

Trial Hearing
WITNESS: CAR-OTP-P-0884

(Open Session)

ICC-01/14-01/18

1 International Criminal Court
2 Trial Chamber V
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard
5 Ngaiissona - ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and
7 Judge Chang-ho Chung
8 Trial Hearing - Courtroom 1
9 Monday, 19 July 2021
10 (The hearing starts in open session at 11.30 a.m.)
11 THE COURT USHER: [11:30:44] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [11:31:13] Good morning, everyone.
15 Could the court officer please call the case.
16 THE COURT OFFICER: [11:31:20] Good morning, Mr President, your Honours.
17 Situation in the Central African Republic II, in the case of The Prosecutor versus
18 Alfred Yekatom and Patrice-Edouard Ngaiissona, case reference ICC-01/14-01/18.
19 And for the record, we are in open session.
20 PRESIDING JUDGE SCHMITT: [11:31:35] Thank you very much.
21 I ask for the appearances of the parties.
22 And for the Prosecution Mr Vanderpuye, please.
23 MR VANDERPUYE: [11:31:41] Good morning, Mr President, good morning,
24 your Honours. Good morning, everyone. Good morning, Witness. Today
25 the Prosecution is represented by Yassin Mostfa, to my left, Pierre Belbenoit-Avich,

- 1 behind him, and myself, Kweku Vanderpuye.
- 2 PRESIDING JUDGE SCHMITT: [11:31:57] Thank you.
- 3 Ms Rabesandratana.
- 4 MS RABESANDRATANA: [11:31:58](Interpretation) Good morning, Mr President,
5 good morning to everybody. And for the representatives of victims of the other
6 crimes, Paolina Massidda, Mouhia Asso, and myself, Elizabeth Ngaïssona.
- 7 PRESIDING JUDGE SCHMITT: [11:32:22] Yeah, okay.
- 8 THE INTERPRETER: [11:32:22] Elisabeth Rabesandratana.
- 9 PRESIDING JUDGE SCHMITT: [11:32:22] Rabesandratana, I think, yeah.
10 Mr Suprun, please.
- 11 MR SUPRUN: [11:32:27] Good morning, Mr President, your Honours. The former
12 child soldiers are represented by myself, Dmytro Suprun, counsel at the Office of
13 Public Counsel for Victims. Thank you.
- 14 PRESIDING JUDGE SCHMITT: [11:32:34] Thank you.
15 I turn for the Defence. For whatever reason we start always with Ms Dimitri.
- 16 MS DIMITRI: [11:32:41] Good morning, Mr President, good morning, your Honours.
17 Mr Yekatom this morning, who is present in the courtroom, is represented by
18 Mr Thomas Hannis, Ms Yousra Lamqaddam, Ms Sabine Bayssat, Mr Florent
19 Pages-Granier and myself, Mylène Dimitri.
- 20 PRESIDING JUDGE SCHMITT: [11:32:57] Thank you.
21 And now Mr Knoops.
- 22 MR KNOOPS: [11:32:59] Mr President, your Honours, good morning, everyone.
23 Our team is today comprised of Ms Sara Pedroso and Barbara Szmatura and myself.
24 Mr Ngaïssona is present in the courtroom.
- 25 PRESIDING JUDGE SCHMITT: [11:33:12] Thank you very much.

- 1 And also good morning, Mr Witness.
- 2 And also a welcome to Ms Mbida at the video-link location. I think you can follow
- 3 us. Good morning from the Bench.
- 4 We continue with the examination by the Prosecution.
- 5 Mr Vanderpuye, you have the floor.
- 6 WITNESS: CAR-OTP-P-0884 (On former oath)
- 7 (The witness speaks Sango)
- 8 MR VANDERPUYE: [11:33:49] Thank you, Mr President.
- 9 QUESTIONED BY MR VANDERPUYE: (Continuing)
- 10 Q. [11:33:56] Good morning, Witness.
- 11 I think when we left off on Friday I had just begun to ask you some questions
- 12 concerning the 5 December attack on Bangui and I I'd like to continue with that, if I
- 13 could. I think you had also mentioned that you had information that the attack was
- 14 to begin earlier than 5 December, but I want to just confirm that with you now. Is
- 15 that the case, you had information that the attack was to start before 5 December, in
- 16 fact?
- 17 A. [11:34:48] Yes, indeed. The attack was supposed to take place on 1 December,
- 18 according to the statements of Maxime Mokom, but Maxime Mokom postponed
- 19 the attack because of the national celebrations of 1 December.
- 20 Q. [11:35:19] Did you receive that information, that is when the attack was
- 21 supposed to begin from anyone else besides Maxime Mokom?
- 22 A. [11:35:45] No, I received that information from Maxime Mokom. Only him, no
- 23 one else.
- 24 Q. [11:35:54] And did you discuss that information with anyone besides
- 25 Maxime Mokom, that is before the attack took place on 5 December?

1 A. [11:36:26] I do not remember. I can't remember anything about it. I only
2 remember that Maxime Mokom, who spoke to me about it.

3 Q. [11:36:39] And do you remember about when he spoke to you to tell you that
4 the attack was supposed to happen on 1 December?

5 A. [11:37:07] I think he said this to me about two days before 1 December, but I'm
6 not sure of that.

7 Q. [11:37:17] Okay. That's -- that's fine. Now, before the attack did you see any
8 signs or indications of a coming attack in Bangui itself?

9 A. [11:37:42] Yes, I did have some indications. I was not the only person.
10 Everyone was aware of it. Even some -- some people of Central Africa hid these
11 people, they were hidden.

12 Q. [11:38:07] And when you say "hid these people", you mean the people that were
13 going to attack or other people?

14 A. [11:38:33] Everyone was aware of what was going to happen, that the attacks
15 were going to happen. It wasn't something that happened secretly. Everybody in
16 the town knew about it.

17 Q. [11:38:56] And did you know of any deployments of fighters to particular
18 locations in and around the city just before or in a few days before the attack took
19 place on 5 December?

20 A. [11:39:29] I'm sorry, I didn't quite understand your question.

21 Q. [11:39:39] Were you aware of Anti-Balaka being deployed, placed in places
22 around the city in advance of the attack?

23 A. [11:40:07] Yes, I knew about it. And that's why I told you that they already
24 infiltrated the outskirts of Bangui and some people sheltered them. That's why
25 the preparation wasn't secret, everybody was aware of what was going on.

1 Q. [11:40:33] And when you say "everybody was aware what was going on", you
2 mean just the general population or do you mean people in the Anti-Balaka itself?

3 A. [11:40:51] The population. The population was aware. Even Djotodia was
4 aware. He had an intelligence service and that's why he made a decree postponing
5 the celebration of 1 December. He made a statement about that celebration because
6 of the preparation for the attack. It wasn't something that was hidden. The fighters
7 came and were seen every day. And some Anti-Balaka fighters were sheltered by
8 the population themselves. It was not something that was done in secret.

9 Q. [11:41:44] All right. I'd like to ask you a few questions about some of the
10 people that you were in contact with before the attack. So the first thing I'd like to
11 ask you is, were you in contact with -- you said you were in contact with
12 Maxime Mokom, but were you in contact with him immediately before the attack,
13 that is the night of 4 December or early morning of 5 December?

14 A. [11:42:37] I think that he called me 3 or 4 December. As I told you, he usually
15 called me and provide me with information or to get information from me about what
16 was happening in Bangui. He did phone me before 5 December.

