

Trial Hearing
WITNESS: CAR-OTP-P-2475

(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 Tuesday, 24 May 2022
10 (The hearing starts in open session at 9.32 a.m.)
11 THE COURT USHER: [9:32:59] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:33:26] Good morning, everyone.
15 Court officer, please call the case.
16 THE COURT OFFICER: [9:33:31] 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 are in open session.
20 PRESIDING JUDGE SCHMITT: [9:33:47] Thank you.
21 I ask for the appearances of the parties. We start with the Prosecution, please.
22 MS BERDENNIKOVA: [9:33:52] Good morning, Mr President, your Honours, and
23 everyone in the courtroom.
24 Today, the Prosecution is represented by Mr Pierre Belbenoit-Avich,
25 Kweku Vanderpuye, Yassin Mostfa and myself, Maria Berdennikova.

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1 PRESIDING JUDGE SCHMITT: [9:34:08] And the representatives of the victims
2 next.

3 MR DOUZIMA-LAWSON: [9:34:08](Interpretation) Thank you. Good morning,
4 Mr President.

5 The victims of the other crimes are represented by myself, Maître Douzima-Lawson,
6 assisted by Maître Evelyne Ombeni.

7 MR SUPRUN: [9:34:36] Good morning, Mr President, your Honours. The former
8 child soldiers are represented today by Fiona Lau, associate legal officer, and myself,
9 Dmytro Suprun, counsel at the Office of Public Counsel for Victims. Thank you.

10 PRESIDING JUDGE SCHMITT: [9:34:48] Thank you very much.

11 I turn to the Defence. And for once, I start with Mr Knoops.

12 And thank you very much for the Defence, that you have aligned yourself this way,
13 and I think it seems to function.

14 Please, Mr Knoops.

15 MR KNOOPS: [9:35:01] Good morning, Mr President. Good morning,
16 your Honours. Good morning, everyone in the courtroom.

17 The Defence team of Mr Ngaïssona is today appearing before the Chamber with
18 Ms Marie-Hélène Proulx, Ms Chiara Giudici and Mr Ali Alabdali. And
19 the Defendant is present in the courtroom. Thank you.

20 PRESIDING JUDGE SCHMITT: [9:35:19] Thank you very much.

21 I turn to the Defence of Mr Yekatom, Ms Dimitri.

22 MS DIMITRI: [9:35:25] Thank you, Mr President. Good morning. Good morning,
23 your Honours. Good morning, everyone.

24 Mr Yekatom is present in the courtroom and he's represented today by

25 Ms Anta Guissé, Ms Daniela Mvounougou Police, Ms Sabine Bayssat,

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- 1 Ms Wilhelmina Whittingham and myself, Mylène Dimitri.
- 2 PRESIDING JUDGE SCHMITT: [9:35:43] Thank you very much.
- 3 We will now start with the testimony of Prosecution Witness P-2475.
- 4 Mr Witness, good morning. Can you hear and understand me well?
- 5 WITNESS: CAR-OTP-P-2475
- 6 (The witness speaks Sango)
- 7 THE WITNESS: [9:36:10](Interpretation) Good morning. I can hear you well.
- 8 I can hear you well.
- 9 THE INTERPRETER: [9:36:16] Repeats the witness.
- 10 PRESIDING JUDGE SCHMITT: [9:36:18] On behalf of the Chamber, Mr Witness, I
- 11 would like to welcome you to the courtroom. You are called to testify to assist this
- 12 Chamber in the case of Mr Yekatom and Mr Ngaïssona.
- 13 I also note the presence of Mr Golubok - good morning - who has been appointed as
- 14 legal adviser to you -- to you, pursuant to Rule 74 of the Rules of Procedure and
- 15 Evidence.
- 16 MR GOLUBOK: [9:36:50] Good morning, Mr President. Good morning,
- 17 your Honours. Good morning, everyone.
- 18 I'm Sergei Golubok, legal adviser to the protected witness. Thank you.
- 19 PRESIDING JUDGE SCHMITT: [9:36:57] Thank you very much.
- 20 Whenever, Mr Witness, there is a need to confer with your legal adviser, you let us
- 21 know. And, of course, Mr Golubok is vigilant in that regard, we take it like that, and
- 22 also the parties and, of course, also the judges.
- 23 There might be questions put to you that might tend to incriminate you. In these
- 24 cases, the Chamber will determine on a case-by-case basis, as we have decided, if it
- 25 will provide you with assurance according to Rule 74(3)(c) of the Rules of Procedure

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1 and Evidence.

2 We -- we will have to see how it works. If it turned out that there are too many areas
3 covered, then perhaps you might reconsider and give a general assurance, but I think
4 in -- the principle is better to do it this way, like we have reasoned before.

5 Mr Witness, there should be a card in front of you with a solemn undertaking to tell
6 the truth. Please read this card out aloud.

7 THE WITNESS: [9:38:32](Interpretation) Thank you.

8 I solemnly declare that I shall speak the truth, the whole truth and nothing but
9 the truth.

10 PRESIDING JUDGE SCHMITT: [9:38:39] Thank you very much, Mr Witness.

11 You're now under oath, and you understand, of course, what this means. You have
12 to tell us the truth and everything you know, and don't leave out anything that you
13 know.

14 Mr Witness, you know that, but just to assure you again that -- about the protective
15 measures that are put in place for you. First thing is your identity will not revealed
16 to the public. This is the reason why I address you not with your name but as
17 "Mr Witness".

18 Secondly, we have a face distortion, so nobody outside the courtroom can see you.

19 And thirdly, we have voice distortion. That means nobody can identify you by your
20 voice either.

21 Before we start with the question, Mr Witness, please keep in mind, and you know
22 that of course also, that everything you say and everybody else says in this courtroom
23 is written down and interpreted. Interpreted is the most important factor of it. So
24 to allow for the interpreters to follow what you are saying and the others are saying,
25 everybody has to speak at a relatively slow pace, and please only start speaking when

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1 the person that has asked you something has finished the sentence, and perhaps wait
2 even a couple of seconds.

3 That's very difficult for everyone in the courtroom here. You are the first -- for
4 the first time here. We will help you in that regard, but please try to keep that in
5 mind.

6 Do you understand?

7 THE WITNESS: [9:40:20](Interpretation) Yes, I have understood you well.

8 PRESIDING JUDGE SCHMITT: [9:40:23] Thank you very much.

9 And then we start with the examination by the Prosecution.

10 A short thing. We have, of course, taken note of your filing, Ms Dimitri.

11 The Chamber will not give directions in advance. The Chamber takes -- takes it that
12 the Prosecution knows that it has to conduct the examination in a fair manner, and if
13 not, there are judges here, and of course there is Ms Dimitri here, who will object in
14 case any issue arises.

15 I give now the floor to the Prosecution.

16 MS BERDENNIKOVA: [9:41:01] Thank you, Mr President.

17 Just a second.

18 QUESTIONED BY MS BERDENNIKOVA:

19 Q. [9:41:13] Good morning, Mr Witness. My name is Maria Berdennikova and I'm
20 a lawyer who's going to be questioning you today, and most probably tomorrow, on
21 behalf of the Prosecution. We had a chance to very briefly meet each other last
22 Friday, so you might recall that short meeting. Obviously, the judge has
23 already -- the Presiding Judge has already explained to you about the different mix of
24 languages that we have here in the courtroom, and you've seen yourself that we're
25 speaking English, French, and, you know, different languages, so we're going to have

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1 to take our time, make a pause between my questions and your responses and speak
2 slowly. All right?

3 A. [9:42:12] Yes, agreed.

4 Q. [9:42:13] On that note, if you don't understand something that I'm asking you or
5 if something is not clear in the questions that I'm asking you, please let me know, and
6 then I can repeat or I can rephrase my questions for you.

7 And just before I come to the substance of your -- of your testimony, I want to make
8 something clear so that we -- we don't -- we avoid some confusion. The statements
9 that you previously gave to the investigators and the corrections that you recently
10 made to those statements, they don't become automatically evidence in the case. So
11 this means that a lot of the questions I will be asking you may sound very repetitive
12 for you, and I may ask you to repeat things that you've already said in your statement.
13 So I just ask you to be patient, please, and to respond as best you know so that
14 the judges and everyone else in the courtroom understands, you know, how you
15 know things and what you lived through.

16 And that also means that sometimes I might refer to the statements that you made in
17 the past, but, again, that does not mean that they are already in evidence. What will
18 be in evidence is the testimony that you're going to give in front of the Chamber for
19 the next several days.

20 All right. So I think that -- also, if you ever need a break, please let us know. If you
21 need to confer with your adviser, let us know, and I think that we can start.

22 I'm going to try to go through the information, pose my questions in a more or less
23 chronological order so that it's a little bit more clear, your -- what you have to tell us.

24 And, your Honours --

25 PRESIDING JUDGE SCHMITT: [9:44:10] We have to go to private session for

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1 the identifying part.

2 MS BERDENNIKOVA: [9:44:16] Yes, please.

3 PRESIDING JUDGE SCHMITT: [9:44:17] Yes, of course.

4 (Private session at 9.44 a.m.)

5 THE COURT OFFICER: [9:44:24] We are in private session, Mr President.

6 MS BERDENNIKOVA: [9:44:32]

7 Q. [9:44:33] Right. Mr Witness, we're in private session now, and what that means

8 simply is that only people who are inside the courtroom can hear your answers that

9 you will be giving in private session, so the public and people outside of

10 the courtroom wouldn't be able to hear that. Okay?

11 So, just to start, I'm going to ask you some information about your background.

12 Could you first give us your full name, please.

13 A. [9:45:18] My name is (Redacted)

14 Q. [9:45:29] And do you have any nicknames?

15 A. [9:45:47] Yes, I am called (Redacted). In my country I'm known under that

16 nickname, (Redacted)

17 Q. [9:46:03] Have you had any other nicknames in the past?

18 A. [9:46:25] Yes, I have another nickname. I was called (Redacted) in

19 the Anti-Balaka movement.

20 Q. [9:46:39] Thank you. And we will get back to that.

21 Can you just confirm that you're a national of the Central African Republic.

22 A. [9:47:03] I am a Central African national. And both my father and my mother

23 are Central African nationals also.

24 Q. [9:47:17] And can you tell us your date of birth, please.

25 A. [9:47:35] I was born on the (Redacted), in (Redacted).

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1 Q. [9:47:48] And where did you grow up?

