

Trial Hearing

(Open Session)

ICC-01/14-01/21

1 International Criminal Court

2 Trial Chamber VI

3 Situation: Central African Republic II

4 In the case of The Prosecutor v. Mahamat Said Abdel Kani - ICC-01/14-01/21

5 Presiding Judge Miatta Maria Samba, Judge María del Socorro Flores Liera and

6 Judge Sergio Gerardo Ugalde Godínez

7 Trial Hearing - Courtroom 2

8 Monday, 26 February 2024

9 (The hearing starts in open session at 9.33 a.m.)

10 THE COURT USHER: [9:33:28] All rise.

11 The International Criminal Court is now in session.

12 Please be seated.

13 PRESIDING JUDGE SAMBA: [9:33:46] Good morning, everyone.

14 Madam Court Officer, can you please mention the case.

15 THE COURT OFFICER: [9:33:53] Good morning, Madam President, your Honours.

16 The situation in the Central African Republic II, in the case The Prosecutor versus

17 Mahamat Said Abdel Kani, case reference ICC-01/14-01/21.

18 And we are in open session.

19 PRESIDING JUDGE SAMBA: [9:34:06] Thank you very much.

20 Can I ask the parties to introduce themselves.

21 The Prosecution first, please.

22 MS MAKWAIA: [9:34:13] Good morning, your Honours. For the Prosecution this

23 morning, myself, Holo Makwaia, senior trial lawyer; Mr Thomas Bifwoli, trial lawyer;

24 and Ms Brunhild Le Bailly, associate trial lawyer. Thank you.

25 PRESIDING JUDGE SAMBA: [9:34:27] Thank you very much.

1 Ms Pellet for the victims, please.

2 MS PELLET: [9:34:30](Interpretation) Thank you very much, President. The  
3 victims are represented by Caroline Walter and myself, Sarah Pellet, legal  
4 representative for the victims.

5 PRESIDING JUDGE SAMBA: [9:34:47] Thank you very much, Ms Pellet. Thank  
6 you very much.

7 Ms Naouri for the Defence, please.

8 MS NAOURI: [9:34:52](Interpretation) Thank you, President. Aside me we have  
9 Mr François-Jacquemin, also Capucine Banet, and behind me, Dov Jacobs. And I  
10 myself am Jennifer Naouri, lead counsel for Mr Said Abdel Kani.

11 PRESIDING JUDGE SAMBA: [9:35:16] Thank you very much.

12 And for the record, I note that Mr Said is in court.

13 Good morning, Mr Said. I hope I see you well.

14 MR SAID: [9:35:27](No interpretation)

15 PRESIDING JUDGE SAMBA: [9:35:40] Was there an interpretation of the response?

16 THE COURT OFFICER: [09:35:45] I'm not hearing any English interpretation, for the  
17 record. Thank you.

18 THE INTERPRETER: [9:35:55] Mr Said said, "Good morning, Madam President."

19 PRESIDING JUDGE SAMBA: [9:36:03] Thank you very much.

20 Now, the Prosecution, we understand, is calling P-2179 as its 21st witness.

21 The Chamber previously rejected a request from the Prosecution to introduce P-2179's

22 prior recorded testimony pursuant to Rule 68(2)(b), and instead we found that

23 P-2179's prior recorded testimony should be introduced into evidence under

24 Rule 68(3) of the Rules of Procedure and Evidence in decision number 555.

25 Lastly, on Friday the Chamber granted the Prosecution's request to introduce the

1 annex of P-2179's witness preparation log pursuant to Rule 68(3).

2 It is the Chamber's understanding that this witness will be testifying in Sango via  
3 video link, as we see. So I remind everyone of the importance of the need to speak  
4 slowly and to observe the five-second rule between questions and answers.

5 Before commencing, the Chamber notes briefly that protective measures are  
6 confirmed for this witness by virtue of decision number 605 and that the VWU  
7 recommends certain special measures.

8 Madam Court Officer, can you please connect us with the witness. Thank you.

9 MS MAKWAIA: [9:37:34] Madam President, before you do so, you had instructed  
10 us to inform the Chamber whether or not we were going to rely on certain exhibits.

11 Ms Le Bailly shall be addressing the Court, briefly.

12 MS LE BAILLY: [9:37:51] Good morning, Madam President.

13 Indeed, the Prosecution has identified five incorrect ERNs that do not match the  
14 photographs shown to the witness during his interview in the original statement of  
15 P-2179 at CAR-OTP-2088-2250 because of typographical error and submits that it no  
16 longer intends to rely on these exhibits and the witness comments thereon.

17 On 23 February 2024, the Prosecution has disclosed an ID report at

18 CAR-OTP-00036115 which lists these five incorrect ERNs and which corrected two of  
19 these ERNs, while inquiries are still ongoing to correct the three other ERN.

20 Would you wish me to list the five incorrect ERNs?

21 PRESIDING JUDGE SAMBA: [9:38:43] Are those the ones you say you no longer  
22 rely on?

23 MS LE BAILLY: [9:38:48] Yes.

24 PRESIDING JUDGE SAMBA: [9:38:50] There will be no need for that. We take  
25 note of that. Thank you.

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1 MS LE BAILLY: [9:38:55] Thank you.

2 PRESIDING JUDGE SAMBA: [9:38:58] Madam Court Officer, can you connect us  
3 with the witness, please. Thank you very much.

4 THE COURT OFFICER: [9:40:03] Madam President, the witness can now hear us.  
5 Thank you.

6 PRESIDING JUDGE SAMBA: [9:40:12] Thank you very much.

7 Good morning, Mr Witness. Can you hear and see me?

8 WITNESS: CAR-OTP-P-2179

9 (The witness speaks Sango)

10 (The witness gives evidence via video link)

11 THE WITNESS: [9:40:30](Interpretation) Yes, I can hear you and see you.

12 PRESIDING JUDGE SAMBA: [9:40:33] Good.

13 Now, you are going to testify before the International Criminal Court. On behalf of  
14 the Chamber, I would like to welcome you to the courtroom.

15 THE WITNESS: [9:40:56](Interpretation) Thank you very much.

16 PRESIDING JUDGE SAMBA: [9:41:00] Now, Mr Witness, you have in front of you  
17 the solemn undertaking to tell the truth that every witness who appears and testifies  
18 before this Court must agree to. I am going to read it out to you now, so listen.

19 I solemnly declare that I will speak the truth, the whole truth and nothing but the  
20 truth.

21 Mr Witness, do you understand and agree to what I have just read out to you?

22 THE WITNESS: [9:41:58](Interpretation) Yes, I have understood. I declare that all I  
23 shall say before this Court will be the truth and nothing but the truth.

24 PRESIDING JUDGE SAMBA: [9:42:14] Thank you very much, Mr Witness. So we  
25 will continue.

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1 Let me explain to you, Mr Witness, the protective measures that the Chamber has put  
2 in place for your testimony. We have in place for you voice and face distortion for  
3 the duration of your testimony. Now, this means that no one outside the courtroom  
4 can see your face or hear your voice, your real voice during the testimony.  
5 There will also be the use of pseudonym. In accordance with that, we will all refer to  
6 you only as "Mr Witness" to make sure that the public does not know your real name.  
7 When you answer questions that will not give away who you are, we will do so in  
8 open session, which means that the public can hear what is being said in the  
9 courtroom.  
10 When you are asked to describe anything that relates specifically to you or you are  
11 asked to mention facts which might reveal your identity, we will do this in private  
12 session.  
13 Lastly, Mr Witness, I have a few practical matters you should have in mind when  
14 giving your testimony.  
15 Everything we say here in this courtroom is written down and interpreted. It is  
16 therefore important to speak clearly and at a slow pace. Please speak into the  
17 microphone and only start speaking when the person asking the question has finished.  
18 To allow for the interpretation, everyone has to wait a few seconds before starting to  
19 speak.  
20 If you have any question yourself, or if you need a break, raise your hand so that we  
21 know that you want to say something to us.  
22 Furthermore, we hope that there are no issues with the video link. However, if there  
23 are any issues with the technology, be rest assured that we will make sure that things  
24 get sorted out as quickly as possible.  
25 Have you understood all that I have said, Mr Witness?

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WITNESS: CAR-OTP-P-2179

- 1 THE WITNESS: [9:45:43](Interpretation) Yes, I've understood well.
- 2 PRESIDING JUDGE SAMBA: [9:45:46] Thank you very much.
- 3 So now I'm going to ask the Prosecution to lead you in evidence.
- 4 Madam Prosecutor, your witness, please.
- 5 MS LE BAILLY: [9:46:01](Interpretation) Thank you, Madam President.
- 6 QUESTIONED BY MS LE BAILLY: (Interpretation)
- 7 Q. [9:46:10] Witness, good morning.
- 8 A. [9:46:19] Good morning.
- 9 Q. [9:46:22] My name is Brunhild Le Bailly and I shall be questioning you on behalf
- 10 of the Prosecution. If any of my questions are not clear, please let me know and I
- 11 will reword it.
- 12 A. [9:46:42] Yes, I've understood well.
- 13 MS LE BAILLY: [9:46:46](Interpretation) Madam President, could we move into
- 14 private session for the first questions to the witness.
- 15 PRESIDING JUDGE SAMBA: [9:46:55] Madam Court Officer, can you please move
- 16 us into private session. Thank you.
- 17 (Private session at 9.47 a.m.)
- 18 THE COURT OFFICER: [9:47:12] We're in private session, your Honours.
- 19 PRESIDING JUDGE SAMBA: [9:47:16] Thank you very much.
- 20 Ms Le Bailly, put your questions to the witness, please.
- 21 MS LE BAILLY: [9:47:26](Interpretation)
- 22 Q. [9:47:29] Witness, what is your full name, please?
- 23 A. [9:47:36] My name is (Redacted)
- 24 Q. [9:47:49] Thank you. And what is your date of birth, if you please?
- 25 A. [9:47:56] I was born in (Redacted)

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WITNESS: CAR-OTP-P-2179

- 1 Q. [9:48:07] And in what country is (Redacted)
- 2 A. [9:48:24] (Redacted) is in (Redacted)
- 3 Q. [9:48:30] And (Redacted), is that a region of the Central African Republic?
- 4 A. [9:48:37] Yes. It's at (Redacted)
- 5 Q. [9:48:45] Thank you.
- 6 MS LE BAILLY: [09:48:43] Madam President, with your leave, we can return to
- 7 public session for my next questions.
- 8 PRESIDING JUDGE SAMBA: [9:48:52] Thank you very much.
- 9 Madam Court Officer, can you get us into open session, please.
- 10 (Open session at 9.49 a.m.)
- 11 THE COURT OFFICER: [9:49:07] We are back to open session, Madam President.
- 12 PRESIDING JUDGE SAMBA: [9:49:12] Carry on, please, Madam Prosecutor.
- 13 MS LE BAILLY: [9:49:17](Interpretation)
- 14 Q. [9:49:20] Witness, do you recall being questioned by members of the Office of
- 15 the Prosecutor?
- 16 A. [9:49:33] Yes.
- 17 Q. [9:49:37] Do you recall when you were questioned?
- 18 A. [9:49:54] I don't recall what year I was interviewed.
- 19 Q. [9:50:01] Do you remember providing a written statement to the members of the
- 20 Office of the Prosecutor at the end of those interviews?
- 21 A. [9:50:17] Yes. Yes, I recall.
- 22 Q. [9:50:24] Do you recall re-reading and signing that written statement?
- 23 A. [9:50:38] Yes. I signed that document myself.
- 24 Q. [9:50:50] Okay. Thank you. I'm now going to show you a document and you
- 25 can tell me if you recognise it.