17 Q. [11:42:57] And were you in contact with Mr Ngaïssona around that time or
18 the beginning of the attack?

19 A. [11:43:22] Yes. As I have told you, I was in contact with Mr Ngaïssona. And,
20 as I told you, he called me, he asked me for some information on the town and what
21 was happening in the country, and that was quite normal.

22 Q. [11:43:42] I guess my question is, did he call you around the time or close in
23 time to the 5 December attack?

24 A. [11:44:10] Yes, he called me before 5 December, but I can't remember exactly
25 the date when he called me. This is about nine years ago, so I can't remember

1 precisely when he called me. But let me assure you that he phoned me regularly.

2 PRESIDING JUDGE SCHMITT: [11:44:37] I think that's understandable and

3 (Overlapping speakers)

4 MR VANDERPUYE: [11:44:40] (Overlapping speakers)

5 PRESIDING JUDGE SCHMITT: [11:44:41] And perhaps the content of any contact,
6 like always, is also of interest.

7 MR VANDERPUYE: [11:44:45] You've anticipated my next question.

8 Q. [11:44:48] And with respect to Mr Ngaïssona's -- your contact with
9 Mr Ngaïssona around or on the date of the attack itself, what did you discuss with
10 him?

11 A. [11:45:22] He spoke about the attack on 5 December, but I cannot remember
12 the details. I cannot recollect the details. But what is sure is that before 5 December
13 he used to call me to ask about what was going on in the country and to talk about
14 the attack of 5 December. Everybody called me, even Maxime Mokom called me.
15 I cannot deny the fact that he called me. He did call me and he did talk about
16 the attack on 5 December. The attack of the elements from the Anti-Balaka wasn't
17 something that was secret. Everybody was aware of it. The people sought revenge.
18 I confirm that he did call me.

19 Q. [11:46:19] Were you in contact with Captain Ngremangou in this period leading
20 up to the 5 December attack?

21 A. [11:46:40] No, I wasn't in telephone contact with Captain Ngremangou,
22 (Redacted). We
23 received the same information. Sometimes he gave me some information on
24 the attack for the 5 December.

25 (Redacted)

1 (Redacted).

2 Q. [11:47:19] And you're sure you weren't in telephone contact with him from
3 September through February, that is September of 2013 through February 2014? You
4 don't believe you were in contact, telephone contact with Captain Ngremangou in
5 that period?

6 A. [11:47:58] Perhaps I didn't express myself clearly. I said it wasn't only by
7 telephone, (Redacted) So we could
8 telephone each other, but (Redacted)
9 (Redacted). I knew his number
10 and he knew my telephone number.

11 Q. [11:48:32] Thank you for that clarification. I think I misunderstood what you
12 had said before.

13 There were other people that you were in contact with as well with -- among
14 the Anti-Balaka leaders at the end of November and leading into the 5 December
15 attack. Let me ask you about a few people.

16 Vincent Wapounaba, does that name ring a bell to you?

17 A. [11:49:18] Indeed, I know Vincent Wapounaba. He had my telephone number.
18 He was aide-de-camp of General Bozizé and he used to telephone me as well.

19 Q. [11:49:39] And were you in contact with him the morning of the 5 December
20 attack around 4 a.m. that morning, if you can remember?

21 A. [11:49:59] I don't remember. He might have well called me, but I'm not sure of
22 the precise date. I mean, it's quite a time back and we haven't had telephone contact
23 since 5 December.

24 Q. [11:50:29] Is he somebody you would have spoken about the 5 December attack
25 with?

1 A. [11:50:48] In fact, he was a military man. He made calls to quite a few people.
2 I can't remember his call precisely, but if he did call me it was no doubt relating to
3 the attack of 5 December. You couldn't speak about anything else with him. But
4 it's a long time since I've had any contact with him.

5 Q. [11:51:28] Let me ask the same question about a Jules Yamodo. Would you
6 have been in contact with him about the --

7 A. [11:51:43](Overlapping speakers)

8 Q. [11:51:44] Yes, about the 5 December attack?

9 A. [11:51:55] Jules Yamodo (Redacted). We
10 received the same information relating to the December attack. He was
11 the aide-de-camp of the ex-minister (unclear) who is now retired. This is somebody I
12 know well.

13 Q. [11:52:32] And Sylvestre Yagouzou, you were in contact with him also about
14 the 5 December attack in advance of the attack?

15 A. [11:52:53] Sylvestre Yagouzou is someone I also know. He was responsible for
16 the other Anti-Balaka before 5 December. He was more involved in the 5th
17 arrondissement. He gave me information that those elements would enter
18 the capital and that he had already prepared all the surrounding villages about that.

19 Q. [11:53:30] I thought I heard you say something about PK26, but I didn't hear that
20 in the -- in the interpretation, so maybe -- maybe you can repeat your answer, I
21 suppose, or elaborate.

22 A. [11:54:00] Mr Yagouzou gave me that information. Yagouzou said that those
23 elements were in -- already in PK4 close to the capital. PK5 is near the entrance of
24 the capital and there were some already in the 5th arrondissement. And until
25 5 December those elements would be in a position to enter the capital. That's what

1 he told me.

2 PRESIDING JUDGE SCHMITT: [11:54:34] Ms Dimitri. Yeah, I -- I think I know
3 what you're going to say, but please.

4 MR KNOOPS: [11:54:42] I mean, I have French and English. I'm hearing PK5 and
5 PK26.

6 PRESIDING JUDGE SCHMITT: [11:54:46] Me too. Not the fault of the witness, of
7 course. So ...

8 Mr Witness, there is an interpretation issue. Is it about -- or do you speak about PK4,
9 PK5, or PK26 or all of them? Also possible.

10 THE WITNESS: [11:55:22](Interpretation) PK26. I'm talking about PK26.

11 PRESIDING JUDGE SCHMITT: [11:55:29] Mr Vanderpuye was right, obviously,
12 what he heard, so please continue.

13 MR VANDERPUYE: [11:55:34] Every once in a while.

14 Thank you, Mr President. Thank you for the clarification, Witness.

15 Q. [11:55:43] Did you speak to Olivier Koudemon Bangouma, and that's including
16 in November and December?

17 A. [11:56:09] Bangouma, at that time he was still in Cameroon. He came back
18 after the fall of Mr Djotodia, after he left.

19 Q. [11:56:24] So my question was if you were in communication with him before
20 the 5 December attack by telephone?

21 A. [11:56:45] No, I don't remember. Bangouma is somebody who is not very
22 stable. He did whatever he had to do over there, but I don't really remember.

23 Q. [11:57:05] And were you in contact, if you can remember, with Yvon Steve
24 Konate prior to the 5 December attack?

25 A. [11:57:23] No, I didn't have any contact with him. What I know is that in

1 November he was in the M'Poko camp. It was in November that he left to join
2 the Anti-Balaka in Sibut and Damara. It's only after 5 December that I had some
3 contact with him and we were able to speak to each other.

4 Q. [11:57:59] Now, do you have any idea how many Anti-Balaka elements were
5 involved in the 5 December attack itself, approximately?

6 A. [11:58:20] It's impossible for me to answer. I don't know them all. They came
7 from three prefectures of the Central African Republic, they came from everywhere.
8 It's impossible to have a really clear idea of how many they were.

9 Q. [11:58:42] And do you know in what manner the attack was carried out? Did
10 they all come from one direction, did they come from direction directions, did they
11 come at the same time, different times? Are you able to say?