2 A. [9:48:06] I was born in (Redacted), but I grew up in (Redacted).

3 Q. [9:48:17] And can you tell us what is your religion.

4 A. [9:48:32] I am a Catholic Christian.

5 Q. [9:48:40] So you mentioned that you grew up in (Redacted). Did you also go to
6 school in (Redacted)?

7 A. [9:49:00] Yes, I went to school at (Redacted).

8 Q. [9:49:09] Can you tell us for how long did you go to school there and the name
9 of the school, if you recall.

10 A. [9:49:56] I attended (Redacted)

11 (Redacted)

12 (Redacted)

13 Q. [9:50:30] All right. Thank you for that. I'm going to ask you a few more
14 general questions about (Redacted) now, so I think that we can probably do it in
15 public session. In order to not identify you, I won't refer to it as (Redacted) for
16 the next few questions. I'm just going to refer to it as "your town". All right?
17 We can go --

18 PRESIDING JUDGE SCHMITT: [9:50:57] Yeah, I think the witness understands it.
19 He seems to be an intelligent person, so I think we can do it this way.

20 We go to open session.

21 (Open session at 9.51 a.m.)

22 THE COURT OFFICER: [9:51:18] We are back in open session, Mr President.

23 MS BERDENNIKOVA: [9:51:22]

24 Q. [9:51:24] All right. So I would like to ask you, when did the Seleka first appear
25 in your town?

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1 A. [9:51:51] The Anti-Balaka arrived in the locality. I was {ICR: (Redacted)}, then
2 the Seleka arrived there. Then I went to Bangui, and it was in Bangui that I joined
3 up with the Anti-Balaka.

4 Q. [9:52:16] All right. Let's just take a step back and -- when the -- when
5 the Seleka arrived, how did that change the situation in the town?

6 A. [9:52:46] Before the arrival of the Seleka I was young. I had lost my mother.
7 Yes, I had lost my mother already. My father married another woman, so there was
8 no understanding in the family. The Seleka arrived. They were maltreating people,
9 they were beating people. I went to my aunt's place {ICR: (Redacted)}, Bangui.

10 Q. [9:53:29] And how long did you stay there in this place? At your aunt's place.

11 A. [9:53:51] I spent two weeks, two or three weeks in my aunt's house. After that I
12 left her house and I went to stay with a friend {ICR: (Redacted)}.

13 Q. [9:54:14] Before we get to you staying {ICR: (Redacted)} with your friend, can
14 you just explain why did you leave your aunt's house.

15 A. [9:54:49] I left my aunt's house. Well, there was no problem. My friend was
16 {ICR: (Redacted)} and we were very close together. He had also {ICR: (Redacted)}.
17 He was my best friend and it was for that reason that I went to his house and stayed
18 with him in his house and tried to manage my life and live by my own devices.

19 MS BERDENNIKOVA: [9:55:25] Your Honours, I think we may need to go into
20 private session for a few questions now.

21 PRESIDING JUDGE SCHMITT: [9:55:35] Private session.

22 (Private session at 9.55 a.m.)

23 THE COURT OFFICER: [9:55:51] We are in private session, Mr President.

24 MS BERDENNIKOVA: [9:56:01]

25 Q. [9:56:02] All right. So you mentioned that you stayed in (Redacted) with your

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1 best friend. Now that we are in private session, can you say the name of your friend.

2 A. [9:56:21] His name is (Redacted)

3 Q. [9:56:36] And I understand you knew him when you were growing up in

4 (Redacted). So how long did you know him for approximately? How many years?

5 A. [9:57:01] We knew each other because (Redacted)

6 (Redacted), and it was because of him that we got to know each other. We were

7 together. (Redacted). That is how come

8 we became friends and when I left my aunt's house I went to his house.

9 Q. [9:57:29] So I understand you knew each other very well. You knew each other
10 for several years?

11 A. [9:57:45] Yes, that is correct. We knew each other in (Redacted).

12 Q. [9:57:58] Can you just provide us with a description of (Redacted) and his age, if
13 you know.

14 A. [9:58:19] Based on what I know, (Redacted) is slightly (Redacted). He could be
15 (Redacted) years old.

16 Q. [9:58:38] All right. So how long did you stay with -- with (Redacted) in -- in
17 (Redacted)?

18 A. [9:59:01] After having left my aunt's house to (Redacted) house, (Redacted)
19 (Redacted)

20 (Redacted)

21 Q. [9:59:32] All right. And how long did you stay, first in (Redacted), when you
22 went to see your friends?

23 A. [10:00:02] I believe I spent (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 PRESIDING JUDGE SCHMITT: [10:01:27] Ms Dimitri.

10 MS DIMITRI: [10:01:28] I'm sorry for the interruption. Before you go into

11 the substance, when the witness gives years, for example, when he said "(Redacted)

12 was (Redacted)", for clarity of the record, could we know when the person was

13 such-and-such age.

14 PRESIDING JUDGE SCHMITT: [10:01:48] Well, I -- I assumed that it was meant that

15 the witness referred to at the time, but perhaps we can ask him. I can do that.

16 Mr Witness, you -- you said that (Redacted) was (Redacted) years old. Did you

17 mean at the time, let's say, 2012, 2013?

18 THE WITNESS: [10:02:22](Interpretation) 2012, 2013, I was (Redacted). And

19 (Redacted), he was (Redacted). He was two years older. So I think at that time he

20 was (Redacted) years old.

21 PRESIDING JUDGE SCHMITT: [10:02:39] Okay. I think here we have a clear answer.

22 Please continue.

23 MS BERDENNIKOVA: [10:02:44]

24 Q. [10:02:46] (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 (Redacted)

14 (Redacted)

15 PRESIDING JUDGE SCHMITT: [10:05:12] Perhaps we can simply try to induce

16 a narrative about what happened next and then we can ask further questions.

17 Mr Witness, so you have described already how you had been stopped by this man.

18 What happened next? Please try to tell -- we have not been there. Try to tell us in

19 a way that we can picture it in our minds, what happened.

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 PRESIDING JUDGE SCHMITT: [10:07:16] Mr Witness, did you go -- were you alone
6 when you went with this man (Redacted) like you described it?

7 THE WITNESS: [10:07:43](Interpretation) When we left, (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 PRESIDING JUDGE SCHMITT: [10:08:02] Just one question before ...

12 Who was the other person you were with? You said "we" went (Redacted)

13 (Redacted). Who was the other person? Just to make it clear so that we understand it.

14 THE WITNESS: [10:08:34](Interpretation) I don't know his name. As far as I know,
15 he was one of the Anti-Balaka.

16 PRESIDING JUDGE SCHMITT: [10:08:43] So have I understood it correctly that only
17 you and this person (Redacted)? Is this -- have I understood
18 this correctly?

19 THE WITNESS: [10:09:02](Interpretation) Yes, that is correct. We were only
20 the two of us (Redacted)

21 PRESIDING JUDGE SCHMITT: [10:09:07] Okay. Then please proceed.

22 I wondered when there are areas we could discuss in open session. It's -- I'm not so
23 sure.

24 MS BERDENNIKOVA: [10:09:20] Maybe one more topic and then we try to go in
25 more general areas.

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- 1 PRESIDING JUDGE SCHMITT: [10:09:26] Yeah, I leave it up to you and ...
- 2 MS BERDENNIKOVA: [10:09:30]
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 Q. [10:12:30] All right. And what was the reaction of the other Anti-Balaka
- 21 elements when you joined them?
- 22 A. [10:12:56] When I joined the movement, some of the elements were happy
- 23 (Redacted). Some were smoking weed and were behaving badly.
- 24 Since I wasn't used to this and to the place, I was really scared.
- 25 Q. [10:13:30] You mentioned that some of the elements were very happy because

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1 (Redacted)

2 A. [10:14:07] They welcomed me. They encouraged me to fight to free our
3 country. They were happy to welcome me in their midst. (Redacted)
4 (Redacted). And that is

5 the reason why they expressed their joy and they welcomed me in the group.

6 Q. [10:14:39] All right. I'm being told that there are possibly some names that
7 were not caught in the transcript, so I'll ask the witness to -- to say again who was it
8 that you -- which other elements did you meet when you arrived (Redacted)?
9 I think some names were not registered.

10 A. [10:15:32] When I went to (Redacted) I met several people, including the chief.
11 For the first time I didn't know the name of the chief, but the person who I
12 remembered was Coeur de Lion. Rambo, Alkanto and Tony Montana, Abib,
13 the Chief Seda. These were chiefs whom I met and whose name I remember.

14 Q. [10:16:17] What made you understand that they were chiefs?

15 A. [10:16:36] When I joined the Anti-Balaka movement, I was introduced to
16 Coeur de Lion. He introduced himself as Coeur de Lion and that -- and he said that I
17 couldn't go back home and that I couldn't go back home. Because once you enter
18 here you can't go back. Once you come here, you can only go back after the fight,
19 after the battle. And then my friend (Redacted) said it is the *chef* who commands.
20 He commands all the elements. That person is Rambo and his * deputies are
21 Coeur de Lion, Abib, Tony Montana and Chief Alkanto.

22 Q. [10:17:25] Now, you've mentioned Rambo now a couple of times. Did you
23 know him by any other name?

24 A. [10:17:52] We called him the authority. But when we left we learnt that his
25 name was Alfred Yekatom Rambo.

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1 Q. [10:18:13] Can you just clarify what you mean by when you left. When you left
2 what?

3 A. [10:18:43] Could you repeat the question, because I didn't fully understand it.

4 Q. [10:18:51] Of course. You mentioned -- let me just read it out. You mentioned
5 "We called him the authority. But when we left we learnt that his name was
6 Alfred Yekatom Rambo." I just wanted to clarify with you what you mean by when
7 you left. Was it when you left the base, is it when you left the Anti-Balaka? Is it
8 when -- what do you mean?

9 A. [10:19:47] When we were in Gbangba or Mbato, we knew him as Rambo. We,
10 the elements, * we referred to him as the Authority. It is after the 5 December battle
11 and 28 December, it's after that that I learnt that his name was Alfred Yekatom.

12 Q. [10:20:13] Thank you for that clarification.

13 I'm now planning to ask some more general questions about the conditions at the
14 Gbangba base and the organisation, things like that.

15 I think we can do that in public session.

16 PRESIDING JUDGE SCHMITT: [10:20:28] Yes, I also think so.

17 We go to public session.

18 (Open session at 10.20 a.m.)

19 THE COURT OFFICER: [10:20:45] We are in open session, Mr President.

20 MS BERDENNIKOVA: [10:20:52] All right. So just for the benefit of the public, we
21 just discussed how the witness arrived at an Anti-Balaka base.

