS CRONIN: [12:46:19] Certainly. Thank you, Mr President.

4 Q. [12:46:23] You refer to the Muslims fleeing after 8 December. Is that what you  
5 meant to say? Because that is what the transcript says.

6 A. [12:46:46] Thank you. This is what I said: After 8 September -- the  
7 8 September was a Sunday. That was the day that the Muslims went into the  
8 neighbourhoods. Suddenly the Christians fled and took shelter in the bush and to  
9 prepare with mystique acts to come back on 5 December. I made a mistake when  
10 I mentioned the *la liberté* school. But well before that time the Muslims had not fled.  
11 It was after the Seleka -- it was after the entrance of the Seleka that they fled and some  
12 went and they took shelter at the *la liberté* school.

13 Q. [12:47:50] Thank you, Madam Witness.

14 While you were away in Bangui, did you become aware that thousands of displaced  
15 Muslims sought shelter at the *école de la liberté* following the attacks on Bossangoa on  
16 5 December 2013?

17 A. [12:48:18] Yes, I heard about that. When I got there, the children told me so,  
18 and I asked them where they had gone on 5 December, and they told me that the  
19 Christians had gone to the bishopric and the Muslims had gone to the school called  
20 *école de la liberté*.

21 Q. [12:48:51] Thank you, Madam Witness.

22 And you were aware that these Muslims at the school were under threat of the  
23 Anti-Balaka; is that correct?

24 A. [12:49:15] Since I wasn't there, I wasn't in a position to know about that. It's  
25 true that the Anti-Balaka were revolted. It was the entire population, not just the



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1 Anti-Balaka. Everyone was revolted by the fact that the Muslims had torched their  
2 homes. And to give them a taste of their own medicine, everyone took revenge. It's  
3 true that the young people, when they came back, they attacked the Muslims to get  
4 the revenge and then they fled and took shelter at the *école de la liberté*.

5 Q. [12:50:04] Thank you, Madam Witness. And when you speak about revenge,  
6 everybody took revenge, including the Anti-Balaka, correct?

7 A. [12:50:28] All the boys, whether they were one of the ones who fled into the  
8 bush or not, you could only rise up and revolt. Everything had been burnt, torched  
9 or looted. They had played football with these kids, with these young Muslims in  
10 the past, but all of a sudden they attacked their Christian brothers. So you see, that  
11 is why the non-Muslim young people started to revolt and attack all the Muslims  
12 with anything they had at hand, with sticks, with machetes, any kind of thing that  
13 was at hand.

14 Q. [12:51:21] Thank you, Madam Witness.

15 My question more specifically was that everybody took revenge and that includes the  
16 Anti-Balaka; is that correct?

17 MS PROULX: [12:51:36] Excuse me, Mr President, that was asked and answered.

18 PRESIDING JUDGE SCHMITT: [12:51:40] Yeah, indeed. Please continue.

19 MS CRONIN: [12:51:43] Thank you, Mr President.

20 Q. [12:51:47] The Muslim civilians at the *école de la liberté*, they were protected by  
21 international forces; is that correct?

22 A. [12:52:07] Yes. Elements of the FOMAC were there to ensure safety at that  
23 place. They protected them. They did not go away from them. They stayed close  
24 by. And by "they" I mean the FOMAC elements.

25 Q. [12:52:35] Thank you, Madam Witness.

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1 And the international forces needed to protect the Muslims from the Anti-Balaka; am  
2 I correct?

3 A. [12:53:00] That's right. Since they thought that these boys had come out of the  
4 bush and were furious, they had no other choice. They were going to attack the  
5 Muslims, so that's why these soldiers were protecting them.

6 Q. [12:53:27] Thank you very much, indeed, Madam Namsona, I have no further  
7 questions.

8 PRESIDING JUDGE SCHMITT: [12:53:32] Thank you very much.

9 Are there any questions by the representatives of the victims? But I think this has  
10 also been, I think, even addressed by Ms Proulx in her examination, but please tell us.

11 MR DANGABO MOUSSA: [12:53:44](Interpretation) No, your Honour, we have no  
12 questions.

13 PRESIDING JUDGE SCHMITT: [12:53:47] Thank you very much.

14 This means that this concludes your examination, Madam Witness. On behalf of the  
15 Chamber I would like to thank you that have you made yourself available as a  
16 witness in these proceedings. Like any court or specifically the International  
17 Criminal Court, we need witnesses who come forward and tell us the truth. We  
18 appreciate that you answered all these questions for two days and we wish you a safe  
19 trip back home.

20 THE WITNESS: [12:54:29](Interpretation) I thank you.

21 PRESIDING JUDGE SCHMITT: [12:54:34] Thank you very much.

22 THE WITNESS: [12:54:36](Interpretation) I would like to say thank -- thank you.  
23 (The witness is excused)

24 PRESIDING JUDGE SCHMITT: [12:54:40] Thank you, everyone. This concludes  
25 also the hearing for today.

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1 The Court is adjourned.

2 THE COURT USHER: [12:54:50] All rise.

3 (The hearing ends in open session at 12.54 p.m.)

4 CORRECTIONS REPORT

5 The following interpretation corrections, marked with an asterisk are brought into the  
6 transcript.

7 Page 7, lines 11 to 13 : THE WITNESS: [11:50:19](Interpretation) [...] Gobere was  
8 like an initiation camp, just like Ngake (Phon) and all the people who wanted to be  
9 initiated and go through these rights of passage from the ancestors had to be there.  
10 is corrected to

11 THE WITNESS: [11:50:19](Interpretation) [...] Gobere was like an initiation camp,  
12 just like Ngargé, Soumalé, the divinities, and all the people who wanted to be  
13 initiated and go through these rights of passage from the ancestors had to be there.