12 A. [11:59:09] As I said to you, some came from Bossembélé, Bossangoa. They left
13 their place already in November, some came on foot. Some who came from Bambari,
14 Sibut, Bogangolo and Damara, those came along the Damara route from
15 the north-east of the country. Others came from the north of Central African
16 Republic and there were some who arrived from the south of CAR. People came
17 from everywhere and their convergence point was Bangui.

18 Q. [12:00:04] Where in Bangui did the fighters go when the attack was carried out?

19 A. [12:00:23] There was clashes at the National Assembly at Mamika. In any event,
20 they were attacking all the Séléka positions. You must realise the National Assembly,
21 the palace is in the middle of the town. Mamika is closer to kilometre 5. Mamika is
22 a military base. They were attacking the Séléka military bases.

23 Q. [12:01:01] So Camp Kassai, *Camp de Roux*, *Camp sapeurs-pompiers* --

24 A. [12:01:10] (Overlapping speakers)

25 Q. [12:01:14] -- are these all locations you heard the attack was carried out?

1 A. [12:01:27] Yes, that is why I refer to the *palais* of the National Assembly. There
2 was a camp of firefighters in front of that place. This was someone called Moussa
3 who was based there. And *Camp de Roux* is in the 7th arrondissement. There was
4 an attack there as well. And there was an attack at Mamika, as I said a few moments
5 ago.

6 Q. [12:02:02] And do you know who was leading those particular attacks?

7 A. [12:02:25] The attacks were quite complex. When Mokom had given
8 the instruction to the Anti-Balaka leaders, let's take an example. When the head of
9 Bouca got the instruction he took action, 12 power. He got the instruction, he went
10 along the way and Beloko (phon) was also leading his troops toward Bangui.
11 Andjilo also was leading his troops at PK26. Each leader was leading his unit, so it
12 was difficult to properly understand their strategy.

13 Q. [12:03:20] Would it appear to you, though, that there was a strategy?

14 A. [12:03:40] I have no idea of the strategy. All I know is Mokom was the one
15 who coordinated operations. People came from everywhere in a disorderly fashion.
16 You can't understand the way they were acting.

17 Q. [12:03:57] Okay. So you've mentioned 12 *Puissance*, you've mentioned Andjilo,
18 and there were a number of other people that were involved in the attack. Let me
19 ask you about a few of them.

20 Modibo, was Modibo involved in the attack?

21 A. [12:04:38] Modibo was the one who led Bossangoa troops.

22 Q. [12:04:45] Bama Clement?

23 A. [12:04:51] Bama Clement as well came from Bossangoa.

24 Q. [12:05:00] Houronti Dieudonne?

25 A. [12:05:05] Him too, he was one of the ones who came from Bossangoa.

- 1 Q. [12:05:16] Bejouane Richard?
- 2 A. [12:05:22] Richard, Richard led his troops from 50 kilometres from Bossangoa.
- 3 There are two Richards, one Alakai (phon), and there is another Richard. Richard
- 4 Bozando and Richard Bejouane.
- 5 Q. [12:05:46] And Richard Bozando, did he participate in the attack?
- 6 A. [12:05:57] I think that he's from Yaloké. Those elements were in Yaloké.
- 7 Q. [12:06:12] Mazimbele Guy?
- 8 A. [12:06:19] Mazimbele I think that -- I think he came from Batangafo. It's true,
- 9 he also had his own men, but what I know is he came from the province.
- 10 Q. [12:06:37] Gabin Inga?
- 11 A. [12:06:46] Gabin *qui*? I beg your pardon? Who are you talking about?
- 12 Q. [12:06:52] Inga Gabin.
- 13 A. [12:06:58] I don't remember any such name.
- 14 Q. [12:07:06] Ouanjungu Gustave?
- 15 A. [12:07:15] He, Gustave, came from the provinces as well. He, too, was leading
- 16 his squad.
- 17 Q. [12:07:24] Bernard Yakouzou?
- 18 A. [12:07:35] We were talking about him. He was at PK26.
- 19 Q. [12:07:47] And tell me about Alfred Yekatom. Was he involved in
- 20 the 5 December attack?
- 21 A. [12:08:06] I think he was the one who came from the south, from Pissa,
- 22 the village called Pissa.
- 23 Q. [12:08:17] And what do you mean about his involvement in the 5 December
- 24 attack coming from the south?
- 25 A. [12:08:37] Last week I told you that I had met him on 5 December behind

1 the airport. After that date, we were not able to meet up again immediately.
2 Perhaps around the 24th we were able to meet one another. I met him at his base at
3 the Yamwara school and he was giving an interview to a French journalist by
4 the name of Lepage, I believe. He was giving an interview to this journalist. He
5 was explaining how he had carried out his attacks, why he had begun the attack and
6 so on and so forth. That is when I met him. But on the 5 December, the meeting on
7 5 December did not last long, not even an hour, so I don't understand what you're
8 driving at. If you're asking me for other information, I can give you that information,
9 but asking me about the 5 December meeting, well, that meeting didn't last very long.

10 Q. [12:10:05] No, no. I'm just asking what you know about Yekatom's
11 involvement in the 5 December attack. If you don't know anything, then your
12 answer is "I don't know anything." But that's the question, whether you discussed it
13 with him when you saw him or you found out about it after you saw him, that's what
14 I want to know.

15 A. [12:10:42] Well, there you have it. Your question is now clear to me. You
16 were asking me questions about a specific date. You were just asking me about
17 5 December. I told you that everyone fought on that date. And concerning that
18 specific point, I would like to say that after 5 December Yekatom set up his base at the
19 Yamwara school and that is where the journalist contacted him for various interviews.
20 And myself, I withdrew to Bangui M'Poko. I am telling you what I remember.
21 At one particular point in time, the wife of General Mamour, General Djotodia, at that
22 point his wife and children who are all Muslims were going by and they came across
23 some of Yekatom's men who stopped them, blocked their path. And automatically,
24 when we were informed of this, (Redacted) decided to go and free the people
25 who had been taken hostage because that situation could degenerate and the situation

1 would have been serious if the men had killed them.

2 And so Ngremangou and his elements left to meet Rambo, Yekatom, and after

3 discussions they were able to get the hostages and they took them to Boy (phon).

4 (Redacted), but there was a great deal of tension because they were

5 Muslims. He was Muslim, his wife was Muslim and the children were Muslim.

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted). Madam

18 Catherine Samba-Panza, who was the mayor of Bangui at the time, decided to come

19 and get the hostages. They came to the base to get those seven people, the wife and

20 the children, and have them freed. She made a statement on the radio saying that

21 she had been at the Anti-Balaka base and the Anti-Balaka elements. Not all of them

22 were -- some people were freed and -- some people agreed to free the hostages and

23 that -- she confirmed that two of the people who had remained behind had been

24 killed by Yekatom's elements. That is what I know about Yekatom and his activities.

25 And then I do know that after the departure of Djotodia, Yekatom came to PK9 and

1 he even reconciled with a Séléka person by the name of -- a captain -- a Séléka captain
2 called Souleymane. He reconciled with him. You see, Yekatom had his bases, his
3 activities. He did what he wanted to. I heard about him but I wasn't actually with
4 him to monitor what he was doing, but I told you about the incident that occurred
5 within his group. But if you have specific questions about these events, I can give
6 you explanations. For the time, I've told you what happened and what I remember.