22 Q. [10:21:02] If you could describe the -- the base that you were at to the judges,
23 please.

24 A. [10:21:39] Thank you for your question. When I arrived at the bases, the things
25 happened as follows: Everyone had a band around their head. Some had a red

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1 band. Others had a piece of material of red in colour * on the long knives that they
2 were carrying. When I arrived I was frightened and I asked * to leave, but I was told
3 no. And *that once you enter you can't go out, because once you leave you might
4 betray us and so we can't let you leave. So you must never speak about leaving.
5 You must just stay in the camp and bear it until the day when we can be released.

6 Q. [10:22:41] Could you provide maybe a bit more of a physical description. You
7 know, for instance, were there some buildings at this base or how did it actually look
8 like?

9 A. [10:23:16] The base where I was, it was in Gbangba and Mbato. There were
10 fields, and there were people who lived in Boeing had built small huts. But we
11 couldn't spend the night in those huts, so we lived in the open air. There were no
12 buildings.

13 Q. [10:23:49] Can you describe the living conditions that you were living in. You
14 know, for instance, what did you have to eat?

15 A. [10:24:17] In that base it wasn't very easy to find food, it was really difficult.
16 We ate fruit, pawpaws. After two days, sometimes during an interval of two days,
17 we were given some cassava leaves with also some cassava roots. We had leaves of
18 cassava or some went into the fields in order find some roots or other things so that
19 we could eat. But we didn't really have the possibility to eat properly.

20 Q. [10:25:08] And could you eat every day, or were there days when you just
21 couldn't eat?

22 A. [10:25:33] No, we didn't have the possibility of eating every day. And if there
23 was a kitchen or food preparation for the group, it was done every second day.

24 Q. [10:25:55] And when you did eat, who was it that would give you the food?

25 A. [10:26:19] When we were there, no one left to buy food. So we used leaves of

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1 cassava and roots of cassava who had been cultivated by farmers. We used them.

2 We cooked them in order to have some food.

3 PRESIDING JUDGE SCHMITT: [10:26:48] Was there any other thing that helped
4 you against the hunger?

5 THE WITNESS: [10:27:19](Interpretation) What helped us eat was the pawpaws, or
6 also the yam tubes or tablets which were given to us and which helped us feel less
7 hungry.

8 MS BERDENNIKOVA: [10:27:49]

9 Q. [10:27:50] Right. You mentioned tablets. Can you describe what are these
10 tablets that you were given.

11 A. [10:28:16] I think we had cigarettes, menthol, marijuana. We also had Tramol
12 and the red tablets. Those tablets not only gave us strength, but also gave us
13 the feeling that we weren't hungry. It cut our appetite in one way or another.

14 Q. [10:28:49] Who was it that provided you with the red tablets or Tramol and
15 the marijuana cigarettes?

16 A. [10:29:20] The tablets, the Tramol and others, were given to us by the chiefs.
17 The Anti-Balaka chiefs, who handed them out per section so that we would stay in
18 form.

19 Q. [10:29:41] Can you give the names of some of the chiefs that would do that.

20 A. [10:30:06] The chiefs who provided these products was {ICR: (Redacted)
21 (Redacted)}. It was those chiefs who provided us with these
22 products, but we knew that * it was the chiefs, those who were in command,
23 the highest ranking chiefs who had asked them to distribute these drugs to us.

24 Q. [10:30:48] When you refer to "us", so the drugs were given to us and
25 the cigarettes were given to us, who is "us"?

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1 A. [10:31:11] I'm saying us, we were the ones who were having these drugs.

2 The chiefs gave it to us and we took them.

3 PRESIDING JUDGE SCHMITT: [10:31:20] May -- may I shortly.

4 Were there other - I put it in a neutral way - young persons around about your age at
5 the base, as far as you recall it?

6 THE WITNESS: [10:31:49](Interpretation) Yes, there were children in the base.

7 There was Chat Noire, Agile Rouge, Gilles Rouge (phon), Dragon. There were
8 children there, about 10 of them there must have been.

9 PRESIDING JUDGE SCHMITT: [10:32:12] And how could you tell they were
10 children? You know, it's -- what was -- what was it that make you think they were
11 your age, or younger, or a little bit older, or whatsoever?

12 THE WITNESS: [10:32:47](Interpretation) Just by looking at them you can realise
13 that they were just as small as myself. That is the reason why I am saying that they
14 were children.

15 PRESIDING JUDGE SCHMITT: [10:33:03] And, Mr Witness, when you said that
16 the tablets that you mentioned, the cigarettes, marijuana and so on and so forth, "were
17 given to us", did you mean they were given only to the children, as you say, or were
18 they also given to other elements?

19 THE WITNESS: [10:33:45](Interpretation) Those drugs were given to everyone.

20 PRESIDING JUDGE SCHMITT: [10:33:47] So it was a little bit around in circles, but
21 we have the answer now.

22 MS BERDENNIKOVA: [10:33:53]

23 Q. [10:33:56] I just have a couple of additional questions on this topic. How often
24 were you given the drugs?

25 A. [10:34:32] When I arrived, I realised that the elements were smoking and taking

1 tablets. But I hesitated a lot to take them because they were saying that once you
2 consumed them, that would make us possible to overcome timidity and no longer be
3 afraid. It was after that that I started consuming them.

4 So the drugs was like -- they were like food that we would eat every day.

5 The marijuana and the drugs that we were taking were considered as food. We did
6 not eat the way we were normally supposed to, so we actually took more of drugs.

7 Q. [10:35:29] And how long did you continue taking these drugs? You know,
8 were you ever able to stop taking them?

9 A. [10:35:55] I took those drugs right up to the end. After the fighting, we fought
10 on the 5th, the 25th. Even we were in Sekia, we were taking drugs. An {ICR:
11 (Redacted)} took us to {ICR: (Redacted)}, and even when {ICR: (Redacted)} I was still
12 taking drugs. It was only afterwards that I stopped.

13 Q. [10:36:34] All right. Thank you for your answer.

14 I'm going to ask you a few questions about the organisation of the Anti-Balaka
15 elements at the base where you were. Were there many Anti-Balaka? Can you
16 provide, you know, a rough estimate of how many people were at the base.

17 A. [10:37:15] The Anti-Balaka who were in Gbangba and Mbato, the number was
18 less than 500. It was after the fighting of the 5th that the numbers grew. Some
19 joined the group in Yamwara.

20 Q. [10:37:49] All right. And can you give a little bit more details of how these
21 elements were organised at Gbangba?

22 A. [10:38:15] Regarding the organisation in Gbangba, the groups were divided into
23 sections. During training like is done by soldiers, the elements organised into
24 groups and in each section military training was organised.

25 Q. [10:38:53] Can you describe a little bit more the sections. You know, were there

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1 several sections? Were there many elements per section?

2 A. [10:39:22] Regarding the numbers in each section, it could be around 20 to 30
3 people per section.

4 Q. [10:39:38] And who was in charge of the sections?

5 A. [10:39:52] The chiefs of section were, for example, Tony Montana, Chief Kando,
6 Chief Dan, Chief Seda. Those were the chiefs of the various sections.

7 Q. [10:40:16] And who was in charge of the chiefs?

8 A. [10:40:31] The superior of the chiefs, the one who commanded all
9 the Anti-Balaka was the authority, Rambo.

10 Q. [10:40:58] All right. You already mentioned that there was training that was
11 provided at the camp and that the training was provided to the various elements of
12 various sections.

13 Can you tell us a little bit more and describe a little bit more the training.

14 A. [10:41:37] The training was purely military training. We were taught how to
15 crawl, how to hide, how to dismantle a weapon and put it back together again. It
16 was such training that we had because we were considered as soldiers.

17 Q. [10:42:10] Now you mentioned being taught to dismantle weapons. Do you
18 recall what type of weapons they were?

19 A. [10:42:41] I can take the example of the AK-47s and the MAS-36. Those were
20 the types of weapons that we were being taught to dismantle and assemble.

21 Q. [10:43:01] And was this training provided to -- to adults and to the children at
22 the camp?

23 A. [10:43:30] Yes, everyone received that training, women, children, men, adults.
24 We were compelled to receive that training.

25 PRESIDING JUDGE SCHMITT: [10:43:46] Mr Witness, were you trained separately,

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1 or together? The children, let's say, and the adults?

2 THE WITNESS: [10:44:14](Interpretation) During the training, we were all together.

3 We received the same training. In the sections we also received some training.

4 The children were all mixed up with the adults when it came to receiving that
5 training.

6 PRESIDING JUDGE SCHMITT: [10:44:36] And who did the training?

7 THE WITNESS: [10:44:50](Interpretation) The training was done by chiefs, Alkanto,
8 Chief Tony Montana, Chief Abib, Chief Seda. Those were our instructors.

9 PRESIDING JUDGE SCHMITT: [10:45:12] Are there more questions on the training?

10 Yeah, okay.

11 MS BERDENNIKOVA: [10:45:18]

12 Q. [10:45:20] How often would you say you received training?

13 A. [10:45:48] The training that we received could be given every two days or every
14 three days. But when it came to providing -- being on guard duty, that happened
15 every day.

16 Q. [10:46:08] Can you describe a little bit more the conditions of this training. You
17 know, how were you treated during the training?

18 A. [10:46:39] The training was very difficult, very hard. When we were crawling
19 and not moving quickly enough, we would be beaten. We were told that this was
20 the only way of becoming a man, of becoming physically strong.

21 Q. [10:47:11] So would you say that you were beaten regularly during the trainings
22 or was this something more exceptional?

23 A. [10:47:39] No, it was much more during the training. During exercises, if we
24 were not running fast enough, we would be beaten with canes, as is normally done in
25 the army.

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1 Q. [10:48:04] And was Rambo or Yekatom present during these trainings?

2 A. [10:48:25] Chief Rambo, Coeur de Lion, they would come when everybody was
3 training. That is, when everybody came for a major training that involved all of
4 them, then they would come and simply watch.

5 PRESIDING JUDGE SCHMITT: [10:48:52] The Presiding Judge has an obligation at
6 11 o'clock. So I would suggest -- or simply say that we have now the coffee break
7 until 11.30.

8 Thank you for the moment.

9 THE COURT USHER: [10:49:05] All rise.

10 (Recess taken at 10.49 a.m.)

11 (Upon resuming in open session at 11.32 a.m.)

12 THE COURT USHER: [11:32:19] All rise.

13 Please be seated.

14 PRESIDING JUDGE SCHMITT: [11:32:48] Prosecution has still the floor.

15 MS BERDENNIKOVA: [11:32:55] Thank you.

16 Q. [11:33:14] All right. So we finished the last session by discussing the trainings
17 at the Gbangba base.

18 I would now like to -- like to move on to another topic and ask you, were there
19 occasions when elements at the base would gather all together?

