

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 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 Wednesday, 25 May 2022  
10 (The hearing starts in open session at 9.32 a.m.)  
11 THE COURT USHER: [9:32:46] All rise.  
12 International Criminal Court is now in session.  
13 Please be seated.  
14 PRESIDING JUDGE SCHMITT: [9:33:11] Good morning, everyone. Court officer,  
15 please call the case.  
16 THE COURT OFFICER: [9:33:14] 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: [9:33:31] Thank you.  
21 The appearance of the parties. Ms Berdennikova for the OTP.  
22 MS BERDENNIKOVA: [9:33:36] Good morning, your Honours. This morning the  
23 Prosecution is represented by Pierre Belbenoit-Avich, Kweku Vanderpuye, Yassin  
24 Mostfa and myself, Maria Berdennikova.  
25 PRESIDING JUDGE SCHMITT: [9:33:50] Thank you.

1 Ms Douzima.

2 MS DOUZIMA LAWSON: [9:33:51](Interpretation) Good morning, your Honour.

3 The victims of other crimes are represented by myself, Marie-Edith Douzima-Lawson,  
4 assisted by Evelyn Ombeni. Thank you.

5 PRESIDING JUDGE SCHMITT: [9:34:06] Mr Suprun.

6 MR SUPRUN: [9:34:07] Good morning, Mr President, your Honours. The former  
7 child soldiers are represented by Fiona Lau, associate legal officer, and myself,  
8 Dmytro Suprun, counsel at the Office of Public Counsel for Victims. Thank you.

9 PRESIDING JUDGE SCHMITT: [9:34:18] Thank you. I turn to the Defence. We  
10 start now, again, with Ms Dimitri. I know why. You have switched.

11 MS DIMITRI: [09:34:27] Good morning, Mr President. Good morning, your  
12 Honours. Good morning, everyone.

13 Mr Yekatom is present in the courtroom and he's represented today by Ms  
14 Wilhelmina Wittingham, Ms Anta Guissé, Ms Daniela Mvougou Police, Ms Sabine  
15 Bayssat, and myself, Mylène Dimitri.

16 PRESIDING JUDGE SCHMITT: [9:34:45] Mr Knoops.

17 MR KNOOPS: [9:34:47] Good morning, Mr President, your Honours. Good  
18 morning, everyone in the courtroom. This morning the Defence team of  
19 Mr Ngaïssona appears in the same composition as yesterday, that is to say Ms  
20 Marie-Hélène Proulx; on my right side in the second row, Ms Chiara Giudici and Mr  
21 Ali Alabdali, and at the third row, Mr Ngaïssona. Sorry, the right -- the right part of  
22 the courtroom, I see.

23 PRESIDING JUDGE SCHMITT: [9:35:10] But still the third row.

24 MR KNOOPS: [9:35:11] Yes, yeah, their row.

25 PRESIDING JUDGE SCHMITT: [9:35:12] Thank you very much. And we note, also,

1 the presence of Rule 74 counsel for the witness. Mr Golubok, welcome. Good  
2 morning.

3 MR GOLUBOK: [9:35:23] Good morning, Mr President, good morning, your  
4 Honours. Good morning, everyone in the courtroom. Witness P-2475 is advised by  
5 myself, Mr Sergey Golubok. Thank you.

6 PRESIDING JUDGE SCHMITT: [9:35:37] Thank you.

7 And, of course, most importantly, we welcome our witness again. Good morning,  
8 Mr Witness. We continue with your examination and it is still the turn of the OTP.  
9 Ms Berdennikova, you have the floor.

10 WITNESS: CAR-OTP-P-2475 (On former oath)  
11 (The witness speaks Sango)

12 MS BERDENNIKOVA: [9:35:56] Thank you, Mr President.  
13 Good morning, Mr Witness.

14 Just before I address the witness, I wanted to come back on a question that your  
15 Honours posed yesterday in relation to the photographs that we showed. So we  
16 checked and the photographs that were taken around the Yamwara and in  
17 surrounding area were taken about the investigators in September of 2019.

18 PRESIDING JUDGE SCHMITT: [9:36:25] Thank you.

19 QUESTIONED BY MS BERDENNIKOVA: (Continuing)

20 MS BERDENNIKOVA: [9:36:26]

21 Q. [9:36:26] So yesterday we stopped after playing a few videos, and I hope you've  
22 had a nice rest since yesterday and are ready to continue your testimony today.  
23 Are you feeling fine?

24 A. [9:36:57] Yes, I'm ready to answer your questions.

25 Q. [9:37:00] All right. Thank you.

1 We're going to play a few more videos, and I believe this can be done in public  
2 session. We will play them like yesterday from the Prosecution bench. So the first  
3 reference is tab 38. The ERN number is CAR-OTP-2120-0305. And we will be  
4 playing an extract of that video which is from 00:49 until 01:30. I'll give the  
5 transcript reference as well, which is at tab 24. CAR-OTP-2118-4772.

6 So, Mr Witness, just to clarify a little bit. We're going to do the same thing as we did  
7 yesterday and play the whole clip in one go, and then if need be we'll replay it and  
8 maybe pause in a couple of places.

9 (Viewing of the video excerpt)

10 THE INTERPRETER: [9:38:32] (Interpretation of the video excerpt) "Whereas  
11 any -- many still are hiding in the bush. Some came to the neighbourhood where  
12 they were surrounded by the new recruits.

13 I have already got my weapons. I'm waiting to fight. I am Central African 100 per  
14 cent. I've never carried a weapon, but because of what's happening in my country I  
15 want to protect my country.