7 Q. [12:17:15] Thank you. That's very much appreciated. Let me see if I can break
8 that down a little bit.

9 First, the incident you describe, can you proximate when that actually happened?

10 A. [12:17:45] That incident occurred before 1 January. It was in December, but
11 I don't know exactly which date.

12 Q. [12:17:59] Okay. And the number of hostages that were involved in that
13 circumstance was how many, to your recollection?

14 A. [12:18:21] There were nine hostages, (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted).

1 Q. [12:20:06] And where were they taken, if you know, when they were taken
2 hostage?

3 A. [12:20:27] The hostages were taken to Yamwara school, which was
4 Yekatom's -- Mr Yekatom's base.

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted). I would tell him to -- not to do such-and-such a thing. But, as I
10 told you, I'm here to tell the truth. It's right in front of me. I'm not lying. I told
11 you, he was the first person to work for peace and reconciliation with the Séléka. He
12 was able to bring about reconciliation with captain Séléka -- a captain -- a Séléka
13 captain Souleymane. It gave a lot of hope to people. When Souleymane left his
14 position at PK9, Rambo, Mr Yekatom himself who controlled the area. Yekatom, I
15 told you about him. When he hadn't been drinking he was serious and really
16 a sweetheart, but when he was drunk you wouldn't recognise him. Each time I
17 would hear about what he was doing. I tried to call him, give him advice, but when
18 I was a witness of what happened I told -- but I can't tell -- well, I did hear that
19 Yekatom had done this or had done that.

20 Q. [12:22:58] Don't worry. What I'm asking you here is -- nobody's insinuating
21 that you're not telling the truth. What I want you to understand is that the judges
22 are listening to the evidence in the case and they weren't there. So when you say this
23 and that and I heard something or not something, they have no idea what you're
24 talking about. Nobody has any idea what you're talking about. So this is
25 the reason why I ask you to be particular about what you're describing, *c'est ça?*

1 So my question is -- and so I apologise if it seems that I'm asking very mundane
2 questions, but that's the reason for it.

3 How did you know that these individuals were related to General Mamour, one, and
4 who is General Mamour so the judges can understand what is the relationship and
5 the reason for these people being taken hostage.

6 A. [12:24:20] (Redacted), the wife of General Mamour
7 was the *gouvernante* of the *Palais de la Renaissance*. (Redacted)
8 (Redacted) that Rambo's
9 elements had detained them and taken them to their camp and that there were nine of
10 them and two were killed. General Mamour and the brother of the president,
11 Djotodia. (Redacted)
12 (Redacted)
13 (Redacted)
14 (Redacted)
15 (Redacted)
16 (Redacted) She was there with her young children. She was
17 a Muslim woman, but (Redacted)
18 (Redacted)
19 (Redacted). The French soldiers had brought a vehicle, a VAB armed vehicle to get
20 them out of there (Redacted).

21 Q. [12:26:13] Did anyone tell you why they were taken hostage by Yekatom's men?
22 What was the reason for this? What did they want?

23 A. [12:26:39] As I told you, at one particular point in time the Anti-Balaka forces
24 thought that all the Séléka were enemies, and I gave you an example. Even
25 the soldiers who were loyal working in the Séléka army were thought to be enemies

1 by the Balaka -- Anti-Balaka. But, as I told you last time, it was something about
2 Muslims. As soon as the Séléka came across Muslims, there was confusion.

3 PRESIDING JUDGE SCHMITT: [12:27:23] May I shortly?

4 We could think about at some point in time when this continues to go in private
5 session, perhaps. Although, one could also argue that perhaps some issues have
6 been exhausted, then we would have to do other measures, perhaps, and then we can
7 continue.

8 MR VANDERPUYE: [12:27:45] Yeah, it may be a better idea to go into private
9 session.

10 But before we do that there's a correction I think that should be made in the transcript
11 because, if I'm not mistaken, what I heard was, effectively -- yes, that when
12 the "Séléka came across Muslims, there was confusion", and I don't think that's what
13 the witness said. I think he might have said the exact opposite of that -- well, not
14 the opposite, but something quite different. So I'm a little concerned about that in
15 terms of the progression of the examination, but perhaps you could --

16 PRESIDING JUDGE SCHMITT: [12:28:26] No, in that -- in that event, I think simply
17 try to clarify it with the witness.

18 MR VANDERPUYE: [12:28:32] Exactly.

19 PRESIDING JUDGE SCHMITT: [12:28:33] And then we go to private session.

20 MR VANDERPUYE: [12:28:34] Exactly. Thank you, Mr President.

21 PRESIDING JUDGE SCHMITT: [12:28:36] Yeah.

22 MR VANDERPUYE: [12:28:37]

23 Q. [12:28:37] What's reflected in the transcript here is that you said that when
24 the Séléka came across Muslims that that -- there was a confusion that arose from that.
25 But I don't think that's what you said, so I wondered if you might clarify it.

1 A. [12:29:03] Yes, you told me -- you asked me why those people had been
2 detained. I told you that there was often confusion. Concerning that abduction,
3 I don't know why they had been detained. (Redacted) that they had been
4 going along when some of Rambo's elements stopped them and took them to their
5 base.

6 PRESIDING JUDGE SCHMITT: [12:29:34] I think that that perhaps might not make
7 it completely clear, but -- but -- but also the confusion seems to be from the table
8 simply -- the witness simply doesn't know why they were taken hostages.

9 MR VANDERPUYE: [12:29:49] Yes, that seems to be the case.

10 PRESIDING JUDGE SCHMITT: [12:29:52] That seems to be the bottom line. And
11 now we could also argue that if you want to leave this incident, we can stay in open
12 session.

13 MR VANDERPUYE: [12:29:59] I just want to ask just a couple more questions
14 regarding the incident (Overlapping speakers)

15 PRESIDING JUDGE SCHMITT: [12:30:04] Okay. Then we go to private session.

16 MR VANDERPUYE: [12:30:06] We'll go to private session. Thank you,
17 Mr President.

18 (Private session at 12.30 p.m.)

19 THE COURT OFFICER: [12:30:19] We are in private session, Mr President.

20 (Redacted)

21 (Redacted)

22 (Redacted)

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1 (Redacted)

2 (Open session at 12.40 p.m.)

3 THE COURT OFFICER: [12:40:55] We are back in open session, Mr President.

4 MR VANDERPUYE: [12:41:01] Thank you.

5 Q. [12:41:03] I was asking about the Boeing market and I'd asked you if you were
6 present during the attack. You indicated that you were not present during the attack.

7 You came later and you saw the evidence of that attack; is that right? You saw
8 people that had been killed?

9 A. [12:41:34] Indeed. Indeed.

10 Q. [12:41:41] Do you know approximately how many traders were killed at the
11 market that day?

12 A. [12:41:57] The majority of the Muslims were killed. I don't know the exact
13 number, perhaps nine. I don't know. But a lot of people were killed from
14 the boutiques.

15 Q. [12:42:22] And were these men, women?

16 A. [12:42:38] It was men. In fact, it was very difficult to identify the different
17 bodies, but they were men.

18 Q. [12:42:49] And being familiar with the market, were you familiar with these men
19 or the circumstances under which they were -- they found themselves being traders in
20 the market?