20 A. [11:33:54] Yes. Sometimes all the sections came together, and this gathering
21 enabled the chiefs to address all the sections who were together in the same spot.

22 Q. [11:34:17] So what kind of announcements -- what kind of address would be
23 done by the chiefs during these gatherings?

24 A. [11:34:42] You know, when the chief gathered all the elements so that he could
25 address them generally, it were -- was for motivation. He told everyone to do

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1 something. If -- they told them that they must fight for the honour of the country,
2 and above all, fight against the Muslims.

3 Q. [11:35:22] Did the chiefs explain why you had to fight against the Muslims?

4 A. [11:35:46] The * authority gave the instruction to fight against the Muslims
5 because, with the arrival of the Seleka in the town of Bangui, all the Muslims joined
6 the Seleka so that they commit wrongdoings in the town. And that is why the chief
7 said to us, when we sometimes asked to go out, that we must fight against these
8 Muslims.

9 Q. [11:36:23] Which chiefs said that?

10 A. [11:36:42] The chief who gave these instructions was Rambo, Chief Rambo, and
11 also chief Coeur de Lion. Those two chiefs were the chiefs who commanded.
12 Coeur de Lion and Rambo gave instructions in this way.

13 Q. [11:37:12] And approximately how often would such gatherings take place?

14 A. [11:37:42] The gatherings didn't take place every day. Sometimes it was every
15 four days or every two days, or every Friday.

16 Q. [11:38:02] All right. Now, you already mentioned that there were several
17 children in -- in the group where you were. Can you tell us if there were also
18 women who were at the base.

19 A. [11:38:33] Yes, there were women in the base. I can confirm that.

20 Q. [11:38:40] Can you -- can you estimate, you know, how many women were there.
21 Was it just a few or many?

22 A. [11:39:03] The women who were in Gbangba, the number was between 10 and
23 20, approximately.

24 Q. [11:39:20] And what role did these women have at the base?

25 A. [11:39:40] The women who were within the Anti-Balaka group had the same

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1 training as the men.

2 Q. [11:39:54] Were their tasks otherwise also the same as the men, or were their
3 tasks somehow different?

4 A. [11:40:23] Within the group, the women and the men were involved in the same
5 tasks. They did the same tasks within the Anti-Balaka group.

6 Q. [11:40:50] Do you recall the names of some of the women who were in
7 the group?

8 A. [11:41:11] I can remember Cynthia, Calenada, but I don't remember the names of
9 the other women.

10 PRESIDING JUDGE SCHMITT: [11:41:26] Could you tell us more about this woman
11 that you mentioned called Cynthia. What you know of her. You know, what she
12 did, in case you observed something.

13 THE WITNESS: [11:42:02](Interpretation) Cynthia was a woman who was very
14 dangerous. She could slit the throat of a person just like a man. She behaved often
15 in a special way, and she often put herself slightly to the side of others.

16 PRESIDING JUDGE SCHMITT: [11:42:36] If you saw it, could you tell us whom did
17 she kill, when you say she slit the throat of persons?

18 THE WITNESS: [11:43:02](Interpretation) Cynthia was a woman who could kill or
19 slaughter the Muslim prisoners.

20 MS BERDENNIKOVA: [11:43:23]

21 Q. [11:43:24] Where did this happen?

22 A. [11:43:45] What Cynthia did started in Gbangba, in Yambo (phon), in Bacho
23 (phon), and even -- even in Yamwara she continued to do the same things.

24 PRESIDING JUDGE SCHMITT: [11:44:04] And how did she kill the persons?

25 The Muslims, as you said.

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1 THE WITNESS: [11:44:28](Interpretation) Cynthia cut off the heads of these
2 Muslims as if they were animals.

3 MS BERDENNIKOVA: [11:44:44]

4 Q. [11:44:44] Was this -- was this done in the presence of other Anti-Balaka
5 elements?

6 A. [11:45:07] Cynthia didn't have any pity. You know, when we attacked someone,
7 attacked a prisoner, all the Anti-Balaka intervened, sometimes to stab or to kick. But
8 as far as she was concerned, she only wanted to kill or slit the throat of that
9 person.

10 Q. [11:45:39] The next question might seem obvious to you. But can you clarify
11 how you know -- how do you know that she did that? Were you an eyewitness?

12 A. [11:46:08] When we were in Gbangba and in Mbato, {ICR: (Redacted)}
13 Cynthia was the most dangerous woman. It was she who killed the prisoners. But
14 at the Yamwara school {ICR: (Redacted)}
15 (Redacted)} Cynthia kill. {ICR: (Redacted)} at the Yamwara school.

16 Q. [11:46:43] All right. We will talk about that a little bit later in your testimony.
17 But before we get to there, could I ask you to provide maybe a physical description of
18 Cynthia. What did she look like?

19 A. [11:47:16] Cynthia was robust, small in stature, with short hair. She usually
20 had clear eyes. But when she smoked, or when she killed someone, she had eyes
21 that were blood filled.

22 PRESIDING JUDGE SCHMITT: [11:47:48] Was she together with someone in
23 the Anti-Balaka, you see, as a partner, male partner?

24 THE WITNESS: [11:48:16](Interpretation) Yes. I know that she was out with
25 the chief Bodibo.

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1 MS BERDENNIKOVA: [11:48:35] Q. [11:48:35] And were other women in
2 the Anti-Balaka also with chiefs, girlfriends of the chiefs?

3 A. [11:49:05] Some of the women did have relationship with the chiefs, and some of
4 the women amongst the Anti-Balaka elements were as if they were the wives of
5 the Anti-Balaka. And in addition to that, the Anti-Balaka chief could go out with
6 the other women in the group who were not their usual partners.

7 Q. [11:49:37] Could you elaborate a little bit what you mean by "wives"?

8 A. [11:50:10] To give you details, I saw with my own eyes the chief Coeur de Lion,
9 who had his own concubine, and * Chief Bodibo, who was going out with Cynthia.
10 There was another chief, *brun de taille*, who went out * with other... There was a girl,
11 * light in complexion, but sort of mixed race, who went out with Chief Rambo.

12 PRESIDING JUDGE SCHMITT: [11:50:56] Mr Witness, it might seem obvious to you,
13 but you know, if you look at us, these white people, what do you mean by "coloured",
14 a coloured person?

15 THE WITNESS: [11:51:32](Interpretation) All I'm saying, she had pale skin. I can
16 say her skin was similar to yours.

17 PRESIDING JUDGE SCHMITT: [11:51:39] Okay. Thank you.

18 MS BERDENNIKOVA: [11:51:48]

19 Q. [11:51:48] And were -- were there any girls in the group or -- or were the women,
20 you know, adults? Were they young, were they old?

21 A. [11:52:19] I think that Cynthia was about 19, at least. And there were some
22 girls which -- whom I think were 15, 16 or 14 years old. The girls who were
23 more -- who were more mature than that, there weren't many of them.

24 MS BERDENNIKOVA: [11:52:53] Your Honours, I think I might have to go into
25 a probably brief, relatively brief private session.

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- 1 PRESIDING JUDGE SCHMITT: [11:53:01] Yes, yes, we go to private session. I also
2 have a question in private session just for the completeness.
3 Yes, thank you. Private session.
4 (Private session at 11.53 a.m.)
5 THE COURT OFFICER: [11:53:17] We are in private session, Mr President.
6 PRESIDING JUDGE SCHMITT: [11:53:20] Thank you.
7 Mr Witness -- I would like to pose a question to you, Mr Witness. (Redacted)
8 (Redacted). Have you ever been injured
9 during your time at the Anti-Balaka?
10 THE WITNESS: [11:53:55](Interpretation) During the time I was in the Anti-Balaka
11 movement, I did have some minor injuries, but the injury which affected me the most
12 was the one that I received when (Redacted) beat me. (Redacted)
13 (Redacted)
14 (Redacted)
15 PRESIDING JUDGE SCHMITT: [11:54:33] Were you ever been stabbed by anyone?
16 THE WITNESS: [11:54:52](Interpretation) The injury which I received is (Redacted)
17 (Redacted). And I got an
18 injury, a serious injury on my foot.
19 PRESIDING JUDGE SCHMITT: [11:55:12] Do you recall who did that? Who
20 inflicted that on you, which chief?
21 THE WITNESS: [11:55:30](Interpretation) It was (Redacted)
22 PRESIDING JUDGE SCHMITT: [11:55:34] Okay, thank you.
23 Please continue.
24 Ms Dimitri.
25 MS DIMITRI: [11:55:40] Yes, Mr President. Just for the record, in French at page 34,

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- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 PRESIDING JUDGE SCHMITT: [11:57:09] Thank you.
- 15 MS BERDENNIKOVA: [11:57:18]
- 16 Q. [11:57:19] So you -- did you see other children that would have been harshly
- 17 punished or injured while you were at the Gbangba base?
- 18 A. [11:57:52] Everybody, everybody who was subject to this, it wasn't only me,
- 19 everybody submitted this type of training and this type of violence. Everybody was
- 20 subjected to it.
- 21 Q. [11:58:14] (Redacted)
- 22 (Redacted). Who would normally punish or injure the other children in the group?
- 23 A. [11:58:45] There were children who also were subject to such punishment in
- 24 their section. * But to talk of injuries (Redacted). No, * I
- 25 have no idea.

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1 Q. [11:59:10] So you just mentioned the children from different sections. Can
2 you -- can you clarify who was the chief of your section?

3 A. [11:59:35] My first section in Gbangba, the chief was (Redacted). In Yamwara
4 I was in the section of (Redacted)

5 Q. [11:59:57] And just to go back to injuries of the other children. How do you
6 know that they were also injured? Did you see their injuries or did they talk about
7 it?

8 A. [12:00:30] When we were -- when we had finished our training and we were
9 talking to each other, we shared information. One could say, "This chief whipped
10 me, look at my scar." And each of us passed on information about each other. And
11 that's how we got to know what was going on and what each one had been subjected
12 to.

13 Q. [12:00:59] I'd just like to follow up on that. So what kind of interactions would
14 you normally have with the other children? You say sometimes you would meet,
15 you would talk. What other type of interactions would you have with them?

16 A. [12:01:31] When those of us children, we found ourselves together and we were
17 speaking, we would smoke cigarettes, take Tramol. Others will propose, because we
18 were hungry, that they should -- we should go and look for papayas. And we
19 wondered about what was going to happen during our stay in the bush and we were
20 wondering when we would be free again and leave that place.