16 In this abandoned school, the young fighters are learning military discipline, the  
17 methods of how to fight and physical training. Often presented as a poorly armed  
18 coalition, they explained how they get their arsenal."

19 MS BERDENNIKOVA: [9:39:26]

20 Q. [9:39:26] So can you tell us anything at all about the footage that you've just  
21 seen?

22 A. [9:39:46] What I can say as regards this video, you've just followed it directly.  
23 This is a training session. What you have seen is individuals with red headbands.  
24 You also saw the weapons, the hunting rifles which the elements used in order to  
25 fight against the Muslims. They weren't war weapons, but hunting weapons.

1 Q. [9:40:33] And did you happen to recognise the location where the video was  
2 filmed?

3 A. [9:40:53] I think that the video was taken near Gbangba and another video  
4 towards Gbangba, and I also know and see the Yamwara school. The part of the  
5 video was taken in the Yamwara school.

6 Q. [9:41:22] Okay. Thank you for that. I'd like to play the extract again and we  
7 will pause at 00:30 of the extract. But for the record, in the full version of the video,  
8 the original video in Nuix, it's at minute 01:14.

9 (Viewing of the video excerpt)

10 THE INTERPRETER: (No Interpretation)

11 MS BERDENNIKOVA: [9:42:30]

12 Q. [9:42:31] So the last part of the footage, as you've seen, was filmed inside a  
13 building. Is that the portion you were referencing when you spoke about the  
14 Yamwara school?

15 A. [9:42:54] Yes, that is the building of the school of Yamwara.

16 Q. [9:43:03] And just one more question on this video. Do you recognise the  
17 individual who is on the screen in the screenshot now?

18 A. [9:43:22] Yes, the person which you see on the screen is called Bougie Noire.  
19 It's one of the children.

20 Q. [9:43:33] Can you tell us a little bit more about Bougie Noire? We may need to  
21 go into private session.

22 Do you think -- if you think the answer might identify you in any way, let us know.  
23 We can go into private session.

24 PRESIDING JUDGE SCHMITT: [9:44:03] I think it's better to go to private session.

25 It's hard to decide for the witness, I think. Yeah. And we can quickly -- if your

1 further examination can be held in open session then we quickly go back, but to  
2 answer this question we go to private session.

3 (Private session at 9.44 a.m.)

4 THE COURT OFFICER: [09:44:35] We are in private session, Mr President.

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

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11 (Redacted)

12 (Redacted)

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21 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Open session at 9.48 a.m.)

5 THE COURT OFFICER: [9:48:19] We are back in open session, Mr President.

6 MS BERDENNIKOVA: [9:48:21]

7 Q. [9:48:21] So the next video that we'd like to play, it's at tab 6 of the Prosecution

8 binder, reference CAR-OTP-2065-3843 with French translation at tab 27,

9 CAR-OTP-2118-5668. So, again, we'll do the same. It's a relatively short footage, so  
10 we'll play it in full.

11 (Viewing of the video excerpt)

12 THE INTERPRETER: [9:49:03] (Interpretation of the video excerpt) "We don't -- only

13 Sango. The person which you see has been slaughtered, yes, and the body lays here.

14 Have you -- have you cut the meat? Have you put it in the pot? Yes, but there's no

15 cassava and there's not enough spices and there's not enough cassava. So go and

16 look. I've already bought some Maggi cubes. We have some salt. We're going to

17 look for some more cassava. But you're making too much noise. Speak one by one.

18 So let's make sure no one talks.

19 Keep your mouth shut. Let no one talk."

20 MS BERDENNIKOVA: [9:50:29]

21 Q. [9:50:29] So, Mr Witness, did you recognise anybody who appeared in the  
22 footage?

23 A. [9:50:54] What I've seen on these images is that there's one child who's called

24 Papillon. He was part of that section and he had just killed someone and (Redacted)

25 whether he really had killed the person and he said yes. (Redacted) if

1 he had bought all the condiments and he said, "Yes, we bought everything and there's  
2 some that remain. (Redacted) the person's throat." There was one chief who  
3 said, "No, you mustn't talk about this anymore. We have to keep this a secret.  
4 (Redacted) of the elements to deal with this and he had got up and thanked  
5 the chief.

6 Q. [9:51:47] All right. So now to avoid any confusion, we'll play the video again  
7 and we'll pause and then you can describe to us exactly who it is that you referenced  
8 to as Papillon. We'll -- we can try and pause at 00:22.

9 (Viewing of the video excerpt)

10 THE INTERPRETER: (No Interpretation)

11 MS BERDENNIKOVA: [9:52:40]

12 Q. [9:52:41] So does Papillon appear on the screen now?

13 A. [9:52:54] He's on the left. Papillon is the boy who's just next to the one  
14 who's -- is wearing a black tee shirt. That is Papillon. He's wearing a white tee  
15 shirt.

16 Q. [9:53:15] Okay. So he's the smaller boy in the beige kind of light tee shirt  
17 looking a little bit down. That's the one you mean?

18 A. [9:53:42] Yes, that's Papillon.

19 MS BERDENNIKOVA: [9:53:52] Your Honours, maybe just a brief private session.

20 PRESIDING JUDGE SCHMITT: [9:53:57] Yes.

21 (Private session at 9.54 a.m.)

22 THE COURT OFFICER: [9:54:10] We are in private session, Mr President.

23 (Redacted)

24 (Redacted)

25 (Redacted)

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(Private Session)

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1 (Redacted)

2 (Redacted)

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5 (Open session at 9.58 a.m.)