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1 \* Court officer, could you display document number 1 on our list, that's  
2 CAR-OTP-2088-2250. It is a confidential document, and the cover page bears the ERN  
3 number 2250. Now, Witness, do you see this document on the screen in front of you?

4 A. [9:51:40] Yes, I can see it.

5 MS LE BAILLY: [9:51:52] (Interpretation) Perhaps we can first display the first  
6 page of the document, so page 2250, the cover page. Yes, that's it. Thank you.

7 Q. [09:52:02] Now, Witness, I would remind you that we are in open session, so  
8 I would ask you not to state any names out loud. Thank you.

9 Now, do you recognise your own name at the top of this document?

10 A. [9:52:26] Yes, I -- I can recognise it.

11 MS LE BAILLY: [9:52:31] (Interpretation) We're now going to display the bottom of  
12 this page, if the court officer would assist. There we go. And we shall now zoom in  
13 on the signatures.

14 Q. [09:52:47] Witness, do you recognise a name and a signature at the bottom of  
15 this document? And please do not state your name.

16 A. [9:53:05] Yes, I can see the name and I recognise the name and I see the  
17 signature.

18 Q. [9:53:11] And is that your name and your signature?

19 PRESIDING JUDGE SAMBA: [9:53:21] Sorry --

20 THE WITNESS: [9:53:21] (Overlapping speakers)(No interpretation)

21 PRESIDING JUDGE SAMBA: [9:53:21] -- Madam Prosecutor, can you avoid leading  
22 questions, please.

23 MS LE BAILLY: [9:53:27] (Interpretation) Yes, thank you, your Honour.

24 Q. [9:53:32] Now, I'd like to show you another page of this same document.

25 Court officer, could you show us page 2250 -- or sorry, page 2283 of this document.



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1 Could we go to the middle of the page, I believe it is. And I'm looking for page 2283

2 with the witness acknowledgment. Thank you. There it is. Thank you.

3 Witness, do you recognise this signature?

4 A. [9:54:57] Yes, that's my signature.

5 Q. [9:55:00] And underneath it do you see a handwritten date?

6 A. [9:55:12] Yes, I recognise it.

7 Q. [9:55:18] Is that your handwriting?

8 A. [9:55:25] Yes, that's my handwriting.

9 Q. [9:55:31] So, Witness, is this the statement which you provided to the  
10 Prosecution in September 2018?

11 A. [9:55:52] Yes, that's right.

12 Q. [9:55:57] Very good. I shall now continue on with my questions and this time  
13 we'll be looking at another document.

14 Now, Witness, before appearing before the Court to testify today, did you have an  
15 opportunity to re-read your statement during a preparation session with the Office of  
16 the Prosecutor by video link?

17 A. [9:56:31] No.

18 Q. [9:56:41] Did you not recently meet with the Office of the Prosecutor to re-read  
19 this document, your statement, the one we've just looked at again together?

20 A. [9:57:04] Yes. Yes, yes, I had the opportunity to have the document re-read to  
21 me.

22 Q. [9:57:22] So during that preparation session, did you have an opportunity to  
23 make corrections or to provide clarifications with regards to your earlier statement?

24 A. [9:57:56] I didn't remove anything from -- from that, I just provided the identity  
25 of a person. I didn't add or change anything else. \* I referred to two persons and to

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1 Ouma Jefferson.

2 \* Q. [9:58:27] Okay. Thank you, Witness.

3 I'd like to now show you another document. It's at tab 5, it's confidential, and the  
4 number is CAR-OTP-0003-6103. I'd like to display the first page.

5 Court officer, in fact, I want to display another document. It's -- I should have said  
6 it's at tab 55 and the reference number is CAR-OTP-00036103.

7 Witness, do you see the document that's in front of you on the screen?

8 A. [9:59:58] Yes. Yes, I can see it.

9 MS LE BAILLY: [10:00:04] (Interpretation) Could we zoom in on the title which I'm  
10 going to read out to the witness.

11 Q. [10:00:08] So "ANNEX A, witness preparation log for the preparation of P-2179."

12 Witness, do you recognise this document?

13 A. [10:00:30] Yes, I recognise the document.

14 MS LE BAILLY: [10:00:36] (Interpretation) Court officer, could you show us  
15 page 003 of this document.

16 Q. [10:00:55] Mr Witness, could you please look at the bottom of this page that is  
17 being shown on the screen, and where a signature appears, do you recognise this  
18 signature?

19 A. [10:01:12] Yes, it is my signature.

20 Q. [10:01:18] So, Mr Witness, are these the notes of clarification that you provided  
21 to the OTP on 20 February 2024?

22 A. [10:01:38] Yes, I was the one who gave them that information.

23 Q. [10:01:45] Very well. So, Mr Witness, we have noted your corrections and  
24 clarifications in addition to your previous witness statement, and I would like to

25 know whether you have given us the whole truth, according to your knowledge and

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1 memory or recollection, when you provided us with all this information.

2 A. [10:02:12] Yes, I only told the truth and nothing but the truth.

3 Q. [10:02:21] So, Mr Witness, to wrap up with my questioning, there are two

4 further questions for me to put to you before the Court, two procedural questions.

5 I would like to know whether you are in agreement for the judges to use your witness

6 statement and your notes of corrections and clarifications that we have reviewed

7 together just now as elements or as evidence in this case?

8 A. [10:02:58] Yes, I do provide my consent.

9 Q. [10:03:04] One last question to you: Do you have any objection to us using  
10 your statement or your correction notes?

11 A. [10:03:28] I would like for them to be used.

12 Q. [10:03:34] Thank you, Mr Witness.

13 MS LE BAILLY: [10:03:36] (Interpretation) Madam President and your Honours,

14 I think that this satisfies the 68(3) procedural rules, unless you have anything that you

15 would like to say to the contrary.

16 PRESIDING JUDGE SAMBA: [10:03:52] Thank you very much, Madam Prosecutor.

17 The witness, having fulfilled the requirements of Rule 68(3) of the Rules of Procedure

18 and Evidence and him having agreed that we could use his statement and documents

19 referred to in the preparation log, I thank you, and ask the Defence to put questions

20 now to this witness.

21 MS LE BAILLY: [10:04:25] (Interpretation) Thank you, Mr Witness.

22 PRESIDING JUDGE SAMBA: [10:04:22] Ms Naouri, your witness, yes.

23 MS NAOURI: [10:04:31](Interpretation) Yes, thank you, Madam President. The

24 cross-examination will be led by Maître François-Jacquemin and I will hand over to

25 him.

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1 PRESIDING JUDGE SAMBA: [10:04:47] Very well then. Thank you very much.

2 Mr Jacquemin, your witness, please.

3 MR FRANÇOIS-JACQUEMIN: [10:05:06](Interpretation) Thank you, Madam

4 President.

5 QUESTIONED BY MR FRANÇOIS-JACQUEMIN: (Interpretation)

6 Q. [10:05:14] Good morning, Mr Witness.

7 A. [10:05:17] Good morning.

8 Q. [10:05:20] My name is Florian and my family's name is François-Jacquemin and

9 I'm going to be putting questions today to you on behalf of the Said Defence team.

10 As the OTP, I will be addressing you as "Mr Witness", and I will be putting questions

11 to you in the most precautionary manner possible, under the control, of course, of the

12 Chamber.

13 I shall try not to speak too quickly and to respect the five-second rule and I'll call

14 upon you to do the same when providing your responses.

15 For the transcript, my first name is Florian and my family name is

16 François-Jacquemin.

17 So I would like to call upon you to listen with attention to the questions that I'm

18 putting to you and only answer the questions that I'm putting to you.

19 Mr Witness, before developing the line of questioning that I have prepared for you,

20 I would like to get your reaction to something that you said at the hearing.

21 And to do this, Madam President and Madam Courtroom Officer, I would need to go

22 into private session, please.

23 PRESIDING JUDGE SAMBA: [10:07:09] Madam Court Officer, can we go into

24 private session, please.

25 (Private session at 10.07 a.m.)

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1 THE COURT OFFICER: [10:07:23] We are in private session, your Honours.

2 PRESIDING JUDGE SAMBA: [10:07:25] Thank you very much.

3 Counsel, your witness, please.

4 MR FRANÇOIS-JACQUEMIN: [10:07:34](Interpretation) Thank you, Madam

5 President.

6 Q. [10:07:38] Mr Witness, at an earlier stage at page 11, lines 2 to 5 of today's

7 transcript, you said, and I quote: "I did not add anything or amend anything in my

8 testimony. \* I talked about two people and about Ouma Jefferson." Is that correct,

9 Mr Witness?

10 A. [10:08:04] Yes, that is correct.

11 Q. [10:08:10] Thank you, Mr Witness.

12 Now, in CAR-OTP-00036103, which is our tab number 5 and which corresponds to

13 the document of your preparation, the preparatory document, the OTP preparatory

14 document for you, these names do not appear. Now, could you please tell us who

15 they are.

16 A. [10:08:58] These are the individuals whose names -- well, Ouma Sodia (phon),

17 the name wasn't there. It was at a later stage that I remembered his name. And

18 also there was a captain who now has the rank of colonel and I saw him in a

19 photograph, he is now part of the national army. And these are the individuals

20 whom I mentioned.

21 Q. [10:09:28] What did you say during your preparatory session about these

22 individuals, Mr Witness?

23 A. [10:09:52] I talked about Ouma Sodia. I said that he was part of Djotodia's

24 security detail. I didn't know his name. It was at a later stage that I remembered

25 his name and provided it to the investigators of the Office of the Prosecutor.

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1 Q. [10:10:15] Thank you, Mr Witness. That is crystal clear.

2 Could you tell me, Mr Witness, what was your mother's trade or career?

3 A. [10:10:33] My mother is a peasant.

4 Q. [10:10:40] And what did your father do, Mr Witness?

5 A. [10:10:51] My late father was a soldier.

6 Q. [10:11:02] Could you tell us a little bit more about his rank in the army, his  
7 battalion, his function, possibly, please?

8 A. [10:11:26] He was part of the presidential guard of President Kolingba. After  
9 the Kolingba regime, he joined the -- he was a commander and he joined the RDCT.

10 THE INTERPRETER: [10:11:49] Correction: RDOT.

11 MR FRANÇOIS-JACQUEMIN: [10:11:55](Interpretation)

12 Q. [10:11:57] Do you know in what year he left the army?

13 A. [10:12:10] He was working and he died in 2004.

14 Q. [10:12:19] Can you tell us how long he served under the Kolingba regime,  
15 Mr Witness?

16 A. [10:12:37] Well, I don't know how long he worked in the presidential guard of  
17 Kolingba. I was very young at the time.