21 Q. [12:02:11] So you already mentioned to -- to the judges the names of some of
22 the children that were in your group. You mentioned Aigle Rouge, you mentioned
23 Dragon. Do you recall names of other children that were at the Gbangba base?

24 A. [12:02:48] There, people did not use their family names. There was Dragon,
25 Aigle Rouge, 2Giga, Papillon. There was also *Tête de Mort*. So there were names

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1 like that. * There were some whose names I only got to know (Redacted)

2 (Redacted)

3 Q. [12:03:26] All right. And just for the sake of clarity, let's -- let's discuss them,

4 you know, one at a time.

5 Can you tell us whether Aigle Rouge, in your assessment, (Redacted)

6 (Redacted)

7 A. [12:03:52] Aigle Rouge (Redacted)

8 (Redacted)

9 Q. [12:04:12] And can you tell us about the others - Dragon, 2Giga, Papillon,

10 *Tête de Mort* - approximately, what was their age, in your assessment.

11 A. [12:04:35] In my opinion, Dragon and Papillon were of the same age as

12 Chat Noire.

13 Q. [12:04:50] (Redacted)

14 What about 2Giga and *Tête de Mort*, can you provide an estimate, in your opinion, of

15 their age.

16 A. [12:05:17] In my opinion, 2Giga, *Tête de Mort*, Papillon (Redacted), we were

17 practically of the same age, or there would have been a difference of one or two years.

18 (Redacted)

19 Q. [12:05:43] And what did you base this assessment on? What helped you to

20 estimate their age?

21 A. [12:06:08] What made it possible for me to say that is their height. (Redacted)

22 (Redacted). That is what made it possible for me to have an idea of

23 their ages.

24 Q. [12:06:32] All right. Thank you for that.

25 I'd like to ask you a few more questions about the type of tasks that children had at

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1 the Gbangba base. You already mentioned this morning that there was guard duty,
2 for example. What other kind of tasks did the children do at the camp?

3 PRESIDING JUDGE SCHMITT: [12:06:56] Open session possible?

4 MS BERDENNIKOVA: [12:07:00] Possibly. It may depend on the answer of
5 the witness, but we can try.

6 PRESIDING JUDGE SCHMITT: [12:07:05] I think we can try that.

7 Open session.

8 (Open session at 12.07 p.m.)

9 THE COURT OFFICER: [12:07:22] We are in open session, Mr President.

10 MS BERDENNIKOVA: [12:07:29] I'll just --

11 Q. [12:07:31] I'll repeat my question. So you already described some of the tasks
12 that children were doing at the Gbangba base. For instance, you mentioned that
13 there was guard duty. What other types of tasks did children have at the camp?

14 A. [12:08:00] In Gbangba, the children did guard duty, and the older ones also. At
15 night, no one could sleep. Because if you slept and there was an attack, what would
16 you be able to do? So during the night, no one could sleep.

17 There was also training on dismantling and assembling weapons and how to use
18 them. So we received that type of training during the night.

19 Q. [12:08:43] And this guard duty, can you provide a little bit more details on, you
20 know, how was it done. Were there specific places in the camp where the guard
21 duty was done? You know, how many people at a time would be doing guard duty?

22 A. [12:09:12] When it came to guard duty, there were the following locations:

23 Where, for example, Chief Rambo was sleeping, there were people on guard there.

24 And the place where chief Coeur de Lion was sleeping, there was also -- there were

25 other guards. And in the various sections there were also locations where guards

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1 had to be positioned.

2 Q. [12:09:49] And was this guard done by children and adults? You know, was it
3 a mix? Was it separate tasks?

4 A. [12:10:20] The adults and the children could also be on guard duty, except those
5 who were FACA. And the chiefs, they were not on guard duty. But those of us
6 who were civilians, that was our main task. We were on guard duty to ensure
7 the security and safety of our chiefs.

8 Q. [12:10:48] You mentioned that one of the places that was guarded was the place
9 where Rambo was sleeping. Did children guard the place where he was sleeping as
10 well?

11 A. [12:11:12] Yes, the children also stood guard, just like adults. They had -- he
12 had bodyguards such as Q2 (phon). These were the people who stood on guard
13 when he was sleeping. There were also children on guard duty.

14 Q. [12:11:48] And were they armed during the guard duty?

15 A. [12:12:08] We did not have any war weapons when we stood on guard duty.
16 We had only knives and sticks. The FACA had weapons.

17 I would like to point out that there were not many weapons at the base. Those of us
18 civilians, we went on guard duty with knives and sticks.

19 PRESIDING JUDGE SCHMITT: [12:12:40] May I shortly, because it fits here, I think.
20 Mr Witness, you said at the Gbangba base there were not many weapons. Did that
21 change later on?

22 THE WITNESS: [12:13:15](Interpretation) When we were in Gbangba, there were
23 not many weapons. During the fighting of 5 December, many FACAs joined us, and
24 that is how come we had many weapons. Certain chiefs went on mission to kill
25 the Peuhls and recover their weapons. It was only at that time that we started

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1 having a lot of weapons of war within the base.

2 PRESIDING JUDGE SCHMITT: [12:13:55] Thank you.

3 Please.

4 MS BERDENNIKOVA: [12:13:59]

5 Q. [12:14:00] I'd like to ask you a follow-up question. You mentioned that one of
6 the individuals guarding Yekatom's house was called Q2, if I understood correctly.

7 Can you tell us a little bit more about Q2.

8 MS DIMITRI: [12:14:22] I'm sorry.

9 PRESIDING JUDGE SCHMITT: [12:14:23] Ms Dimitri.

10 MS DIMITRI: [12:14:25] Unless I'm mistaken, and I might be, I don't think he said K2
11 was children. He said there was a bodyguard called K2.

12 PRESIDING JUDGE SCHMITT: [12:14:34] I actually also recall it like that, but I think
13 since we have a transcript, we could easily verify it, I assume. I also understood it
14 like Ms Dimitri, frankly.

15 MS BERDENNIKOVA: [12:14:46] I actually wasn't necessarily insinuating that it
16 was a child. I just wanted to get more details, so -- on the person.

17 PRESIDING JUDGE SCHMITT: [12:14:55] So -- okay. So, no, then -- then we
18 simply continue. No, it's fine. Then it's -- then everything's okay.

19 So, meaning, there is no dispute; secondly, the question is absolutely okay. So you
20 can continue.

21 MS BERDENNIKOVA: [12:15:15] Thank you.

22 Q. [12:15:16] So I'll just -- I'll just repeat the question.

23 You mentioned an individual called Q2 or K2. Can you provide a little bit more
24 details about who this person was.

25 A. [12:15:42] He was actually K2, and he was the aide-de-camp of Chief Rambo.

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1 There was K2. There was Apache. So these were the two people who were much
2 closer to Rambo.

3 And I would like to point out that there were also other people whose names I no
4 longer remember.

5 Q. [12:16:18] Okay. And just -- just to have complete clarity on this point, when
6 you refer to people guarding the place where Rambo slept, you know, were they
7 standing some metres away from the place where he slept or, you know, right outside
8 the door? What did it -- how was it?

9 A. [12:17:02] You know, when you stand guard, there was a barricade that was
10 erected 50 metres or to 100 metres away around the entire house in which he was
11 sleeping. And then there were patrols in the vicinity of the area in order to ensure
12 his security.

13 Q. [12:17:44] Can you describe what did these barricades visually look like, you
14 know, for those who haven't seen -- seen them.

15 A. [12:18:11] Well, I don't know how to describe the barricades to you. When
16 the chief was sleeping, we would set up small checkpoints on all the paths or roads
17 leading to the location where he was sleeping and people would stand guard on those
18 little checkpoints or barricades in order to ensure the security of the sleeping chief.

19 Q. [12:18:50] All right. And was anyone actually stopped as a result of this guard
20 duty?

21 A. [12:19:25] When we were in Yamwara and Gbangba, we were not arresting
22 people. We would stand guard ourselves around where the chief was sleeping.
23 We had passwords, code words that we would use to move about in the dark. And
24 when someone was moving and the password was mentioned and the person did not
25 respond with the code, then we knew that the person was an enemy. But, on the

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1 other hand, it was in Yamwara that many people were arrested at those checkpoints.

2 Q. [12:20:26] And did you ever see anyone other than an Anti-Balaka element at the
3 Gbangba base?

4 A. [12:20:59] In the Gbangba base all of us were Anti-Balakas apart from the elderly
5 people. The old women who were going to their farms, one could see them pass by.

6 Q. [12:21:28] All right. So I'd like to move on to another topic now with you.
7 You -- you already mentioned the attack of 5 December, so I -- I'm going to
8 concentrate on that a little bit now.

9 Can you tell us when did you first hear about this attack. When did you first learn
10 about it?

11 A. [12:22:16] When we were at Gbangba, it was during an assembly. If I'm not
12 mistaken, we gathered together on the 2nd and everyone was asked to stand ready
13 and that we were going to go out. That is how come on the 3rd we moved out and
14 crossed the stream. And it was at that time we were told that the fighting would
15 take place on the 5th.

16 Q. [12:23:03] I'd like to pause and go into a little bit more detail on the gathering
17 that took place, as you say, around 2 December. Who made the announcement
18 during that gathering?

19 A. [12:23:35] During that night gathering -- or, rather, during that gathering that
20 took place in Gbangba, there was Chief Rambo, Chief Coeur de Lion, Chief Abib.
21 These were the people who were in the middle of the large assembly and who
22 addressed the elements.

23 Q. [12:24:06] All right. So I know that it was a long time ago. But can you recall
24 with a little more precision what type of instructions they -- they gave during
25 the gathering.

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1 A. [12:24:38] During that gathering, the first person to take the floor was Chief
2 Rambo. He said that we had to fight for our country in order to stop what the Seleka
3 were doing in our country. He told us that when we went out we had to kill all
4 the Muslims, that it -- we should not be able to see any Muslim in the country. He
5 clearly asked us to kill all the Muslims when we saw them.

6 Q. [12:25:33] Do you know whether the chiefs had any other meeting prior to
7 addressing the elements at Gbangba?

8 A. [12:25:59] No, I no longer remember the date. I do not remember the date on
9 which the chiefs met.

10 Q. [12:26:21] Even if you don't recall the -- the date, do you recall an event where
11 the chiefs would have met prior to the attack?

12 A. [12:26:56] The chiefs met, but I do not remember the date.

13 Q. [12:27:08] And just to clarify, how do you know that the chiefs met?

14 A. [12:27:32] Before gathering together the elements, I saw Chief Rambo,
15 Chief Abib and Chief Tony Montana meeting in the house where Chief Rambo was
16 sleeping. So I saw them conversing amongst themselves before coming to address
17 the elements. They asked us to be strong and courageous because we were going to
18 go out in the days that would follow.

