

Trial Hearing
WITNESS: CAR-TCV-P-0952

(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 Ngaïssona - ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and Judge Chang-ho Chung
7 Trial Hearing - Courtroom 1
8 Tuesday, 24 October 2023
9 (The hearing starts in open session at 9.36 a.m.)
10 THE COURT USHER: [9:36:41] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SCHMITT: [9:37:06] Good morning, everyone.
14 Court officer, please call the case.
15 THE COURT OFFICER: [9:37:12] Good morning, Mr President, your Honours.
16 This is the situation in the Central African Republic II, in the case of The Prosecutor
17 versus Alfred Rombhot Yekatom and Patrice-Edouard Ngaïssona, ICC case reference
18 ICC-01/14-01/18.
19 And for the record, we are in open session.
20 PRESIDING JUDGE SCHMITT: [9:37:28] Thank you very much.
21 I ask for the appearances of the parties.
22 MS STRUYVEN: [9:37:32] Good morning, Mr President. Good morning, Witness.
23 For the Prosecution today we have Caroline Neithardt, we have Yassin Mostfa,
24 Kweku Vanderpuye and myself, Olivia Struyven.
25 PRESIDING JUDGE SCHMITT: [9:37:45] Thank you.

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- 1 And we turn to the victims' representatives.
- 2 MS MASSIDDA: [9:37:51] Good morning, Mr President, your Honours.
- 3 For the victims of the other crimes appearing today, Ms Mouhia Asso,
- 4 Mr Merouane Chenaifa and myself, Paolina Massidda.
- 5 PRESIDING JUDGE SCHMITT: [9:38:01] Thank you.
- 6 Mr Suprun next.
- 7 MR SUPRUN: [9:38:03] Good morning, Mr President. Good morning, your
- 8 Honours. The former child soldiers are represented by Diletta Marchesi,
- 9 Payesa Umana and myself, Dmytro Suprun. Thank you.
- 10 PRESIDING JUDGE SCHMITT: [9:38:16] Thank you.
- 11 Now it's the turn of the Defence.
- 12 Ms Dimitri first.
- 13 MS DIMITRI: [9:38:19] Good morning, Mr President. Good morning, your
- 14 Honours. Good morning, everyone. Mr Yekatom is present in the courtroom.
- 15 He's represented today by Mr Florent Pages-Granier, Ms Doriane Huet,
- 16 Ms Alexia Legault, Ms Laurence Hortas-Laberge and myself, Mylène Dimitri.
- 17 PRESIDING JUDGE SCHMITT: [9:38:37] Thank you.
- 18 Mr Knoops.
- 19 MR KNOOPS: [9:38:39] A very good morning, Mr President, your Honours. Good
- 20 morning, everyone in the courtroom. For the Defence of Mr Ngaissona, we appear
- 21 with Ms Marie-Hélène Proulx, Ms Despoina Eleftheriou and Ms Lina Taki. And
- 22 Mr Ngaissona is in the courtroom as well.
- 23 PRESIDING JUDGE SCHMITT: [9:38:56] Thank you very much.
- 24 Our next witness is P-0952. This is Madam Samba-Panza.
- 25 Good morning, Ms Samba-Panza. Do you hear and understand me well?

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1 WITNESS: CAR-TCV-P-0952

2 (The witness speaks French)

3 (The witness gives evidence via video link)

4 THE WITNESS: [9:39:15](Interpretation) Yes, your Honour, I can hear you well,
5 properly.

6 PRESIDING JUDGE SCHMITT: [9:39:21] Madam Samba-Panza, on behalf of the
7 Chamber, I would like to welcome you to the courtroom. You have been called to
8 assist the Chamber in the case of The Prosecutor against Mr Ngaissona and
9 Mr Yekatom. I want to make it clear from the outset, you are not here as a witness
10 for one of the parties, not as a witness for the Prosecution or the Defence. You have
11 been called by this Chamber, by the judges of this Chamber, to help us understand
12 the crisis of 2013 and 2014 and what happened in the Central African Republic at that
13 time better and to help us to determine the truth. This is also the reason why you are
14 questioned first by the judges.

15 Since you have been called by the judges of this Chamber, I would like to introduce
16 you to the Bench. To my right is Judge Péter Kovács, to my left is
17 Judge Chang-ho Chung, and my name is Bertram Schmitt.

18 Madam Samba-Panza, you said in your statement during the investigation phase that
19 you want to contribute to the determination of the truth and that for you justice is
20 above all. We, as a Chamber, appreciate that a lot and thank you for having yourself
21 made available as a witness in these proceedings.

22 Madam Samba-Panza, there should be a card in front of you with a solemn
23 undertaking to tell the truth. Please be so kind and read this card out aloud.

24 THE WITNESS: [9:41:36](Interpretation) I solemnly declare that I shall tell the truth,
25 the whole truth and nothing but the truth.

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1 PRESIDING JUDGE SCHMITT: [9:41:47] Thank you, Madam Samba-Panza, you're
2 now under oath.

3 Before I start with my questions, two more technical issues. You are aware that
4 everything we say here is written down and interpreted in several languages, and
5 because of that, we both, and everybody else of course, have to speak at a relatively
6 slow pace, perhaps slower as we are accustomed to. And please only start
7 answering when the person - in the next couple of hours, the Presiding Judge - has
8 finished, and perhaps please wait even two or three seconds so that the interpreters
9 can catch up.

10 QUESTIONED BY THE CHAMBER:

11 PRESIDING JUDGE SCHMITT: [9:42:45]

12 Q. [9:42:45] We will start, Madam Samba-Panza, with some biographical details for
13 the record.

14 First of all, please state your full name for the record.

15 A. [9:42:54] My name is Catherine Samba-Panza and I was -- my maiden name is
16 Souga.

17 Q. [9:43:07] What is your date of birth?

18 A. [9:43:12] 26 June 1954.

19 Q. [9:43:16] What is your nationality?

20 A. [9:43:23] I am a national of the Central African Republic.

21 Q. [9:43:28] Did you grow up and live in the Central African Republic?

22 A. [9:43:40] I was born in Chad, Fort-Lamy, the old name of the capital now called
23 N'Djamena, and I did some of my education there. Then I returned to Bangui,
24 Central African Republic, and that is where I finished my schooling. Then after that,
25 I went to Paris, France, to study at the university level. After university, I went back

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1 to the Central African Republic, where I worked in the area of insurance throughout
2 my entire career.

3 Q. [9:44:26] What is your current occupation, also insurance again?

4 A. [9:44:46] I'm retired.

5 Q. [9:44:47] Well, that's very well merited, let me put it this way.

6 You said in your statement during the investigation phase that you are a human
7 rights activist. What does that mean for you personally?

8 A. [9:45:09] For a great part of my life I was committed to a number of causes: For
9 the most part, advocacy, promotion and protection of the rights of women and
10 children. And to that end, I worked within a civil society organisation in the Central
11 African Republic, the Association of Women Lawyers of the Central African Republic.
12 And within that organisation I conducted a number of activities.

13 After that, I also became involved in promotion of democracy as well, and I devoted a
14 great deal of time and effort into election observations throughout all of Africa.

15 Q. [9:46:16] Thank you.

16 And also thank you very much to the interpreter. That really works very well. We
17 all know that we have not solved every or any technical issue, so thank you very
18 much for that.

19 Madam Samba-Panza, we will now go more into the heart of the matter, and just, I
20 will make a, let's say, a rough outline.

21 First of all, we would be interested to know from you what you think are the roots of
22 the crisis in your country.

23 We know that you later on became a mayor of Bangui - we will shortly talk about
24 that - and of course we all know that you became president of the transitional
25 government. We will talk about that and specifically about your interactions with

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1 the Anti-Balaka, perhaps also with the accused.

2 This is a rough outline of what we are going to talk about with you.

3 So let's start -- let me put it this way, start at the beginning.

4 What do you think -- with your knowledge in different political posts that you had,
5 high level political posts, what do you think are the roots of the crisis in the Central
6 African Republic that started in 2012?

7 A. [9:47:31] Your Honour, it's important for you to realise that the Central African
8 Republic has been experiencing political instability for 30 years and we have had a
9 number of crises - a political crisis, social crisis, military/political crisis - and these
10 various crises have weakened the state considerably and have caused problems
11 within the people in terms of social cohesion and national cohesion.

12 There were several attempts to seize power in the Central African Republic, several
13 successful political coups d'état. The last one, which I thought was the most serious
14 one, began in December, September 2012, which ultimately led to Bangui being
15 overrun by Seleka rebels in 2013.

16 Why did this crisis occur, which began in August of 2012? It came from the
17 north-east part of the Central African Republic. You must realise that originally this
18 was a crisis of identity.

19 THE INTERPRETER: [9:49:10] Sound is breaking up.

20 THE WITNESS: [9:49:17](Interpretation) Some people thought that they were not
21 considered true citizens of the Central African Republic because the areas that they
22 lived in had been totally neglected.

23 There were a number of dialogues within the components of society and this was
24 outside of the -- beyond the domestic level, and I took part in a number of these
25 dialogues. Often the same leitmotif came up, time and time again.

1 Some people, you see -- or many people in these areas do not speak Sango, for
2 example; they are cut off from other areas within the country because of weather
3 conditions. So it was truly a crisis of identity. And to show their discontent, some
4 people took up arms, and this reached its height in 2012. But before that, there were
5 earlier crises. People took up arms in the past as well, but in 2012 there was a true
6 wave of people rising up, and they decided to march upon Bangui to demonstrate
7 that they were unhappy and they wanted to make their demands known.
8 Gradually, this -- these demands became very political in nature and then, you see,
9 people sort of mixed up these demands from these people with demands from
10 religious communities and ultimately one group emerged, of rebels. They were
11 called the Seleka.
12 The Seleka were various people who came together and agreed to work together to
13 present their demands. The Seleka, this group from the north-east, decided to
14 descend upon Bangui and as they did so, gradually, the group became larger and
15 larger. More and more people joined the ranks of this movement. There were
16 some people from Sudan, some people from Chad, and some people from prefectures
17 that the group was travelling through, ultimately to make their way to Bangui in
18 December 2012.
19 In December 2012, there was an attempt to overthrow the government and seize
20 power. That was unsuccessful. There was an attempt to bring about reconciliation
21 in Gabon, led by President Gbongo. There was the Libreville accord in Libreville
22 asking -- or calling for a national reconciliation government, leaving no one aside or
23 on the margins, calling for all components of society to be represented within a
24 national unity government. And it was decided there would be a three-year
25 transition period, first led by President Bozize, and Nicolas Tiangaye was the prime

1 minister.

2 Unfortunately, from January to March 2013, problems emerged once again, and the
3 former president, President Djotodia, had to go to Bangui and take power and
4 President Bozize had to flee with his entire team.

5 PRESIDING JUDGE SCHMITT: [09:53:39]

6 Q. [9:53:39] Thank you very much for this succinct overview. You already
7 mentioned the Seleka. What was their composition? Were they Central Africans?
8 Were they mixed with people from other -- you already touched this, but could you
9 elaborate a little bit, in your opinion on which people -- the Seleka was made up of
10 what kind of people?

11 A. [9:54:10] The people running the Seleka movement were Central African
12 nationals of the Muslim faith, but they were national citizens of the country. It was a
13 number of rebel groups, more than 10 rebel groups led by Central Africans who came
14 together, you see. But as they marched to Bangui, they received help from troops
15 originally from Chad or Sudan, from -- by bandits, by no-accounts, young people who
16 had no work. So the group later became quite a mixture. All kinds of people were
17 part of the movement.
18 As they moved through the prefectures, young people, young Peuhl people, young
19 Muslims, young Christians as well, joined the movement. And as the group headed
20 towards Bangui, the group became less -- more and more mixed.

21 There were all kinds of people, Muslims, Christians, foreigners, all kinds of people.

22 Q. [9:55:36] What can you tell us about crimes committed by the Seleka? You
23 have lived at the time, I think, in Bangui. What can you tell us about the situation
24 there?

25 A. [9:55:49] When the Seleka began to head towards Bangui, I was not holding any

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1 particular public office. It was later that I became the mayor of the city. The Seleka
2 had already reached Bangui by that time and the president of the Seleka, from the
3 Seleka, co-opted me to serve as the mayor of Bangui.

4 But going by what we heard, what we knew, when the Seleka was advancing through
5 the country, they committed various exactions, horrible acts of violence and abuse.
6 They torched houses; they murdered people. As they moved towards the taking of
7 power, they committed many acts of violence and abuse against civilians and against
8 some members of the Central African armed forces. That was continued until they
9 got to Bangui.

10 Once they were there, once they entered the city of Bangui from the north, they
11 committed many acts of violence and abuse, a great many crimes, theft, they
12 destroyed both public and private property, religious buildings. A great many
13 exactions were committed by the Seleka, even when they were in power. Even then
14 there were some elements of the Seleka who were out of control and they continued
15 to commit acts of violence and abuse against civilians.