18 Q. [10:12:48] Thank you, Mr Witness.

19 You mentioned the RDOT, did you not; is that correct?

20 A. [10:13:02] Yes, the RDOT.

21 Q. [10:13:07] Thank you, Mr Witness. Could you please explain to us what this is?

22 A. [10:13:25] The RDOT is the former presidential guard of Kolingba, who was then -- this  
23 was then converted into the RDOT. Now they're called BIT-1 and BIT-2 and BIT-3. These  
24 were the corps that were called RDOT and they were located at PK12.

25 Q. [10:14:01] Thank you, Mr Witness.

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1 What were you doing before you joined the FACA?

2 A. [10:14:17] I was selling bread, subsequent to which I worked for the (Redacted)  
3 before entering or joining the FACA.

4 Q. [10:14:35] Mr Witness, what is (Redacted) involved in in terms of activities?

5 A. [10:14:54] I work as a dayworker. I was supposed to clear out the vegetation in  
6 the compound of the (Redacted)

7 Q. [10:15:08] Thank you very much, Mr Witness.

8 You joined the FACA in (Redacted); is that correct, Mr Witness?

9 A. [10:15:18] That is correct. It was in (Redacted)

10 Q. [10:15:24] Thank you, Mr Witness. Do you remember the month?

11 A. [10:15:40] On 3 November, 3 November.

12 Q. [10:15:50] Thank you, Mr Witness. Could you please explain to us how you  
13 were integrated into the FACA?

14 \* A. [10:16:06] One of my father's co-workers who was working at the PE met with  
15 me. He led me to understand that my father had done him many a good turn and he  
16 was the one who.... recommended me. During Bozize's regime, there was a lot of  
17 recruitment going on by prefecture.. He called me, he gave me a form to enroll into  
18 the FACA, and that's how it happened.

19 Q. [10:16:51] Thank you very much, Mr Witness.

20 Do you recall the name of this individual who invited you to enroll into the FACA?

21 A. [10:17:12] Yes, I remember him only too well. He was retired -- he retired quite  
22 some time ago and now he lives in the provinces.

23 Q. [10:17:26] Could you please provided us with his name, Mr Witness?

24 A. [10:17:34] His name is (Redacted) (phon).

25 Q. [10:17:49] Thank you, Mr Witness. Could you please explain to us how in

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1 concrete terms he helped you get into the FACA in addition to informing you that  
2 recruitment was ongoing?

3 A. [10:18:07] After my father passed away, my mother was living in the provinces  
4 and I was living with my uncle in Bangui. One of my brothers-in-law had taken me  
5 on at (Redacted) where I worked as a daily worker, then I met the co-worker of my  
6 father who on occasion would come and help, and he said that he was part of a  
7 recruitment team in Birao and said that he would keep an enrolment form aside for  
8 me. Then he came to find me in Bangui. He called me, he handed me the form  
9 before enrolling me into the FACA, and that was how I was enrolled. In the  
10 meantime, I was telling him or pleading with him to the effect that I had been  
11 abandoned, and that's how he provided me with assistance.

12 Q. [10:19:20] Thank you, Mr Witness. Now, once you had filled in that form, what  
13 happened?

14 A. [10:19:34] He gave me the form and he told me the date of entry and he said that  
15 the next day they were going to go to Camp Kassai. He filled in the whole form for  
16 me with my name and photo and then we -- I went to Kassai and we were then sent to  
17 Bossembele for training. \* Other people went to Bouar and other camps in order to  
18 follow military training. There were many of us.

19 Q. [10:20:09] Thank you, Mr Witness. What happened in Camp Kassai on the day  
20 after you filled in that form?

21 A. [10:20:28] After having handed the form to me, at the entrance to Kassai, we  
22 gave our forms to the guard and we then went into the compound. We had our  
23 skulls shaved. \* And after a few talks and some military hazing, we were assigned  
24 to the training location.

25 Q. [10:21:01] Thank you, Mr Witness. What do you mean by "*brimades militaires*"?



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1 *Brimades militaires* being military bullying or ragging.

2 A. [10:21:23] Military bullying or ragging are for you to become a man, for you to  
3 wake up, step up, for you not to be fearful. During those bullying sessions some of  
4 them died, some of them are still alive, and I thought to myself, well, if I ran away,  
5 that wouldn't do me any good, and that's why I decided to put up with all of that like  
6 a man.

7 Q. [10:21:50] Thank you, Mr Witness. I'm not going to dwell too lengthily on this  
8 matter, but why is it that some people died?

9 A. [10:22:25] Because during these initiations, some people were not in good health,  
10 they had contacts in high places, and some of these people hadn't gone through  
11 medical clearance and were suffering the consequences. But if my father had still  
12 been alive, he would have supported me. However, I had gone through medical  
13 clearance. The ones who died are the ones who had relatives in high places, who had  
14 arrived in cars, and during these initiation activities, they suffered the consequences.

15 Q. [10:23:07] Thank you, Mr Witness. Where was the training ground?

16 \* A. [10:23:27] I was trained in Seid Bossembele. It's not actually a training centre,  
17 but it is a location where the president came to reside. We were trained in order to  
18 become his (Redacted) and that's why we were trained in Seid (phon)  
19 Bossembele. Today, Seid Bossembele no longer exists. There are other locations,  
20 such as Bouar, Kassai and Berengo, which are training centers. Bossembele was not a  
21 training location. It was a place where the president resided from time to time, and  
22 that's why we were trained there.

23 Q. [10:24:06] I understand from your response that as soon as you were integrated  
24 into the FACA, it was -- you were going to then integrate the (Redacted); that  
25 was foreseen, was it not?

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1 A. [10:24:22] Yes. All those who had been trained in Bossembele were those who  
2 were going to enter the (Redacted)

3 Q. [10:24:39] Thank you, Mr Witness. And how many people would you say were  
4 trained when you attended your training course?

5 A. [10:24:56] There were 625 of us. But when we arrived at said location, 19 of us  
6 died and there were 606 of us.

7 Q. [10:25:18] Thank you, Mr Witness.  
8 How long did the training last, please?

9 A. [10:25:25] We spent three months undergoing training. The president had sent  
10 trainers from Burkina Faso in order to train us in heavy artillery. Then we spent an  
11 entire time of four months training, because we spent one month on heavy artillery.

12 Q. [10:25:59] Now, apart from the military ragging or bullying that you spoke to us about,  
13 what exactly did you get up to during his military training? How were you trained exactly?

14 A. [10:26:31] The military bullying was what I was explaining to you. It was with  
15 a view to making sure that we were -- we would no longer be afraid subsequently.  
16 But some people did not manage to withstand this. We weren't given much to eat and  
17 some people ran away because they were hungry. Sometimes when you were given  
18 something to eat, then you were bullied, and you were still hungry subsequently.

19 Q. [10:27:02] In concrete terms, Mr Witness, how were you trained in heavy  
20 weaponry by the trainers from Burkina Faso?

21 \* A. [10:27:26] Because the president had ordered some people who had finished  
22 the same training as us to join his red circle. Because at that time, he had some  
23 people from Chad around him who were doing bad things. So he asked the people  
24 from Burkina Faso to train us on the 14.5 calibre weapons so he could dismiss this  
25 squadron that was close to him. Those were the instructions that the president gave,

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1 and that is why we were trained to use 14.5 weapons.

2 Q. [10:28:04] Mr Witness, thank you. I hope to come to that at a later stage, but  
3 you're now talking about the "red circle". What is that precisely?

4 A. [10:28:26] The red circle comprises those individuals who were close to the  
5 president and who move around with him. Anywhere the president goes, those  
6 people will be around him. They don't often go to the neighbourhoods because they  
7 are always in the company of the president. That is what is referred to as the red  
8 circle.

9 Q. [10:28:54] And what about you, Mr Witness, were you part of the red circle?

10 A. [10:29:10] I was not part of the red circle. I was a (Redacted)  
11 subsequent to which I was taken back to Camp de Roux, Roux camp.

12 Q. [10:29:27] Thank you, Mr Witness. And during this training, apart from the  
13 heavy weaponry that you spoke about, did you learn to handle any other weaponry?

14 A. [10:29:41] Yes. We were trained to handle AKs and rockets. In addition to  
15 which we learnt how to handle the DKMs.

16 Q. [10:30:11] Did you receive a diploma or a certificate at the end of this training?

17 A. [10:30:30] At the end of the training, there was no certificate, but there was a  
18 ceremony in front of the flag.

19 Q. [10:31:00] And after your training, Witness, you joined the army. Can you  
20 explain what you saw regarding the make-up of the army, having joined it?

21 \* A. [10:31:21] When I joined the armed forces of the Central African Republic, I  
22 came back, as I said. They took us to Camp de Roux. Some of us were deployed to  
23 the red circle and 150 of us were (Redacted). So we guarded the palace, we  
24 would keep the (Redacted) under surveillance. Now, I had some problems at the  
25 palace and I was then placed in the (Redacted) at Camp de Roux.

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1 Q. [10:32:06] Thank you, Witness. What problems did you have at the (Redacted)

2 A. [10:32:20] Well, you're not allowed to absent yourself there, and I had left for a  
3 week, and because I had gone absent, I was sent back to Camp de Roux and I was  
4 replaced by another person. Because there, well, the president is there, and if  
5 you -- if you leave, it's considered to be a misdemeanour and that is why I was sent  
6 back to Camp de Roux, having left my post for a week.

7 Q. [10:33:09] And was there a disciplinary process when you left your post?

8 A. [10:33:27] Yes, there were military sanctions. I was punished. The military  
9 sanction is spending a fortnight in prison. That's what happens when you are  
10 disciplined. So, in other words, if you disobey your superiors, you are punished,  
11 and that is to teach you to respect authorities in the future.

12 Q. [10:33:57] Thank you, Witness.

13 Court officer, could you please display tab 3, that's CAR-OTP-2083-0029, and we  
14 would like to see page 29. Thank you. Thank you, court officer.

15 Witness, do you see a document on the screen?

16 A. [10:34:43] Yes, I can see it.

17 Q. [10:34:47] Thank you. Now, this is your military identity card, the one that you  
18 provided to the investigators of the Office of the Prosecutor; is that correct?

19 A. [10:35:04] Yes, that is correct. I'm the person who provided them with that  
20 identity document.

21 Q. [10:35:16] Thank you, Witness. Now, this card, which is dated 2008 says  
22 "Corps: BSS". Now what is that, in fact?

23 A. [10:35:39] BSS? It is the place to which a person is deployed. You're taken to  
24 the BSS. All those who are deployed are sent to the BSS. It's a support battalion.

25 Q. [10:36:07] What do you mean by "deployed", Witness?

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1 \* A. [10:36:21] Well, it's as I said, when I was in the presidential guard, the work of  
2 the (Redacted), it's as if you were working in the private sector. But when I  
3 was brought back to the BSS, that meant that I had been incorporated into the FACA.  
4 Because when I was a member of the (Redacted), I was like a guard,  
5 (Redacted)  
6 When I went back to the BSS, that's when I really became a member of the FACA, I  
7 became a FACA member.