19 Q. [12:28:35] All right. So you mentioned that Chief Rambo told you that you
20 would have to attack the Muslims during the attack. Did he -- were any specific
21 instructions provided on how to do that or how to identify them?

22 A. [12:29:09] They did not give any clarifications. They simply asked us to attack
23 the Muslims, without telling us the precise locations where we were to find
24 the Muslims.

25 Q. [12:29:30] All right. Did -- did they mention anything about women and

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1 children? Muslim women and children.

2 A. [12:30:04] We received instructions to kill all Muslims, to beat up the women.

3 But for the men, they had to be simply eliminated.

4 Q. [12:30:31] All right. I'd like to discuss the more kind of technical aspects of
5 the -- of the attack and, you know, organisation of the troops now.

6 So can you -- can you provide more clarifications on who left the Gbangba base to
7 attack on 5 December? Was it everyone? Was it -- you know, did someone stay
8 behind?

9 A. [12:31:25] When going out to launch the 5 December attack, no one stayed
10 behind. Men, women, children, everyone went out to take part in the fighting.

11 Q. [12:31:44] And were the elements, the Anti-Balaka elements organised in
12 the -- in any particular way?

13 A. [12:32:09] What I do know is that the chief reminded us about our training
14 which had received and he said that we should bear that in mind during the fighting.
15 He said we were soldiers and we were fighting for the country, so we had to put into
16 practice everything we had learned in Gbangba. He said that we must put into
17 practice everything we had learned in the camp.

18 Q. [12:32:47] And can you tell us which chief was it that gave this specific
19 instruction?

20 A. [12:33:12] The chief who reminded us about this and who said that we should
21 put into practice the training we'd received were people, *chef* Rambo, Coeur de Lion,
22 Montana, Alkanto. Everyone gave us instructions that we put into practice all
23 the techniques that we had learnt during our training.

24 Q. [12:33:44] All right. So we discussed earlier that elements at the -- at the base
25 were separated and organised into different sections. When -- when you left

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1 the base in order to attack, was there a similar kind of organisation of the -- of
2 the elements that were going?

3 A. [12:34:26] When we left the base of Gbangba to participate in the fighting, we
4 gathered together to cross the stream, M'Poko. It was during the night. One
5 column went through M'Poko, {ICR: (Redacted)}
6 (Redacted)}. It was about 3 o'clock in the morning when
7 we started -- {ICR: (Redacted)}.

8 THE INTERPRETER: [12:35:05] The interpreter of the Sango booth didn't quite catch
9 the name that was mentioned by the witness.

10 MS BERDENNIKOVA: [12:35:15]

11 Q. [12:35:16] Mr Witness, you may have heard that the interpreters didn't quite
12 catch a name that you mentioned in your last response. Can you say the name
13 again.

14 A. [12:35:39] I said it was about 3 o'clock in the morning {ICR: (Redacted)}
15 (Redacted)
16 (Redacted)}.

17 PRESIDING JUDGE SCHMITT: [12:35:55] We go to private session now.
18 (Trial Chamber confer)
19 (Private session at 12.36 p.m.)

20 THE COURT OFFICER: [12:36:17] We are in private session, Mr President.

21 PRESIDING JUDGE SCHMITT: [12:36:19] (Redacted)
22 (Redacted)
23 (Redacted)
24 (Redacted)
25 (Redacted)

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1 (Redacted)

2 A. [12:40:09] When we were over there, no one had a telephone. It was forbidden
3 to use a phone. It was only the chiefs, Coeur de Lion and the Chief Rambo, who
4 could use telephones.

5 Q. [12:40:29] And when you mention "over there", are you referring to -- what are
6 you referring to? (Redacted)

7 (Redacted)

8 A. [12:40:56] If I say "over there", I'm talking about Gbangba. And I repeat, it was
9 only the Chief Rambo and Chief Coeur de Lion and the Chief Abib who used
10 the telephone to communicate. But the other elements did not have the right to use
11 a telephone. (Redacted), it was
12 them who used the phone to communicate.

13 Q. [12:41:27] Can you explain why the other elements couldn't have a telephone.

14 A. [12:41:49] The (Redacted) ordered, commanded that no one use a telephone
15 because it was a rebel area. If you ran the risk of using the phone, you would be
16 regarded as a traitor or someone who wanted to betray the position of the group.
17 And so the use of a telephone was not allowed.

18 Q. [12:42:26] (Redacted)

19 (Redacted)

20 A. [12:42:48] (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 Q. [12:43:30] (Redacted)

2 (Redacted)

3 A. [12:43:55] (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 Q. [12:44:23] All right. I'd like to ask you now a little bit more about the weapons
8 that you had available (Redacted). So can you -- can you describe what kind of
9 weapons you had.

10 PRESIDING JUDGE SCHMITT: [12:44:33] Perhaps shortly before.

11 I'm reminded of that. I thought it is not necessary, but, of course, the Rule 74(3)(c)
12 assurance also means that the evidence in question "will not be used either directly or
13 indirectly against [the witness] in any subsequent prosecution by the Court", I think
14 the wording is, except under Article 70 and 71, of course. Okay.
15 (Redacted).

16 Because of that I'm - to make it sure - I think we should add that.

17 Of course I have interrupted you, so I would like to ask you to repeat the question.

18 I think the question was, Mr Witness, what kind of weapons were available
19 (Redacted).

20 MS BERDENNIKOVA: [12:45:52] That's right.

21 THE WITNESS: [12:45:53](Interpretation) (Redacted) we didn't
22 have a lot of arms or weapons. We had some A-4 -- 47, which the chiefs had. There
23 was three rocket launchers. So I repeat, there were these launch rockets and there
24 were some MAS-36 and some AK-47s.

25 THE INTERPRETER: [12:46:18] The interpreter corrects: AK-47.

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1 MS BERDENNIKOVA: [12:46:24]

2 Q. [12:46:25] And what type of -- what type of weapons did (Redacted) in
3 the group have, if any?

4 A. [12:46:49] In our group, most of the elements only had machetes and knives. I,
5 for example, I had a sword, a knife, and an arm called *dolodolo*.

6 Q. [12:47:12] And for those who are not familiar with the term "*dolodolo*", can you
7 describe what that is.

8 A. [12:47:29] *Dolodolo* is a type of bag which the military use to keep * the
9 magazines for their weapons. That is what we called *dolodolo*. It's a type of vest
10 which we used to carry the *magazines.

11 Q. [12:48:03] So who would -- who would carry the *dolodolo*? I understand you
12 had one. Did (Redacted) also carry such ammunition vests?

13 A. [12:48:28] Some carried bags with ammunition. Others only carried military
14 weapons. But they all were -- had their own machetes. Everybody was wearing
15 (Redacted) on the head and also carried a machete.

16 PRESIDING JUDGE SCHMITT: [12:48:52] Just to make it absolutely clear, this vest
17 that you spoke of, what was in the vest? What was stored, so to speak, in the vest?

18 THE WITNESS: [12:49:18](Interpretation) In the *dolodolo* there were the -- everything
19 for the AK-47 in order to be able to load them.

20 PRESIDING JUDGE SCHMITT: [12:49:30] When you say "everything", do you mean
21 bullets by that?

22 THE WITNESS: [12:49:46](Interpretation) Yes, there was ammunition in the bags, in
23 the *dolodolo* which I was carrying.

24 PRESIDING JUDGE SCHMITT: [12:50:01] But you did -- but you did not have a fire
25 weapon, did you?

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1 THE WITNESS: [12:50:18](Interpretation) Yes, because there weren't enough fire
2 weapons. There were many more machetes. It was the FACA, that's to say,
3 the chiefs that were carrying the firearms.

4 PRESIDING JUDGE SCHMITT: [12:50:31] And so what would happen to the bullets
5 in your vest?

6 THE WITNESS: [12:50:46](Interpretation) The vest that I was carrying with
7 the ammunition, in fact we were just behind the chiefs (Redacted)
8 (Redacted)
9 (Redacted)

10 PRESIDING JUDGE SCHMITT: [12:51:16] Okay. Please proceed.

11 MS BERDENNIKOVA: [12:51:25]

12 Q. [12:51:29] Did you -- did you have anything other than the bladed weapons that
13 you mentioned (Redacted)

14 A. [12:51:58] There was nothing else, except the machetes and the knives,
15 (Redacted)

16 Q. [12:52:10] And were you wearing any *gris-gris*?

17 A. [12:52:26] Yes, I did have a *gris-gris* in the form of a key which I attached to my
18 arm.

19 Q. [12:52:45] All right. You -- you already mentioned some of the tasks (Redacted)
20 (Redacted). I'd like to concentrate a little bit more on that for now. You
21 mentioned that you were behind the chiefs, if I understood correctly.
22 (Redacted)

23 A. [12:53:29] The task (Redacted) was to follow the chiefs, to go behind
24 the chiefs, and also to do something with (Redacted)
25 (Redacted)

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- 13 (Redacted)
- 14 PRESIDING JUDGE SCHMITT: [12:56:13] I have a question.
- 15 It's shortly before 1 o'clock, and I have the impression that you are relatively far
- 16 advanced, so perhaps it's better to have now the break and then start with these
- 17 details after the break. Just suggesting. Yeah.
- 18 MS BERDENNIKOVA: [12:56:30] I think it's a good suggestion.
- 19 PRESIDING JUDGE SCHMITT: [12:56:32] Okay. Good. Then we have now
- 20 the break.
- 21 Also, Mr Witness, have a good lunch until 2.30.
- 22 THE COURT USHER: [12:56:37] All rise.
- 23 (Recess taken in private session at 12.56 p.m.)
- 24 (Upon resuming in open session at 2.32 p.m.)
- 25 THE COURT USHER: [14:32:36] All rise.

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1 Please be seated.

2 PRESIDING JUDGE SCHMITT: [14:33:03] Yeah. We are in open session.

3 Ms Dimitri, you want to address the Court?

4 MS DIMITRI: [14:33:10] Thank you, Mr President.

5 Just a slight correction in the transcript. In English, page 52, we heard and it's

6 written "three rocket launcher", and in French, I heard it, but it doesn't appear in

7 the French transcript, page 51, line 20.

8 PRESIDING JUDGE SCHMITT: [14:33:26] So -- so what is then the right

9 understanding, the correct understanding?

10 MS DIMITRI: [14:33:32] The witness spoke about three rocket launcher, but it

11 doesn't appear in French, although it was interpreted and appears in the English

12 transcript.