16 Q. [9:57:58] Thank you.

17 I would like just to read you out a short passage from your statement to the -- during
18 the investigation phase.

19 That's at CAR-OTP-2107-0732 at 0740, and I'm at line 296.

20 I read it to you in French, I try:

21 (Interpretation) "When I was the mayor of the city of Bangui, I was the mayor of a city
22 that was racked by violence. In my city in Bangui there were bodies everywhere."

23 (Speaks English) Even today -- even today, does that describe the situation exactly,
24 what you wanted to express by your words?

25 A. [9:59:06] Quite so, your Honour.

1 When the Anti-Balaka entered the city on 5 December 2013, I was not in Bangui; I was
2 outside of the city. When I learned that the Anti-Balaka had begun attacking the
3 Seleka and the Muslim population, I decided to return a few days later, as soon as I
4 could get an Air France flight to Bangui. And that is when I discovered the horrors
5 that had occurred ever since 5 December up until the day I arrived. I truly saw the
6 horrors that I spoke about.

7 Leaving the airport to get to my home, it was unimaginable what I saw and what I
8 experienced. The Seleka had attacked civilians. Anti-Balaka forces had attacked
9 the Seleka. It was revenge, retaliation, murders everywhere. I experienced that.
10 As I went by, I was utterly shocked by what I saw, immune actually, vaccinated, so to
11 speak, by what I saw.

12 Q. [10:00:45] Madam Samba-Panza, you mentioned that you were at the time, you
13 were mayor of Bangui. How did you become mayor of this city?

14 A. [10:00:59] As I said, I built my career in the insurance sector, but I also had a lot
15 of work with the civil society and I was really involved in reconciliation programmes
16 that were organised. The dialogue that was organised on behalf of the women's
17 lawyer association, so I also was a public activist. I was known in the public spheres,
18 in the civil society as well as in the private sector. So in the public field I was called
19 upon for certain activities.

20 So one day I was called by a friend who was working at the president's office and
21 asked me to come over because he wanted to speak to me. And when I came there,
22 he said that he had a message for me. The Seleka president Djotodia wished to have
23 a woman at the head of the mayor's office because Bangui was a very disruptive area.
24 He wanted a woman with certain -- a certain leadership and authority to bring order
25 to Bangui. And I told him that I wasn't Seleka, but it was difficult for me to accept

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1 this, and he said that it would be an honour to -- it would be an honour that you
2 would be doing to the Central African women if I were to accept the position.
3 So I then took some time to think about all this and I thought that he was right.
4 He -- it was very important at that point of time that there should be a woman
5 heading the town hall, given the state of affairs, given how things were in Bangui, so
6 that there could be social cohesion actions and national cohesion actions put in place
7 and, above all, support the distressed, highly distressed population that was in need.
8 And I was actually used to carrying out such jobs as a member of the civil society.
9 So I accepted the position and this is how I accepted the position even though I did
10 not share the opinion of the Seleka and I did not subscribe to their actions.

11 Q. [10:03:58] Thank you.

12 When you were still mayor in December 2013, you became involved in the release of
13 hostages.

14 I will play an audio, and I have some --

15 A. [10:04:12] Yes, please.

16 Q. [10:04:13] And afterwards, I have some questions.

17 A. [10:04:16] Yes, please.

18 PRESIDING JUDGE SCHMITT:

19 Q. [10:04:17] So let's play CAR-OTP-2042-1457, from 02:15 until 05:34. That's
20 tab 52.

21 For the interpreters, the transcript we have at CAR-D29-0006-0092 at 0093 until
22 0093 -- 94, that's tab 53. So when we are ready, please let me know.

23 THE INTERPRETER: [10:05:01] Ready, your Honour.

24 PRESIDING JUDGE SCHMITT: [10:05:03] Okay, then if we're also ready and can
25 play it then, please.

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1 Q. [10:05:06] Please listen, Madam Samba-Panza, and I have a couple of questions
2 afterwards.

3 (Playing of the audio excerpt)

4 THE INTERPRETER: [10:05:17] (Interpretation of the audio excerpt)

5 "We're giving the floor to Mrs Samba-Panza for an important statement.

6 You've got the floor, madam.

7 MS SAMBA-PANZA: Statement of the president of the special delegation of the city
8 of Bangui on the freeing of people captured by the Anti-Balaka.

9 On 24 December 2013, around 4 o'clock, she was going to a mortuary at the *cit  de la*
10 *Paix*, in Cattin, in the 3rd arrondissement of the city of Bangui, five people were
11 arrested by the Anti-Balaka. Among these people was the municipal counsellor of
12 the 7th arrondissement.

13 After two days of custody, the mayor of the 7th arrondissement was contacted by
14 telephone in the morning of 26 December, around 11:30, by a Anti-Balaka leader,
15 promising to free the detained people. The return to the French elements of the
16 Sangaris operation occurred in the afternoon.

17 The Anti-Balaka would like this information to be relayed by my voice and so that
18 this was appreciated to its right value, their actions, these people of Muslim religion
19 who did not -- who were not mistreated and were only freed up.

20 I would like to specify that:

21 First of all, I was indeed in contact on several occasions with the Anti-Balaka leaders
22 who promised to free these people without anything in return;

23 Secondly, I took the initiative of having these interviews even though I wasn't
24 mandated by any authority and only with the view of saving the life of a municipal
25 counsellor, and I would have done it for any other person who was in this situation to

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1 save his life;
2 Thirdly, the promise was kept because our municipal counsellor, the other people
3 who were arrested at the same time were freed. This is an excellent news for our
4 city;
5 Fourthly, this freeing of people of Muslim religion is a tangible proof that there is no
6 alleged war between the Christians and the Muslims;
7 Fifthly, because the Anti-Balaka had not put any pressure, neither had any special
8 demands before the freedom of the hostages, I consider that they are
9 respect -- reasonable and responsible people and they're the ones with whom we can
10 talk. This is precisely why I would really like to say that I am available for any kind
11 of mediation actions if the Anti-Balaka and the authorities of the country would wish
12 to -- for me to do so, keeping in mind the greater interest of the Central African
13 Republic.

14 Made in Bangui on 27 December 2013.

15 Catherine Samba-Panza, the mayor of Bangui."

16 PRESIDING JUDGE SCHMITT: [10:08:37] Well, the translation -- I have been told
17 that the translation would last a bit longer, so I'm always surprised when you are so
18 quick. Thank you very much.

19 Q. [10:08:46] Madam Samba-Panza, you mention that you had -- in this statement
20 that you had contact with a responsible of the Anti-Balaka. Who was that person?

21 A. [10:09:03] It was not a very leader of the senior rank. He was
22 Sylvestre Yagouzou, a younger member of the rank. He was a young Anti-Balaka,
23 he was not one of the leaders of the upper ranks.

24 Q. [10:09:18] And did this Sylvestre Yagouzou tell you more about how the
25 hostages were apprehended?

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1 A. [10:09:33] No, your Honour. All that I know is that these hostages, as I said in
2 my statement, were going to a mortuary place in Cattin. They were going there
3 because one of their acquaintances had died. There was a sister, another sister; there
4 was an entire family that was going to the funeral site and they were arrested because
5 Cattin was becoming a -- was not becoming a safe place for Muslims.
6 Cattin is not very far from Kilometre 5. Cattin is not far from Boeing. This is a
7 buffer zone, so to speak, between the Anti-Balaka bases and the Muslim bases. So
8 these people were actually incurring a great risk by crossing the Cattin area to go to
9 Boeing for -- to -- to this funeral site and they were arrested because they were
10 Muslims who were going through an area that was not safe for them.

11 Q. [10:10:52] Did you have a chance to speak with the hostages after they had been
12 released?

13 A. [10:11:02] The municipal counsellor, I did meet him to basically pass on my
14 encouragement, and I think it's municipal counsellor that I met. I was on the phone
15 with his sister, Mrs Mamour, who was the wife of a FACA general and who was
16 Muslim.

17 Q. [10:11:31] Do you recall, did you talk with her about the events? Did she tell
18 you something what you can recall now and tell us?

19 A. [10:11:53] Your Honour, they -- he spoke to me about -- they spoke to me about
20 their conditions of detention. I just wanted to be sure that they weren't mistreated,
21 especially women, they weren't victims of any kind of violence, and especially the
22 conditions of custody that we -- we spoke about that and that's it. But with regard to
23 the political dimension or the demands, we really did not talk.

24 In my communication with Sylvestre Yagouzou, and this is what I said in my
25 statement, Sylvestre insisted so that I said that -- I say that they caught -- they

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1 apprehended Muslims and they freed them and this was an act of humanity and
2 patriotism and we shouldn't be treating Anti-Balaka as anti-Muslims, and as a mother
3 and a mayor I could play an important role in social cohesion and mediating between
4 the Anti-Balaka and the government.

5 So this is why in my statement I said that I will be available for any eventual
6 mediation talks in order to calm the minds and also bring about peace and
7 stability -- serenity to the country.

8 Q. [10:13:36] In your dealings, in your conversations with Sylvestre Yagouzou, did
9 you ever hear mention of Mr Yekatom?

10 A. [10:13:50] No. We did not speak about the regrouping of the Anti-Balaka. We
11 did not talk about their organisation at all. No.

12 Q. [10:14:01] Did the hostages or the one hostage that you met, did she mention the
13 name of Mr Yekatom?

14 A. [10:14:15] Not to the best of my recollections. I did not ask the question. Not
15 to the best of my recollection.

16 Q. [10:14:21] Okay. Then we move on.

17 In January 2014, you became president of the Central African Republic, transitional
18 president. I think for the -- we can simply -- it's official record, the election was on
19 20 January 2014, swearing-in on 23 January 2014.

20 The same question I have already asked you with regard to your position as mayor:
21 How did you become president of the transitional government?

22 A. [10:15:08] The Central African Republic, your Honour, was going through an
23 extremely difficult time and it was plunged into chaos. There was no state, there
24 was no administration, no economy, no health system, no schooling, no education, no
25 justice, no army. It was total chaos. So the heads of states of the ECOWAS were

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1 quite aware of the situation and they said that the head of the transition government
2 resign so that we could find another solution and we could elect another head of state,
3 because the Seleka government led to everything I had described. They went to
4 N'Djamena, but I was not there. There was no reason for me to be there because it
5 was the national transition council; that is to say, the transition council of the
6 assembly.
7 Mr Djotodia had to resign and we -- as well as the prime minister, and we asked the
8 national council to elect a new head of state. They did not want to elect -- did not
9 want to elect this new state in N'Djamena and they decided to do that in Bangui.
10 Now, when they came back from N'Djamena on a Saturday or Sunday, I received
11 three or four phone calls, saying that, "Madam Mayor, we would like to meet you on
12 Monday and it's rather urgent." And I said that I already had an extremely busy
13 schedule, but I would definitely manage to make time to receive them.
14 So they came on a Monday, I think it was the 11th, I'm not sure. Just after we
15 returned from N'Djamena, they came to see me and I thought there would be two or
16 three women. In fact, there were eight women. I was expecting two or three
17 women, but I received eight of them. They were all women practising a religion.
18 There is a platform for religious women and it was the women of this religious
19 platform who came as a delegation to see me and to tell me that the national
20 transition council was supposed to elect a new head of state: "We did not want a man,
21 men have failed. We want a woman at the leadership who can replace Michel
22 Djotodia."
23 And I said that that's a great thing and what was their choice. And this is when they
24 said that it was me.
25 I've never been in politics. I have never been engaged with a political party, so I was

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1 a bit startled at this choice, and I said that it's difficult for me to accept this. But then
2 they convinced me. They said that since they've come -- they've come to me because
3 of my leadership in the civil society; it's because of the initiatives that I'm rolling out
4 as a mayor; it's because I'm close to the population that is highly distressed. And
5 they thought that I would be in a position to take on this role as the head of the state
6 for the transition government for the remaining period.

7 I told you shortly before -- I told you shortly before that Djotodia had resigned and
8 there was only one year for the transition government to last and I was asked to
9 basically fill in for this transition period, so from January 2014 to February 2015.
10 So I -- this was a request made by the Central African women and I could only accept,
11 and I accepted. So the elections were organised within the transition council --

12 THE INTERPRETER: [10:19:52] There's no sound.

13 PRESIDING JUDGE SCHMITT: [10:19:55] Yes.

14 Q. [10:19:56] Madam Samba-Panza, we have a little sound problem, and that may
15 happen every once in a while, so perhaps you can repeat the last one or two
16 sentences.

17 If we have re-established -- of course only in case we have re-established a good
18 connection.

19 Please be so kind. We didn't --

20 A. [10:20:14] Of course, your Honour. There's absolutely no problem. I'm here
21 for that.

22 So I was actually saying that upon the proposition made by the Central African
23 women, especially the women who were part of the religious confession platform, I
24 accepted their proposal, and given my commitment for the -- for the cause for women
25 for peace, for reconciliation, I had to accept their proposal and they asked me to stand

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1 for office.