6 THE COURT OFFICER: [9:58:27] We are back in open session, Mr President.

7 MS BERDENNIKOVA: [9:58:30]

8 Q. [9:58:31] So the next video that we are going to play is at tab 7. And the  
9 reference is CAR-OTP-2065-3897. Again, we'll be showing just an excerpt of this  
10 video and that runs from 00:41 until 01:25.

11 And, Mr Witness, in the footage that we're going to play now, I will actually ask you  
12 to just pay particular attention to the women that appear in the background. It's a  
13 short excerpt again.

14 (Viewing of the video excerpt)

15 THE INTERPRETER: [9:59:32] (No Interpretation)

16 MS BERDENNIKOVA: [10:00:19]

17 Q. [10:00:20] So there were three different women that appeared in the background  
18 of the video.

19 Did you happen to recognise any of them you?

20 A. [10:00:43] I know all those three women, but the one who appeared first on the  
21 screen was Mr Coeur de Lion's girlfriend.

22 Q. [10:01:06] Do you happen to remember her name or her nickname?

23 A. [10:01:26] No, I no longer remember her nickname. As for the second woman,  
24 her name is Calenada.

25 Q. [10:01:47] Just to avoid confusion, maybe we can play --

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1 PRESIDING JUDGE SCHMITT: [10:01:51] The second -- do you recall, did she have  
2 a red shirt on? At least I recall it that the second lady had a red shirt on. So I think  
3 there is no confusion.

4 THE WITNESS: [10:02:17] Yes, she is the one, actually.

5 PRESIDING JUDGE SCHMITT: [10:02:20] Because the first is clearly the first. The  
6 second is the one with the red shirt and you can now ask the last one. So I think it's  
7 relatively clear. You don't have to play it again.

8 MS BERDENNIKOVA: [10:02:30] I'm being too careful.

9 PRESIDING JUDGE SCHMITT: [10:02:31] You can trust also a little bit the capacities  
10 to perceive on the Bench.

11 MS BERDENNIKOVA: [10:02:38] Of course, it's more for the record, for the  
12 transcript.

13 Q. [10:02:48] We'll move on now from the videos, so those were the videos I  
14 wanted to play this morning.

15 Now, yesterday we discussed your stay at the Yamwara school and I'd like to move  
16 away from that now.

17 So could you just tell us how long did you stay there at Yamwara?

18 A. [10:03:36] After the battle of the 5th, we withdrew to Yamwara, and thereafter  
19 we engaged battle again on the 25th and three days after that battle we went to Sekia.

20 Q. [10:03:57] And who made the decision for the elements to move to Sekia?

21 A. [10:04:15] The decision was taken by Chief Rambo who ordered all the elements  
22 to retreat to Sekia.

23 PRESIDING JUDGE SCHMITT: [10:04:30] Ms Dimitri.

24 MS DIMITRI: [10:04:31] Thank you, Mr President. Just for the clarity of the record,  
25 I see --

1 PRESIDING JUDGE SCHMITT: [10:04:37] You are barely audible. I don't know  
2 what the reason is.

3 MS DIMITRI: [10:04:43] I'm sorry. I have too many things on my desk here. I'm  
4 sorry.

5 PRESIDING JUDGE SCHMITT: [10:04:46] Much better.

6 MS DIMITRI: [10:04:47] I'm saying that I see in the transcript the 25th, but I'm not  
7 sure if I missed the month or if -- if the witness just didn't mention the month.

8 PRESIDING JUDGE SCHMITT: [10:04:56] Good question. We have, of course,  
9 something in mind, but it has to be spoken out. It's not what we think might we  
10 right.

11 Mr Witness, when you say the 25th, which month do you mean?

12 THE WITNESS: [10:05:29](Interpretation) After the battle of the 25th, we withdrew  
13 to Yamwara and then on the 28th or 29th, Chief Rambo asked us to go to Sekia.

14 PRESIDING JUDGE SCHMITT: [10:05:42] But, Mr Witness, which months do you  
15 mean? You said 25th, 28th, which month?

16 THE WITNESS: [10:06:02](Interpretation) January. After the fighting of 25 January,  
17 he asked all the elements to go to that location.

18 PRESIDING JUDGE SCHMITT: [10:06:17] Thank you, please continue.

19 MS BERDENNIKOVA: [10:06:22]

20 Q. [10:06:22] All right. So can you give us a description of Sekia?

21 A. [10:06:46] \*Sekia is a small locality not far away from town. There is a  
22 checkpoint in that town after PK9, a checkpoint which was set up at PK9. Now,  
23 when it comes to the Anti-Balaka base, we actually set up our base in Sekia. And  
24 then we set up a few barricades at Bangui-Bouchia and Mbaïki. That's how things  
25 happened.

1 Q. [10:07:26] And when, approximately, were these checkpoints set up? Was it  
2 after your move to Sekia, shortly after? You know, can you provide us an  
3 approximation?

4 A. [10:07:56] After we left Yamwara, we went to Sekia. And it is after we settled  
5 in Sekia that we set up the PK9 checkpoint which was controlled by Habib. And the  
6 second checkpoint was set up in Sekia. And then there was another one at Samba.  
7 And then we had the Sekia checkpoint and then Kapou, and then another one at Pissa  
8 and another one again at Bouchia, Mbaïki, Mbata and Mongoumba.

9 Q. [10:08:49] All right. And we will come back to those checkpoints in a little bit  
10 more detail. First, I want to ask you, when you arrived in Sekia who was there?  
11 Did you see civilians there?

