

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 Patrice-Edouard
5 Ngaissona - ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and
7 Judge Chang-ho Chung
8 Trial Hearing - Courtroom 1
9 Monday, 30 May 2022
10 (The hearing starts in open session at 9.31 a.m.)
11 THE COURT USHER: [9:31:02] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:31:31] Good morning, everyone.
15 Court officer, please call the case.
16 THE COURT OFFICER: [9:31:37] 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 And for the record, we are in open session.
20 PRESIDING JUDGE SCHMITT: [9:31:52] Thank you.
21 The appearances of the parties. Ms Berdennikova for the OTP first.
22 MS BERDENNIKOVA: [9:31:57] Good morning, your Honours and everyone in the
23 courtroom. This morning the Prosecution is represented by Pierre Belbenoit Avich,
24 Kweku Vanderpuye, Yassin Mostfa, and myself Maria Berdennikova.
25 PRESIDING JUDGE SCHMITT: [9:32:11] Thank you.

- 1 And the representatives of the victims, Ms Douzima.
- 2 MS DOUZIMA LAWSON: [9:32:15](Interpretation) Good morning, Mr President.
- 3 The victims of the other crimes are represented by myself, Maître Douzima-Lawson,
- 4 assisted by Maître Mouhia Asso. Thank you.
- 5 PRESIDING JUDGE SCHMITT: [9:32:36] Thank you.
- 6 Mr Suprun.
- 7 MR SUPRUN: [9:32:37] Good morning, Mr President, your Honours. The former
- 8 child soldiers are represented 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: [9:32:49] Thank you.
- 11 I turn to the Defence. First of all, Ms Dimitri.
- 12 MS DIMITRI: [9:32:55] Good morning, Mr President. Good morning, your
- 13 Honours. Good morning, everyone. Mr Yekatom is present in the courtroom this
- 14 morning and he's represented by Ms Wilhelmina Whittingham, Ms Daniela
- 15 Mvougou Police, Ms Anta Guissé, Ms Sabine Bayssat, Mr Gyo Suzuki, Ms Lena
- 16 Casiez, Ms Laurence Hortas-Laberge, and myself, Mylène Dimitri.
- 17 PRESIDING JUDGE SCHMITT: [9:33:17] Well, quite a staff, so to speak.
- 18 And I turn to Mr Knoops.
- 19 MR KNOOPS: [9:33:22] Good morning, Mr President. Good morning, your
- 20 Honours. Good morning everyone in the courtroom. Our modest appearance
- 21 today with our team restricts to Ms Marie-Hélène Proulx, and Mr Alexandre
- 22 Desevedavy, and myself. And, of course, the defendant in the courtroom.
- 23 PRESIDING JUDGE SCHMITT: [9:33:40] You don't have to be too modest, frankly
- 24 speaking, yes.
- 25 MR KNOOPS: [9:33:42] Thank you, Mr President.

Trial Hearing
WITNESS: CAR-OTP-P-2475

(Open Session)

ICC-01/14-01/18

1 PRESIDING JUDGE SCHMITT: [9:33:43] And then we have counsel for the witness.

2 MR GOLUBOK: [9:33:46] Good morning, Mr President. Good morning, your
3 Honours. Good morning, colleagues, everyone present in the courtroom. I'm legal
4 adviser to the protected witness. My name is Sergei Golubok, I'm counsel. Thank
5 you.

6 PRESIDING JUDGE SCHMITT: [9:34:00] Thank you very much.

7 And, of course, good morning, Mr Witness. I hope you are feeling well and had a
8 good rest in the past couple of days.

9 WITNESS: CAR-OTP-P-2475 (On former oath)

10 (The witness speaks Sango)

11 THE WITNESS: [9:34:26](Interpretation) Yes, I feel good. But since yesterday I
12 started feeling the pain where (Redacted).

13 PRESIDING JUDGE SCHMITT: [9:34:47] Okay.

14 So, Mr Witness, whenever you think it is necessary that you need a break that you can
15 relax a little bit, calm down, whatever, please let us know. Please raise your hand
16 and then we will give you the chance to do so. Is okay?

17 THE WITNESS: [9:35:09] Very well.

18 PRESIDING JUDGE SCHMITT: [9:35:11] Okay. Then we continue with the
19 examination by the Prosecution.

20 Ms Berdennikova, you have the floor.

21 MS BERDENNIKOVA: [9:35:16] Thank you, your Honours.

22 I'm afraid that, unfortunately for the public, we'll have to finish this in -- in private
23 session. And I don't think I need more than 30, 45 minutes this morning.

24 PRESIDING JUDGE SCHMITT: [9:35:29] Okay. It's okay.

25 Then we go to private session.

1 (Private session at 9.35 a.m.)

2 THE COURT OFFICER: [9:35:46] We are in private session, Mr President.

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Trial Hearing
WITNESS: CAR-OTP-P-2475

(Private Session)

ICC-01/14-01/18

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Trial Hearing
WITNESS: CAR-OTP-P-2475

(Private Session)

ICC-01/14-01/18

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Page redacted – private session

Trial Hearing
WITNESS: CAR-OTP-P-2475

(Private Session)

ICC-01/14-01/18

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Page redacted – private session

Trial Hearing
WITNESS: CAR-OTP-P-2475

(Private Session)

ICC-01/14-01/18

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Page redacted – private session

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21 (Recess taken at 11.00 a.m.)

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

23 THE COURT USHER: [11:31:42] All rise.

24 Please be seated.

25 PRESIDING JUDGE SCHMITT: [11:32:07] Do the representatives -- do the

1 representatives of the victims have further questions for this witness?