2 The elections were organised by the national transition council and on 20 January

3 I was elected against eight other men who were also standing for elections.

4 Q. [10:21:14] You spoke about this religious platform. Did women from different
5 faiths be members in this religious platform? Were all faiths represented in this
6 religious platform?

7 A. [10:21:37] Yes, your Honour. The religious faith platform, which is a great
8 platform, it includes Muslims, Catholics, Protestants. So the platform of women is
9 actually a replication of this professional platform, so the women who actually came
10 to me were Muslims, Catholics, Protestants, and also there were other religions that
11 were represented.

12 Q. [10:22:19] Thank you. On the day of your election, 20 January 2014, did
13 something specific happen?

14 Well, I give you a catchphrase: SMS. Did you receive an SMS? Do you recall that?

15 A. [10:22:45] Yes, your Honour. Ever since I made the statement for the freedom
16 of the hostages in Cattin, and I made this statement to the Anti-Balaka, I -- most of the
17 people called me "*madre*", "*mater*"; in fact, names that indicated that I was their
18 mother. This was the population calling me by that name, in a general way. And
19 everyone had my phone number in Bangui as the mayor, because if there's a problem,
20 I could be contacted. Each and every person could contact me by telephone.

21 Everyone had my phone number. So I was really quite open to communication.

22 Whether it was the Seleka or the Anti-Balaka, they had my phone number.

23 And during -- in the room when the elections were in place, there was a SMS that I
24 received and it said you -- "It's in your best interest that you win the elections, because
25 if you don't, we will burn everything down. You really can't afford to have a Seleka

1 or a Muslim overtake you." So this is the kind of SMS I received.

2 Q. [10:24:27] What were -- what did you think? What were your emotions when
3 you got this SMS? Do you recall that?

4 A. [10:24:38] Your Honour, I did not understand your question.

5 Q. [10:24:45] Well, let me rephrase.

6 You are in a very emotional movement, you are going to be, or not, elected president,
7 and then you get such an SMS. What do you make of it? What do you think?

8 A. [10:25:12] This was a great responsibility. It was a source of great hope that
9 this was the disproportionate hope that was actually being invested in me with
10 respect to the chances I had to get elected for the presidential elections. Many other
11 candidates had the resources. They ran a campaign and I did not run a proper
12 presidential campaign. I did not have any measures put in place.

13 In the beginning, I wasn't really enthusiastic, but then I accepted and I said that if I
14 win, I shall hold office. If it doesn't happen, then I'll just go back to becoming a
15 mayor anyway. So, for me, I was in the room, and yes, I was just going with the
16 flow, so to speak, and letting events unfold.

17 So when I received this SMS, I smiled, but I could not know who was sending me the
18 SMS because there were so many people who had my phone number.

19 Q. [10:26:37] This would have been my next question: Did you ever figure out
20 who has sent you this SMS? And I think the answer is no.

21 A. [10:26:55] You see, after the elections, your Honour, this was a period of great
22 emotion and responsibility, as you put it. You had to organise the state. I was
23 automatically drawn into this turbulence, so I really did not look into this to find out
24 who had sent me the SMS.

25 But I would like to add something here. Given this -- given that I was invested with

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1 all this hope and this call for assistance that was launched, when I was
2 elected - I don't know if many people remember that - my first word was a call to my
3 children, the Anti-Balaka, my children, the Seleka, who considered that I was their
4 mother. So this was a collective call sent out to my children as a woman leader, as
5 the mother of the nation. And this is what I did when I came to power, I called that
6 they lay down their arms and they join forces with me to build the country, to install
7 national cohesion, to live together peacefully and coexist.

8 Q. [10:28:18] And this might have been the reason we know that you had a meeting
9 with representatives of the Seleka and also the Anti-Balaka a few days after you had
10 been elected. Do you recall that? Specifically the meeting with the representatives
11 of the Anti-Balaka.

12 A. [10:28:47] Yes, your Honour, I very well remember this. I couldn't have made a
13 speech where I said my children, Anti-Balaka, and then I do not receive them after my
14 election. I cannot call to the Seleka and not meet them once I've been elected. So
15 I -- in order to implement my policy in -- just to -- I needed to call them and get their
16 viewpoints, so in a very informal capacity. The presidential office wasn't ready
17 for -- to welcome me, to hold meetings, so I was actually working from home, and this
18 is how I received a delegation of Anti-Balaka. There were about 15 members
19 constituting the delegation, to the best of my memory.

20 Q. [10:29:48] Thank you.

21 PRESIDING JUDGE SCHMITT: [10:29:46] And let's show the witness, and let's look
22 ourselves at it, CAR-OTP-2087-9027, that's tab 5. It's a document. Perhaps we can
23 make it a little bit bigger. So -- and then perhaps up to the top, please. Thank you.

24 Q. [10:30:25] Madam Samba-Panza, do you recall this document or do you
25 recognise this document?

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1 A. [10:30:45] Yes, I do, your Honour. This is a list of people who were in
2 attendance, a written list of Anti-Balaka members who came to my residence, who I
3 received at my residence.

4 Q. [10:31:03] And do the names -- do those who have written down their names
5 here, did they write them down themselves or did you have a secretary who assisted
6 in writing down this?

7 A. [10:31:27] Each person wrote down his name.

8 THE INTERPRETER: [10:31:33] Sound is cutting out.

9 THE WITNESS: [10:31:38](Interpretation) -- written his name and people passed the
10 sheet of paper around, and each person wrote down his name.

11 PRESIDING JUDGE SCHMITT: [10:31:45]

12 Q. [10:31:46] Thank you.

13 Do you recall who spoke at the meeting?

14 A. [10:32:02] Ngaiissona spoke; Konate spoke; Kamezolai spoke;

15 Sylvestre Yagouzou, he spoke. I'm speaking from memory.

16 I tried to allow various people to have an opportunity to speak. In some cases they
17 only said a few words, but they had come to my home so I did give them an
18 opportunity to say something, even if it was just "good morning" or something like
19 that.

20 Q. [10:32:44] But do you recall something what was said? What was the content?
21 What did the Anti-Balaka want or did they want anything? Do you recall that?

22 A. [10:33:03] Yes, your Honour. As part of the dialogue that I wanted to establish
23 with all of the stakeholders, all of the people involved in the conflict in the Central
24 African Republic, and we found ourselves within a process of implementing various
25 state structures or organisation, governance and security, and for that, we needed one

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1 another. And to my mind the top priority was to appoint a prime minister, and once
2 the prime minister was designated, he would form a government. And I was
3 waiting for the various stakeholders --

4 THE INTERPRETER: [10:34:20] Sound is breaking up, unfortunately.

5 THE WITNESS: [10:34:23](Interpretation) And of course I wanted the Anti-Balaka to
6 send me suggestions, to suggest a number of names to me so that I could make a
7 choice.

8 And I wanted a technocrat, he was not a political person at all and he would be very
9 strict when it came to the selection criteria, when the time would come to choose
10 people to head up various structures or organisations.

11 The Anti-Balaka told me what they felt about the stigmatisation that they had been
12 subjected to in the country. They thought that they were patriots and that they had
13 liberated the country and they thought they should have the place that they deserved
14 on the political chequerboard, so to speak. That is what I remember. It was eight
15 years ago, at least.

16 PRESIDING JUDGE SCHMITT:

17 Q. [10:35:57] Well, even more, Madam Samba-Panza. Time flies by, so it's -- it's a
18 very long time and it's fully understandable that you do not recall all the details.

19 Let's show you -- we want to show you a document that's, first of all,

20 CAR-OTP-2087-9024, that's tab 3.

21 The background, Madam Samba-Panza, is as you mentioned in your last answer, that
22 you are looking how to build a new structure politically. And looking at this
23 document, what you can -- can you tell us about it? Do you recognise it?

24 A. [10:36:52] Yes, your Honour, I do recognise it. I received several suggestions,
25 wishes in the same form, wishes that had been expressed by the Anti-Balaka. This is

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1 at a second level. And for -- I received one for the government, for people to become
2 members of the government.

3 This is for the military staff, either directly from the Anti-Balaka or through
4 intermediaries, in particular through the president of the national transitional council.
5 So I received several documents like this, this document entitled "Wishes of the
6 Anti-Balaka movement."

7 Q. [10:37:59] Yes. We are coming to the wishes for political posts in a short time.
8 We see here two names, Emmanuel Gboya and Charles Ngremangou. Did you
9 appoint these two people for these posts?

10 A. [10:38:20] Yes, I did. Ngremangou became chief of staff, and Gboya, I don't
11 think he became chief of staff, but he did receive a high level position, a position of
12 responsibility. They were appointed, yes.

13 Q. [10:38:43] So we will show you another document, that's tab 4,
14 CAR-OTP-2087-9025.

15 Again, do you recognise this document?

16 A. [10:39:11] Yes, I do. I do recognise it. I received it.

17 Q. [10:39:16] And what is this document, if you can explain to us?

18 A. [10:39:24] This is one of the documents that I mentioned a few moments ago.
19 So this is a list of wishes that were passed on to me from the Anti-Balaka, and for each
20 name there were suggestions and I made proposals or counterproposals.

21 Q. [10:39:57] And did you appoint, for example, Mr Ngaïssona for the post he
22 wished for, according to this list?

23 A. [10:40:10] No. No, I didn't. And that was for several reasons. Mr Ngaïssona
24 wanted to become the general director of ENERCA and I explained to Mr Ngaïssona
25 that ENERCA had -- well, we had a woman and he had been -- that person, she had

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1 been appointed by Bozize and his team. I didn't want to remove a woman and I
2 didn't want to remove a Bozize appointee. I didn't want to give the impression that
3 this was a clean-up operation.

4 Then he mentioned SOCAPS, and that was a state company with a board of directors
5 and I couldn't appoint people. You see, there was the board of directors and there
6 were rules that were quite clear. It wasn't possible. I explained all of those things
7 to Mr Ngaïssona personally.

8 And then coordinator of DDR, there was Celeson (phon) who was in the position, and
9 since we were reviewing everything, the entire DDR process, that had not even begun,
10 it emerged later, so I said that that was not possible.

11 Q. [10:41:41] When you explained this to Mr Ngaïssona, how did he react?

12 A. [10:41:53] He absolutely insisted on getting those positions.

13 Q. [10:42:00] I'll show you another document, this is tab 6, CAR-OTP-2087-9028.

14 Do you recognise this document too?

15 A. [10:42:23] Yes, I do recognise it, your Honour. I said a few moments ago
16 during my introduction that I received proposals either directly from the Anti-Balaka
17 or I got them through intermediaries. After my meeting with the Anti-Balaka, the
18 president of the national transitional council, Nguendet Ferdinand sent me this list
19 with three names, three Anti-Balaka members.

20 When the list was received, I then forwarded it to the prime minister who was
21 preparing his government. The prime minister said that they needed to check the
22 morality of each name, do sort of a character reference. So we had this list of
23 three -- the list of three people --

24 THE INTERPRETER: [10:43:36] Unfortunately, the sound is cutting out.

25 THE WITNESS: [10:43:40](Interpretation) -- who sent back the list with observations

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1 for each name. Mr Ngaïssona apparently had a criminal record. Mr Kokate
2 allegedly had a criminal record. Only Mr Bara did not have a criminal record and so
3 we took Mr Bara. We took him to become part of the government.

4 PRESIDING JUDGE SCHMITT: [10:44:07]

5 Q. [10:44:07] Thank you. Do you recall this first meeting, how the atmosphere
6 was, how you perceived it? Was it, let's say collegial, was it amicable or was it
7 different, if you recall it?

8 A. [10:44:29] I remember it quite well, your Honour. For many of them -- well, I
9 knew them more or less, so the atmosphere was rather relaxed. I even had a
10 secretary who was part of the Anti-Balaka and there was another lady, there were
11 other people who I spoke to on the telephone from time to time. There was Konate,
12 who called me once or twice, Sylvestre Mouzou -- Yakouzou. There were
13 others -- other people like that.

14 No, it wasn't a hostile atmosphere. They were pretty tough when it came to their
15 requirements, but I wouldn't say it was a -- how should I put it? It was a relaxed
16 atmosphere.

17 Q. [10:45:33] The reason why I'm asking is that in your statement you made during
18 the investigation phase you called this "*C'était une réunion très dure*".

19 PRESIDING JUDGE SCHMITT: [10:45:43] Perhaps we can show to the witness
20 CAR-OTP-2107-0754 at 0763, and we go to line 318 following, please.

21 Perhaps we can zoom in a little bit. Yes. Fine, stop, stop. Thank you.

22 Q. [10:46:21] So perhaps you can read from, Madam Samba-Panza, from 318 until
23 328 just this --

24 A. [10:46:32] I do recognise this, yes. I recognise it, yes.

25 Q. [10:46:37] So you also say that you were happy that the minister Sokambi was

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1 there and you explained the reason for that.