14 Page 8 lines 9 to 16 : THE WITNESS: [11:53:51](Interpretation) In Gobere the young  
15 people came together and that was well before. The young people knew  
16 beforehand. It wasn't on 5 December. The Anti-Balaka movement was not born  
17 then. It was a movement that emerged , in 2003. Maybe they forgot some of the  
18 practices, so there was the conflict in 2013, they set aside ancestral practices and  
19 engaged in farming.

20 is corrected to

21 THE WITNESS: [11:53:51](Interpretation) In Gobere the young people came together  
22 and that was well before. The young people knew beforehand. It wasn't on 5  
23 December. The Anti-Balaka movement was not born then. It was a movement that  
24 emerged before that. I told you that in 2003 they may have forgotten certain practices.

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1 There was the conflict in 2013. They had abandoned ancestral practices in order to  
2 dedicate themselves to farming.

3 Page 10, lines 6 to 7 : A. [12:00:58] No, the meeting was not recorded. I also had  
4 meetings with Mr Ngaibona, with others and I don't think the meeting was recorded.  
5 is corrected to

6 A. [12:00:58] No, the meeting was not recorded. I also had meetings with Mr  
7 Ngaibona, among others and I don't think the meeting was recorded.

8 Page 10, line 15 : A. [12:02:05] [...] and he had come the second time around with a  
9 counsel to the Hotel Ledger.

10 is corrected to

11 A. [12:02:05] [...] and he had come the second time around with lawyers to the  
12 Hotel Ledger.

13 Page 11, line 1 : A. [12:04:27] [...] I do not have any political Obeidence. I work for  
14 all women.

15 is corrected to

16 A. [12:04:27] [...] I do not have any political affiliation. I work for all women.

17 Page 12, line 19 : A. [12:10:08] Yes. The events that occurred concerning children,  
18 women, taxi motorbikes, I was informed of certain events.

19 is corrected to

20 A. [12:10:08] Yes. The events that occurred concerning children, women, and  
21 drivers of taxi motorbikes, I was informed of certain events.

22 Page 12, lines 23 & 24 : A. [12:10:54] I told you that I had some information on  
23 security. You see, I'm part of a movement called Semon (Phon). Now, in this  
24 movement there were women including defence forces.

25 is corrected to

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1 A. [12:10:54] I told you that I had some information on security. You see, I'm part of  
2 a movement called Semon (Phon). Now, in this movement there were all the women,  
3 there were defence and security forces.

4 Page 13, lines 1 to 5 : A. [12:10:54] [...]As the representative of women I would go  
5 to these meetings and the authorities like the prefecture would share this  
6 information. call meetings and -- and I would actually go to these meetings, represent  
7 women and keep myself informed about what was going  
8 is corrected to

9 A. [12:10:54] [...] As the representative of women I would go to these meetings  
10 and the authorities like the prefect would share this information. If there was  
11 information, the prefect would convene the various strata of society and I would  
12 go to these meetings, represent women and keep myself informed about what was  
13 going

14 Page 15, line 18 : A. [12:20:06] We crossed the swamps and went to the airport but I  
15 did not see him during the attack.  
16 is corrected to

17 A. [12:20:06] We crossed the swamps and went to the airport but I did not see them  
18 during the attack

19 Page 15 line 25 : THE WITNESS: [12:21:24](Interpretation) We were in a house in the  
20 bushes but we did not see what happened. We couldn't go out to see the events, we  
21 weren't outside, we were in the house.

22 is corrected to

23 THE WITNESS: [12:21:24](Interpretation) We were in a house on the edge of the  
24 bushes but we did not see what happened. We couldn't go out to see the events, we  
25 weren't outside, we were in the house.

1 Page 22, line 4 : A. [12:39:24] [...] After that, I spent one week at home looking for  
2 some work because at home we hired people to do work and that is what I did to  
3 have a little bit of money.

4 is corrected to

5 A. [12:39:24] [...] After that, I spent one week at the *foyer* looking for some work  
6 because at the *foyer* we hired people to do work and that is what I did to have a little  
7 bit of money.

8 Page 23, lines 8 to 14 : A. [12:44:06] When the Seleka were there in the town, the  
9 Muslims were there. When the Seleka got there on the 13th the Muslims were there  
10 because they all spoke the same language. It was us, the Christians, we were the ones  
11 who fled. The Muslims remained. As ever, they had gone into all the  
12 neighbourhoods. It was a Sunday, when all the people were going to church. That is  
13 when activities started to resume. But they organised themselves to flood the  
14 neighbourhoods and strike the Christians with machetes.

15 is corrected to

16 A. [12:44:06] When the Seleka were there in the town, the Muslims were  
17 there. When the Seleka got there on the 13th the Muslims were there because they all  
18 spoke the same language. It was us, the Christians, we were the ones who fled. The  
19 Muslims remained. From 8 December they had invaded all the neighbourhoods. It  
20 was a Sunday, from 8 o'clock onwards, when people were going to church. That is  
21 when activities were just getting going, but they had organized themselves in order to  
22 invade the neighbourhoods and strike the Christians with machetes.