21 A. [12:43:23] They were Muslims. (Redacted). It's true that some came
22 from Chad who were from the Hissène Habré party, and when they were there they
23 were kicked out and they came to live (Redacted). They had a wife,
24 they had children. (Redacted)

25 (Redacted)

1 There are some whose name I don't know, but I do know those are people with whom
2 we lived with together. When the Séléka arrived, immediately they put on military
3 outfits, some became colonels and other ranks. They themselves pointed out
4 Christian soldiers, and that's why the population started to use the expression *lawwa*
5 *lawwa* (phon), which means sooner or later. And it's from 5 December onwards that
6 some of these soldiers sought revenge.

7 Initially we didn't know. It is only afterwards we learnt that all the Muslims in
8 the Boeing market were killed. And afterwards we left to see the different bodies.
9 (Redacted). I can't say that I was
10 present when the crimes were committed, no. It was only afterwards. And also
11 other people came to look at the bodies. It was terrible. Really, it was awful. I
12 repeat, it was awful. People you know, seeing them like that, it was terrible. And
13 later on I saw all the damage that had been done.

14 Q. [12:45:51] That was the day that you saw Mr Yekatom; isn't that right, in
15 Boeing?

16 A. [12:46:09] Yekatom and me, we didn't meet each other in Boeing. We met
17 behind the airport, as I said yesterday. He came, he greeted me and I greeted him
18 and two hours later he left. But I didn't see him during the attack, no.

19 Q. [12:46:31] No. Okay. How far is the area where you saw Mr Yekatom from
20 the market, if you can approximate?

21 A. [12:46:59] Two or three kilometres, but the distance is quite large. But it's
22 a large district.

23 Q. [12:47:08] If you went by car it wouldn't be so large, right? It wouldn't be so
24 long, I should say, time wise?

25 A. [12:47:27] No, in car it doesn't take a lot of time.

1 Q. [12:47:37] All right. Now, when we were talking about the hostage situation
2 you mentioned that two people were killed. Had you heard Mr Yeka -- that
3 Mr Yekatom had been involved in similar types of behaviour? Was he involved in
4 other killings or kidnappings, to your knowledge?

5 MS DIMITRI: [12:48:09] Mr President.

6 PRESIDING JUDGE SCHMITT: [12:48:10] Yes.

7 MS DIMITRI: [12:48:12] It's quite a contested issue, and perhaps a little bit less
8 leading.

9 PRESIDING JUDGE SCHMITT: [12:48:22] I think -- I think it's -- the question is okay,
10 so the witness can answer "yes" or "no" or "I don't know." Although I -- what I think
11 is, have you heard is do you know about and -- because people might have heard
12 about a lot of things, Mr Vanderpuye. So perhaps if you're putting the question in
13 a way -- or let me put it to the witness.

14 Mr Witness, you have heard what the Prosecutor asked you. Do you have
15 knowledge, concrete knowledge of any other incidents that -- that Mr Yekatom was
16 involved with?

17 THE WITNESS: [12:49:14](Interpretation) Yes, I do have information, but I wasn't
18 present when he was doing these things. Sometimes he fought even against his
19 military colleagues and there were deaths. For example, the conflict was much more
20 between Boy-Rabe and Boeing, and when they arrived at the roundabout there could
21 be shots fired and people might be killed. What I do know, he was quick to open fire
22 against his military colleagues. But all this information was something I got from
23 other people. I never saw it myself.

24 Let me give you an example. There was a problem which he had with a boy in
25 Petevo. There was a small problem and after that he abducted the boy.

1 The parents of the boy looked for the boy everywhere, but they couldn't find him.
2 Afterwards, we learned he killed the boy and buried the boy somewhere. I never
3 saw that myself. This is information I received and when I received such
4 information I called him to ask him if he really did carry out those acts and he said,
5 "No, no, no, it's not me." And if it's not him, then he has to make sure that it doesn't
6 happen again so that it doesn't have a backlash on him.
7 I'm not hiding anything from you. There are things which I heard about him which
8 I didn't want to keep in mind, but if you insist upon them I'll tell you, I'll answer.
9 But in the majority of cases I wasn't present when these acts happened. I only heard
10 talk about them. And when I learned this information I called him to say, "My dear
11 friend, why are you behaving like this?" And he said, "No, little brother. It's not me.
12 It's not me. People are committing abuses like this and everybody thinks it's me."
13 Let me give you another example. When did he come? He came here. I met him
14 the day before and I said to him, "My brother, let's look at what's happening." He
15 wasn't -- Meckassoua wasn't there anymore and I warned him, I said to him, "You
16 mustn't get involved in this case." And the next day I learned that he fired on
17 the parliament, and that was the day before. I even told him he mustn't behave like
18 that. After that I called him and I said, "Why did you behave like that?" And some
19 days later I learnt that he was arrested to go to the ICC.
20 You know, this is someone I admire a lot and I'd like to say something. If he hadn't
21 been arrested he would have been killed by his military colleagues. Everybody was
22 carrying out abuses, crimes, and everybody thought it was Rambo who was
23 committing them. And each time I learned of this type of information I called him
24 immediately to ask him to find out what was going on, but he always said he -- it
25 wasn't him, that he wasn't the perpetrator of those acts.

- 1 In the information which I have on him, that's what I can tell you.
- 2 PRESIDING JUDGE SCHMITT: [12:53:28] Thank you, Mr Witness.
- 3 You said you got this information, you heard of it. Where did you get these
- 4 informations from? What -- what -- what kind of people were -- did it come
- 5 from -- or was it information via the radio or something like that? So could you tell
- 6 us where the information came from that you received.
- 7 THE WITNESS: [12:54:05](Interpretation) I received the information from the
- 8 neighbourhood. Everybody was talking about it. Many people phoned me to tell
- 9 me what was going on. He said, "Look, Rambo has done this, Rambo has done that."
- 10 Everybody knew about it regarding the kid that he killed. (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 I wasn't a witness, I wasn't an eyewitness to those acts --
- 17 PRESIDING JUDGE SCHMITT: (Overlapping speakers) We have understood that.
- 18 THE WITNESS: (Interpretation) – (Redacted)
- 19 PRESIDING JUDGE SCHMITT: [12:55:11] Mr Vanderpuye, do you continue with
- 20 this line of questioning or do you want to go over to another area?
- 21 MR VANDERPUYE: [12:55:21] Sorry. I have only one question on this issue and it
- 22 relates to the prior statement. And then we stop at 1; is that right, Mr President?
- 23 PRESIDING JUDGE SCHMITT: [12:55:32] Exactly.
- 24 MR VANDERPUYE: [12:55:32] So I think I'll deal with that and then we can --
- 25 PRESIDING JUDGE SCHMITT: [12:55:35] Yeah, fine, fine.

1 Q. [12:55:37] So with respect to -- I want to ask you something you said in your -- in
2 your previous statement.

3 And this is tab 49, the ERN is CAR-OTP-2072-1913, and I'm at page 1930, and it's line
4 592 down to 595. And you're asked about certain conduct regarding Mr Yekatom,
5 and in response to that you indicated that you didn't really want to talk about it that
6 much but then said: "Even if I wanted to speak about it, what will you do?", meaning
7 the Prosecution.

8 And then you say: (Interpretation) "He really killed people. Even his own military
9 brothers, he killed them."

10 (Speaks English) So my question is --

11 PRESIDING JUDGE SCHMITT: [12:56:49] Ms Dimitri.

12 MS DIMITRI: [12:56:53] Mr President, I don't see why my learned friend is quoting
13 the transcript. The witness didn't say that he couldn't recall. In fact, he recalled
14 and he gave his explanation.