2 And 326, you say, "*pour les calmer*". So why -- why did they have to -- to be calmed
3 down, if you recall this?

4 A. [10:46:58] Your Honour, well, when you meet with young people, combatants,
5 people who are not in the habit of asking things calmly, each person was talking, each
6 person was yelling, they were all talking at once. So, you see, there was a problem.
7 It was difficult to manage the discussion, you see. There were about 15 of them and
8 they were not all calm. So the minister, Minister Sokambi said, "No, no, no, calm
9 down. One at a time. After all, this is the head of state. This person is like your
10 mother, so please calm down."

11 Q. [10:47:53] Thank you. And I will show you another document, this is at tab 17,
12 CAR-OTP-2087-9271 first -- is the first page.

13 Madam Samba-Panza, did you -- do you recognise this document?

14 A. [10:48:24] Yes, I do recognise it.

15 Q. [10:48:27] It appears to have been, if we go at 9275, to have been put together by
16 Etienne Boda. Who was that or who is Etienne Boda?

17 A. [10:48:44] He was the general secretary at the office of the president of the
18 republic.

19 May I go ahead?

20 Q. [10:48:59] *Oui*, of course, of course.

21 A. [10:49:02] Thank you. When I came to the presidency on 24 January, there
22 were not a lot of people remaining, not a lot of staff, not a lot of administrative staff at
23 the palace of the republic. Djotodia had stepped down. And, you see, most of the
24 staff were former Seleka. Many of them were afraid. They feared for their very
25 lives, so they had left -- or they -- they had left of the country or perhaps the city.

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1 So when I came to the presidency, the offices were absolutely empty. There were
2 three or four people remaining and one of these people was Etienne Boda, and I
3 called upon him to draw up reports. It was not really his task to do that sort of work,
4 but he was there and during the first meetings, he had to be there.

5 Q. [10:50:23] Thank you very much.

6 PRESIDING JUDGE SCHMITT: [10:50:21] And if we go at 9273, please, the lower
7 part. A little bit up. Thank you. Stop here, please.

8 Q. [10:50:34] We see that obviously on 25 January 2014, you spoke with the
9 Anti-Balaka, and it is said here that the delegation was led by Mr Kokate; is that
10 correct?

11 A. [10:50:55] I think so. Yes.

12 Q. [10:50:57] And then please -- yes.

13 A. [10:50:59] I think so.

14 Q. [10:51:00] Thank you.

15 PRESIDING JUDGE SCHMITT: [10:50:59] Then please to the next page, 9274, the
16 upper part.

17 Q. [10:51:12] And perhaps, Madam Samba-Panza, please read the first -- well, I
18 read it so that it's also on the record. I wanted to ask you what we can make of it.
19 (Interpretation) "Support for the transition and the newly elected head of state was
20 reaffirmed.

21 The president of the republic thanked the people in attendance while indicating that
22 the hand that she had stretched out to the Anti-Balaka had not been received
23 favourably. This could lead to the support of the international community
24 disappearing. She reaffirmed her position, namely, that she would appoint a prime
25 minister who was neutral, a technocrat. However, positions as ministers were

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1 open."

2 (Speaks English) So, Madam Samba-Panza, why was the impression that your
3 stretched-out hand would not be received favourable by the international community?
4 Can you explain this to us?

5 A. [10:53:05] No, I don't think that's what was said. While indicating that her
6 hand extended to the Anti-Balaka did not receive a favourable echo and that the
7 support of the international community might evaporate. I said that I had extended
8 a hand out to the Anti-Balaka, but the response was not favourable. That is what I
9 said. That is what is written here.

10 And why did I say that? Because the acts of abuse and violence, the killings in the
11 neighbourhoods, I said -- I had -- well, I had launched an appeal to lay down
12 weapons and, you see, that call that I issued had not been received favourably, so that
13 is why I said what I said.

14 Q. [10:54:15] We have spoken about demands that the Anti-Balaka may have had,
15 and picking up what you said in the end of your last answer, did you have any -- let
16 me put it this way, did you have any demands towards the Anti-Balaka? Did you
17 tell them what you expected from them?

18 A. [10:54:47] Yes, your Honour. I had asked for weapons to be laid down, that
19 they lay down weapons, that the killings end, the retaliation end and that everyone
20 commit to social cohesion, national reconciliation and living together in harmony.
21 That was what I was calling for.

22 Q. [10:55:18] And was this call heard, to put it this way?

23 A. [10:55:25] That is what I said earlier, the exactions continued, the killings, the
24 retaliation, all of that continued. So if you look at that period, all of January, from
25 the time that I swore my oath up until -- well, if you go into the various

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1 neighbourhoods of Bangui, the exactions continued, the attacks continued.

2 Q. [10:55:56] Thank you.

3 PRESIDING JUDGE SCHMITT: [10:55:54] So I would now then continue with
4 something different, so I think it is a good time to have a break, coffee break or
5 whatever you want to drink, until 11:30.

6 THE COURT USHER: [10:56:09] All rise.

7 (Recess taken at 10.56 a.m.)

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

9 THE COURT USHER: [11:32:05] All rise.

10 Please be seated.

11 PRESIDING JUDGE SCHMITT: [11:32:30]

12 Q. [11:32:27] So we continue now with other meetings, Madam Samba-Panza, that
13 you might have had or had with representatives of the Anti-Balaka.

14 Do you recall having a meeting with them to prepare the Brazzaville summit?

15 A. [11:32:54] Yes, your Honour. There were so many meetings to prepare for the
16 Brazzaville meeting with the Anti-Balaka, with the Seleka and the civilian forces as
17 well.

18 Q. [11:33:15] What was the -- what was the goal to meet with all the stakeholders,
19 so to speak, Seleka and Anti-Balaka, what -- specifically with Anti-Balaka, what was
20 the goal, from your point of view?

21 A. [11:33:31] Your Honour, the transition's agenda included certain priority actions
22 that needed to be carried out, national reconciliation initiative to implement social
23 cohesion.

24 Now, without reconciliation, without national and social cohesion nothing would
25 actually come to pass. The transition's agenda wouldn't be implemented. So

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1 amongst the initiatives to be carried out and the commitments taken by the transition
2 authority, you had the organisation of Central African people's -- inter-Central
3 African forum. They had -- people of the Central African Republic must meet and
4 discuss how to bring about peace, security, how to solve their problems, how to
5 ensure stability in the country --

6 THE INTERPRETER: [11:34:38] I'm sorry, the sound is bad.

7 PRESIDING JUDGE SCHMITT: [11:34:44]

8 Q. [11:34:45] Madam Samba-Panza, we had a -- we have a -- can I stop you here for
9 a moment. We have unfortunately now a connection problem. As I have said at
10 the beginning, this can happen every once in a while. Perhaps you can just repeat
11 the last two or three sentences that you said.

12 I think it's re-established the connection, so let's try again. So bear with us.

13 A. [11:35:05] Thank you, your Honour.

14 As I was saying, in the transition processes, you had the inter-Central African forum
15 where all Central African people should be meeting to think about the crisis and look
16 out for solutions. So the ECOWAS in fact planned a first forum. This was a
17 prelude to the major reconciliation forum of the Brazzaville. So all stakeholders to
18 the crisis were supposed to meet in Brazzaville under the auspices of the mediator of
19 the Central African crisis, that was President Denis Sassou-Nguesso. But many of
20 the members of the forces of the nation were not in Brazzaville. They felt that the
21 country's crisis should be solved within the borders of the country and should not be
22 exported abroad to find a solution.

23 But we, the transition authorities, we were convinced that this Brazzaville meeting
24 was really necessary irrespective of the crisis. It was really important to hold this
25 meeting under the auspices of the mediator. So I basically had to convince all the

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1 forces in the country, all stakeholders to the crisis that I met on a regular basis, I told
2 them that you had to basically hold meetings. I convinced them to go to Brazzaville.
3 And the Anti-Balaka did not want us to go to Brazzaville, so I would meet them on a
4 regular basis to basically convince them and put forward arguments to convince them
5 to go to Brazzaville.

6 Q. [11:37:14] And how did you convince them to go to Brazzaville? What were
7 your arguments that in the end prevailed? As we know, because we know there was
8 this summit and we know that representatives of the Anti-Balaka were there.

9 A. [11:37:34] Yes, they did participate. There was a strong delegation, about 15 or
10 20 members. You've got the list of participants of the Brazzaville summit. I
11 actually explained that we had to be supported by the international community and
12 also the African community as part of the African solidarity framework. And
13 ECOWAS was always alongside and we accepted their support. And this is -- there
14 was a mediator that was appointed to defuse this crisis and this mediator organised a
15 meeting in his country with all the other members of the ECOWAS. And
16 irrespective of the crisis, we would be -- once we were out of this crisis, we would be
17 in a more calmer environment to think about all the aspects of the crisis and devise
18 solutions.

19 There were also so many political leaders, stakeholders who could not come back to
20 Bangui, so these were military stakeholders as well who couldn't come back to Bangui,
21 so you really needed a neutral theme to meet -- appease the minds, and once
22 everyone was calm, we could actually organise a meeting, a big meeting in Bangui.

23 Q. [11:39:06] Thank you, Madam Samba-Panza.

24 What was the outcome of the Brazzaville summit?

25 A. [11:39:19] There were accords, agreements that were signed in Brazzaville.

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1 Now, there was a lot of political tension in Brazzaville, so there was this possibility of
2 having the country divided into a Muslim and a non-Muslim part. And there were
3 also problems of disarmament that cropped up. There were -- this was a very
4 serious problem. You really had to demobilise and disarm the armed groups and
5 stop hostilities. And the Brazzaville basically -- the Brazzaville meeting helped us
6 basically sign a cessation of hostilities agreement and helped a lot in billeting, in
7 demobilisation and the disarming of groups.

8 Q. [11:40:24] After Brazzaville, did indeed the hostilities, the violence, did it stop?

9 A. [11:40:38] No, your Honour. After the Brazzaville meeting, it was decided that
10 the armed groups, with financial assistance from the international community and the
11 ECOWAS would come to the fields and explain to the troops on the field the
12 agreements that were signed in Brazzaville, what were their importance and what
13 were the practical modalities of implementation.

14 So we put in place follow-up committees, liaising with political parties, with armed
15 groups. So there were these follow-up communities that were supposed to explain
16 the Brazzaville agreement in broad brush strokes. But unfortunately we did not get
17 the necessary funding for the deployment of armed groups in the field, and this really
18 created a lot of problems with the armed groups. Their elements on the field
19 deemed that they went to the Brazzaville to attend this big meeting --

20 THE INTERPRETER: [11:41:49] I'm sorry, the sound is off again.

21 THE WITNESS: [11:41:55](Interpretation) So there was a problem, a communication
22 problem --

23 THE INTERPRETER: [11:42:03] There's a problem, I'm sorry.

24 PRESIDING JUDGE SCHMITT: [11:42:06]

25 Q. [11:42:03] Madam Samba-Panza, again, we have -- again, we have a connection

1 problem. I'm so sorry to interrupt you. You see how sorry I am. I think you can
2 sense it. Well, again, this -- but these are really special circumstances. And you
3 know we had -- we had a problem, also an internal IT problem here at the Court. So
4 again, I beg you, I ask you to repeat your last couple of phrases. Thank you.

5 A. [11:42:42] So I was saying there was a communication problem and there was
6 the lack of possibility to put in place the follow-up community, so the -- we couldn't
7 materialise the Brazzaville agreements, so the content of this agreement created a lot
8 of problems between the armed group leaders and the political parties and their
9 bases.

10 So this is what I can say.

11 Q. [11:43:10] And when you -- when you recognised that the promises made, the
12 declarations signed in Brazzaville in the end were not fruitful, what action did you
13 take, or could you influence further action?

14 A. [11:43:40] Your Honour, the Brazzaville accords actually had foreseen an entire
15 setup process. So you had the Brazzaville accords and then you had the
16 inter-Central African forum in Bangui. But before this, you -- we were supposed to
17 have public consultations, so we would send elements to the field, armed elements,
18 administrative agents, military agents to basically get the -- get a feel of their solutions,
19 of their proposal, of their opinion to solving the crisis. So they were supposed to be
20 sent to the field as of February. And there was this proposal to basically get an idea
21 of the view of the population to help draft the constitution of the Central African
22 Republic and also improve the electoral accord with a view to organising elections
23 and legislative elections that are planned in accordance with the transition process.
24 So everyone was involved in this process. Everyone was on the field to go and
25 speak to the population, to the local authorities, to the youth, to women and gather

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1 their viewpoint.

2 And when they came back, there was a restitution session and we could come out
3 with the central messages in order to prepare the Bangui forum in May where
4 everyone was invited. More than 700 people in fact participated in the Bangui
5 forum.