2 MS DOUZIMA LAWSON: [11:32:25](Interpretation) Mr President, the
3 representatives of the victims of the other crimes are of the view that the witness's
4 testimony is clear and concise and, therefore, we do not intend to question this
5 witness.

6 Thank you, Mr President.

7 PRESIDING JUDGE SCHMITT: [11:32:46] Mr Suprun.

8 MR SUPRUN: [11:32:47] Mr President, I have three questions for this witness with
9 the Chamber's leave.

10 PRESIDING JUDGE SCHMITT: [11:32:57] Yes, please, start.

11 MR SUPRUN: [11:33:00] Thank you.

12 PRESIDING JUDGE SCHMITT: [11:33:09] We are in open session, Mr Suprun. Do
13 you think --

14 MR SUPRUN: [11:33:12] Yeah, I can -- I can ask my questions in open session.

15 PRESIDING JUDGE SCHMITT: [11:33:15] Okay. Thank you. Please proceed.

16 QUESTIONED BY MR SUPRUN: (Interpretation)

17 Q. [11:33:25] Good morning, Mr Witness. My name is Mr Suprun, and I represent
18 a group of victims who are former Anti-Balaka soldiers, and I have three questions for
19 you.

20 Mr Witness, during your testimony, you said that from 2013, you were unable to
21 continue your studies. My question is as follows: Does the fact that you didn't
22 continue your school education have -- did it have an impact on your life?

23 A. [11:34:12] Since 2013, when the Seleka came in, I did not attend school. I had
24 intended to go back to school. I really had the intention to return to school, but I
25 didn't have the resources and, then later on, we joined the Anti-Balaka -- or, should I

1 say that even when we left, the NGO asked us to return to school after testing us in
2 Mbaïki.

3 During those tests, they realised that I had the potential to return to school. They
4 asked me to go back to school, and I said I wasn't able to, but that I was ready to
5 undergo some kind of training.

6 Q. [11:35:01] Thank you, Mr Witness. You have just described some of the harm
7 that you suffered during your experience with the Anti-Balaka. My question is as
8 follows: If, at the end of this trial before this Court, Mr Yekatom is found guilty,
9 would you expect reparations for the harm you suffered?

10 A. [11:35:56] My wish is that at the end of this trial, I can register in a football
11 training centre, and, if it were possible for my training to be facilitated in that way, I
12 would really be happy. I wish to have an income-generating trade.

13 Q [11:36:28] Thank you, Mr Witness. I have no further questions for you.
14 Thank you, Mr President. That will be all.

15 PRESIDING JUDGE SCHMITT: [11:36:37] Thank you, Mr Suprun.

16 I give now the floor to the Defence of Yekatom.

17 Ms Dimitri, take your time to ...

18 MS DIMITRI: [11:37:26] Thank you, Mr President. Sorry for the delay.

19 QUESTIONED BY MS DIMITRI: (Interpretation)

20 Q. [11:37:35] Let me introduce myself. My name is Mylène Dimitri. I am the
21 lead counsel for Mr Yekatom.

22 I observed that you speak some French, that you reread your statement in French,
23 that you annotated some comments in French, and so, since you understand French, I
24 would ask you, in any event, to observe a break between my question and your
25 answer. This makes it possible for interpreters to properly interpret what is said and

1 also allows the court reporters to write down and record everything that is being said.

2 That's my first recommendation to you.

3 Do you understand it?

4 A. [11:38:38] Yes, I do.

5 Q. [11:38:39] My first question, Mr Witness, will address with you the statements
6 that you gave to the OTP in 2019 and in 2020. I would like to know -- well, you
7 explained to us how the Prosecutor contacted you, and I would like to know in
8 relation to the time of your first meeting with the OTP, did somebody come with you
9 to the appointment venue?

10 A. [11:39:36] At the first appointment with the OTP team, as I already today you, I
11 told you that initially, they had contacted (Redacted), but I don't know who gave
12 them (Redacted) phone number. It must have been the (Redacted) that
13 provided them with (Redacted) contacts. It is probably through that NGO that they
14 were able to contact (Redacted), and then he gave them my number. They called me
15 and indicated a location for our appointment, and I went there all by myself.

16 PRESIDING JUDGE SCHMITT: [11:40:21] We have to -- I think it was not an area
17 covered that had to be covered in private session, but we have to be sensible to that
18 issue, yeah, Ms Dimitri. I know you are, but I just want to remind you.

19 Also, we anticipate the answers, so that the witness -- the identity of the witness still
20 is concealed, of course.

21 MS DIMITRI: [11:40:47] Mr President, to play it on the safe side, maybe we go into
22 private session. And, unfortunately, I think it's going to be the case for the majority
23 of my -- of my examination. I'm sorry, but ...

24 PRESIDING JUDGE SCHMITT: [11:41:04] No, but this is -- actually, this is to be
25 expected.

- 1 We go to private session.
- 2 (Private session at 11.41 a.m.)
- 3 THE COURT OFFICER: [11:41:30] We are in private session, Mr President.
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Page redacted – private session

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Page redacted – private session

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Page redacted – private session

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Page redacted – private session

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Page redacted – private session

Trial Hearing
WITNESS: CAR-OTP-P-2475

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ICC-01/14-01/18

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Page redacted – private session

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Page redacted – private session

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Page redacted – private session

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Page redacted – private session

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Page redacted – private session

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Page redacted – private session

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Page redacted – private session

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Page redacted – private session

Trial Hearing
WITNESS: CAR-OTP-P-2475

(Private Session)

ICC-01/14-01/18

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(Recess taken at 12.35 p.m.)

1 (Upon resuming in private session at 12.39 p.m.)

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Page redacted – private session

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Trial Hearing
WITNESS: CAR-OTP-P-2475

(Private Session)

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