13 PRESIDING JUDGE SCHMITT: [14:33:40] Thank you very much.

14 And we appreciate it. We said - so that we don't have -- not only we, but you also

15 don't have the work afterwards, or the parties - it's good if you address these things

16 immediately.

17 As I said, open session. Please continue with your examination.

18 MS BERDENNIKOVA: [14:33:55] Your Honours, I believe we'll have to go back into

19 private session.

20 PRESIDING JUDGE SCHMITT: [14:34:02] I only mentioned that we are in open

21 session so that we know we have to go to private session if need be.

22 So we go to private session, unfortunately, for the audience.

23 For how long? Quite some time, I assume. So we don't ...

24 MS BERDENNIKOVA: [14:34:29] I mean everything is relative, but another topic or

25 two.

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1 PRESIDING JUDGE SCHMITT: [14:34:35] Yeah, yeah, good.

2 (Private session at 2.34 p.m.)

3 THE COURT OFFICER: [14:34:40] We are in private session, Mr President.

4 (Redacted)

5 (Redacted)

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1 MS BERDENNIKOVA: [14:48:41]

2 Q. [14:48:43] (Redacted)

3 A. [14:49:10] Muslims are identified or recognised by the manner in which their
4 fences are built, which is generally in some kind of zinc, whereas the Christians do
5 not use the zinc or corrugated sheets.

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

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15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 MS BERDENNIKOVA: [14:59:46] Your Honours, I believe we can go back into

20 public session for the next portion.

21 PRESIDING JUDGE SCHMITT: [14:59:52] Yeah, then we trust you, like always, and

22 if it is not justified we go -- we go to open session now and we can go anytime back to

23 private session, if need be.

24 (Open session at 3.00 p.m.)

25 THE COURT OFFICER: [15:00:20] We're in open session, Mr President.

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1 MS BERDENNIKOVA: [15:00:28]

2 Q. [15:00:28] All right. So now let's move on to the Yamwara school that you
3 must mentioned. And to start with, can you provide us with a description of what it
4 was like.

5 A. [15:01:00] The Yamwara school is a school located behind the Foyer centre.
6 The school was functional and it is still functional. And during the events of that
7 period, that is where we were based.

8 Q. [15:01:34] And can you provide maybe a more physical description of it. Were
9 there several buildings there? You know, what did it look like?

10 A. [15:02:04] There were buildings, houses near the Yamwara school, but we were
11 sleeping inside the school itself. But around the school, there were residential
12 houses there.

13 Q. [15:02:31] All right. And you mentioned earlier that the number of Anti-Balaka
14 elements had increased after the 5 December attack. So where -- I mean, were these
15 Anti-Balaka elements then taking up the different buildings of the school? Can you
16 just describe a little bit more how -- how it was set up.

17 A. [15:03:19] At the Yamwara school we occupied all the buildings. The chiefs
18 lived in some buildings. Another one called COP, it is the secretary of
19 the Anti-Balakas who was living there, that was the person who was drawing up
20 the lists of the elements of the Anti-Balaka.

21 Q. [15:03:57] All right. And when you arrived at the Yamwara school, how were
22 the elements organised? Was it again in various sections, like it was at the base in
23 the bush previously?

24 A. [15:04:29] When we arrived the Yamwara school shortly afterwards, the chiefs
25 went to PK9 to go and fight. When they returned, after having chased off the Seleka,

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1 they recovered weapons, uniforms and they brought all that back to the Yamwara
2 school. They created new sections. And from that time on, each section lived or
3 occupied one of the classrooms.

4 Q. [15:05:14] And were the children who were in the group also assigned to
5 the various sections?

6 A. [15:05:34] At the Yamwara school, yes, all the children who were there were
7 distributed to each section. That is how come we erected barricades all around
8 the school, so as to be able to protect the base.

9 Q. [15:06:06] All right. So you've mentioned barricades. And I'd like to talk
10 a little bit more about the barricades. Can you -- can you describe them, where were
11 they and approximately how many there were.

12 A. [15:06:39] The barricades were many. Before arriving the Yamwara school
13 itself, there were many. Before arriving there, there were passwords, there were
14 passwords that we used to call each other, and those who did not respond correctly
15 were considered as enemies. {ICR: (Redacted)
16 (Redacted)
17 (Redacted)}.

18 Q. [15:07:27] Okay. I will come back to that later and follow up with a few more
19 questions on what you just said. But before we get to that point, can you -- can you
20 give an approximate number of the barricades manned by Anti-Balaka around
21 the Yamwara school at the time.

22 A. [15:08:04] All around the Yamwara school I can estimate that there were 10
23 barricades. There were barricades around the school, nearby the Foyer, towards
24 the Gbangaba school -- Kpangaba school. So you had barricades that were erected
25 almost everywhere.

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1 Q. [15:08:37] And who -- who would go to man these barricades? Was it both
2 adults and children who were in the group?

3 A. [15:09:08] They were mixed in those barricades. You had both children and
4 adults. You could have a chief who was armed and then next to him there could be
5 children such as myself. That is how things happened.

6 Q. [15:09:27] And who would decide on where the elements would be posted,
7 which barricades?

8 A. [15:09:52] The person who was responsible for distributing the elements was
9 Chief Rambo, that is with regard to the Yamwara school, of course.

10 Now, regarding the barricades themselves, it was Coeur de Lion.

11 Q. [15:10:16] And when -- when an element would be sent to -- to man
12 the barricades, how long would this posting take? You know, would they man
13 the barricades for an hour, a few hours, couple of days? How long did it usually
14 take?

15 A. [15:10:46] When someone is sent to man a barricade, well, you could spend
16 three or four days before returning to the base and then other people would be
17 assigned there, and so on and so forth.

18 Q. [15:11:12] Okay. Thank you for -- for that.

19 {PFR: (Redacted)}

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

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- 1 (Redacted)
- 2 (Redacted)
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- 4 (Redacted)}
- 5 (Private session at 3.12 p.m.)
- 6 THE COURT OFFICER: [15:12:28] We are in private session, Mr President.
- 7 PRESIDING JUDGE SCHMITT: [15:12:30] Thank you.
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
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- 12 (Redacted)
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11 Q. [15:35:09] All right. I'd like to show you a few photos. And if -- yeah, I'd like
12 to show you a few photos and then see if you can tell us anything about them.
13 The first one will be at tab 31.
14 And for the record, that's CAR-OTP-2119-0185.
15 I believe we're -- are we still in private session? If we are, we can go into open
16 session.
17 PRESIDING JUDGE SCHMITT: [15:35:45] I would just -- I would suggest that.
18 Thank you very much. You could read my mind. We go to open session, yes.
19 And when we show the photographs, please keep in mind what Ms Dimitri yesterday
20 wrote. No matter what, you can put any question in a manner that is relatively
21 neutral, so to speak. For example, this one, I could imagine your question, by
22 the way. Yeah.
23 (Open session at 3.36 p.m.)
24 THE COURT OFFICER: [15:36:18] We are in open session, Mr President.
25 MS BERDENNIKOVA: [15:36:25]

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1 Q. [15:36:26] Mr Witness, can you see a photograph on your screen?

2 A. [15:36:48] Yes, I do.

3 Q. [15:36:53] Can you tell us anything at all about the photograph, whether you
4 recognise the location or the building.

5 A. [15:37:20] That house resembles a house which was near the Yamwara school.

6 When we came out -- or, rather, when we were at the Yamwara school, this is
7 the house in which Chief Rambo used to live.

8 Q. [15:37:46] Thank you.

9 If we could go to tab 32, and for the record, that's CAR-OTP-2119-0186.

10 And if you can see the photo, I'll have the same question for you, whether you
11 recognise anything and what you can tell us about it.

12 A. [15:38:45] What I can say about the photo, and this is true, is that this is an old
13 photo. It was -- and these things happened a long time ago. I might have forgotten.
14 In fact, I think I'm not able to remember.

15 Q. [15:39:01] That's no problem.

16 I'd like to now -- well, actually, just one other question before moving on.

17 The previous picture that you identified as the building where the chiefs stayed,
18 where Chief Rambo stayed, was that part of the school compound, Yamwara school
19 compound, or was it a little bit farther away?

20 A. [15:39:52] This house was a little far off. It was a little far away from
21 the school.

22 Q. [15:40:07] All right.

23 If we could go to tab 36, which is CAR-OTP-2119-0191.

24 And, again, I realise it's been a few years, but if you do recognise the area or can tell
25 us anything about it.

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1 A. [15:41:02] This looks like the road or path leading to Carmel.

2 Q. [15:41:16] I will just show you two more photographs. One is at tab 40, at

3 CAR-OTP-2122-9817, and the other one is at tab 41, CAR-OTP-2122-9818.

4 PRESIDING JUDGE SCHMITT: [15:42:07] Perhaps one after the other. So I think

5 the witness will have one on the screen, one at a time, so it makes sense to ask him

6 one or the other.

7 MS BERDENNIKOVA: [15:42:20]

8 Q. [15:42:22] All right. Let's -- let's see the one there is on the screen now, which is

9 tab 41. Is this a location that you can tell us anything about? Can you see the photo

10 on your screen?

11 A. [15:42:50] This looks like the area where there were some burials. You see, in

12 the background there is a tree, and we buried quite a number of people under that

13 tree.

14 Q. [15:43:09] So would that be the area where some of the Muslim prisoners that

15 you described earlier would have been buried?

16 A. [15:43:33] Yes. Some Muslims were buried at that location, that is true.

17 Q. [15:43:44] Okay, thank you.

18 I believe we can just move on to -- I don't know if there's a need to go back to

19 the other photograph. It's kind of the same.

20 PRESIDING JUDGE SCHMITT: [15:43:58] No, I don't think so. I have an idea that

21 it might picture something that we have seen, sort of, already. So I think you can

22 move on. But it's up to you, of course.

23 Any information about the last picture, when it was taken, and any further

24 information for the Chamber. You can also do it in writing later on.

25 MS BERDENNIKOVA: [15:44:17] We can -- I'll have to check, double-check, and we

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1 can provide you with the answer.

2 PRESIDING JUDGE SCHMITT: [15:44:26] Yeah. It is not necessary with
3 the witness, but simply for further information.

4 MS BERDENNIKOVA: [15:44:29] I believe it was some years after the events, in fact.

5 PRESIDING JUDGE SCHMITT: [15:44:35] okay. Good. Thank you.

6 MS BERDENNIKOVA: [15:44:46]

7 Q. [15:44:47] Okay. So now that we're looked at a few photos, I would also like to
8 show you a couple of videos, and these videos were filmed in various, various
9 locations. And similarly to the photos, we'll play some footage and then we'll ask
10 you a couple of follow-up questions.