6 Q. [11:45:29] Thank you.

7 So we leave now, so to speak, the Brazzaville preparation summit and aftermath and
8 go to another issue.

9 Do you recall meeting with representatives of the Anti-Balaka in the context of the
10 so-called *ville morte*?

11 A. [11:46:00] The -- your Honour, the Anti-Balaka were constantly organising
12 barricades, they were putting up barricades to protest against the government, the
13 authorities of the transition government and the fact that the Anti-Balaka were not
14 taken into account, they were calling for the *regroupement* -- the regrouping of the
15 Anti-Balaka, they wanted to be officially recognised as a patriotic movement of the
16 country, they wanted billeting to be carried out. And we weren't in a position to
17 satisfy their demands. And they also deemed that we were giving privileged
18 treatment to the Seleka who were in greater numbers at the national council in the
19 government -- the transition government. So there were constantly protests being
20 organised and *ville mortes*.

21 Of course I couldn't sit there doing nothing, twiddling my thumbs, so when you had
22 such activities that was rocking the country and Bangui, I would call them, I would
23 call them to talk to them to discuss with them and see what type of solutions can we
24 put in place and find the solutions together.

25 Q. [11:47:38] And when these problems occurred, with whom did you deal? With

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1 whom did you speak?

2 A. [11:47:54] When I would call the Anti-Balaka, they would come in large
3 numbers. The port of call was Patrice Ngaïssona. There was Konate, Kamezolai,
4 there were a certain number of people, Namsio Emotion. So, in fact, they would
5 actually answer my calls.

6 Q. [11:48:23] And you spoke in your last -- last answer about demands by the
7 Anti-Balaka, for example, acknowledgment and billeting of the groups and you said
8 you couldn't meet these demands. Can you explain to us why.

9 A. [11:48:49] Now, with regards to recognising -- giving them national recognition
10 as a patriotic movement, I couldn't meet that demand. In the Central African
11 population, you had Anti-Balaka, non-Anti-Balaka, Seleka, non-Seleka who all have
12 been victims of exactions, who all were -- who suffered at the hands of Seleka and
13 Anti-Balaka, and I really couldn't recognise the movement as an authority, a
14 movement that is -- they wanted this official recognition as a patriotic movement and
15 I couldn't.

16 And they were also asking for billeting of their troops with -- they wanted
17 Anti-Balaka cards, so ID cards basically, Anti-Balaka ID cards. During a meeting
18 when I asked them how many they were, they said there were 58,000 Anti-Balaka,
19 and I said I really couldn't take all that -- I couldn't really recognise 58,000 elements as
20 a national patriotic movement. And the billeted troops came with a cost that the
21 transition couldn't afford.

22 They also demanded the return of certain elements in their localities, and I was -- I
23 agreed to the return of elements who were unemployed, who were supposed to be
24 sent back to the localities. I contacted international communities as well. I
25 contacted the UN, the African Union to ensure the return of certain Anti-Balaka

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1 elements to their localities.

2 Now, what happened was we were preparing kits. Now, most of them are farmers
3 and they were basically farming lands, so we would prepare kits and we would give
4 these kits, so these kits would contain seeds, and there also would be UN vehicles like
5 MISCA to basically ferry them in. But many refused and they wanted money. So
6 they made an estimate and they wanted money, and the international community that
7 was supporting me could not allow this attribution of financial aid.

8 Q. [11:51:49] You shortly mentioned that the Anti-Balaka called for your demission.
9 Can you elaborate on that a bit?

10 A. [11:52:07] Every time there was *ville morte* or protests, your Honour, it was
11 actually to call for the resignation of Catherine Samba-Panza. This is political people
12 behind were pulling the strings and they thought that I wasn't basically living up to
13 their expectations and to their hopes. So the best solution would be for me to step
14 down. And, you know, there were people holding banners saying that
15 "Catherine Samba-Panza step down".

16 Q. [11:52:46] Now I would like to ask you some question about the Anti-Balaka in
17 general.

18 First of all, what can you tell us, what is your knowledge, perhaps better worded, of
19 the structure and organisation of the Anti-Balaka?

20 A. [11:53:10] Now, for a very long time I wasn't aware of their organisation, of their
21 structure until the crisis started taking on a certain dimension. When I was at the
22 Bangui town hall, I basically made a statement for -- on the release of the five Muslim
23 people held by the Anti-Balaka. This was an opportunity for me to be in touch with
24 the Anti-Balaka and get better acquainted with them.

25 Now, we had this action and then there was a Nigerian priest in Boy-Rabe who was at

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1 the Saint Bernard church and he called me and he said that my language during the
2 statement on the hostage-taking incident was very conciliatory and he could basically
3 put me in touch with Anti-Balaka so that we could carry out reconciliation, social
4 cohesion and also have awareness and educative actions so that we can bring people
5 closer. And he asked me to get in touch with Namsio Emotion, with Emotion. So
6 he was the Anti-Balaka that he recommended, and he said that he -- he had some kind
7 of control over the others.

8 So I did go to the Saint Bernard church to meet the victims, because this was actually
9 a centre for displaced people, internally displaced people. So under the auspices of
10 the church, so I would basically help this priest in order to meet the needs of the
11 displaced population. So he asked me to come and meet with the displaced people
12 one day, and during the meeting he said that everyone -- all the displaced were the
13 Anti-Balaka, but I shouldn't be worried, they wouldn't hurt me, they have actually
14 come to listen to what I have to say. So I was really in touch with the -- in direct
15 touch with the Anti-Balaka.

16 I do not have any specific information on the Anti-Balaka until I came to be the head
17 of the transition government, and at that point of time I had -- I received memos from
18 my cabinet, from my gendarmerie, from the press on the Anti-Balaka, on their origin,
19 on their organisation, on their current structure. So this is how I really started
20 getting information on the Anti-Balaka and this is when I knew that the Anti-Balaka
21 had -- that the origin of the Anti-Balaka dates back to a very long time. So these
22 were basically youth who were organised to defend their locality against robbers,
23 against bandits, against people who would come and steal cattle. So these were
24 young people, these were youth who were using artisanal weapons, you know,
25 knives and non-firearms to defend themselves. And when you had the Seleka

1 phenomenon, the youth and their parents who suffered the exactions of the Seleka
2 organised themselves to defend their interests, their cause, their lives around this
3 Anti-Balaka movement.

4 I also got to know that subsequently they were structured by the FACA who joined
5 the Anti-Balaka movement, and most of the members of the army who fled the
6 military during the events came back and joined the Anti-Balaka, and they were the
7 ones who were training the Anti-Balaka, they were the ones who were structuring
8 them and making their organisation more logical.

9 Q. [11:58:06] Thank you, Madam Samba-Panza, for this overview.

10 So when you had dealings with the Anti-Balaka, let's say, for example, when you
11 received reports that something was going amiss and you wanted to better things or
12 to stop things when they were negative, whom did you contact from the side of the
13 Anti-Balaka?

14 A. [11:58:34] From the Anti-Balaka side, I had no other person but Patrice
15 Ngaïssona. He was the one who came as the coordinator and he had this control on
16 the other members of the movement. He was the one I contacted on a priority basis.

17 Q. [11:58:59] And when you confronted him with let's say exactions that
18 were -- allegedly had been committed, how did he react?

19 A. [11:59:16] He would reproach the authorities of the transition saying that they
20 had not done what they should have to get the Anti-Balaka more involved and they
21 didn't take into account their wishes. So he was reproachful and he said he would
22 see what he could do at his level.

23 Q. [11:59:47] Thank you.

24 And do you have -- do you have any knowledge how the Anti-Balaka was financed or
25 who financed the Anti-Balaka?

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1 A. [12:00:08] To be perfectly honest, I don't know where the funding came from for
2 the Anti-Balaka. I merely discovered, discovered that most of the senior officials,
3 non-Muslim Central African Republic officials were Anti-Balaka. Just to the level of
4 the presidency, given certain events or given certain positions I took or decisions I
5 made, I gradually realised that the Anti-Balaka were everywhere. They had
6 infiltrated the entire government. And people were at various levels, and given their
7 resources, their means, perhaps they were providing some funding or financing to the
8 Anti-Balaka.

9 Q. [12:01:07] Well, I would like to show you a small part of your statement that you
10 gave during the investigation phase.

11 PRESIDING JUDGE SCHMITT: [12:01:14] This is CAR-OTP-2107-0754 at 0776 from
12 783, line 783.

13 So perhaps you can zoom in a little bit, 783. Stop.

14 Q. [12:01:56] And perhaps, Madam Samba-Panza, you read until 797, please.

15 A. [12:02:18] Which line? I beg your pardon?

16 Q. [12:02:22] I beg your pardon, I was not clear enough. 783 until 797.

17 A. [12:02:32] Yes. All right.

18 Q. [12:02:35] And you say there that according to what you heard, that
19 Mr Ngaïssona supported the Anti-Balaka financially. Does this jog your memory?

20 A. [12:02:53] Yes, your Honour. Yes, quite so. I remember saying that. I
21 remember saying that several times. As I said, in this statement the Anti-Balaka, the
22 ones in the field were poor people, illiterate, they came from the provinces and they
23 needed help, they needed food and so on and so forth. Mr Ngaïssona took that on.
24 He took charge of them. He took care of them, their health, family issues. It was
25 Ngaïssona who did that. He was the one who provided assistance to them, the

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1 assistance that they needed.

2 Q. [12:03:46] Thank you very much.

3 We now switch topic.

4 Do you recall that in the early days of your presidency you visited Mbaiki?

5 A. [12:04:07] Yes, yes, your Honour. I went with the French minister, Mr Drian to
6 Mbaiki. He had come to visit in Bangui, and he was supposed to visit the Sangaris
7 troops who were deployed in Lobaye, he was supposed to visit them, give them a pep
8 talk. There were many difficulties at the time with nationals from that particular
9 area.

10 THE INTERPRETER: [12:04:48] Mr Le Drian.

11 PRESIDING JUDGE SCHMITT: [12:04:53]

12 Q. [12:04:54] Could you perhaps tell us what you recall about how this visit
13 unfolded, and a little bit of the background of this visit, why you did go, and if there
14 was a meeting, how you were perceived, how you were welcomed or not by the
15 population, if you recall that.

16 A. [12:05:22] Well, I remember that quite well. I'm telling you, I wanted to take
17 advantage of the minister travelling who was going to visit the Sangaris troops, Mr Le
18 Drian. He was going to see how the Sangaris troops were providing assistance to
19 people who were in need. And then I wanted to meet with the local people and see
20 how they were doing, because I was hearing about their situation. It sounded very
21 bad, particularly for the Muslim people. Some people said that there were barely
22 any Muslims left in Mbaiki and that ethnic cleansing had occurred there and the few
23 Muslims who were still there had to be protected. That is what Sangaris was trying
24 to do.

25 Of course I couldn't go to a locality without -- as the head of state without meeting the

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1 local official, without meeting the local people. So there was a meeting organised by
2 the local authorities, and during that gathering, I spoke, as did the mayor and the
3 prefect. So I did speak there.

4 So amongst the people who were there, who had gathered there to hear the various
5 speeches, there were a great many Anti-Balaka members. They had a very strong
6 presence there. They had some very tough words for me. They booed me. And I
7 said this can't go on. I said this can't go on, these cases of violence and abuse in the
8 Central African Republic just could not continue.

9 THE INTERPRETER: [12:07:39] Sound is breaking up.

10 THE WITNESS: [12:07:43](Interpretation) And that statement I made was taken up
11 by the media and then people were saying that I had declared war on the Anti-Balaka.

12 PRESIDING JUDGE SCHMITT: [12:07:56]

13 Q. [12:07:57] Well, indeed, Madam Samba-Panza, you spoke at this meeting, and
14 we -- and we have your words and we are going to listen to them.

15 PRESIDING JUDGE SCHMITT: [12:08:01] This is tab 41, CAR-OTP-2023-1636 and
16 that's from minute 19:06 until minute 20:20.

17 And for the interpreters the transcript is at CAR-D29-0006-0107 at 0114, 15. That's
18 tab 42. And when you are ready, please let me know.

19 THE INTERPRETER: [12:08:55] Message from the interpreter: Tab 42, would you
20 like the sight translation to begin right at the very beginning, line 1?

21 PRESIDING JUDGE SCHMITT: [12:09:05] Well, I'm -- yes, it's 115 from line 2 when
22 Madam Samba-Panza starts speaking, I think. There we want the sight translation,
23 from there. It's starts with "*Grâce à vous*".

24 Do you have it, when Madam Catherine Samba-Panza starts with her speech?

25 Perhaps my transcript is not complete, I'm not sure but ...

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1 And it continues "*j'ai pu avoir l'occasion*", I think that you could find that. You have
2 it?