8 Q. [10:37:05] Thank you, Witness.

9 And today under President Touadera, are you still a member of the FACA?

10 \* A. [10:37:21] Yes. Under the Touadera government, up until now I have been... I  
11 was in the BSN. Now I am in the (Redacted), I work as a soldier.

12 Q. [10:37:46] And how did you become a member of the (Redacted), Witness?

13 A. [10:38:05] I'm in the (Redacted), but I'm still a FACA. The (Redacted) is  
14 when a member of the army assaults a civilian, for instance, or shoots their weapon  
15 when they shouldn't. We are then the (Redacted) and we step up and tell that  
16 person that it's not right and we apprehend the person. That is the work of the  
17 (Redacted). It's not a task for the police or for the gendarmerie.

18 Q. [10:38:44] Thank you, Witness.

19 And in what year did you join the (Redacted)?

20 A. [10:38:52] It was in 2021 that I joined the (Redacted)

21 Q. [10:39:06] Thank you, Witness. And what is your rank currently and who is  
22 your superior in the hierarchy, if you please?

23 A. [10:39:20] I am a sergeant.

24 Q. [10:39:34] And who is your -- to whom do you report directly, Witness?

25 A. [10:39:42] It's (Redacted) (phon).

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1 Q. [10:39:52] In (Redacted) when you joined the army, did you have a card like the  
2 one I just showed you a moment ago, the one that was issued in 2008 -- sorry, 2018?

3 THE INTERPRETER: [10:40:06] The interpreter corrects.

4 THE WITNESS: [10:40:15](Interpretation) Yes, I had a (Redacted) card, but  
5 over the course of the events that I went through, my house was set on fire and  
6 everything burnt.

7 MR FRANÇOIS-JACQUEMIN: [10:40:29](Interpretation)

8 Q. [10:40:32] And what rank and what post figured on the -- that card back then?

9 A. [10:40:44] When I was in the (Redacted), I was 2nd class. Now I'm 1st  
10 class. When President Djotodia was there, I was in the corps, but now I am 2nd class,  
11 private 2nd class.

12 Q. [10:41:22] In 2014, Witness, were you in the army? Were you a military man?

13 A. [10:41:30] Yes, in 2014 I was already a member of the FACA.

14 Q. [10:41:39] Did you have a military card back then in the period between 2014  
15 and 2018?

16 A. [10:41:57] Yes, yes, in 2014, I was already in the BCL card -- and a card was  
17 issued to me. The card which I had in 2013 when the Seleka entered Bangui, that one  
18 I've lost. The card that I received was the one that I received when I joined the BCL.

19 Q. [10:42:26] And what is the BCL, Witness?

20 A. [10:42:42] Well, as I said earlier, I was a (Redacted) for President Bozize. \* When  
21 Djotodia took power, he said that he did not require our services, and he instructed  
22 the General Dolle-Waya, who was the chief of staff, to assign us to the various corps  
23 and I was assigned to (Redacted). Then (Redacted) assigned me to BCL. At that point  
24 in time, I was a member of the FACA, I was no longer part of the (Redacted)

25 Q. [10:43:26] And what was the BCL, Witness? What were your duties there?

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1 A. [10:43:39] Well, the BCL, that's the name of a corps. As I said before, I referred,  
2 for instance, to the RDOT. Now, my duties at that corps were simply to follow the  
3 instructions of the commander of that corps. We had a chief of that corps who was  
4 in command of the section.

5 Q. [10:44:11] Thank you, Witness.

6 Now, I'm going to return to your role in the army under President Bozize. How  
7 were you paid and how much were you paid, Witness?

8 A. [10:44:32] In (Redacted), we received (Redacted), that was our initial pay.  
9 Then we -- sorry, (Redacted). Then we got a bonus of (Redacted) when we were  
10 assigned to the (Redacted). Now, when I was removed from the (Redacted), that  
11 bonus was deducted from my wage and the person who replaced me got it. We had  
12 the (Redacted) and that was higher than the FACA received. We had -- we  
13 received (Redacted), whereas the FACA were paid 30,000.

14 Q. [10:45:21] Thank you, Witness.

15 And did the soldiers who were assigned to the (Redacted) have a particular  
16 profile? Would you like me to reword my question, Witness?

17 A. [10:45:52] No. Under Bozize, he wasn't a nepotist but his -- the people around  
18 him were. Now, my ethnicity was Mandja. There were other ethnic groups who  
19 were recruited and who were trained in Bossembele. Now, Bozize was not a  
20 nepotist himself but his entourage was.

21 Q. [10:46:33] Thank you, Witness.

22 Now, how many people made up the (Redacted)

23 A. [10:46:41] Well, those of us who were trained -- well, some were already  
24 long-standing soldiers who were members of the (Redacted) who had joined  
25 in 2003, 2004 through to 2006. There was military training. \* Now, in 2003, when

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1 the CI was set up, after Bozize took power, training was given in 2003 and 2004. \*

2 I believe that the last class that graduated was in 2006, and then we were in 2009, we

3 were the next ones to take training. The last training which took place was in 2012,

4 and then after that, the CI training centre no longer existed.

5 Q. [10:47:40] Thank you for those details, Witness.

6 Let me put my question again: In 2013, how many people made up the (Redacted)

7 (Redacted)? How many of you were there?

8 A. [10:48:10] I don't know the total number. Our headquarters was in

9 Camp de Roux, Bossangoa and in Berengo and in Bossembele there were also

10 (Redacted) present. So there were a lot of us. The number of us was really quite

11 high. But I don't know the exact number.

12 Q. [10:48:44] Well, if you don't know the exact number, perhaps you have an idea

13 of more or less an order of magnitude or how many there were in the (Redacted)

14 (Redacted) to which you were deployed?

15 A. [10:49:14] Well, I could tell you that I was a member of the (Redacted) and

16 there could be up to a thousand men in a company. And there were sections with

17 30 men in a company and each of those sections had -- were under the command of

18 an officer. There 1st company, 2nd company, 3rd company and 4th company, and

19 the last company was a support company. So the numbers depended or were

20 allocated to each company and that's not even taking into account those who were

21 assigned to the palace, because those who were assigned to the palace, well, they

22 were the close, the close protection of the president. Now, our company was 1,000

23 strong.

24 Q. [10:50:12] Thank you, Witness. And who was your commanding officer?

25 Your commander officer, that is to say.



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1 A. [10:50:25] I reported to the person who was in charge of the Bossembele  
2 training centre. He was a lieutenant, but these days he's a colonel and his name is  
3 (Redacted) (phon).

4 Q. [10:50:49] Thank you, Witness. How many of you would provide (Redacted)  
5 (Redacted) when he was travelling? How many people were in the (Redacted)  
6 (Redacted) in such instances?

7 A. [10:51:16] The (Redacted) team is different to the team which is at the  
8 residence. It's different to the one that travelled with him. As I said earlier, I wasn't  
9 a member of the red circle, so I couldn't say. I guarded the (Redacted), so I couldn't  
10 tell you exactly how many members made up the close protection team.

11 Q. [10:51:44] Thank you, Witness. Now, you have described a lot of men. Was  
12 there a kind of a rotation, were there shifts worked by the men or was everybody  
13 present all the time?

14 \* A. [10:52:12] Each time there was a recruitment, apart from training in  
15 Bossembele, those who were trained in Bouar or elsewhere... these elements who had  
16 been trained were also assigned to the (Redacted). So the presidential guard  
17 would recruit, if you like, would take on a certain number of soldiers each time that a  
18 set of soldiers was trained.

19 Q. [10:52:48] So if I understand well, you were involved in securing the (Redacted); is that  
20 right? A. [10:53:01] Yes. Yes, that's right.

21 Q. [10:53:03] Thank you, Witness.

22 I'd like to go to a passage in your written statement. This is at tab 1 for the French  
23 version, tab 2 for the English version. It's CAR-OTP-2130-2342-R04 at page 2345,  
24 paragraph 13.

25 Now, in this passage you say that on the day that the Seleka arrived into Bangui, I

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1 quote: "... I saw President François BOZIZE leaving Camp de Roux by helicopter.  
2 Before leaving he told us, his (Redacted), to save our lives as well." End of  
3 quotation.

4 Is that correct, Witness?

5 A. [10:54:19] Yes, that's right. When he left at about 9 o'clock, that's what he said  
6 to us.

7 Q. [10:54:27] Thank you. And who left with President Bozize? Who  
8 accompanied him?

9 \*A. [10:54:47] Well, when the president fled, we were with his children. The only  
10 person who met with him at Camp de Roux was the chief of staff, General Wandé.  
11 We were with the... Francis as well as the President. We left from the rear. We went to  
12 Camp de Roux. The commanding officer at the time was General Mbetibangui, who  
13 had the rank of colonel. It was at Camp de Roux that the president ordered us not to  
14 shoot our weapons into the air so as not to... Then later, he left by helicopter with his  
15 son, Franklin, and then us. There were only three people in the helicopter and they left.

16 Q. [10:55:43] And did he tell you where he was going?

17 A. [10:55:58] No. He didn't say where he was going to.

18 Q. [10:56:07] Thank you, Witness. What type of helicopter did he leave with?  
19 Did he leave with a presidential helicopter perhaps, or an army -- a military  
20 helicopter or was it a private helicopter? What was it?

21 \* A. [10:56:28] It was a civilian helicopter, a private helicopter. It had been parked  
22 at Camp de Roux well before that time.

23 Q. [10:56:46] Did the state own any other helicopters or aircraft or even private  
24 aircraft that were available to the state?

25 A. [10:57:06] No. There was only one helicopter, only one helicopter parked at

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1 Camp de Roux.

2 Q. [10:57:13] And when President Bozize left, how many members of the  
3 (Redacted) were with you then?

4 A. [10:57:36] Well, having heard that the Seleka had arrived in -- a certain number  
5 of (Redacted) members fled the area. A number of those who had been with  
6 Bozize since he had taken power, stayed with him. However, most of them had fled  
7 and had gone back to their local districts.

8 Q. [10:58:07] And so how many people were left at that point of time, Witness?

9 A. [10:58:20] Well, then we were -- well, quite a few. But after Bozize's speech, I  
10 boarded Francis's vehicle and we headed off for Modale.

11 Q. [10:58:43] Thank you, Witness. I'm going to try and guide you a little bit more  
12 closely. What I'd like to know is, when President Bozize was on the point of leaving  
13 by helicopter - we were talking about that time just a few moments ago - how many  
14 members of the (Redacted) were present at that point in time?

15 \*A. [10:59:13] I can't give you an exact number. When he asked everybody to take cover,  
16 to flee the violence, many people started to put on their civilian clothing. Some people  
17 began to leave Camp de Roux, but I, seeing as I was a member of Francis's escort, we left  
18 the camp together with Francis. I was not in a position to really know what was going on  
19 at Camp de Roux then. I don't know exactly how many were there at Camp de Roux.  
20 What I said a few moments ago was that the FACA were part of the liberators and were  
21 part of Bozize's circle. It wasn't the (Redacted), but there was a lot of us.