12 A. [10:09:15] When we arrived at Sekia, the checkpoint had been lifted. There was  
13 almost no one there and so the chiefs set up there, but four days after (Redacted)  
14 (Redacted)  
15 (Redacted) and then later on went on to set up  
16 other checkpoints. The Muslims from Sekia fled to seek refuge in Pissa and then  
17 they found out there were Anti-Balaka in that neighbourhood and that's how they  
18 then fled to seek refuge in Mbaïki.

19 Q. [10:10:13] And how did you know that the Muslims fled to Mbaïki and -- well,  
20 first to Pissa and then to Mbaïki?

21 A. [10:10:41] As we advanced towards Sekia, we got to Sekia, but there were no  
22 Muslims there. The inhabitants told us that they had moved to Pissa. So we went  
23 to Kapou, but there were no Muslims there at Kapou. They had learnt that the  
24 Anti-Balaka were advancing, so people -- Muslims from those areas, that is Samba  
25 and Pissa, took refuge at the Mbaïki mosque to which they fled.

1 Q. [10:11:24] Now, yesterday, you mentioned that (Redacted)

2 (Redacted) and, you know, I'm speaking about the 5 December attack and

3 the Yamwara school.

4 PRESIDING JUDGE SCHMITT: [10:11:35] I think we go to private session to discuss  
5 this.

6 MS BERDENNIKOVA: [10:11:37] Okay.

7 (Private session at 10.11 a.m.)

8 THE COURT OFFICER: [10:11:55] We are in private session, Mr President.

9 (Redacted)

10 (Redacted)

11 (Redacted)

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18 (Open session at 10.16 a.m.)

19 THE COURT OFFICER: [10:16:00] We are back in open session, Mr President.

20 MS BERDENNIKOVA: [10:16:06]

21 Q. [10:16:06] All right. So the next series of questions I'll ask you a little bit more

22 about the organisation, the kind of structure of the Anti-Balaka elements at Sekia. So

23 not about you individually, but about the group in general.

24 Now, when you -- when your -- when the group arrived in Sekia, how was it

25 organised? Where did the elements stay, for instance? Where did they sleep?

1 A. [10:16:53] When we arrived in Sekia, we slept in schools, in school buildings in  
2 Sekia.

3 Q. [10:17:09] And were the elements, again, divided into sections like it was done  
4 in the previous places?

5 A. [10:17:31] When we arrived in Sekia, some of them remained in Sekia within the  
6 school premises or otherwise in other buildings. But for the rest of us, we had  
7 moved on to Mbaïki, all the way to Mbaïki.

8 Q. [10:18:07] All right. And yesterday you spoke about the weapons and the type  
9 of ammunition that was available for the 5 December attack.  
10 Has the situation in relation to the weapons changed? Did you have the same kinds  
11 of weapons available to you in type and in number or not?

12 A. [10:18:48] When we arrived in Sekia, that was after the fighting. We had a lot  
13 more weapons at Sekia because we had recovered some weapons at PK9 from Seleka  
14 who were fleeing. So while we were in Sekia, we had more weapons than we had  
15 had before.

16 PRESIDING JUDGE SCHMITT: [10:19:13] May I shortly.

17 Mr Witness, the question might sound a little bit strange, but when you were in Sekia,  
18 had also something changed with regard to your clothing?

19 THE WITNESS: [10:19:45](Interpretation) While in Sekia, we were wearing military  
20 uniforms. We had military rangers and we dressed up like soldiers.

21 PRESIDING JUDGE SCHMITT: [10:20:02] Where did these uniforms come from?

22 THE WITNESS: [10:20:21](Interpretation) They were distributed to us by the chiefs,  
23 those military uniforms were distributed to us by the chiefs.

24 PRESIDING JUDGE SCHMITT: [10:20:32] Yeah, please continue.

25 MS BERDENNIKOVA: [10:20:33]

1 Q. [10:20:33] Can you provide a visual description of these uniforms and what they  
2 looked like?

3 A. [10:21:00] Well, you know, we had military uniforms like military green colour,  
4 the type of uniforms that were worn by elements of the presidential guard.

5 Q. [10:21:26] Was there any headgear that was part of the uniforms?

6 A. [10:21:43] Yes, some of us had green berets, others had black berets and others  
7 still had red berets. Some elements had entire and complete military uniforms,  
8 while some may have had only the trouser and not the top, while others had the top  
9 and not the trouser. That's how it was.

10 Q. [10:22:22] And I'd like to also ask you a follow-up questions about the weapons.  
11 You described that you had more weapons available to the group.  
12 What type of weapons were these?

13 A. [10:22:49] While we were in Sekia, we had AK-47s and MAS-36 in great  
14 numbers.

15 Q. [10:23:14] And I will jump back to uniforms for one more question.  
16 What were you wearing at the time that you were in Sekia?

17 A. [10:23:37] While I was in Sekia, I had not yet received a military uniform. It is  
18 when we got to Mbaïki (Redacted), and then we  
19 advanced to Bouchia where I got the military uniform top. It is only when we got  
20 back to Sekia \*that I received a full and completely military uniform. From  
21 Mongouba and Bangui-Bouchia, the Chief Emma bought me a military uniform

22 PRESIDING JUDGE SCHMITT: [10:24:28] Just wait a second.  
23 Mr Golubok.

24 MR GOLUBOK: [10:24:28] Mr President, I think the Rule 74(3)(c) assurances would  
25 be appropriate for the last answer, and also the appropriate redaction given the

1 specific information provided by the witness.