3 THE INTERPRETER: [12:10:10] Apologies from the booth. I've found the passage
4 that you would like interpreted.

5 PRESIDING JUDGE SCHMITT: [12:10:16] No apologies necessary.

6 So we play it from there, please. Thank you.

7 (Viewing of the video excerpt)

8 THE INTERPRETER: [12:10:23] (Interpretation of the video excerpt)

9 "Unidentified reporter: In her statement made in the national language, the
10 transitional head of state, Ms Catherine Samba-Panza drew attention of the
11 Anti-Balaka militia to their acts of violence and abuse. She said she was determined
12 to work hard to consolidate peace in the Central African Republic.

13 MS CATHERINE SAMBA-PANZA: ... Thanks to you, I had the opportunity to tell
14 this population that, like most of the populations of the other prefectures, deeply
15 suffered violence, killings by unconventional groups, namely the former Seleka and
16 now the Anti-Balaka.

17 I am grateful to President François Hollande for the many forms of assistance that he
18 has continued to provide us to try to stabilise this country."

19 PRESIDING JUDGE SCHMITT: [12:11:47]

20 Q. [12:11:47] So we have heard this, Madam Samba-Panza, and you speak here of
21 the murders of groups, Seleka, Anti-Balaka, and you have said before we played this
22 that after that, the Anti-Balaka mentioned that you had declared war to them. What
23 do you mean by that?

24 A. [12:12:24] Your Honour, that is what was said and repeated many times.

25 Perhaps what I said that day, as transcribed, may have used such -- may have

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1 reflected such terminology, but basically I was saying that if they continued on that
2 path with -- with those acts of violence and abuse, those exactions -- if that's what I
3 said, I assume responsibility for that.

4 Q. [12:12:58] Now I want to touch with you upon another part of your country
5 which has suffered, obviously, about Boda. Also -- we are also in 2014. What can
6 you tell us about the situation there from your perspective as then president?

7 A. [12:13:34] Thank you, your Honour. Boda was part of what we -- it was one of
8 the Muslim enclaves. There was one at Berberati, one at Kilometre 5. It was one of
9 the Muslim enclaves where Muslims could not leave and they were living in a -- an
10 open-air prison. But even within such an open-air prison you can move about a bit.
11 And you see, there was a high concentration of Muslim people there because it was
12 an area with a great many natural resources. Many Muslims were there, they were
13 traders or they were working in the gold industry or the lumber industry. And so
14 during the crisis, they suffered, from Mbaiki all the way up to Boda. There were
15 about a thousand, approximately a thousand Muslim people in Boda --

16 THE INTERPRETER: [12:14:52] Sound cuts out. Then the witness goes on to say:

17 THE WITNESS: [12:14:59](Interpretation) -- water and food and the like.

18 They were able to draw a red line and each time someone from the Muslim enclave
19 crossed that red line, that person was shot down.

20 The bishop of Mbaiki called upon me to intervene. Also some people from Boda and
21 the prefect of Lobaye, they all came to see me and they said, "A terrible tragedy is
22 going on in Boda, Madam President, something must be done." So I decided to send
23 a group of people to Boda on a mission to see what was going on and to find out what
24 was actually going on.

25 When they came back, I was told that there was no justice system, there was no health

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1 care, there was no market, there was nothing left, nothing in Boda, and the Muslim
2 people in the enclave were suffering and were dying off right before the eyes of
3 everyone.

4 So I decided to try to provide some sort of administration before we actually got there.

5 So I sent a team for justice, I sent a team of people for a prison, I sent the minimum so
6 that there would be some sort of functioning government there to help solve the
7 problems of the Muslims who were caught in this enclave in Boda. I organised a
8 group of people to go there on mission to see those people and to talk with the people
9 who were not living in the Muslim enclave to try to find some sort of solution.

10 So I was there along with a large delegation and representatives of the international
11 community. I was able to help the people -- correction -- I was able to tour the
12 enclave to see what was going on. Then I went to the Catholic church close by and
13 I had a visit -- I received a delegation of people that included Anti-Balaka members.

14 PRESIDING JUDGE SCHMITT:

15 Q. [12:17:38] Do you recall with whom you spoke from the side of the Anti-Balaka?

16 A. [12:17:51] Your Honour, there was a group of Anti-Balaka members there and it
17 was the minister who helped me, who took an attendance list, so to speak, for his
18 report. I didn't try to find out more than that afterwards.

19 Q. [12:18:11] When you speak of the minister, whom do you mean?

20 A. [12:18:22] The minister responsible for humanitarian actions, Ms --

21 THE INTERPRETER: [12:18:29] Inaudible.

22 THE WITNESS: [12:18:31](Interpretation) She went with me. There were two or
23 three female ministers with me. There was the minister responsible for

24 humanitarian action, the minister responsible for children. So each minister who
25 had the -- who had responsibility in these areas, each one of these ministers was with

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1 me in the room.

2 PRESIDING JUDGE SCHMITT: [12:18:55]

3 Q. [12:18:56] Madam Samba-Panza, we didn't, because again of connection
4 problems, get the name of the minister for humanitarian action. Could you please
5 repeat the name.

6 A. [12:19:10] Jeanette Detoua was her name. There was also Mazangue,
7 Minister Mazangue. And the health minister as well, Ms Samba Marguerite,
8 Samba Maliavo Marguerite.

9 Q. [12:19:31] Thank you. And you said you could get an own impression of the
10 situation there. Could you share perhaps with us today, although it's a long time
11 ago, could you share with us today what your impression was of the situation for the
12 Muslim population at the time?

13 A. [12:20:05] Well, since I was in Boda, I held a kind of meeting or you might call it
14 a -- even a rally --

15 THE INTERPRETER: [12:20:16] Sound cuts out.

16 THE WITNESS: [12:20:19](Interpretation) -- Muslims who had come with signs with
17 messages on these signs calling for peace and the like.

18 THE INTERPRETER: [12:20:30] Sound is cutting out.

19 PRESIDING JUDGE SCHMITT: [12:20:40]

20 Q. [12:20:41] Madam Samba-Panza, again, there was a cut off of the sound. Could
21 you repeat your answer. But I -- this is of course not a good situation, but I sense
22 that you -- that you bear with me and with us. I have at least this impression. So
23 please, please repeat it.

24 A. [12:21:03] No, there's -- it's not a problem, your Honour. In Bangui we're quite
25 used to connectivity problems, so please don't worry about that. Don't -- it's not a

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1 problem for me. It's not a problem. I'll repeat what I said.

2 I was saying that during this gathering in Boda, we were able to obtain from the
3 bishop and local authorities were able to get them to get some young Muslims from
4 the enclave to take part. They had signs and they -- really they were very simple
5 signs, just chalk messages or they used bits of charcoal to write these messages on the
6 signs. They were worried about their security. And when I began my speech,
7 people were booing and booing me. You could barely hear what I was saying. It
8 was a very difficult situation.

9 When we were there, we agreed with the representatives of the local people, the
10 women's associations and the United Nations, we agreed that we would think about
11 some kind of social cohesion activity that would bring together all the members of the
12 various communities, something that everyone could take part in. And we said to
13 ourselves the best thing would be to set up a market and we asked the local people,
14 they agreed, so a market where people --

15 THE INTERPRETER: [12:22:54] The sound is cutting out.

16 THE WITNESS: [12:23:01](Interpretation) So that is what was decided and that is
17 what was done after.

18 PRESIDING JUDGE SCHMITT: [12:23:09] Well, I think -- I think we got at least the
19 gist of it.

20 Q. [12:23:16] I would like to entertain now with you, Madam Samba-Panza,
21 something that was not said by you but said by General Soriano of the Sangaris and I
22 would -- we would like to have your opinion on that and your stance on it.

23 PRESIDING JUDGE SCHMITT: [12:23:34] So we play then, please, the statement of
24 the general, that is CAR-OTP-2090-0408, from 00 to 00:34.

25 And the transcript is at CAR-OTP-2107-1598 and that's at tab 78. And when you're

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1 there, please let me know again.

2 I see thumbs up so we play this.

3 Please listen, Madam Samba-Panza.

4 (Viewing of the video excerpt)

5 PRESIDING JUDGE SCHMITT: [12:24:43] Well, sound would be good.

6 (Viewing of the video excerpt)

7 "We need to stop the troublemakers, especially those claiming to be Anti-Balaka. And
8 we know that there are looters and thugs among them, criminals. That is really clear
9 today from our efforts.

10 Today they are the troublemakers, they are the ones causing heavy losses among the
11 population.

12 They are the ones stigmatising communities and today they have become enemies of
13 peace in this country."

14 PRESIDING JUDGE SCHMITT: [12:25:30]

15 Q. [12:25:31] So, Madam Samba-Panza, you have heard what the general has said.

16 Before I ask you, did you have closer contact with General Soriano? Did you have
17 let's say interactions with him?

18 A. [12:25:56] Yes, your Honour. I worked a great deal with General Soriano. The
19 Sangaris force was a strong partner helping us bring security back to the country and
20 to ensure the safety of the people and the institutions of the state, so I regularly had
21 dealings with General Soriano and also the others who came along later.

22 Q. [12:26:36] Did you discuss with him what he said during this interview?

23 A. [12:26:55] I didn't talk to him about that, but it's clear -- well, it's established that
24 the Anti-Balaka, the original ones who perhaps had a noble vision of their movement,
25 had been infiltrated by all kinds of bandits and no-accounts. So, you see, they had

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1 been infiltrated and they were the ones who were causing most of the problems. In
2 any event, the movement, the coordination did not have control over these young
3 people in the neighbourhoods, in the field. They tried to establish some kind of
4 structure, but all the same, there were rogue elements.

5 Q. [12:27:54] Well, I -- perhaps I should say for the record that this interview was
6 from 13 February 2014.

7 And the next what we want to play is the reaction by Mr Ngaïssona, and it accords a
8 little bit to what you just said.

9 PRESIDING JUDGE SCHMITT: [12:28:11] And this is tab 51. That's obviously from
10 21 February 2014 and it's CAR-OTP-2042-2641 from 18:38 until 21:00.

11 And the transcript is at tab 51, CAR-OTP-2118-5622.

12 So again when you are -- you are ready? Okay.

13 Then we can play it, please.

14 (Playing of the audio excerpt)

15 PRESIDING JUDGE SCHMITT: [12:29:36] So we have to start it again. We didn't
16 have translation at the moment. But it's no problem. I'm actually, under the
17 circumstances, surprised how well everything and smoothly it goes. So no problem
18 at all.

19 When the interpreters are ready, please show me again, and everybody, please, also
20 from the Sango booth. Thank you.

21 Then perhaps we play it again.

22 (Playing of the audio excerpt)

23 PRESIDING JUDGE SCHMITT: [12:30:09] Still not -- still not, no, no, we have
24 to -- it's obviously in Sango, so we need interpretation from the Sango booth to the
25 French booth and then to English, of course, also. Only when everybody is ready we

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1 start it again, please.

2 Perhaps also Sango booth, are you ready?

3 Well, nodding is always a good sign, but let's wait till we ...

4 Everything okay now?

5 THE INTERPRETER: [12:31:10] We are ready.

6 PRESIDING JUDGE SCHMITT: [12:31:14] Okay. Let's give it a try now and I think
7 it will work.

8 (Playing of the audio excerpt)

9 THE INTERPRETER: [12:31:19] (Interpretation of the audio excerpt)

10 "As declared in the newspapers, there were serious rumours on the Anti-Balaka who
11 were accused of disturbing peace in the country, and this was declared by General
12 Francis Kor Soriano, who is the commander in chief of the Sangaris forces in the
13 Central African Republic. These haven't fallen on deaf ears and this is why Mr
14 Patrice Ngaïssona, presented himself as the head of Anti-Balaka, and criticised these
15 words. He is not the only one who do that; many of the sons of the countries
16 supported the acts of Anti-Balaka with a view to basically getting the country out of
17 the grips of the ex-Seleka who were mistreating the populations, and they asked for
18 such words to not be taken lightly. This is how, after deep consideration and
19 consultation with the various Anti-Balaka groups, Mr Patrice Ngaïssona launched an
20 appeal to all Anti-Balaka so that they could come together in specific areas to -- for
21 identification and evaluating for assistance the state that -- while waiting for the
22 assistance from the state to return to their villages and their villages of origin. He
23 also made the most of this appeal to say that the billeting would help the forces in
24 Central African Republic to identify the fake Anti-Balaka who are hurting people and
25 who were darkening the image of the Anti-Balaka.

1 I've come here today to ask Anti-Balaka of the Central African Republic to basically
2 withdraw, cease combats and also help identify the fake Anti-Balaka who are
3 tarnishing the image of the real Anti-Balaka; there are several -- there are so many in
4 number and the Central African forces and that of the MISCA, the Sangaris are
5 looking to get their hands on these people who are creating disorder and robbing
6 inhabitants and killing people. Let -- we have to remove them from our forces; we
7 have to neutralise them who are basically tarnishing our image; we're not here to fight
8 and this is why I'm asking all the Anti-Balaka to come out and leave the field to the
9 foreign forces and let these people be captured."