22 Q. [11:00:03] Thank you, Witness. Those who left, did they keep their uniforms  
23 and their weapons?

24 A. [11:00:22] Most of them started to take off their military attire when they  
25 reached the centre of the town.

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- 1 MR FRANÇOIS-JACQUEMIN: [11:00:33](Interpretation) I'm in your hands,  
2 Madam President. Maybe the time has come for us to take a break.
- 3 PRESIDING JUDGE SAMBA: [11:00:40] Yes, indeed.  
4 Can I ask the court officer to get us into open session, please.  
5 (Open session at 11.00 a.m.)
- 6 THE COURT OFFICER: [11:00:57] We are back to open session, Madam President.
- 7 PRESIDING JUDGE SAMBA: [11:01:00] Thank you very much.
- 8 Mr Witness, we are going to break up for some time, for some 30 minutes. We will  
9 return at 11:30.  
10 The Court stands adjourned, please.
- 11 THE COURT USHER: [11:01:16] All rise.  
12 (Recess taken at 11.01 a.m.)  
13 (Upon resuming in open session at 11.33 a.m.)
- 14 THE COURT USHER: [11:33:45] All rise.  
15 Please be seated.
- 16 PRESIDING JUDGE SAMBA: [11:34:15] Good morning again, everyone.  
17 Mr Witness, we are going to continue with your cross-examination.  
18 Is the witness connected, Madam Court Officer?  
19 Can you hear me? Can you see me, Mr Witness?
- 20 THE WITNESS: [11:34:44](Interpretation) I can hear you and I can see you very well.
- 21 PRESIDING JUDGE SAMBA: [11:34:48] Okay. Thank you very much.  
22 We are going to continue with your cross-examination, so the lawyer for Mr Said will  
23 continue putting his questions to you.  
24 Mr Jacquemin, please, your witness.
- 25 MR FRANÇOIS-JACQUEMIN: [11:35:04](Interpretation) Thank you very much,

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1 Madam President.

2 Q. [11:35:11] And hello again, Mr Witness.

3 Now, Madam Court Officer, we were in private session, and I would like to continue  
4 the questioning in private session, if I may.

5 PRESIDING JUDGE SAMBA: [11:35:19] Okay.

6 Madam Court Officer, can we go back into private session, please.

7 (Private session at 11.35 a.m.)

8 THE COURT OFFICER: [11:35:35] We are in be private session, your Honours.

9 PRESIDING JUDGE SAMBA: [11:35:36] Thank you very much.

10 Mr Jacquemin, please, your witness.

11 MR FRANÇOIS-JACQUEMIN: [11:35:45](Interpretation) Thank you,

12 Madam President.

13 Q. [11:35:48] Mr Witness, I'm going to be reading back to you an excerpt of  
14 the transcript of what was said during the hearing.

15 And I am on T-54, French version, page 30, line 12.

16 I will read back to you what you said, sir.

17 Quote: "Whilst the president was fleeing, we were in the company of his children.

18 The only person that he found at Camp Roux was the chief of staff, General Wandé.

19 \* We were with the French and with the President. We left from the rear. We went to  
20 Camp de Roux. The commanding officer at the time was General Mbetibangui, who  
21 had the rank of colonel."

22 End of quote.

23 Who or which of the president's children were there, Mr Witness?

24 A. [11:37:04] There was Francis. And when we arrived in Modale we found Jojo

25 and Kevin. They were waiting for Francis on the bank at Modale. And it was when

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1 they arrived in Modale that they were able to go across the river in a pirogue or in  
2 a cart, in fact.

3 Q. [11:37:42] Thank you, Mr Witness. At an earlier stage you make mention of  
4 the name of "Franklin".

5 Were there any other of President Bozizé's children there, and if so, which or whom?

6 A. [11:38:01] I talked about Franklin because, at the time of the events,  
7 the president of the republic had fired his two aides-de-camp, Pounaba. And when  
8 the president was leaving, he was with Franklin and with a pilot who was light  
9 skinned. There were three of them who got into the helicopter.

10 Q. [11:38:41] To your knowledge, Franklin, did he have any official state duties to  
11 his name?

12 A. [11:38:57] Indeed. Franklin was one of the very first individuals to follow  
13 the ESFOA training. He was a captain by rank and he followed training at the  
14 ESFOA at the very beginning when it just opened.

15 Q. [11:39:24] I conclude therefore that he was a member of the (Redacted);  
16 is that correct, Mr Witness?

17 A. [11:39:32] That is indeed the case. He was a member of the (Redacted)

18 Q. [11:39:41] Mr Witness, do you know whether the other president -- other  
19 children of President Bozizé also occupied any official functions?

20 A. [11:40:01] Francis and Franklin. Francis was a minister with a portfolio and  
21 Franklin was working at the palace. Kevin, whom I also mentioned, was the general  
22 director at Ecobank. He was working in the private sector. Ecobank was a bank.  
23 Jojo didn't have any official activities. He had an NGO that was working with  
24 the Omnisport.

25 Q. [11:40:49] You made mention of French people, Mr Witness. Now, what or

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1 how were the French represented there and what were their roles?

2 A. [11:41:12] When we were at the palace, the French were based just opposite  
3 the palace with their tanks. In the morning, the president came out and he gave each  
4 and every one of us 5,000 francs for breakfast. And when the French took up  
5 position in front of the palace, the squadrons started opening fire upon the palace.  
6 And the president changed his clothes, he was initially in civilian attire. We went to  
7 Camp de Roux and he got into the helicopter. The French came and took up  
8 position in front of the palace just by the mayor's office.

9 Q. [11:42:09] How many French representatives were there, approximately,  
10 Mr Witness?

11 A. [11:42:23] As I said to you, the French came with their tanks, so I would not be  
12 in a position to tell you how many they were. But we could see them from  
13 the mirador, from the outlook post, and they came at approximately 8 o'clock. But it  
14 was difficult to ascertain how numerous they were. There were tanks and flag  
15 hoisted upon the tanks led us to believe that they were French. But it was  
16 impossible, or difficult, or impossible to know how many they were.

17 Q. [11:43:10] Thank you, Mr Witness. You also made mention of the presence of  
18 the chief of staff, General Wandé, according to the transcript. Do you know what he  
19 did after the departure of President Bozizé on that day?

20 A. [11:43:40] After the president had asked each and every one to leave, after  
21 the departure of the president and after the speech, Francis and I left in the same  
22 vehicle. I do not know what became of the chief of staff or how he left the camp,  
23 the camp, the Roux Camp.

24 Q. [11:44:10] Thank you very much, Mr Witness.

25 Just a little question. Did the French often come to the Camp de Roux and to

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1 the neighbouring areas of presidential palace?

2 A. [11:44:32] No. It was not really in their habits. They didn't come to take up  
3 position in front of the presidential palace. You know, just opposite the presidential  
4 palace there's the mayor's office and they took up position there. Somebody alerted  
5 the president and the president gave instruction not to open fire on the French  
6 soldiers. I believe that was the very first time that they took up position in front of  
7 the palace. And a short while later we started to receive gunfire from heavy  
8 weaponry.

9 Q. [11:45:30] Thank you, Mr Witness.

10 I'm going to be reading another excerpt from your previous statement.

11 \* This is tab 1, and tab 2 for the English version, CAR-OTP-2130-2342-R04, page 2345,  
12 paragraph 13.

13 You said that the day when the Seleka arrived in Bangui, once the president had left,  
14 "we" - that is to say the (Redacted) - escorted his son Francis Bozizé to Modale,  
15 where he passed over the river in an amphibic vehicle to Orobe in the DRC. End of  
16 quote.

17 Could you please tell us where Modale is located, Mr Witness?

18 A. [11:46:38] Modale is in the 7th arrondissement in Ouango.

19 THE INTERPRETER: [11:46:44] Correction from the English booth: An amphibian  
20 vehicle.

21 THE WITNESS: [11:46:50](Interpretation) And that is where the former president of  
22 the republic lived, André Kolingba. And generally it is known under the name of  
23 Mboko, Mboko. And the actual river and the side of the river where Modale is  
24 located is there.

25 MR FRANÇOIS-JACQUEMIN: [11:47:15](Interpretation)



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1 Q. [11:47:16] Thank you very much.

2 And who was with you in order to escort the son of François Bozize?

3 A. [11:47:21] When we left, in the company of Francis, in the vehicle there were

4 officers. \* There was (Redacted), who

5 commanded the rapid response unit. There was also several personalities, ministers,

6 who made the crossing at that point. And when we arrived, we found a number of

7 vehicles with authorities, members of authority and ministers who were making

8 the crossing. And there were carts that were transporting them in order to enable

9 them to flee the country.

10 THE INTERPRETER: [11:48:16] Message from the English booth: could we have

11 the spellings of the names, please.

12 MR FRANÇOIS-JACQUEMIN: [11:48:21](Interpretation)

13 Q. [11:48:19] Thank you, Mr Witness.

14 You provided us with names of officers and it went a little bit too fast in order for us

15 to take or transcribe those names. Could you please give them to us more slowly,

16 the names of those officers who were accompanying François Bozize, if you please.

17 A. [11:48:48] I mentioned (Redacted) (phon).

18 THE INTERPRETER: [11:49:05] (Redacted)

19 MR FRANÇOIS-JACQUEMIN: [11:49:05](Interpretation) Thank you, Mr Witness,

20 and thank you to the interpreter.

21 Q. [11:49:09] Now, as a member of the (Redacted), Mr Witness, did you

22 often see Francis Bozizé going to see the president?

23 A. [11:49:38] The day before, Francis, the head of state, and we went to see

24 the South Africans when he went back to the palace with the president. Then he left.

25 On the next morning, because Francis did not live at the palace, but it was in

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1 the morning that he joined the president of the republic at the palace, and a short  
2 while later we heard explosions. Now, his vehicle was parked just outside  
3 the palace and the vehicle of the president transported him to Camp de Roux. We  
4 used Francis's vehicle in order to go to that very same camp.

5 Q. [11:50:32] Thank you, Mr Witness.

6 Do you know why Francis Bozizé and President Bozizé went to see the South  
7 Africans that day?

8 A. [11:50:49] I do not know, because Francis himself talked with the president of  
9 the republic. He didn't enter the compound. He parked his vehicle outside and he  
10 entered, talked to the president, and a short while later we heard some explosions.  
11 The French came, they took up position, and a short while later the president was  
12 alerted. Was it the president who called him? I wouldn't be in a position to tell you.  
13 But I can tell you with certainty that he came with his vehicle, that he parked out  
14 outside -- parked up outside of the palace.

15 Q. [11:51:47] Do you know whether the explosions that you are talking about came  
16 from the South Africans?

17 A. [11:52:01] No, it was not the South Africans who opened fire. They were at  
18 PK12. The president was contacted over the telephone and he was informed that  
19 some South Africans had been killed at the PK12 roadblock or barricade.  
20 The explosion that we heard was some DK5 that had opened fire. We were still in  
21 the mirador in the outlook post. We heard those explosions, a short time after which  
22 the French left the place where they had been parked up.