2 PRESIDING JUDGE SCHMITT: [10:24:51] I think we can discuss this further in  
3 private session.

4 (Private session at 10.25 a.m.)

5 THE COURT OFFICER: [10:25:13] We are in private session, Mr President.

6 (Redacted)

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- 11 (Recess taken at 10.50 a.m.)
- 12 (Upon resuming in open session at 11.33 a.m.)
- 13 THE COURT USHER: [11:33:18] All rise.
- 14 Please be seated.
- 15 PRESIDING JUDGE SCHMITT: [11:33:40] Are we in private session?
- 16 We are in open session, so unfortunately for the audience we have to go to private
- 17 session.
- 18 (Private session at 11.34 a.m.)
- 19 THE COURT OFFICER: [11:34:03] We are in private session, Mr President.
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18 (Recess taken at 12.55 p.m.)  
19 (Upon resuming in open session at 2.02 p.m.)  
20 THE COURT USHER: [14:02:52] All rise.  
21 Please be seated.  
22 PRESIDING JUDGE SCHMITT: [14:03:16] First of all, I take it we are in private  
23 session? Not in private session.  
24 Can we, Ms Dimitri, discuss what you want to discuss in open session? Then we do  
25 that, yes.

1 MS DIMITRI: [14:03:28] Thank you, Mr President. Since I'm obviously not going to  
2 start today, I discussed with my team and my client, and with your permission, I will  
3 discreetly leave at 15:45 to attend my school date and you can continue the hearing in  
4 my absence obviously.

5 PRESIDING JUDGE SCHMITT: [14:03:44] I think others also plan to discreetly leave,  
6 as I have heard in the meantime. But perhaps something extraordinary happens that  
7 Ms Berdennikova has finished until quarter to four.

8 Without further ado, then, can you continue in open session or do we have to go to  
9 private session?

10 MS BERDENNIKOVA: [14:04:04] We can stay in open session for a little bit.

11 PRESIDING JUDGE SCHMITT: [14:04:09] So then we do that. Please continue.

12 MS BERDENNIKOVA: [14:04:14]

13 Q. [14:04:14] Mr Witness, you mentioned before the lunch break this morning that  
14 in Sekia elements were manning barricades to collect money from passersby. So I'd  
15 like to ask you a few clarifications about that.

16 You already mentioned that there were several barricades around Sekia and nearby  
17 places. Can you describe how the manning of the barricades took place in these  
18 places.

19 A. [14:04:49] We were working on the barricades. A first barricade was along the  
20 PK9 bridge, and the chief sent people regularly over there to stand guard. There was  
21 also a barricade in Samba and people were used there as well every second day.

22 There was also a barricade in Sekia. During the gatherings, they designated  
23 individuals who were deployed to stand guard on the Sekia barricade. So they sent  
24 groups of 10 to the barricades of Kapou and that happened every two days.

25 What we did is that people who didn't have identity on them had to pay 250 CFA.

1 The vehicles who went through had to also fill in formality, so did the motorbikes.

2 And this is how we got money and then we gave it to the chief.

3 We stood guard every two days. And when we went to the back, we gave 3,000

4 CFA to the guard and the rest was sent and distributed per section to enable the

5 elements to find food whilst waiting before they -- it was their turn to stand guard at

6 the barricades.

7 Q. [14:07:18] Okay, thank you for those clarifications.

8 I just have a couple of follow-up questions from what you said. You mentioned that

9 the chief sent people to man barricades and said that the chiefs designated

10 individuals to stand guard. Can you provide more details on who were these chiefs

11 or chief?

12 A. [14:08:01] The main base of the Anti-Balaka was in Sekia. Behind the church

13 there was a building where the secretary of the Anti-Balaka resided. He organised

14 the different detachments going to the different barricades.

15 Q. [14:08:36] Do you happen to recall the name of the secretary of the -- of

16 Anti-Balaka?

17 A. [14:08:53] The secretary of the Anti-Balaka was called CB Celio.

18 Q. [14:09:05] All right. And you also mentioned that the money that was collected

19 at the barricades was distributed, you know, among the different sections and you

20 said that money was also given to the chief. Can you specify which chief the money

21 was given to?

22 A. [14:09:41] At the checkpoint there were ComZones and those ComZones were

23 always at the checkpoints. When the elements were deployed to go to the barricades,

24 it was the ComZones who distributed duties and the money was handed to the

25 ComZones, who afterwards distributed 3,000 or 4,000 to the elements. At the end,

1 they sent all the money to Sekia to the chief who was head of the section, and from  
2 there they redivided money for feeding the elements. \*And then the money was sent  
3 to the bureau, which was called CCP, this was the office that was organised or  
4 managed by the secretary.

5 Q. [14:10:46] And can you tell us a little bit more about the tasks of the secretary?

6 A. [14:11:08] CB Celio was responsible for recording all the Anti-Balaka elements.  
7 He had the list of the elements and the elements were divided into sections. When  
8 the money was sent he received the money and he distributed the sums between the  
9 various sections.

10 Q. [14:11:41] All right. I'd like to ask questions on a different topic now which  
11 might be identifying (Overlapping speakers)

12 PRESIDING JUDGE SCHMITT: [14:11:50] Then we go to private session, yeah.

13 (Private session at 2.11 p.m.)

14 THE COURT OFFICER: [14:12:00] We are in private session, Mr President.

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24 (Open session at 2.22 p.m.)