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

11 Q. [12:34:13] Madam Samba-Panza, at the time did you hear also this statement?

12 A. [12:34:20] Yes, of course I have heard so many things, it's quite possible, but it is
13 completely in the direction of what I just mentioned.

14 Q. [12:34:32] Indeed. So we turn subject then.

15 I would like to ask you about an attempt to arrest Mr Ngaïssona in the context of
16 attending a meeting at the presidency. Do you recall this event? I assume you do
17 because you're quite, let's say, quite emotional is your -- has been your answer to a
18 respective question at the investigation phase.

19 A. [12:35:07] Yes, your Honour, I do remember this very well. And Mr Ngaïssona,
20 who is listening to us, also must recollect this very well because we were to, on that
21 day, to basically face problems, legal problems, judiciary problems that we actually
22 experienced until today. In fact, I did call for a meeting to meet the Anti-Balaka to
23 talk about a few things. I don't remember that any longer, but nevertheless, several
24 Anti-Balaka, numerous Anti-Balaka did come, including Mr Ngaïssona. The
25 meeting went off really well. I think we talked about I cards, billeting and other

1 subjects.

2 And there's -- and my staff continued the discussions with them because there were
3 technical and practical aspects as well. I basically dealt with the political side of the
4 discussion and I withdrew into my office to continue with my work.

5 And after some time, I was told that there was a problem. There was the MISCA
6 and it was the African Union's mission in Central Africa who was there to arrest
7 Mr Ngaïssona in accordance with a document that was issued by the Central African
8 Republic authorities. And I was a bit surprised because I wasn't aware of this -- this
9 approach, so I called the leader of MISCA in Bangui and I was -- I asked him what's
10 going on. And he said, "Madam President, you're issuing the orders and we are
11 executing it. You actually issued an arrest order against Ngaïssona and now that
12 Ngaïssona is in your premises, we are arresting him."

13 So I actually told him that Mr Ngaïssona left his home at Boy-Rabe and they could
14 have actually arrested him outside the president's office, or if they want to arrest him
15 in the presidential office, it means there is a problem. That means that the
16 international forces are basically putting me in a tight spot with respect to the
17 Anti-Balaka and my population and above all the entire reconciliation and the peace
18 process that I'm trying to push through in the country. And he just said that it's
19 going to be executed and they're going to arrest Mr Ngaïssona.

20 And I called MINUSCA and they came to my office and I explained the situation and
21 they said that "There's nothing else to do, we're just going to arrest him." And I said,
22 "You're not going to arrest him in the presidential office. Wait for him to leave.
23 Arrest him where you want but not here."

24 So it was rather epic, but this is what we experienced, Mr Ngaïssona and myself,
25 together. So he stayed with me for several hours in the office. We were prisoners,

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1 both of us, we were prisoners of the MISCA because the moment he would set foot
2 outside the office, he would be arrested. So this is something I couldn't accept.
3 And of course all the other Anti-Balaka who were there informed the others in the
4 neighbourhood and the entire district of Boy-Rabe and all the other Anti-Balaka
5 districts were in -- were rather emotional about it and they said that "If Mr Ngaïssona
6 is arrested, Bangui will burn, we will burn Bangui." So irrespective of where
7 Mr Ngaïssona is arrested, he -- Bangui will burn.
8 So I sent -- I showed these messages to the international forces who really wanted
9 nothing to do with these messages. So I literally begged the General Tumenta so
10 that he could find a solution, a judiciary solution, a legal solution, because arresting
11 him at the office was just not possible, it was out of the question. And he said that
12 the only thing is to actually get the prosecutor of the republic to intervene, he should
13 be listened to and we would try and find a solution, provided that Mr Ngaïssona
14 makes a statement and acknowledges the responsibility on the -- of the actions that
15 were caused by him in the past.
16 So the prosecutor came, he basically drafted a document that Mr Ngaïssona copied
17 and he signed. And the prosecutor with the -- Tumenta, general, led Mr Ngaïssona
18 to the court, where he was heard on the document. And we found an arrangement.
19 He was supposed to go every day or every other day to sign a document and he
20 couldn't leave the national borders without permission until the proceedings are
21 under way.
22 So this was around -- it was around 7 or 7:30 in the evening that Mr Ngaïssona and
23 myself were freed.
24 So this is what I can say.
25 Q. [12:41:47] That seems to have been a really an epic thing during that day.

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1 I would like to show you a document, that's CAR-OTP- -- that's tab 59, actually,
2 CAR-OTP-2101-1821.

3 Do you recognise this document, Madam Samba-Panza?

4 A. [12:42:23] I read this document, your Honour, and I never kept it and I'm
5 actually looking at again only here. I do not have a copy of this document. The
6 copy I had is in the -- was left in the president's office for my successor and I'm just
7 looking at this document again here.

8 Q. [12:42:45] Well, then I will give you the opportunity to read it in full.

9 PRESIDING JUDGE SCHMITT: [12:42:46] So perhaps we go slowly down. I think
10 the second part I think we can now show.

11 Madam Samba-Panza is a quick reader, we can go down quickly. She has read a lot
12 in her life.

13 THE WITNESS: [12:43:18] (Interpretation) I've already read this.

14 PRESIDING JUDGE SCHMITT:

15 Q. [12:43:20] So, Madam Samba-Panza, is this the, this document, so to speak, the
16 result of what has been talked about during that day when you were together with
17 Mr Ngaïssona in the presidential palace and, as you said, you were, so to speak -- you
18 could also not leave? So is this -- is this the result, this "*Declaration sur l'Honneur*" of
19 what you -- what we have spoken before?

20 A. [12:43:48] Indeed, your Honour, this is the declaration under honour.

21 PRESIDING JUDGE SCHMITT: [12:43:56] So we -- I would like to change topic and
22 we -- I don't have a lot any more. It's quick. So, but I suggest simply that we have a
23 little bit of short lunch break until 2 o'clock and then I think half an hour or so we will
24 finish.

25 We can already discuss then how to continue. Of course we only start with the

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1 examination by the other parties tomorrow.

2 Ms Struyven, Mr Vanderpuye, do you have an idea how many questions you will
3 have?

4 MS STRUYVEN: [12:44:30] Thank you, Mr President. I do think I will need the full
5 day tomorrow.

6 PRESIDING JUDGE SCHMITT: [12:44:35] Okay.
7 Victims representatives.

8 MS MASSIDDA: [12:44:39] Mr President, we may have very few questions in the
9 order of maybe half an hour maximum, depending also on what the Prosecution will
10 cover.

11 PRESIDING JUDGE SCHMITT: [12:44:52] I think we will finish both Prosecution
12 and victims representatives tomorrow.

13 Well, it's a bit early I think to ask you, Mr Knoops, Ms Dimitri.

14 MR KNOOPS: [12:45:03] Mr President, we decided that our team will examine first.

15 PRESIDING JUDGE SCHMITT: [12:45:09] That makes sense.

16 MR KNOOPS: [12:45:11] And we estimate between four and five sessions, but we
17 will of course revise our list, as usual, but that's now the current --

18 PRESIDING JUDGE SCHMITT: [12:45:20] That's actually what I expected, I have to
19 say.

20 MR KNOOPS: Thank you.

21 PRESIDING JUDGE SCHMITT: [12:45:20] Ms Dimitri, any -- do you want to stand
22 up at all? No, I'm -- no, please allow me to draw a little bit tension out of everything.

23 MS DIMITRI: [12:45:38] Thank you, Mr President. Hopefully by the time it's my
24 turn there's not much left. That's -- that's the goal.

25 PRESIDING JUDGE SCHMITT: [12:45:45] We take this for the moment, and then we

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1 have a break until 2 o'clock.

2 THE COURT USHER: [12:45:52] All rise.

3 (Recess taken at 12.45 p.m.)

4 (Upon resuming in open session at 2.03 p.m.)

5 THE COURT USHER: [14:03:26] All rise.

6 Please be seated.

7 PRESIDING JUDGE SCHMITT: [14:03:48] Good afternoon, everyone.

8 Q. [14:03:49] Good afternoon, Madam Samba-Panza.

9 So we continue with the questions by the judges; and, as I said, this will take perhaps
10 half an hour. I'm not -- I do not know exactly how long it will take, but not long,
11 Madam Samba-Panza.

12 What can you tell us, Madam Samba-Panza -- what can you tell us, Madam
13 Samba-Panza, about the objectives of the Anti-Balaka? What did they want to
14 achieve?

15 THE INTERPRETER: [14:04:38] Sound is breaking up.

16 THE WITNESS: [14:04:41](Interpretation) Thank you for the question.

17 The Anti-Balaka know better than I do what they wanted to obtain. All that I know
18 as regards the documents that I saw and the statements made from the Anti-Balaka
19 was, generally speaking, they wanted retaliation, reprisals against the Seleka and
20 those in favour of the Seleka, and the Muslims who had helped the Seleka to take
21 power and those who had committed all those crimes which we all deplore.

22 I think for the majority of the Anti-Balaka, they were moved in this spirit of revenge,
23 and above all they wanted to make sure that the Seleka would no longer hold power
24 who were at the basis of the crimes that we all deplored and we all had to face.

25 Basically, I think that was the underlying factor.

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1 Then I also had information, I had reports, stating that they wanted to resume power,
2 take over power, and wanted to have Bozizé come back to power.

3 As regards certain of their requests and some political positions, we had some
4 questions, but I have no elements, specific elements, which I can show you to prove
5 this.

6 PRESIDING JUDGE SCHMITT: [14:06:33]

7 Q. [14:06:33] Thank you, Madam Samba-Panza.

8 I would like to show CAR-OTP-2020-1863, at 07:31 until 08:30. This is something
9 also, an interview that you gave -- excuse me.

10 PRESIDING JUDGE SCHMITT: [14:06:56] It's tab 43 and the transcript is
11 CAR-OTP-2122-9401, at 9403, lines 89 until 99; and for the interpreters it's tab 44.

12 And when everybody is ready, a thumbs up or something would be fine. Okay,
13 there is a thumbs up.

14 THE INTERPRETER: [14:07:29] (Interpretation of the video excerpt)

15 "And, look, you have to know there were three positions. They want -- if they
16 want" --

17 PRESIDING JUDGE SCHMITT: [14:07:37] We are not -- we are not ready. We're
18 not ready. No, no, no. We have to start -- please. It's not a problem.

19 There is overlapping speakers, so to speak. That's me and Madam Samba-Panza.
20 So we start this from the beginning, please.

21 Q. [14:07:49] And, Madam Samba-Panza, please listen to it and I would like to ask
22 you, perhaps, to elaborate on that later. It's about -- I can already tell you, it's about
23 disarming or not disarming the 3rd arrondissement.

24 PRESIDING JUDGE SCHMITT: [14:08:15] Can we play it now? Okay, then, please,
25 we do that.

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1 THE INTERPRETER: [14:08:29] (Interpretation of the video excerpt)
2 "The second problem, we have disarmed certain neighbourhoods. We have started
3 to disarm the 5th arrondissement where there's a large Muslim community. As soon
4 as we started to disarm this Muslim community, they're having the subject of an
5 Anti-Balaka attack. There were a lot of exactions which were committed in those
6 neighbourhoods.
7 When they asked me to disarm the 3rd arrondissement, I said, 'Hey, let's see what
8 happened in the 5th.' If we disarm the 5th, we will hand over the Muslim
9 community to the Anti-Balaka. If we do not have sufficient men to protect those
10 communities and those neighbourhoods, it's better not to disarm them. I know that
11 there is heavy arms in the 3rd. I know there's the armoury, but we have to take an
12 operation in an appropriate way and in an organised way and that's why I have
13 refused to disarm the 3rd arrondissement."

14 PRESIDING JUDGE SCHMITT: [14:09:30]

15 Q. [14:09:30] Madam Samba-Panza, do you roughly recall when this question arose
16 of disarming or not disarming the 3rd arrondissement? Do you recall that?

17 A. [14:09:47] Yes, absolutely. I do remember it. I remember it very well. The
18 problem of disarmament of the 3rd arrondissement was something that came up time
19 and time again. It was a basic question. It was essential and very important for the
20 Anti-Balaka, and my answer was clear, and my position was clear-cut as well.
21 I did not want to have non-armed people to fall into the arms of the Anti-Balaka,
22 because, as I said in my Anti-Balaka -- in the 5th arrondissement, as soon as there
23 were non-armed Muslims and when the Seleka were evacuated and the Muslim
24 civilian population who were non-armed, they were under great difficulties, and I
25 didn't want to have the responsibility of an attack against the Muslim non-armed

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1 population.

2 And this was part of the requests and requirements for the Anti-Balaka, because I
3 didn't want the Anti-Balaka -- did this. I knew the consequences of non-organised
4 disarmament of the 3rd arrondissement where 95 per cent of the population were
5 Muslim.