23 Q. [11:53:02] Thank you, Mr Witness.

24 I find it difficult to ascertain when or what time we're talking about.

25 \* I thought that the South Africans was the day before the event at Camp de Roux; is

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1 that right?

2 A. [11:53:26] I told you that we had gone to meet the South Africans during the day  
3 and that we were together in the company of the president. We went to  
4 the barricade at PK12 and we met them, after which we went back to the palace and  
5 we all spent the night there at the palace. On the next morning, at approximately  
6 8 a.m., we started hearing explosions. The South Africans, whom we had gone to  
7 meet at PK12, when the president was contacted -- well, I am not in a position to say,  
8 but we were just informed subsequently that some South Africans had been killed.

9 Q. [11:54:20] Thank you, Mr Witness.

10 So, on the day before, this meeting with the South Africans, how long did it last?

11 A. [11:54:38] I said that we had met the South Africans during the day. It was at  
12 approximately 3 p.m. in the afternoon. They were at -- on the Soh bridge and  
13 the South Africans -- the FACA who were with the South Africans had fled and  
14 the president went to meet with them and spoke to them for approximately one hour  
15 before going back to the palace.

16 When we returned, we went in the direction of Sassara, after which we went to  
17 the palace and we remained at the palace until the morning.

18 Q. [11:55:35] And what was the role of the South African contingent whom you  
19 had met on the day before in Bangui?

20 A. [11:55:53] When we went to meet them, they were soldiers and they were  
21 manning the barricade and providing the FACA with support. They were on  
22 the Soh bridge, they were there to defend the country. And when the president  
23 went to meet with them, he noted that the FACA had already fled.

24 The president spoke to them, subsequent to which he went back to the palace. And  
25 on the next day, he was contacted and informed that some South Africans who were

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1 at the barricade had been killed.

2 Q. [11:56:49] Thank you, Mr Witness.

3 Now, were there any other South African posts in Bangui at the time?

4 A. [11:57:12] The South Africans were based at the school. The police academy, in  
5 fact. They were at PK11. That was the location where they were based.

6 Q. [11:57:32] Thank you, Mr Witness.

7 At page 38 of the French transcript, T-54, lines 7 and 8, you said, "I talked about  
8 the (Redacted)", and the interpreter provided us with the name.

9 Now, what was his role at the time, Mr Witness?

10 A. [11:58:06] (Redacted) was a (Redacted). He was in  
11 charge of the (Redacted). And as I mentioned earlier on, at the Camp de Roux  
12 there was the 1st, the 2nd and the 3rd company. He was in charge of the (Redacted)  
13 (Redacted)

14 Q. [11:58:32] Thank you, Mr Witness.

15 Do you know whether he is still in the army today and, if so, which rank does he  
16 hold?

17 A. [11:58:58] He has the rank of captain. But during the recent events he died.  
18 His brother is also a captain.

19 Q. [11:59:22] Thank you, Mr Witness.

20 You mentioned with regard to passing over the river, you talked about carts. Could  
21 you please describe to us how people went over the river, how everything was  
22 organised, how it unfolded.

23 A. [11:59:49] At that moment in time there were carts, but I do not know who was  
24 the head of the amphibian corps. In fact, these were carts that belonged to a specific  
25 battalion. There were also some dugouts that were used. As I said to you, there

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1 were figures of authority who crossed over at this point. We saw them, we saw their  
2 cars, their command vehicles, and we arrived once these figures of authority had  
3 already made the crossing. So, all of this was organised by the amphibian battalion  
4 and I've forgotten the name of the chef de corps, the head of the corps.

5 Q. [12:00:42] Thank you, Mr Witness.

6 Now, which figures of authority made the crossing?

7 A. [12:00:58] As I said, I arrived later, but I learnt that there were several ministers  
8 who had made the crossing. When the lieutenant put the question to Francis,  
9 Francis told him Francis hadn't been present when the president issued his  
10 instructions.

11 I was in Francis's escort and the question was put to him and he said, "We left power."  
12 And then afterwards it was said to Francis, "We're going to set up a rear base and  
13 then we're going to retake the presidency." The president -- "We're going to take the  
14 Seleka."

15 THE INTERPRETER: [12:01:49] The interpreter corrects.

16 THE WITNESS: [12:01:47](Interpretation) The president said that he was opposed to  
17 the idea and said, "No, we're going to leave for the time being."

18 And that's how it was that Bokabona also left, also made the crossing. He said that  
19 he did not want us to fire on the Seleka.

20 MR FRANÇOIS-JACQUEMIN: [12:02:14](Interpretation)

21 Q. [12:02:14] And during this conversation do you recall having heard the names of  
22 the ministers who had made the crossing?

23 A. [12:02:27] No. As I said, I didn't see them with my own eyes. But it was  
24 Francis who told Lieutenant Bokabona that there had been ministers who had already  
25 made the crossing. And so it was he who had sent the carts to ensure that various

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1 members of the authority could make the crossing. And the president said that he  
2 wouldn't want Bokabona to be able to take revenge or to organise a counter-attack.

3 Q. [12:03:08] Thank you very much, Witness.

4 And you yourself, you remained in the Central African Republic; is that correct?

5 A. [12:03:15] Yes, that is correct. We refused to make the crossing. We changed.

6 Those who had decided to make the crossing got into their underwear to make  
7 the crossing. Given how they were treated, I decided not to go into exile. My wife  
8 was pregnant and it was -- it didn't -- wasn't even a question to me to abandon her.

9 And (Redacted) as well, he also refused to make the crossing.

10 Q. [12:04:04] Thank you very much, Witness.

11 So, at that point in time you -- you left your post in the army; is that correct?

12 A. [12:04:21] At that point in time the Seleka had already taken power, and we fled  
13 from the bush. There was shooting going on in the Boy-Rabe area. I returned home  
14 and did not leave the house.

15 Q. [12:04:46] Thank you, Witness.

16 And at what point in time did you decide to join the army anew? Or take up your  
17 duties in the army anew?

18 A. [12:05:04] When I was in the neighbourhood, I heard General Dolle-Waya's  
19 announcement. And I also heard that a new chief of the corps had been appointed.  
20 And given that I was a member of the (Redacted), I feared for my life and  
21 therefore I refused to respond to that call that had been issued.

22 Q. [12:05:39] Thank you, Witness.

23 Do you recall the date at which General Dolle-Waya made that announcement, made  
24 that call?

25 A. [12:05:57] No, I don't recall the date.

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1 Q. [12:06:03] Thank you, Witness.

2 Now, tab 7, CAR-OTP-2070-0181.

3 Now, there was a radio announcement.

4 A. [12:06:27] Yes, the -- the announcement was made on Radio Bangui and

5 Radio Ndeke Luka.

6 Q. [12:06:47] And do you remember a second announcement subsequent to that

7 first one?

8 A. [12:07:03] The second announcement, yes, that was one in which General

9 Dolle-Waya said that he was the one who was issuing this communiqué to

10 the military men, the servicemen. That's what he said.

11 Q. [12:07:34] And following that second announcement, did you then rejoin your

12 battalion?

13 A. [12:07:51] No. Despite the second announcement, I did not join my battalion. \* Our

14 leader at Camp de Roux at the time, it was at night, he issued another announcement

15 asking all members of the (Redacted) to go to the CNS, asking all the members

16 of the (Redacted) to go there, that is when I went back to the ENAM.

17 Q. [12:08:44] And who was the chief at Camp de Roux that you mentioned,

18 Witness?

19 A. [12:08:52] As I said before, our chief at Camp de Roux was

20 Commander Arcadius and his deputy was Commander Nakpi. When Arcadius

21 Mbetibangui made the announcement, his deputy had already fled.

22 Q. [12:09:26] And further to that, that's when you returned to your post in the army;

23 is that right?

24 A. [12:09:36] Yes. At ENAM, where we went, when the statement or

25 the announcement was made, our names were listed and we were deployed to

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1 different companies.

2 Q. [12:10:13] And to which company were you deployed?

3 A. [12:10:23] As I said, we were assigned and I myself was assigned to (Redacted)

4 Q. [12:10:33] Thank you, Witness.

5 And could you explain to us what (Redacted) is. And also could you tell us from  
6 when were you with the (Redacted)

7 A. [12:10:54] (Redacted) is the first battalion as I have already explained. And this  
8 was in 2013. It was in 2013, after President Djotodia had taken power and I was  
9 redeployed to (Redacted). It's the (Redacted)

10 THE INTERPRETER: [12:11:32] Information provided by the Sango interpreter.

11 MR FRANÇOIS-JACQUEMIN: [12:11:35](Interpretation)

12 Q. [12:11:36] So, BIT-1, what do the letters BIT mean?

13 A. [12:11:54] I told you that (Redacted) was the corps to which I was deployed and  
14 we were based at the RDOT. And I think I stated that also in one of my statements.

15 This was when we were based at the RDOT camp, because the Seleka had occupied  
16 that base, that barracks, and we were members of the first battalion. \* And currently,  
17 there are 12 battalions.

18 Q. [12:12:31] Thank you, Witness.

19 I'd just like to specify that in the French version the interpreter specified that BIT  
20 meant territorial intervention battalion, and that's why I asked the witness afterwards.  
21 I just wanted to put that question to make sure that no additions are made to  
22 the testimony on this point or any other.

23 I shall continue on.

24 Witness, you operated with the BIT on what territory or in what territory?

25 A. [12:13:20] When we were assigned to (Redacted) we were based at ENAM. After



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1 that we were re-assigned. Or, rather, the camp was relocated to the Mameca.

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

3 And who commanded the (Redacted) under Djotodia at that time?

4 A. [12:13:57] It was (Redacted), he is currently a colonel.

5 Q. [12:14:10] Thank you, Witness.

6 Now, to your knowledge, was the BIT under existence under President Bozizé?

7 A. [12:14:20] Yes. In the Bozizé era, there was a BIT-1, 2 and 3. There was even  
8 a BIT-4 and also a BIT-5.

9 Q. [12:14:39] Thank you, Witness. Could you tell us how many members were in  
10 the (Redacted)

11 A. [12:15:00] You know, these BITs are companies and one company is made up of  
12 1,000 men. Because BITs are in fact companies, which make up battalions. It was  
13 a large number of men.

14 Q. [12:15:27] Thank you, Witness.

15 Now, were these 1,000 people present altogether at the same time or was there a kind  
16 of rota regarding presence in (Redacted)

17 A. [12:15:43] Yes, there was certain rotation. Some were assigned to guard, others  
18 were assigned to sports. Everything was planned.

19 Q. [12:16:07] Thank you, Witness.

20 Now, beyond your base, over what territory did your battalion operate?

21 A. [12:16:28] Well, under the reign of the Seleka, our battalion no longer was  
22 operating. We -- we went just to be recorded as being present and then we would  
23 return home. After the -- the rally, the assembly, we would then return home.