15 PRESIDING JUDGE SCHMITT: [12:57:03] No, you could have perhaps established
16 more the reason why you revert to the -- to the transcript here -- to the transcript of
17 the statement here.

18 MR VANDERPUYE: [12:57:13] What I want to get to is what is the basis for his
19 statement affirmatively in his -- in his interview that he (Interpretation) "He really
20 killed the people" (Speaks English) if the witness's statement today is that he doesn't
21 have necessarily that information. He's not sure about it.

22 PRESIDING JUDGE SCHMITT: [12:57:38] Okay. That -- that is some -- a little bit
23 sophisticated, I would say. Yeah, I think the question is the same that we have
24 entertained in the past minutes is where the -- where the basis for his knowledge is
25 and I think he has answered that. So I understood the witness that he has not seen

1 any such acts by himself. I can, perhaps, for clarifying it, I can repeat it.

2 Mr Witness, we understood you in a way that you did not see these acts by yourself,
3 but you received from - let me now formulate it - from a lot of people information
4 about that. Is that quite okay if I wrap it up like this?

5 THE WITNESS: [12:58:44](Interpretation) Yes. Let me say again that (Redacted)
6 (Redacted). Everybody was talking about it. (Redacted)
7 (Redacted).

8 To come back to the question of the Prosecution, when you shoot on a person there
9 will be deaths. When you ask me these questions as if you're accusing me, I came
10 here voluntarily. When you use an arm, it's to kill someone. You can't shoot
11 without hitting someone. I am here to tell you the truth. I was not an eyewitness to
12 these incidents, but there was a lot of talk. (Redacted)
13 (Redacted).

14 MR VANDERPUYE: [13:00:05] That's -- that's fine.

15 PRESIDING JUDGE SCHMITT: [13:00:07] Mr Witness, nobody is accusing you, as
16 far as I understand it, so you don't have to be upset. There is no reason for that. So
17 we have the answer.

18 MR VANDERPUYE: [13:00:18] I just want to also remind the witness that my
19 questions are coming to you through an interpreter, and so inasmuch as the questions,
20 the answers you're giving are going through interpretation and sometimes there are
21 mistakes, it could be very well the same thing when I'm asking you the questions, just
22 to keep that in mind.

23 PRESIDING JUDGE SCHMITT: [13:00:38] So before we go into the break,
24 Mr Vanderpuye, you understand that you have at the maximum two sessions left.

25 MR VANDERPUYE: [13:00:45] Yes, Mr President.

Trial Hearing
WITNESS: CAR-OTP-P-0884

(Open Session)

ICC-01/14-01/18

- 1 PRESIDING JUDGE SCHMITT: [13:00:46] And, again, with regard to the evidence
2 that you anticipate, there seem to be some areas to cover.
- 3 MR VANDERPUYE: [13:00:54] Indeed.
- 4 PRESIDING JUDGE SCHMITT: [13:00:54] And since this is not a Rule 68(3) witness,
5 I think we -- you have to think about (Overlapping speakers)
- 6 MR VANDERPUYE: [13:01:05](Overlapping speakers)
- 7 PRESIDING JUDGE SCHMITT: [13:01:08] (Overlapping speakers) how you use
8 the precious time, so to speak.
- 9 MR VANDERPUYE: [13:01:14] Absolutely, Mr President.
- 10 PRESIDING JUDGE SCHMITT: [13:01:15] Okay. So we have the break until 2.30.
- 11 MR VANDERPUYE: [13:01:19] Thank you.
- 12 THE COURT USHER: [13:01:24] All rise.
- 13 PRESIDING JUDGE SCHMITT: [13:01:21] Two o'clock, excuse me.
14 (Recess taken at 1.01 p.m.)
15 (Upon resuming in open session at 2.01 p.m.)
- 16 THE COURT USHER: [14:01:22] All rise.
17 Please be seated.
- 18 PRESIDING JUDGE SCHMITT: [14:01:52] Good afternoon.
19 Mr Vanderpuye, you still have the floor.
- 20 Some minor correction here for the transcript. The last document mentioned is on
21 the record as CAR-OTP-2072-1914, but it should be 1913.
22 Please continue.
- 23 MR VANDERPUYE: [14:02:15] Thank you very much, Mr President.
24 Good afternoon.
- 25 Q. Good afternoon, Witness. As we wound up, I was just asking you some

1 questions concerning Mr Yekatom's conduct. Could I just ask very briefly, how long
2 did Mr Yekatom and his elements stay they Yamwara school or use the Yamwara
3 school as a base following the incident that you describe regarding the hostages and
4 so on?

5 A. [14:03:12] They stayed until January. After that they withdrew from PK9.

6 Q. [14:03:21] And how long did they remain at PK9, if you can recall?

7 A. [14:03:35] They set up operations there until the end of the events. From PK9
8 they controlled the road that leads to Pissa.

9 Q. [14:03:50] And do you know if Mr Yekatom ever controlled an area leading to
10 Mbaïki?

11 A. [14:04:14] Yes, he controlled that road all the way to Mbaïki.

12 Q. [14:04:22] I'd like to show you -- I'm going to go to a slightly different area but
13 I'd like to show you a document, if I could. It's at tab 79, CAR-OTP-2124-0512.

14 Perhaps we should not broadcast this one at the moment.

15 You can see this is a document dated 10 January 2014 and it's entitled *Combattants de*
16 *Liberation de Peuple Centrafricain* (CLPC).

17 And if we could just go down a little bit, you can see there is a reference to
18 Captain Ngremangou, who you mentioned previously, and another individual.

19 Have you seen this document before?

20 A. [14:05:59] Yes, I've seen it quickly. Could you scroll up so I can see the bottom
21 of the document.

22 Q. [14:06:13] It goes on to the next page, if you'd like to see that as well.

23 A. [14:06:34] Yes, if you could scroll down, please.

24 PRESIDING JUDGE SCHMITT: [14:07:13] I think you can put a question to
25 (Overlapping speakers)

Trial Hearing
WITNESS: CAR-OTP-P-0884

(Open Session)

ICC-01/14-01/18

- 1 THE WITNESS: [14:07:15](Interpretation) Yes, I remember it.
- 2 MR VANDERPUYE: [14:07:18]
- 3 Q. [14:07:19] My question is, first of all, just to clarify that the CLPC relates to
4 the Anti-Balaka. In fact, it is the Anti-Balaka; isn't that right?
- 5 A. [14:07:41] Yes, it's the same thing.
- 6 Q. [14:07:48] And this document refers to a meeting among (Interpretation) senior
7 officials of the CLPC?
- 8 A. [14:08:05] (Overlapping speakers)
- 9 Q. [14:08:07] We have to go to the first page --
- 10 A. [14:08:10] Could you go back to the beginning of the first page.
- 11 Q. [14:08:34] So what I wanted to ask you was do you recall the circumstances
12 under which -- rather, the meeting that is indicated in this document, do you recall
13 where it was held and who attended it?
- 14 A. [14:09:12] The meeting was held in January, if I recall correctly. It was at the
15 time when Djotodia had been summoned, so he had been summoned to this summit
16 so he could resign, submit his resignation. And amongst the Anti-Balaka, (Redacted)
17 (Redacted)
18 (Redacted)
19 (Redacted). That was around the 10th. That was -- that was the 10th
20 when Djotodia resigned.
- 21 Q. [14:10:11] All right.
- 22 Mr President, I'm going to ask to go into private session I --
- 23 PRESIDING JUDGE SCHMITT: Yeah, yeah.
- 24 MR VANDERPUYE: -- hadn't anticipated --
- 25 PRESIDING JUDGE SCHMITT: [14:10:18] Private session.