25 THE COURT OFFICER: [14:23:01] We're in open session.

1 MS BERDENNIKOVA: [14:23:15] Okay. So for the record, the reference to the  
2 video that we're going to play, it's tab 13, CAR-OTP-2094-7618. We're only going to  
3 play an excerpt from that video which is from minute 09:45 until 11:56. And again  
4 for the record, the French translation of that video is at tab 21, CAR-OTP-2118-4260.  
5 So we'll play again -- as previously, we'll play the video, it's only a couple of minutes  
6 long, and then ask a few follow-up questions and potentially then do a couple of  
7 screenshots.

8 (Viewing of the video excerpt)

9 MS BERDENNIKOVA: [14:26:40]

10 Q. [14:26:40] Can you tell us anything about the footage that you've just seen?

11 A. [14:27:05] That video extract shows us the Sekia base. I see Chief Rambo. I  
12 see Chief Coeur de Lion. I also see other chiefs, but it's not so clear. I can't  
13 remember all the names. I also saw Bojor (phon). I saw women who worked with  
14 us, I saw them in that video.

15 MS BERDENNIKOVA: [14:27:43] Well, as the witness is obviously able to identify  
16 some people, in order to make it more clear, maybe we could play the excerpt again  
17 and I wonder what's the best way to do it. We could pause maybe in places where  
18 there are people, multiple people appearing and go through those screenshots.

19 PRESIDING JUDGE SCHMITT: [14:28:11] If this can be done, it's fine. It should  
20 not be too suggestive so that we have one person on the screen and he is asked: Is  
21 this A or B? Well, we don't have to talk about Mr Yekatom here, I think. But  
22 it's -- Ms Dimitri, I know you have other -- other worries and -- so how could we do  
23 that? Or the witness could indicate.

24 Mr Witness, we are thinking that when you -- apart from Mr Yekatom, when someone  
25 appears on the screen that you think you recall and can name, then simply raise your

1 hand perhaps and then we stop it there. Is this okay with you?

2 Thank you very much.

3 THE WITNESS: [14:29:08](Interpretation) That's fine.

4 PRESIDING JUDGE SCHMITT: [14:29:10] Perhaps we can put the tone a little bit  
5 down. It's not about the tone here, it's about the footage, so to speak.

6 And since Prosecution I think is playing it, so please be aware when the witness raises  
7 his hand that we can immediately stop it so that we have really the right point in time,  
8 so to speak, where we can ask him the question.

9 MS BERDENNIKOVA: [14:29:56] We're coordinating that.

10 (Viewing of the video excerpt)

11 PRESIDING JUDGE SCHMITT: [14:30:19] Stop.

12 And now we ask in a neutral manner whom -- Mr Witness, whom do you -- can you  
13 identify here, apart from Mr Yekatom? If you can.

14 THE WITNESS: [14:30:41](Interpretation) The people on the screen are people  
15 whom I know, but I have forgotten their names. But the one next to Rambo is Chief  
16 Sesse Ngounda (phon).

17 PRESIDING JUDGE SCHMITT: [14:30:59] Okay, thank you.

18 MS BERDENNIKOVA: [14:31:00] Your Honours, for the record, I will read in the  
19 timestamp, but of course it's -- with the caveat that it's the timestamp of the excerpt  
20 and the excerpt starts at minute 9:45 so this is the timestamp 00:12 of -- of that excerpt.

21 PRESIDING JUDGE SCHMITT: [14:31:22] Thank you. I think we can indeed do it  
22 this way.

23 Thank you for your cooperation, Mr Witness.

24 And we can now continue with playing the footage. Or not. Perhaps we wait a  
25 second.

1 Ms Dimitri.

2 MS DIMITRI: [14:31:35] It's just for the record, so I understand, the excerpts will  
3 be -- the excerpts will be submitted? Because I think your excerpt is shorter than the  
4 initial video so it might -- it might lead to confusion.

5 MS BERDENNIKOVA: [14:31:50] It is shorter. It's a portion of a -- of a longer video  
6 indeed. I think the full video is about 27 minutes. That's possible to --

7 MS DIMITRI: [14:32:00] I don't mind. I just want to know -- (Overlapping  
8 speakers)

9 PRESIDING JUDGE SCHMITT: [14:32:02] No, no, it's (Overlapping speakers).

10 MS DIMITRI: [14:32:03] -- for the record.

11 PRESIDING JUDGE SCHMITT: [14:32:05] Yeah, the exercise only makes sense if,  
12 when we -- let's now personalise it. If the judges sit in the deliberation room at some  
13 point in time and want to see it and really find the exact spot, only then it makes  
14 sense. So I think the excerpt would be fine with us, I would assume. And if taking  
15 this into regard, if then the timestamp was okay -- or you can also -- you can also tell  
16 us where it is from the full video, if you want to submit the full video. I don't want  
17 to restrain yourself. There might be -- there might be other portions of the video of  
18 interest. But then I think it would make sense to identify where we are here with  
19 this footage in the full 27 minutes. That would be better perhaps even. I don't want  
20 to be too complicated. Ms Dimitri has a point of course here.

21 (Counsel confers)

22 PRESIDING JUDGE SCHMITT: [14:33:17] It should be possible to tell us. I  
23 thought -- I thought you have started by zero. So does it make any difference at all?  
24 It does. Okay, it does. Mr Vanderpuye is -- does not agree with me.

25 MS BERDENNIKOVA: [14:33:33] I mean, in essence, just to make it very clear, we

1 started at minute 9:45 of the full original video.

2 PRESIDING JUDGE SCHMITT: [14:33:42] So then we have -- I'm not the one for that.

3 Somebody can do the math, please, for us. I'm on the *iudex non calculat* front

4 actually.