11 Your Honours, I -- I think we can play the videos, in fact, from our bench, because we
12 have, you know, HD versions that might be a bit clearer, visually.

13 PRESIDING JUDGE SCHMITT: [15:45:19] And can they be shown to the public?

14 MS BERDENNIKOVA: [15:45:22] I believe they can, but I don't know about
15 the answers.

16 PRESIDING JUDGE SCHMITT: [15:45:25] But the answers.

17 MS BERDENNIKOVA: [15:45:26] Yes.

18 PRESIDING JUDGE SCHMITT: [15:45:27] No, I think --

19 MS BERDENNIKOVA: [15:45:28] So maybe we --

20 PRESIDING JUDGE SCHMITT: [15:45:30] I think -- I think -- I think this could be
21 identifying. So unfortunately for the audience, we have to go to private session for
22 that.

23 (Private session at 3.45 p.m.)

24 THE COURT OFFICER: [15:45:56] We are in private session, Mr President.

25 MS BERDENNIKOVA: [15:46:04]

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1 Q. [15:46:07] So we will start with -- it's a very short video, and we'll play it in full.

2 And then, you know, maybe we can replay it and pause, if need be.

3 For the record, the video is at tab 4, and the ERN number is CAR-OTP-2065-1957.

4 I can read into the record the French, you know, the references to the French
5 transcripts and other transcripts, if that's helpful.

6 PRESIDING JUDGE SCHMITT: [15:46:47] I think it would be helpful for
7 the interpreters, probably. So why not?

8 MS BERDENNIKOVA: [15:46:54] Okay. So the ERN of the French translation, it's
9 at tab 43. The ERN is CAR-OTP-2127-6319.

10 And if we could have the floor to play the video.

11 THE COURT OFFICER: [15:47:25] The Prosecution already has the floor. Evidence
12 channel 2.

13 (Viewing of the video excerpt)

14 THE INTERPRETER: [15:47:46](Interpretation of the video excerpt) "The two
15 persons killed are already there. We want to go past in front of them. We wanted
16 to, but they said no. And so what is going to happen?

17 Good morning.

18 Good morning.

19 Did you see? Those are other persons who have just passed by.

20 At Gbangba, it is the Gbangba population that is there. But there are some visitors.

21 And, well, according to ..."

22 PRESIDING JUDGE SCHMITT: [15:49:12] Am I right in -- am I right in assuming
23 that it's less about what is being spoken than more about the footage?

24 MS BERDENNIKOVA: [15:49:20] Absolutely, correct.

25 PRESIDING JUDGE SCHMITT: [15:49:21] Okay. Then perhaps we continue from

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1 there.

2 MS BERDENNIKOVA: [15:49:23]

3 Q. [15:49:24] So, Mr Witness, just -- were you able to see the footage clearly?

4 A. [15:49:36] Yes, I saw it.

5 Q. [15:49:41] And again, is there anything you can tell us about it? You know, if

6 not, that's okay. But if there is anything that you can tell us or any -- anyone that

7 you would have recognised, please let me know.

8 A. [15:50:13] From what I saw in the excerpt, it was Chief Rambo who was having

9 a discussion or who was commanding the troops that were following him. If my

10 memory is correct, that group was in Boeing neighbourhood, and Chief Rambo was at

11 its head. I have seen some of the persons whom I know on the video, but I don't

12 remember -- I don't remember their names.

13 Q. [15:50:59] And did you happen to recognise the location of the video, or ...

14 A. [15:51:25] I think that the photograph and the video were taken around Kette

15 Goussa. If not in Kette Goussa, then it must be towards the road in Boeing, along

16 the path that leads to Dameca.

17 Q. [15:51:55] All right. Thank you.

18 I would just like to play and pause at minute 00:39, and I'll have one question, one

19 more question for the witness.

20 PRESIDING JUDGE SCHMITT: [15:52:13] So, in principle, when we have footage to

21 show to the witness where he does not appear in, I think we can give it a try in open

22 session. But we stay now in private session, or not? Okay, okay.

23 MS BERDENNIKOVA: [15:52:24] It's not always obvious.

24 PRESIDING JUDGE SCHMITT: [15:52:29] We keep it as it is at the moment. Okay,

25 please continue.

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1 MS BERDENNIKOVA: [15:53:04] Okay. So we -- we just stopped at 00:39.

2 Q. [15:53:10] I just want to ask you if you know the element who is wearing this
3 reddish-brownish turban in the screenshot?

4 A. [15:53:52] His face is covered and I have trouble identifying him.

5 Q. [15:53:59] That's no problem. Is this kind of headscarf that you sometimes saw
6 the elements wearing?

7 A. [15:54:27] Yes. There are other turbans that are red in colour, and then we also
8 had some -- some armbands.

9 Q. [15:54:48] All right. I'd like to move on to a next footage. And this is at tab 5.
10 For the record, it's CAR-OTP-2065 --

11 (Viewing of the video excerpt)

12 PRESIDING JUDGE SCHMITT: [15:55:11] Bit premature.

13 MS BERDENNIKOVA: [15:55:14] So 2065-3172. Again, it's more for the purposes
14 of the footage rather than the audio, but I can give also the French translation
15 reference.

16 PRESIDING JUDGE SCHMITT: [15:55:31] If -- if -- actually, if you do not want to
17 elicit information with regard to what is being said, I think we can simply play it, if
18 Mr Knoops or Ms Dimitri don't have any objections to that. So simply play it.
19 So we are looking at the visual effects here.

20 (Viewing of the video excerpt)

21 PRESIDING JUDGE SCHMITT: [15:57:37] And most of was understandable, by
22 the way, in French.

23 MS BERDENNIKOVA: [15:57:43] Indeed.

24 Q. [15:57:46] So, Mr Witness, the same question as before, if there's anything you
25 can tell us about the footage or if you recognised anyone?

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1 A. [15:58:12] Yes, the short person who was speaking with a *gris-gris* is *chef* Modibo.
2 The one who was in the background, much taller, was known as the giant. Then
3 the last person who spoke, saying he was a FACA, is a FACA from Boeing. And
4 then all the others are civilian members of the Anti-Balaka movement.

5 Q. [15:58:51] I think maybe just to make it very clear on the record of who
6 the witness is speaking about, we could -- we could pause on the scene where these
7 three people are visible.

8 All right. So we've paused at 00:55. The Chief Bodibo that you just spoke about,
9 and the giant, do they appear on the screen now?

10 A. [16:00:05] Chef Modibo is the one in the foreground. And then --

11 THE INTERPRETER: [16:00:19] Sorry, the interpreter didn't get the interpretation
12 from the Sango booth.

13 PRESIDING JUDGE SCHMITT: [16:00:26] Please ask again.

14 MS BERDENNIKOVA: [16:00:29]

15 Q. [16:00:29] Okay. So we --

16 PRESIDING JUDGE SCHMITT: [16:00:30] The person -- Mr Witness, the person
17 with the dark glasses and standing in the middle, do you know this person?

18 THE WITNESS: [16:00:54](Interpretation) (Redacted). The one with
19 the sunglasses, his nickname is *Tête de Mort*, *Cheveux de la Mort*, and each individual
20 used the nickname they wanted to bear within the group.

21 MS BERDENNIKOVA:

22 Q. [16:01:19] And just so it's clear on the record, Chef Bodibo is the man, like you
23 say, on the foreground who has the green kind of *gris-gris* or necklace around his neck
24 with the black jacket, right?

25 A. [16:01:53] Yes, that is correct.

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1 MS BERDENNIKOVA: [16:01:55] Your Honours, I'm conscious of the time, but we
2 do have three more relatively short videos to play.

3 PRESIDING JUDGE SCHMITT: [16:02:03] I suggest that we play them tomorrow. I
4 have the impression that you are far advanced. So we can do it this way.
5 Perhaps for this one, so that it's -- the record is clear, you have a translation of what is
6 being said. Could you please cite that for the transcript.

7 MS BERDENNIKOVA: [16:02:22] Yes, the French translation of that video that we
8 just saw, it's at tab 26 of our list and it's CAR-OTP-2118-5654.

9 I can give the reference of the transcript as well, but I'm not sure that's necessary, if
10 we have the French translation. But both are on our list.

11 PRESIDING JUDGE SCHMITT: [16:02:53] Well, that's fine, then.

12 So that -- we go shortly back to open session.

13 (Open session at 4.02 p.m.)

14 THE COURT OFFICER: [16:03:19] We're in open session, Mr President.

15 PRESIDING JUDGE SCHMITT: [16:03:22] Thank you very much.

16 Ms Berdennikova, do you have already an estimate for tomorrow? I have a certain
17 reason for asking. I know you have envisioned eight hours, but I am simply asking.

18 MS BERDENNIKOVA: [16:03:35] I believe I probably will need a little bit less
19 than -- than the eight hours. I can't say exactly whether, you know, two sessions
20 or --

21 PRESIDING JUDGE SCHMITT: [16:03:45] No, the reason why I'm asking is if -- if it
22 were -- if it were only two sessions, I assume Ms Dimitri would not want to start
23 tomorrow. This is the only reason why I'm asking, Ms Dimitri.

24 MS DIMITRI: [16:03:59] Mr President, surprisingly, I would like to start tomorrow if
25 there's a session left. The reason being, I'm a bit worried that I'm going to run out of

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1 time to finish by the 2nd. I really want to finish by the 2nd, but as you know, I have
2 a number of documents.

3 The second reason, I wanted to ask your Honours tomorrow if we could adjourn
4 at -- at 10 to 4. I have a -- I have a meeting with my daughter's teacher and I -- it's at
5 4.15 and I have to bike quite fast to the school.

6 PRESIDING JUDGE SCHMITT: [16:04:28] This seems absolutely reasonable.

7 MS DIMITRI: [16:04:31] Thank you.

8 PRESIDING JUDGE SCHMITT: [16:04:31] So -- but please remind me if I tend to
9 forget.

10 MS DIMITRI: I will. Thank you.

11 PRESIDING JUDGE SCHMITT: [16:04:32] So let's say a quarter to 4 tomorrow, so
12 that you're not in a rush.

13 MS DIMITRI: [16:08:00] Thank you very much.

14 PRESIDING JUDGE SCHMITT: [16:04:41] So, okay, this concludes then the hearing
15 for today. We resume -- thank you very much, Mr Witness. We resume tomorrow
16 at 9.30.

17 THE COURT USHER: [16:04:49] All rise.

18 (The hearing ends in open session at 4.04 p.m.)