1 (Private session at 2.10 p.m.)

2 THE COURT OFFICER: [14:10:29] We are in private session, Mr President.

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

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Trial Hearing
WITNESS: CAR-OTP-P-0884

(Open Session)

ICC-01/14-01/18

1 (Redacted)

2 (Redacted)

3 (Open session at 2.35 p.m.)

4 THE COURT OFFICER: [14:35:49] We are back in open session.

5 MR VANDERPUYE: [14:35:54]

6 Q. [14:35:55] Some time ago I was asking you about Captain Ngremangou and
7 what his role was within the movement of Anti-Balaka. Do you know what his role
8 was with respect to the movement of Anti-Balaka, in particular in relation to members
9 of the FACA that were part of the group?

10 A. [14:36:41] He was the head of the military in that movement. He called -- they
11 used to call him chief of staff.

12 Q. [14:36:56] I want to show you just two documents. One is an email
13 communication from Captain Ngremangou and we'll just show you that briefly and
14 then I'll show you the document that it refers to which is attached to the email.
15 So, just so I don't get this one wrong, it's tab 81, CAR-OTP-2126-2619.
16 You have it in front of you. I know you haven't seen this before, so I just want to
17 draw your attention to the attachment, which is the (Interpretation) Provisional list of
18 the FACA elements of the Boeing area and Cattin area.

19 (Speaks English) Just before I switch over to the next document --

20 A. [14:38:10] No, I can't see it on my screen.

21 Q. Oh, you can't see it, okay.

22 A. I don't see it.

23 Q. [14:38:37] Just before I switch to the next document or the attachment to
24 this -- yes, yes, I see counsel on his feet.

25 MR KNOOPS: [14:38:42] Yes, just an observation, Mr President. * I thought the

1 instructions of the Chamber were that we could put a document to the witness only if
2 the witness is the author of, or was mentioned in the document.

3 PRESIDING JUDGE SCHMITT: [14:38:51] Yes, yes, yes, you're right.

4 So what do you want to -- (Overlapping speakers)

5 Q. [14:39:02] (Overlapping speakers)

6 PRESIDING JUDGE SCHMITT: [14:39:03] Where are you heading at?

7 MR VANDERPUYE: [14:39:05] I am going to show the witness the next document,
8 which is a list of soldiers which the witness just testified to that one of the functions of
9 Captain Ngremangou was to manage FACA within the movement.

10 PRESIDING JUDGE SCHMITT: [14:39:14] I understand, but I think (Overlapping
11 speakers)

12 MR VANDERPUYE: [14:39:16] And this is -- this is only the document which
13 demonstrates where that list comes from or the origin or provenance of that list.

14 PRESIDING JUDGE SCHMITT: [14:39:25] And this is proven by that.

15 MR VANDERPUYE: [14:39:28] Sorry?

16 PRESIDING JUDGE SCHMITT: This is clear that this is the attachment, the next
17 document is the attachment that is mentioned in this document. That is absolutely
18 clear.

19 MR VANDERPUYE: [14:39:36] Absolutely.

20 PRESIDING JUDGE SCHMITT: [14:39:37] Okay, good.

21 Then Ms Dimitri.

22 MS DIMITRI: [14:39:39] Thank you, Mr President. Just one point, I mean the date
23 of this document --

24 PRESIDING JUDGE SCHMITT: Yes, yes (Overlapping speakers)

25 MS DIMITRI: -- is so old (Overlapping speakers)

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1 PRESIDING JUDGE SCHMITT: [14:39:43] That was the next thing --
2 MS DIMITRI: Thank you.
3 PRESIDING JUDGE SCHMITT: -- 29 May 2013, you are aware of that.
4 MR VANDERPUYE: [14:39:50] (Microphone not activated)
5 PRESIDING JUDGE SCHMITT: [14:39:51] Okay. Because I thought we were
6 already -- had already reached 2014 January. Okay, good.
7 MR VANDERPUYE: [14:39:56] Yes, yes.
8 PRESIDING JUDGE SCHMITT: [14:39:56] Then put the next -- to really shorten this,
9 put the next document to the -- this list to the witness, but please do not go through
10 all of the names.
11 MR VANDERPUYE: [14:40:06] No, no, no, not at all. And this is tab 82,
12 CAR-OTP-2126-2620.
13 Q. [14:40:22] What I'm going to show you is the attachment to the email that you
14 just saw from Captain Ngremangou. And it refers to elements in Boeing, as you can
15 see there's a number of them. And you can see Captain Ngremangou's name right at
16 the top of that list. If you go down the list, you will see -- probably you will see
17 some people that you recognise.
18 So that's my first question is, do you recognise any of the names on this list as FACA
19 within the area of Boeing? The list is much longer, but I won't go through the whole
20 thing.
21 MS DIMITRI: [14:41:15] But, Mr President, can we have a bit of specificity? Within
22 the area of Boeing when? Because the email is so old.
23 PRESIDING JUDGE SCHMITT: [14:41:22] Yeah, but this -- so now Mr Vanderpuye
24 is absolutely sure that the list is the attachment to the email. So from that we can
25 infer that the list is from 29 May 2013.

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- 1 MR VANDERPUYE: [14:41:42] Correct.
- 2 PRESIDING JUDGE SCHMITT: [14:41:43] Correct. So whatever probative value
3 this might have in the end. Yeah. Okay.
- 4 MR VANDERPUYE: [14:41:48] Okay.
- 5 Q. [14:41:50] First of all, do you recognise any names on that first page? Aside
6 from Yekatom at number 22. But aside from that, do you recognise any names on
7 this?
- 8 A. [14:42:22] Yes, I do recognise some names, but not on that date, 5 May, I didn't
9 know Ngrémangou at that time. It's true on the list I can talk about Gauthias Elysée,
10 he is a military who lived in Boeing; Joseph, Toude Joseph; Fayanga Joseph.
- 11 Q. All right.
- 12 A. Can you scroll a bit, please.
- 13 Q. We don't need to go through all of the list. Were these people (Overlapping
14 speakers)
- 15 PRESIDING JUDGE SCHMITT: [14:43:01] (Overlapping speakers) you don't go
16 through the whole document --
- 17 MR VANDERPUYE: I'm sorry, Mr President.
- 18 PRESIDING JUDGE SCHMITT: I said I don't think we should go through the whole
19 document.
- 20 THE WITNESS: [14:43:13](No interpretation) (Overlapping speakers)
- 21 PRESIDING JUDGE SCHMITT: [14:43:14] And I said that I think initially already.
22 So the witness has said he recognised some of the names. That must be enough.
- 23 MR VANDERPUYE: [14:43:21] Yeah, I just want to know whether these people that
24 he recognised were present in and around December 2013.
- 25 PRESIDING JUDGE SCHMITT: [14:43:26] Yeah, okay.