5 And indeed I get now a notice by my staff, it is better to refer to the complete video

6 because otherwise also in the future for Defence or whomever, if we submit

7 additionally extracts, it makes things much more complicated. So I think we should

8 really try to figure out where we are.

9 So 9:40 and here we are at ...

10 MS BERDENNIKOVA: [14:34:25] So this would be 9:57 of the original video, as it's

11 12 seconds into the excerpt.

12 PRESIDING JUDGE SCHMITT: [14:34:35] Okay. Then if there's no objection, to

13 put it this way, by any of us here, then I think we take it at that and perhaps we can

14 continue by (Overlapping speakers)

15 MS BERDENNIKOVA: [14:34:47] Your Honours, the other suggestion that I could

16 maybe have is to -- for the court officers to play the video from Nuix, and then we

17 would have those timestamps. The reason why we're playing it from our bench is

18 because the quality is -- is in HD, whereas the version that is available in Nuix

19 unfortunately is of a lower quality so it's harder potentially for (Overlapping

20 speakers)

21 PRESIDING JUDGE SCHMITT: [14:35:12] Wait, but -- but please, this is not such a

22 complicated mathematical operation, so -- and then we are -- there is -- quality I think

23 should be predominant here.

24 So, Mr Witness, you see sometimes there's a back and forth. This might even amuse

25 you a little bit, but we really try to have something, a procedure here where we can

1 really figure it out when we have left this courtroom, let's say a couple of months later,  
2 so this is the reason why we are discussing this.

3 So I think we can continue from there. And we always start then from 9 -- 9 minutes  
4 40 something and then we add what we have here. I think that should be possible.  
5 So we continue with playing the video, please.

6 (Viewing of the video excerpt)

7 PRESIDING JUDGE SCHMITT: [14:36:42] Stop.

8 MS BERDENNIKOVA: [14:36:45]

9 Q. [14:36:46] Can you tell us who it is that you recognise?

10 A. [14:37:06] The woman standing, whom you can see, is the one who cut off  
11 Dido's genitals in Mbaiki.

12 Next to her is Bougie Noire in a white T-shirt.

13 And the one who is somewhat behind with something on the head is Achille.

14 As for the others, I recognise their faces, but I don't remember their names.

15 PRESIDING JUDGE SCHMITT: [14:38:04] May I shortly.

16 You know this Achille that you mentioned, does he wear a yellow shirt? Do you  
17 mean this person?

18 THE WITNESS: [14:38:30](Interpretation) No, not that one who is in yellow. The  
19 one wearing some kind of cap which is reddish and who is further in the back.

20 PRESIDING JUDGE SCHMITT: [14:38:46] And that was a deliberate try by me, to  
21 put it this way. Good. And then we have -- perhaps we have to ask, the woman is  
22 I think clear, but the second guy he mentioned, this Bougie Noire, perhaps we have to  
23 verify this, whom he means. He can -- perhaps he can describe where he is, number  
24 one on the picture, or second from left, or whatsoever.

25 MS BERDENNIKOVA: [14:39:16] Yes. First I'd like to put into the record the

1 timestamp. And the timestamp of the original video here is 10:35.

2 Q. [14:39:34] So the woman you -- you identified a woman, the woman who cut  
3 Dido's genitals. Is -- is she the woman who is on the right of the photo wearing a  
4 camouflage military uniform and with sunglasses hanging in the front?

5 A. [14:40:06] Yes.

6 Q. [14:40:08] And --

7 A. [14:40:10] She's the one.

8 Q. [14:40:11] And Bougie Noire, you mentioned he's wearing a light T-shirt.

9 Is -- is that the individual in the forefront of the screen -- of the screenshot who is  
10 more towards the left of the picture?

11 A. [14:40:37] Yes, he's the one.

12 Q. [14:40:42] I believe we can move on.

13 PRESIDING JUDGE SCHMITT: [14:40:48] Yes.

14 (Viewing of the video excerpt)

15 PRESIDING JUDGE SCHMITT: [14:41:07] Stop.

16 MS BERDENNIKOVA: [14:41:18] Okay. So this, for the record, will be at minute  
17 10:48 of the original video.

18 Q. [14:41:36] Can you tell us who you recognise here?

19 A. [14:41:53] The person wearing a military uniform and is holding something in  
20 his hand is called Jospin.

21 Q. [14:42:13] I see multiple people here wearing a military uniform. Can you  
22 clarify the height of the individual or where they are in the screenshot?

23 A. [14:42:42] He is to the right and is wearing a bracelet.

24 Q. [14:42:56] Is he the individual who has a kind of --

25 PRESIDING JUDGE SCHMITT: [14:43:03] Has a watch on his left -- give it a try,

1 who has a watch on his left hand?

2 THE WITNESS: [14:43:18](Interpretation) Yes, that's the one.

3 PRESIDING JUDGE SCHMITT: [14:43:21] We can move on then.

4 Do you recognise more -- of course. Do you recognise more people? You may  
5 answer. I interrupted you.

6 THE WITNESS: [14:43:45](Interpretation) The one who is wearing a yellow T-shirt  
7 under a military attire, I know his name.

8 PRESIDING JUDGE SCHMITT: [14:44:09] And can this name be provided in open  
9 session or should we go to private session, Mr Witness?