24 Q. [12:16:56] Thank you, Witness.

25 And at what time would you go to your base? What were your hours?

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1 A. [12:17:13] I would go there at 6 o'clock, and at 9 o'clock we already left for our  
2 homes. At the time, there was tremendous tension at the time, and at 9 we were  
3 already released.

4 Q. [12:17:34] Do you recall how you got there and how you would leave again?

5 A. [12:17:49] When going there we had to be very careful. We did not wear any  
6 military attire. We all wore civilian clothing.

7 Q. [12:18:12] And what means of transport did you use to travel to the base,  
8 Witness?

9 A. [12:18:30] Well, at that time we had financial problems, so we would go, four of  
10 us together, in small groups. We would maintain a certain distance. We wouldn't  
11 take the main roads, rather, we would go through the neighbourhoods. The main  
12 thing was to make your way to the base, because if you did not, if you did not turn up  
13 at the base, you would be considered to have died. So it was important to appear.

14 Q. [12:19:11] And were you paid, Witness?

15 A. [12:19:19] Yes, yes, we were paid. But it was difficult to have your  
16 payment -- your pay cashed at the bank.

17 Q. [12:19:39] You said that you would go to the base in civilian clothing. Did your  
18 military uniform and weapons remain at the base or did you take them home with  
19 you?

20 A. [12:19:56] At that point in time back then I didn't have a weapon. Even  
21 the chief -- in fact, even the chief of the corps had prohibited bearing weapons. If  
22 you were found to be wearing a uniform or carrying a weapon, the Seleka would  
23 automatically apprehend you. They told us that we would continue to be paid while  
24 they did the work. So it was the chief of the corps who had instructed us not to wear  
25 a uniform. When we arrived at the base, we would present ourselves and that was

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1 simply to show that we were still alive.

2 Q. [12:20:40] So, may I ask, did you have a weapon at the base, a weapon which  
3 remained at the base?

4 A. [12:20:53] No. When we accompanied Francis to Modale, he instructed us not  
5 to touch a weapon. We had left all of our arms at the base so that those who actually  
6 did the work would have the weapons. We were told that if we kept the weapons,  
7 that could lead us to carry out crime in the neighbourhoods.

8 Q. [12:21:28] And did you take your weapon back to the base at the time?

9 A. [12:21:37] No, I did not return my weapon to the base. The weapons stayed at  
10 Modale. Some of us wanted to burn the weapons, but they refused, and so  
11 the weapons stayed in the vehicles in Modale, or in the vehicle in Modale.

12 Q. [12:22:12] In Francis's vehicle?

13 A. [12:22:17] Yes, it remained in Francis's vehicle. \* He was escorted by four  
14 BJ-75s and a VX. \* All the BJ-75s were covered by tarps, and they contained a lot of  
15 weapons. He told us that we were not allowed to touch these weapons and to leave  
16 everything in the BJ-75s. We were not allowed to take our weapons home as we had  
17 refused to cross the border.

18 Q. [12:22:55] And the vehicle with these weapons, was it abandoned; is that what  
19 happened?

20 \* A. [12:23:07] Yes, we abandoned the vehicles and the weapons. There were a lot  
21 of different types of weapons. We found them along the side of the road... along the  
22 riverbank. He also asked us to leave our weapons there. When one of the lieutenants  
23 wanted to burn the weapons, he forbade him to do so.

24 Q. [12:23:40] Now, have I understood correctly, Francis crossed the river, leaving  
25 the weapons behind, and told you to cross the river without them; is that correct?

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1 A. [12:23:55] Yes, that's right.

2 When he crossed over, he ordered us not to take the weapons and to return armed to  
3 the neighbourhoods. He said because we had refused to make the crossing we had  
4 to abandon everything, abandon everything and leave it there by the river. He told  
5 us to change out of our military attire and to wear civilian clothing and to go through  
6 the bush to get home. He also said that the Seleka might overfly the area in  
7 helicopters and if they were able to identify us, that might bring us into harm's way.  
8 So, we went to meet with the lieutenant and we travelled -- we made that journey  
9 with him.

10 Q. [12:24:58] Thank you, Witness.

11 Now, in your written statement -- and this is at tab 1, and tab 2 for the English version,  
12 CAR-OTP-2130-2342-R04, page 2348, paragraph 25.

13 Now, in your written statement, Witness, you say that around 7 p.m. on the day that  
14 Mr Djotodia became president, you and your witness -- sorry, you and your  
15 neighbour were sitting on the terrace of his house.

16 Now, you've just told us today that you -- you would normally go to the military base  
17 at 6 o'clock in the morning and leave at approximately 9. Now, why didn't you go  
18 to -- why weren't you at work at 7 o'clock on that particular day?

19 A. [12:26:08] At that time, as I've told you, tensions -- well, the security situation  
20 was not good. Military men had been abducted. And only after an intervention by  
21 General Dolle-Waya were some of them released. Others were lost. Three were  
22 released, in fact, and three -- or four were never heard of again.

23 Now, myself and (Redacted) were together and we had been told not to go to the base.  
24 When we were ordered to not return to the base, I did not do so. That's why I was  
25 not there.

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1 Q. [12:26:58] Thank you, Witness.

2 Now, in your written statement, you refer not only to BIT-1, but also to BIT-2, 3 and 5.

3 Now, I'd like to return to the matter of the BIT and how they worked back in 2013.

4 Now, BIT-2, do you know what territory it covered?

5 A. [12:27:38] When President Djotodia took power, as I told you, all of

6 the battalions were grouped at the ENAM. After that we were deployed to Mameca,

7 because beside the Mameca base there were FOMAC. And the idea was that if

8 the soldiers were attacked by the Seleka, they could in such a case be defended by

9 the FOMAC. And, therefore, all of the battalions were they ENAM.

10 And soldiers no longer went to work frequently. Those who did continue to

11 regularly go to work were those who had joined the Seleka.

12 Now, we had refused to join the Seleka and so we were at home and also fearing for

13 our lives?

14 Q. [12:28:52] Can you tell us more about the role of the FOMAC at that time.

15 A. [12:29:01] Well, back then, these were Congolese soldiers and they were based in

16 Mameca.

17 Q. [12:29:19] And what was their remit? What was their role, Witness?

18 A. [12:29:33] Well, they had come as part of FOMAC and so they played the same

19 role then as MINUSCA does now. There were a lot of abductions at that time and it

20 was FOMAC, the FOMAC from the Congolese contingent who would seek to have

21 the people apprehended freed.

22 Q. [12:30:10] Thank you, Witness.

23 And do you recall who was the commander of BIT-2 under Djotodia?

24 A. [12:30:26] The leader of the BIT corps, I don't know his name. As I told you,

25 I was a member of the (Redacted), and then I was later sent back to BIT-2.

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1 And I don't know the name of the leader of the corps.

2 Q. [12:30:55] Thank you, Witness.

3 And do you not know the name of any of the other corps leaders, aside from  
4 the leader of (Redacted), as was back then?

5 A. [12:31:20] No. No, I don't know the other battalion commanders, because I had  
6 recently rejoined the corps, the battalion, so I didn't know that much.

7 Q. [12:31:30] Very good. Thank you, Witness.

8 Now I'm going to put a few questions to you regarding discipline, discipline under  
9 President Bozizé, and I'm going to refer to your written statement.

10 So tab 1, tab 2 for the English version, CAR-OTP-2130-2342-R04, page 2354,  
11 paragraph 49.

12 And I'm going to quote you, Witness. You said, I quote:

13 "I knew of the Camp de Roux prison from my deployment with Bozizé's (Redacted)  
14 (Redacted) The prison was used to detain FACA who had been sentenced for  
15 disciplinary reasons." End of quotation.

16 Now, what type of offences were subject to disciplinary action under  
17 President Bozizé's rule, Witness?

18 A. [12:32:38] Well, as I said, I was at the palace and I had absented myself during  
19 five days. And because of that, I was given a two-week punishment, so a fortnight,  
20 I was held for a fortnight in that prison. So the fortnight there was to give me time to  
21 reflect on my actions and to decide that I would no longer -- I would never do such  
22 a thing again so that I would never be disciplined again.

23 Q. [12:33:44] (No interpretation)

24 Did you understand my question, Mr Witness, or would you like me to put it to you  
25 again?

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1 THE INTERPRETER: [12:34:00] The Sango witness -- interpreter would like to say  
2 that they did not hear the witness's response.

3 Message from the Sango booth: The witness responded saying that he did not  
4 actually hear the question.

5 MR FRANÇOIS-JACQUEMIN: [12:34:14](Interpretation)

6 Q. [12:34:18] I shall put the question to you again, Mr Witness.

7 Now, who decided upon these -- these disciplinary measures, which authority?

8 A. [12:34:36] The measures as mentioned, it was, as I said, the leader of the corps,  
9 the corps leader, General Mbetibangui at the time was commander. And whilst  
10 I was a member of the (Redacted) at Camp de Roux, he told the camp leader that I  
11 had not worked and that I had been absent for a week and that I should be placed  
12 under arrest for 15 days. And it was 15 days later that I went and joined the ranks  
13 once again.

14 So my company commander gave me five days of arrest and also 10 days were added,  
15 15 days in total. Now, normally it is 30 days of arrest that is meted out as  
16 punishment.

17 Q. [12:35:40] Thank you very much, Mr Witness.

18 I understand therefore that there was no military tribunal, as such. These were  
19 decisions that were taken by hierarchical superiors; is that not true?

20 A. [12:35:54] Indeed, there was no tribunal. These were sanctions imposed by  
21 hierarchical superiors in order to impose discipline upon the rank and file. So, one  
22 had to refer to the hierarchical superior before taking any action.

23 Q. [12:36:23] In your previous statement, Witness, you mention a great number of  
24 people whom you say were part of the FACA. I would like for us to revisit this,  
25 please.

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WITNESS: CAR-OTP-P-2179

1 Mr Witness, we talked earlier on about the chief of army Dolle-Waya's communiqué.

2 Do you recall? Over the radio.

3 A. [12:37:07] Yes, I do remember.

4 Q. [12:37:12] At the time of that communiqué, Mr Witness, do you know who  
5 Dolle-Waya was at that time?

6 A. [12:37:29] When President Djotodia took power, we heard his speech over  
7 the radio and he appointed General Dolle-Waya as chief of staff. His deputy --

8 THE INTERPRETER: [12:37:45] The witness did not give the name, says the Sango  
9 booth.

10 THE WITNESS: [12:37:48](Interpretation) But at the time it was Dolle-Waya who  
11 was the chief of staff. He replaced the chief of staff, General Wandé, who was  
12 the chief of staff under the Bozizé regime.