6 Q. [14:11:13] And do you recall when this happened during your tenure, or was
7 this in the first half of 2014 or a bit later? Do you have a -- roughly an idea when this
8 happened, or when this was discussed, perhaps better to say?

9 A. [14:11:34] Oh, in the beginning of 2014. There -- there was the question of
10 disarmament of the 3rd -- 3rd arrondissement came up. The population always
11 asked that the 3rd arrondissement be disarmed because a lot of Muslims --

12 THE INTERPRETER: [14:11:54] Sound is breaking up. Sound is breaking up.

13 THE WITNESS: [14:12:00](Interpretation) -- had the possibility to the non-Christians
14 or the Muslims who lived there. They didn't want that they had any exactions in
15 those neighbourhoods.

16 PRESIDING JUDGE SCHMITT: [14:12:14]

17 Q. [14:12:14] Madam Samba-Panza, unfortunately, again the connection broke
18 down a bit, so could you please repeat your last sentences again?

19 But it's -- this afternoon, it happens for the first time, so we are quite good at the
20 moment.

21 A. [14:12:34] No problem, your Honour.

22 As I was saying, it wasn't possible because being aware of how things happened on
23 the ground to disarm part of the population, in particular the Muslims, to leave them
24 at the mercy of the Anti-Balaka who were armed. And the 3rd arrondissement had a
25 population which was 95 per cent Muslim. If they were going -- if we were going to

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1 disarm the 3rd arrondissement, the Muslim population who are in the
2 3rd arrondissement would have been exposed to the revenge of the Anti-Balaka.

3 Q. [14:13:19] Now, we are changing topic completely. Now we are talking about
4 money.

5 First of all, did you ever, from the side of the presidency, from the state, provide
6 money to the Seleka and the Anti-Balaka?

7 A. [14:13:44] I can tell you the following: As regards me as the authority of the
8 transition, I did provide money to the Seleka and the Anti-Balaka.

9 THE INTERPRETER: [14:13:57] Sound is breaking up.

10 THE WITNESS: [14:14:00](Interpretation) And the Anti-Balaka received the mission
11 costs when we went to the Brazzaville forum. There was an amount that was
12 established and handed over.

13 Having said this, I must admit that when I received the Anti-Balaka in the meetings
14 and when they left, when I knew as a mayor that many of them were facing
15 difficulties, I gave them a little bit of money just to help them out. It wasn't really
16 funding; it was a maternal gesture for the Anti-Balaka because many of them were
17 young people who came from the remote areas.

18 But it wasn't systematically done. But after some meetings, I did give an envelope so
19 that they could pay for their travelling expenses or some other small expenses. That
20 is something that I said.

21 PRESIDING JUDGE SCHMITT:

22 Q. [14:15:03] Thank you. And staying with the topic of money, what can you tell us
23 about this money that was provided by the -- by Angola? You know, this was an
24 issue sometimes with some of the witnesses here during our proceedings, and you
25 also referred to that in your statement during the investigation phase.

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1 Could you -- could you perhaps try to enlighten us what this was about and what
2 happened there?

3 A. [14:15:36] With your leave, your Honour, I will not talk about this question
4 because it humiliated me a lot, with your permission.

5 Q. [14:15:45] Well, I think we would -- we would accept that. But let me put it this
6 way and be frank: Wouldn't it be good if you provided us with your view what
7 happened at the time, because, you know -- Ms Struyven, you don't have to interfere.
8 You know, Mrs Samba-Panza, there were, of course, witnesses -- you know what was
9 flying around - accusations, allegations - and the Chamber would be interested in
10 your position, in your views, so just to hear that. I think that would be a good thing
11 for you. Perhaps if you ponder that, and perhaps you would want to elaborate on
12 that.

13 A. [14:16:36] Your Honour, I have reacted this way because I received a note from
14 the Chamber telling me that I was accused of embezzlement. There was a note that
15 almost prevented me to stand here as a witness because -- that I was part of this and I
16 was accused of embezzlement, and my moral standing was put into question. I feel
17 attacked and I almost did not accept to come here and talk.

18 And these are strong feelings within me. Therefore, because of the situation, I'm
19 here.

20 In the world of politics, your Honour, everything is possible. Politics is a dirty world
21 and, in any case, I was never involved in the politics voluntarily. Politics came to me.
22 And given my commitments and my conscious awareness of the citizens, I decided to
23 accept. But that's as far as it goes.

24 When I was head of the transition government in January, the -- we had no money at
25 all. There was no money at all -- nothing. There was no administration. The

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1 public treasury didn't function. We didn't have anything.

2 There was a meeting with the international community in Addis Ababa who decided
3 that each member of the -- each member of the economic community of Africa would
4 receive CFA 5 billion -- I don't know how much that is in dollars. But 5 billion CFA
5 would be handed to us from each state.

6 THE INTERPRETER: [14:18:33] Sound is breaking up.

7 PRESIDING JUDGE SCHMITT: [14:18:41]

8 Q. Can you stop here, Madam Samba-Panza. The sound had been breaking up.

9 But I -- I would like to use this -- this unnatural break, so to speak, to assure you that
10 nobody accuses you here of anything -- accuses you of anything. The -- the thing is
11 that some of the witnesses we had mentioned this issue, and since you're also a
12 witness, I think - and the judges think - it's fair from us to you to give you the
13 opportunity tell us what happened with this money.

14 So this is actually an attempt to be fair to you as a person and also in your former role
15 as a president. So please don't misunderstand the intentions of the Chamber.

16 So with that, perhaps you can continue.

17 A. [14:19:46] Very well, your Honour. So what I was saying is that it was decided
18 at a meeting, which was held in Addis Ababa, that the members of the economic
19 community of African -- central African states could help the Central African
20 Republic, taking into account its difficulties.

21 This state needed funds, it needed resources in order to relaunch itself into its
22 activities, it's functioning, and so it was decided that every state could give 5 billion
23 francs, CFA francs. And some states made payments directly to the treasury or to
24 the central bank in Cameroon.

25 Angola -- being part of the CFA area, Angola decided to bring a contribution in cash

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1 on two occasions. Angola decided to do that.
2 Now, the first time Angola brought 2.5 billion in dollars, and this was taken to two
3 different banks -- three different banks which refused to take the money. And they
4 considered that -- they were not in dollars -- they could do nothing, and they refused
5 to take this money. And then we decided to take a mission to Cameroon with this
6 money in cash - 2.5 billion in cash - in order to change it. And we did this in
7 Douala - Ecobank, Douala - and they came with this money which we paid into the
8 treasury.
9 Now, Angola, afterwards brought 1.5 billion and we carried out the same operation
10 as the one -- and we paid it into the public treasury.
11 And the last tranche of 1.5 billion, we carried out the same operation for, and when
12 the team came back with 1.5 billion, we said, "There are too many needs -- well,
13 there's too much need for money for us to provide it to the treasury and it to go
14 through the entire circuit that we know." And what we tried to do was to look at the
15 most urgent spending requirements, and where there were matters within the state
16 sovereignty, special funds et cetera, and we decided to put the funds there.
17 So there was a table that was made with all the beneficiaries, with the dates of
18 payments et cetera, et cetera, and all this table was drawn up of what we had done.
19 There was a meeting in Cameroon, an IMF meeting, and we were asked to declare the
20 management of all the funds that had been received. And we sent a copy thereof of
21 this table, and it's a copy of this table that caused problems.
22 When we sent a copy of this table, of course, those who were waiting to -- for this
23 occasion were saying, "Okay, there's 1.5 billion that the head of state managed
24 without transparency and it's embezzlement," et cetera, and that created a lot of
25 problems to verify the use of these funds and see to what extent we could --

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1 PRESIDING JUDGE SCHMITT: [14:23:33]

2 Q. [14:23:33] We have to stop there. Madam Samba-Panza, just -- we have
3 there -- the connection broke down, but only shortly before that.

4 So is it -- do I wrap it up correctly when I say that the whole sum from Angola went
5 to the state of the Central African Republic and it stayed there and it was spent
6 for -- for public interest? Would it be correct to wrap it up like that?

7 A. [14:24:09] That is a good way of summarising it, apart from the fact that the last
8 tranche was not paid to the public treasury. It was put into different spending
9 which was regularised at -- under the control of the IMF and the World Bank, so there
10 were entries that were put into that which were registered with the treasury with the
11 types of corresponding spending so it was balanced. But, obviously, the politicians
12 and others extrapolated about this matter.

13 Q. [14:24:47] Thank you very much, Madam Samba-Panza, for this explanation.
14 I'm coming to the last -- our last topic.

15 You have referred the situation in the Central African Republic to the court. What
16 motivated you to do that?

17 A. [14:25:15] Your Honour, given the situation that prevailed in my country since
18 August 2012, with peaks of violence that we saw in December 2012, and then January,
19 February 2014, I considered that it was necessary not to allow the crimes to go
20 unpunished, and it was necessary to try to identify the perpetrators and to try to
21 make them take on responsibility for their actions. That was very important. And
22 for the victims as well. And for the population as well.

23 Impunity has always been the principle in our country and for once I said, as a lawyer,
24 as a jurist, as an activist in human rights, then we could not allow these crimes to go
25 unpunished. Only I did not have a judicial structure which would make it possible

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1 to carry out investigations in the field for all these crimes.

2 And, as I told you, the structure of the state was -- had completely collapsed. We
3 didn't have an army, we didn't have judicial police, we didn't have courts which were
4 able to carry out investigations and to determine the criminal responsibility or to
5 carry out Prosecutions and administer corresponding sanctions. So I felt that most of
6 the crimes which came within international law -- that with regards to these crimes,
7 the International Criminal Court should be asked to open investigations in order to
8 identify the criminals, and then I wanted to refer the entire situation of the Central
9 African Republic to the Court.

10 But while referring this situation to the Court, what I also did was to try to restructure
11 the judicial services with the support of the international community. I set up a
12 special court on which made it possible to hear and try crimes and acts which were
13 not completely within the jurisdiction of the International Criminal Court.

14 So I tried to put justice at the forefront of my priorities.

15 Q. [14:28:03] I would like to show you a document, Madam Samba-Panza.

16 PRESIDING JUDGE SCHMITT: [14:28:04] That's tab 34, CAR-OTP-2087-9007 -- no
17 excuse me. It's another one. That was my mistake.

18 CAR-OTP-2001-3268. I apologise. That's tab 34. Perhaps if we enlarge it a little bit
19 for the witness.

20 Q. [14:28:36] So do you know this report? Do you have an idea?

21 A. [14:28:52] Yes, yes.

22 PRESIDING JUDGE SCHMITT: [14:28:53] Let's show the witness, please, the last
23 page, 3288.

24 So it -- please, please go down. I wanted the name who signs for it.

25 Q. [14:29:06] So it appears that this person Gabriel Faustin Gbodou put this report

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1 together and it was finalised 9 September 2014.

2 A. [14:29:22] Yes.

3 Q. [14:29:22] Did you discuss the report with Mr Gbodou?

4 A. [14:29:37] Your Honour, Mr Gabriel Faustin Gbodou was a member of the
5 government. He was a judge with a high level of experience and we entrusted this
6 dossier and this document to him, and he presented it to the council of ministers.

7 PRESIDING JUDGE SCHMITT: [14:29:55] So let's go to page 3286, please. So, first,
8 perhaps -- where -- yes, exactly, stop here.

9 Q. [14:30:07] So Mr Ngaïssona is mentioned here, and his alleged responsibility.
10 Where did the -- where did the -- what was the source of information, if you know,
11 for Mr Gbodou for this statement, so to speak?

12 A. [14:30:36] From all the documents that we received - confidential notes, notes
13 from the gendarmerie, information notes, from all these different items - it
14 corroborated a lot of the statements, so there was no problem. We had notes, which
15 we provided to the Office of the Prosecutor on all these different persons.

16 Q. [14:30:59] And also when we go down a little bit, the same question with regard
17 to Mr Yekatom. Perhaps you -- he's also mentioned there and his role in the Lobaye.

18 A. [14:31:14] I share it. Yes. Indeed.

19 Q. [14:31:17] Okay.

20 PRESIDING JUDGE SCHMITT: [14:31:18] So these were the questions that the
21 judges had for this witness.

22 Madam Samba-Panza, I would like to thank you for answering our questions so
23 patiently today and also never losing your patience when you had to repeat
24 something of what you said. Thank you for your understanding.

25 We will continue tomorrow at 9.30.

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- 1 And for Ms Struyven, with regard to the questions put today to Ms Samba-Panza, you
- 2 are strongly encouraged to revise your planned questioning and perhaps shorten it.
- 3 Thank you. Until tomorrow, 9.30.
- 4 THE COURT USHER: [14:32:02] All rise.
- 5 (The hearing ends in open session at 2:32 p.m.)