10 THE WITNESS: [14:44:39](Interpretation) In fact, I don't know his real name.

11 PRESIDING JUDGE SCHMITT: [14:44:45] Okay, then. And under what nickname  
12 do you know him, if it is a nickname?

13 THE WITNESS: [14:44:59] (Interpretation) Yes, yes, I do.

14 PRESIDING JUDGE SCHMITT: [14:45:04] And what is the name?

15 Okay.

16 THE WITNESS: [14:45:13](Interpretation) Papillon.

17 PRESIDING JUDGE SCHMITT: [14:45:18] I think then we continue from there.

18 (Viewing of the video excerpt)

19 PRESIDING JUDGE SCHMITT: [14:45:33] Again stop.

20 MS BERDENNIKOVA: [14:45:45] Just for the record, this will -- this is minute 10:54  
21 of the original video.

22 Q. [14:45:59] Can you tell us who it is that you recognised?

23 A. [14:46:14] The person in front on the photograph, I know him.

24 Q. [14:46:25] Can you describe what the person that you know is wearing. There  
25 are some people in a camouflaged uniform and then there is a man in a plain green

1 uniform or jacket. Which one are you talking about?

2 A. [14:46:51] The one who is in the forefront of the photograph with a lot of hair  
3 and whose uniform is short-sleeved.

4 Q. [14:47:09] Okay. So I think that's the individual who is in the middle of the  
5 screenshot standing in the foreground next to the person who has the plain green  
6 jacket on.

7 And what is the -- who is this person?

8 A. [14:47:32] I was not talking about the individual with a green T-shirt, no, no, no,  
9 no, no. I am talking about the person who is in front who has a lot of hair. That is  
10 the person I am referring to.

11 PRESIDING JUDGE SCHMITT: [14:48:00] Actually I also understood that this is the  
12 person. And who is this person?

13 THE WITNESS: [14:48:17](Interpretation) The person I am talking about is the one  
14 who is in front and his name is Freddy.

15 PRESIDING JUDGE SCHMITT: [14:48:34] And for the record, the time -- two  
16 timestamps, to be sure. First the timestamp from the whole video and then perhaps  
17 so that we cannot make any mistake, from the extract too. So that's the best way.

18 MS BERDENNIKOVA: [14:48:52] The timestamp of the whole video should be 10:54.  
19 And the timestamp of this excerpt is 1:09. And as indicated previously, the previous  
20 screenshot was at timestamp 10:48, which I think I mentioned already in the record,  
21 which was minute 1:03 of the excerpt.

22 (Viewing of the video excerpt)

23 MS BERDENNIKOVA: [14:49:46] Now we stop at minute 1:17 of the excerpt. So  
24 that would be minute 11:02, if my calculations are correct, of the original video.

25 THE WITNESS: [14:50:22] (Interpretation) Can you please bring the photograph a

1 little bit backwards.

2 MS BERDENNIKOVA:

3 Q. [14:50:35] Is this a good place? Okay.

4 So now we stop at just one minute earlier at 1:16 of the excerpt, which is 11:01 of the  
5 original video.

6 Can you tell us who it is that you recognise here?

7 A. [14:51:12] On the left of the photograph the person on the left is called Merlin.

8 Q. [14:51:30] Can you describe what the person is wearing, just so there's no  
9 confusion as to who you're talking about.

10 A. [14:51:48] He is the one standing next to the one who has some kind of a turban  
11 around his neck. So it is the individual who is at the end of the photograph. His  
12 name is Merlin.

13 Q. [14:52:17] I think that's clear and we can probably continue.

14 (Viewing of the video excerpt)

15 MS BERDENNIKOVA: [14:53:06] Okay, and now we are at minute 1:52 of the  
16 excerpt, which is -- which is minute 11 zero -- no, not zero. 37, minute 11:37 of the  
17 original video and minute 1:52 of the excerpt.

18 Q. [14:53:52] Can you tell us who you identify here?

19 A. [14:54:03] The individual with a red beret is -- used to be called Coeur de Lion.

20 I have forgotten the name of the person who is standing behind Rambo. He was the  
21 ComZone of Sekia and he was the one who manned and supervised the checkpoint or  
22 roadblock in Sekia.

23 Then the one who is in the background with a weapon is *Chef* Boica (phon).

24 Oh, I'm sorry, I'm sorry, the one behind with the weapon is Apache. It's not *Chef*

25 Boica (phon). It's Apache.

1 Q. [14:55:09] Okay. Thank you.

2 (Viewing of the video excerpt)

3 PRESIDING JUDGE SCHMITT: [14:55:32] So then thank you, Mr Witness, for really  
4 helping us with that. That was a little bit cumbersome and perhaps not ideal. But  
5 also Ms Berdennikova, everyone else, for your patience here that we went through  
6 this.

7 So we can continue.

8 But it doesn't make sense to have a transcript when it is -- like Ms Dimitri correctly  
9 pointed out, when afterwards it's not clear what we are referring to.

10 MS BERDENNIKOVA: [14:56:21] Okay. I'd like to change topic now, but I think it  
11 might require private session.

12 PRESIDING JUDGE SCHMITT: [14:56:28] Perhaps you can address, what are you  
13 going to address now?

14 MS BERDENNIKOVA: [14:56:32] It's about the witness leaving the Anti-Balaka.

15 PRESIDING JUDGE SCHMITT: [14:56:37] Yeah, yeah, yeah. Private session.

16 (Private session at 2.56 p.m.)

17 THE COURT OFFICER: [14:56:52] We're in private session, Mr President.

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

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25 (Redacted)

Trial Hearing  
WITNESS: CAR-OTP-P-2475

(Private Session)

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- 10 (Redacted)
- 11 (The hearing ends in private session at 3.58 p.m.)