13 MR FRANÇOIS-JACQUEMIN: [12:38:04](Interpretation)

14 Q. [12:38:09] Thank you, Mr Witness.

15 Do you know when Dolle-Waya joined the Central African army?

16 A. [12:38:27] I do not know. I do not know in which year he joined the Central  
17 African army.

18 Q. [12:38:38] I would like to have brought up on the screen tab 8, if you please.

19 That is a decree of 12 June 2005. CAR-OTP-2131-0408-R01, page 0512.

20 I'm going to read it to you, Mr Witness.

21 Now, this is a decree made in Bangui on 12 July 2005 in which it is said that  
22 commander Jean-Pierre Dolle-Waya holds the rank of lieutenant colonel. Does that  
23 refresh your memory, Mr Witness?

24 A. [12:40:04] At that time I had not yet joined the army.

25 Q. [12:40:11] Thank you, Mr Witness.



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1 To your knowledge, what were the functions of Dolle-Waya under François Bozize?

2 A. [12:40:27] Under François Bozize, to my knowledge, he fought Baba Ladde and  
3 Bozizé promoted him to the rank of general. I remember that there was a ceremony  
4 held at the palace.

5 Q. [12:40:51] Do you remember at what point in time that took place, Mr Witness?

6 A. [12:41:01] I no longer recall the year. I no longer recall the year.

7 Q. [12:41:10] Our transcript does not say who he fought in order to be appointed  
8 general. Could you please repeat that name, Mr Witness.

9 A. [12:41:29] Baba Ladde. And that was in the Ouandago region.

10 Q. [12:41:42] Do you know how many men he had under his orders and in what  
11 way he was a general?

12 A. [12:42:02] He commanded a mixed unit. He was given vehicles and he had  
13 received the assistance of squadrons.

14 Q. [12:42:20] Thank you, Mr Witness.

15 When François Bozize left the Central African Republic, do you know whether  
16 Dolle-Waya remained or kept his functions in the army or did he desert at that  
17 moment in time?

18 A. [12:42:40] When François Bozize left the Central African Republic, I do not know  
19 what happened to General Dolle-Waya. All I know is that he was appointed chief of  
20 staff and he released a communiqué over the radio. So I understood that he had not  
21 fled, that he was in Bangui.

22 Q. [12:43:11] Thank you, Mr Witness.

23 Now, I do apologise for the disarray, I'm going back in time somewhat.

24 You said that at the transcript 55, in the French version, lines 18 and 19, "Baba Ladde  
25 in the region of Ouandango", end of quote, talking about some fighting that enabled

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1 Dolle-Waya to become general under Bozizé.

2 Now, could you please tell us who is Baba Ladde.

3 A. [12:44:04] Baba Ladde is a mercenary. He came and was even received by  
4 the president at the palace. But that did not stop him from going back into  
5 the maquis and committing acts of violence. So General Dolle-Waya was instructed  
6 to go and fight him. But of all the people who fought against Baba Ladde, General  
7 Dolle-Waya was the only person to have the rank of general.

8 Q. [12:44:47] Thank you, Mr Witness.

9 Now, you told us that Dolle-Waya became chief of staff under President Djotodia.

10 Do you recall the date at which he was promoted to this rank?

11 A. [12:45:17] It was in 2013 after Djotodia took power, because he took power and  
12 a week later he appointed General Dolle-Waya. And I heard over the radio that  
13 General Dolle-Waya had been appointed chief of staff.

14 Q. [12:45:36] I thank you, Mr Witness. You said approximately a week.

15 And I would like to show tab 11, please, on the screen. CAR-OTP-2004-1446.

16 There's page 1464 first, please.

17 THE INTERPRETER: [12:46:14] Correction from the English booth -- no, 1464 is  
18 correct, sorry.

19 MR FRANÇOIS-JACQUEMIN: [12:46:25](Interpretation)

20 Q. [12:46:28] So, Mr Witness, this is the decree, Mr Witness, that appoints  
21 Dolle-Waya in Article 1 to the post of the chief of army.

22 I'd like to show the page 1465, at the bottom of that page, please.

23 So this decree, Mr Witness, was signed and made in Bangui on 17 April 2013 by  
24 Michel Djotodia. Does that refresh your memory?

25 A. [12:47:31] From what I am aware, he was appointed as chief of staff. And at

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1 that moment in time I had not yet taken up my functions again. I was still at home.

2 This is how I came to hear that he had been appointed to the position of chief of staff.

3 Q. [12:47:54] Mr Witness, under the presidency of Djotodia still, do you know what

4 Dolle-Waya did when he was no longer the chief of staff of the army?

5 A. [12:48:16] When he was no longer chief of staff, well, I really do not have any

6 idea what he did subsequently, nor do I know his activities under the transitional

7 government.

8 Very recently, President Touadéra promoted him to the rank of five-star general of

9 the army. He became the inspector and holds the position of inspector of the army

10 currently.

11 Q. [12:49:04] Is that a high-ranking position, to your knowledge?

12 A. [12:49:14] Yes. He is currently the general of the army. And he is the one who

13 is just -- he is the second individual to have been granted this rank, ahead of

14 François Bozize.

15 Q. [12:49:47] Thank you very much, Mr Witness.

16 I would like to now show you an item of evidence in order to refresh your memory

17 with regard to the functions of Mr Dolle-Waya under Djotodia when he was no

18 longer the chief of staff.

19 This is tab 94, CAR-OTP-2004-1003 at page 1042.

20 Could the court officer please zoom in on the document.

21 This a decree of 20 September 2013 and I shall read to you. This is the first article

22 that is of interest to me.

23 We need to scroll down somewhat, please. Thank you very much.

24 Where it is decreed that the general division Jean-Pierre Dolle-Waya, and his

25 matriculation number, from the support and service battalion is appointed special

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1 adviser to the president of the republic.

2 Does that refresh your memory, Mr Witness?

3 A. [12:51:43] I do not have any idea about this.

4 Q. [12:51:51] Thank you very much, Mr Witness.

5 Do you know which functions Dolle-Waya had under the presidency of Catherine  
6 Samba-Panza?

7 A. [12:52:09] Under the Samba-Panza regime, I do not know what functions he  
8 held.

9 Q. [12:52:25] And you were still part of the army under the presidency of Madam  
10 Catherine Samba-Panza, were you, Mr Witness?

11 A. [12:52:37] Yes, I was still in the army, but I was deployed in order to take up  
12 a position elsewhere.

13 Q. [12:52:55] Where were you deployed in the year 2014, Mr Witness?

14 A. [12:53:03] I was deployed to (Redacted)

15 Q. [12:53:10] And what were you doing there, Mr Witness?

16 A. [12:53:22] I was seconded and I spent nine months in (Redacted)

17 Q. [12:53:31] Which position did you occupy, Mr Witness?

18 A. [12:53:43] I had the rank of corporal at the time. I was still a soldier, an  
19 element.

20 Q. [12:53:54] And in which battalion or unit were you during those nine months in  
21 (Redacted), Mr Witness?

22 A. [12:54:08] At the time, I had left the BSS -- I had left (Redacted) in order to go to  
23 the BSS.

24 THE INTERPRETER: [12:54:23] Corrects the Sango booth.

25 MR FRANÇOIS-JACQUEMIN: [12:54:30](Interpretation)

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1 Q. [12:54:31] So I conclude that it was as part of the BSS that you were in (Redacted)  
2 in the year 2014, Mr Witness?

3 A. [12:54:42] Yes. I was in the BSS and then I was assigned to (Redacted)

4 Q. [12:54:52] Thank you, Mr Witness.

5 I would now like to present to you the tab 95 of our list of evidence. It is

6 CAR-OTP-2004-1003, page 1042.

7 I'm very sorry. I'm confused. It is tab 13 that I would like to show to you.

8 So, CAR-OTP-2004-1180, page 1233. With my apologies.

9 THE COURT OFFICER: [12:56:03] The last page is 1229. Can you please clarify?

10 Thank you.

11 MR FRANÇOIS-JACQUEMIN: [12:56:16](Interpretation) I do -- I am sorry, Madam

12 Court Officer. I'd like to see the 1223 first and then 1224. I do apologise.

13 Thank you very much.

14 Q. [12:57:00] I'm going to be providing you with some knowledge of this document,

15 Mr Witness. It's a decree of 27 September 2013 where it is written -- could we please

16 zoom in on the document from the booth -- thank you.

17 It is a decree of 28 February 2014. You see, even we lawyers get lost with these

18 decrees. This decree describes the dispositions of the decree appointing or

19 confirming the employment of positions of superiority, high-ranking positions of

20 superiority within the presidency of the republic. \* This is a decree from the

21 Presidency of the Republic, under Madam Catherine Samba-Panza.

22 Could you please bring up page 1244?

23 THE INTERPRETER: [12:57:56] Message from the English booth: Could counsel

24 please slow down when he's reading from documents at great speed. Thank you.

25 MR FRANÇOIS-JACQUEMIN: [12:58:18](Interpretation) Thank you very much,

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1 Madam Courtroom Officer.

2 Q. [12:58:26] So I'm showing this to you.

3 At 25 it is written that Jean-Pierre Dolle-Waya is appointed special adviser. Now,  
4 does this refresh your memory with regard to the functions of Mr Dolle-Waya under  
5 the presidency of Catherine Samba-Panza, Mr Witness?

6 A. [12:58:45] I have no idea at all.

7 Q. [12:58:54] Very well, Mr Witness.

8 And a last question on the subject of Mr Dolle-Waya.

9 Madam Courtroom Officer, could we please bring up tab 95 of our list of evidence,  
10 CAR-D33-0014-0063. It is a public item.

11 Mr Witness, this is a press article dated 14 November 2020, where it is said that  
12 General Dolle-Waya debriefing -- it is said that the general *de corps* Dolle-Waya  
13 is -- chief of staff of the president of the republic has on Saturday, 14 November 2020,  
14 provided a debrief to the forces of defence and security.

15 Do you know what this debriefing is, Mr Witness?

16 A. [13:00:46] I think I told you that he was appointed to the position of the army  
17 inspector. Now, it was he who is the hierarchical superior of all the officers. Even  
18 the chief of staff have no influence over him.

19 Q. [13:01:13] Thank you, Mr Witness.

20 Madam President, I have finished my series of questions. I think I would need about  
21 one hour in a session tomorrow to be able to wrap up with this witness.

22 PRESIDING JUDGE SAMBA: [13:01:30] That's noted, Mr Jacquemin. Thank you  
23 very much.

24 Mr Witness, we are going to stop here for today so that we can have -- well, we are  
25 going to stop the testimony, your testimony here today. We'll meet again tomorrow

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1 at 9.30 to continue with your cross-examination. But may I ask you not to discuss  
2 your testimony here today with any other person when you leave your location, so  
3 that we meet here tomorrow again and continue for one hour, as the counsel has  
4 indicated.

5 Madam Court Officer, can you put us back into open session, please.

6 (Open session at 1.02 p.m.)

7 THE COURT OFFICER: [13:02:33] Madam President, we are back to open session.

8 PRESIDING JUDGE SAMBA: [13:02:36] Thank you very much.

9 So, Mr Witness, I'm going to adjourn this case for today and ask that we come again  
10 tomorrow at 9.30 and continue with your cross-examination.

11 This case stands adjourned, please.

12 THE COURT USHER: [13:02:51] All rise.

13 (The hearing ends in open session at 1.02 p.m.)