- 1 THE WITNESS: [14:43:49](Interpretation) Those -- those who were present was
2 Toude and Fayanga, they were there.
- 3 MR VANDERPUYE: [14:44:02]
- 4 Q. [14:44:02] All right. There's a list of elements also in Cattin. I won't go
5 through those, but can you tell the Chamber where Cattin is relative to the base that
6 was at Boeing that you discussed earlier in your testimony today.
- 7 A. [14:44:39] Cattin isn't very far. It's a neighbouring district. It's separated by
8 a road. Maybe it's 1.5 kilometres from Boeing on the one side and Cattin on
9 the other.
- 10 Q. [14:45:05] What arrondissement does it abut or is it in?
- 11 A. [14:45:20] Are you talking about Cattin? It's in the 3rd -- it's in part of the 3rd
12 arrondissement. And another part is in the Bimbo area.
- 13 Q. [14:45:39] All right. And earlier you mentioned -- or at least in the transcript it
14 says 1.5 kilometres. I thought I heard you say *kilomètre cinq* --
- 15 THE INTERPRETER: [14:45:49] The interpreter would like to say, yes, it is kilometre
16 5. Sorry.
- 17 MR VANDERPUYE: [14:45:55] Okay.
- 18 Q. [14:46:03] I'd like to -- I'd like to ask you -- sorry.
19 Mr Ngaissona returned to Bangui on or about 14 January 2014.
20 And I think you said he became the *coordinateur général* when he returned. I also
21 understood that Ngrémangou was considered the *chef d'état-major*, I think is what I
22 said, of the group. Do you know why Captain Ngrémangou was not proposed to be
23 the *coordinateur général* of the Anti-Balaka movement?
- 24 A. [14:47:20] I don't know the reason. The military did call him the *chef*
25 *d'état-major*, but I don't know why he wasn't chosen. Sometimes the military held

1 meetings and the civilians were not in any way involved in them.

2 Q. [14:47:44] Was he ever proposed by the Anti-Balaka, the group, to be the interim
3 president?

4 A. [14:48:05] Indeed, there were the Anti-Balaka and military who were in
5 the movement. If I remember, it was in January when Djotodia resigned. At that
6 moment there wasn't any president and then there were to be elections and Nguendet
7 was going to be president for the interim period. There was a meeting held between
8 the military and the Anti-Balaka. There was some discussion to choose someone in
9 case they got back into power. So if that was the case, who was going to be
10 president? Some said that you had to choose Ngrémangou or Kamezolaï. So there
11 was some discussion, but there wasn't a consensus and there was no real outcome.

12 Q. [14:49:30] Just so that I'm clear, or the record is clear, I heard you say that
13 the meeting was held at the Yamwara school. Is that what you said?

14 A. [14:49:53] Yes, the meeting was held at the Yamwara school.

15 Q. [14:49:59] And do you know why it is that Mr Ngaïssona was chosen to be
16 the general coordinator of the Anti-Balaka and not, for instance, Maxime Mokom?

17 A. [14:50:29] When Ngaïssona returned, (Redacted). And
18 the people of Boy-Rabe accompanied him to Boy-Rabe (Redacted)
19 (Redacted)
20 (Redacted). When he was in the house
21 the ComZones who came from the provinces and the ComZones of Boy-Rabe,
22 because that's his area, loved him a lot and they wanted him to be coordinator of the
23 Anti-Balaka movement. (Redacted)
24 (Redacted). So there was the people of the people and some of the Anti-Balaka
25 decided that he would become general coordinator of the Anti-Balaka.

1 I called him to say there was an election at the assembly. I thought he could present
2 himself to compete with Samba-Panza and others so that he could be president of
3 the Republic for the transitional period. But it seems, according to the answer he
4 gave me, that he was rejected and that his candidacy was rejected. And, thereafter,
5 he became general coordinator of the Anti-Balaka. But the underlying reasons is
6 something I really don't know.

7 PRESIDING JUDGE SCHMITT: [14:52:33] May I -- may I shortly, just before you
8 continue, before I forget it, because I come back to the short conversation that we had
9 about the last document, the last two documents, the email, the attachment and
10 the list, we had a short discussion if you are sure that this is the attachment. I just
11 note that in the email the attachment is qualified as "*liste provisoire*" and the list is
12 called "*liste definitive*". This is -- of course this is immediately apparent and this is the
13 reason why of course you ask yourself if this is really the right attachment. This is
14 the reason. So --

15 MR VANDERPUYE: [14:53:17] I appreciate that, Mr President. Thank you.

16 PRESIDING JUDGE SCHMITT: [14:53:19] So just to inform you about that.
17 So please continue.

18 MR VANDERPUYE: [14:53:22] Thank you.

19 Q. [14:53:25] I'd like to show you another document. It is tab 63,
20 CAR-OTP-2087-9025.

21 You should have it in front of you now. And it's entitled (Interpretation) List of the
22 Anti-Balaka cadres.

23 (Speaks English) First of all, have you seen this document before?

24 A. [14:54:32] Yes, I've already seen this document.

25 Q. [14:54:37] And what -- what is its intention? What is -- what is behind this?

1 A. [14:54:55] In reality, this -- Samba-Panza was already president in the transition.
2 She had to set up a government.
3 It's a bit like the framework I explained when there was Bozizé. Samba-Panza said
4 that she didn't know the people who made up the Anti-Balaka movement. So she
5 contacted Ngaïssona to ask for a list of names who -- of people who could be
6 nominated in the government. They held a meeting, and after that meeting this list
7 was drawn up. There was the name, the profile, and the desired position. This was
8 drawn up and sent to Samba-Panza. For example, if you see Feikere, you can see
9 that he's a former director general and he could be adviser minister for
10 the presidency.
11 This was drawn up for nominations of possible positions in the government. So they
12 had to find qualified persons and, based on this, they could receive a salary which
13 would enable them to take responsibility for the men. So that was the purpose
14 behind this document.

15 Q. [14:56:40] We can see a number of names here, including Ngaya, as we
16 mentioned before, and also Bernard Mokom is number 6. And of course
17 Mr Ngaïssona at number 1.

18 In terms of *les vœux*, these are expressions of the desires of the -- of the interested
19 people; isn't that right? That's the post that they want?

20 A. [14:57:26] Yes, indeed.

21 Q. [14:57:28] ENERCA is what? And SOCAPS is what? To your knowledge.

22 A. [14:58:02] These are storage of petrol products. As soon as those products
23 arrive, they are stored and then redistributed to different stations around the country
24 that --

25 Q. [14:58:31] Is that a position that is a lucrative one?

1 A. [14:58:50] Yes, it's a company who earns a lot of money.

2 Q. [14:58:59] You said that these positions would give rise to salaries that could be
3 used to support the men. At least that's how it was translated. What do you mean
4 by that and what men?

5 A. [14:59:34] The Anti-Balaka. The idea is that Samba-Panza -- it was an idea of
6 Catherine Samba-Panza. They had a source of income which could take in charge of
7 these people rather than make them commit actions like stealing, thieving, so that's
8 just one way of dealing with it.

9 Q. [15:00:06] I think it's not contested that Mr Ngaïssona didn't get that position;
10 that's your understanding, I guess? Nor did Mr Mokom. Was the president ever
11 reproached about the fact that neither of them got that positions -- got those
12 positions?

13 A. [15:00:58] Well, some people were unhappy about that, but since I wasn't there,
14 I can't really make any comments. No doubt there were some people who were not
15 happy about it.

16 Q. [15:01:17] Did you ever get the impression that Mr Ngaïssona had involved
17 himself in the leadership of the Anti-Balaka in order to take advantage of the
18 movement?

19 A. [15:01:54] Initially, yes. Like this document there, at the beginning he wanted
20 to distribute the positions. He had that in mind at first. But then we spoke out
21 against that idea because the movement had not been set up to be used as some sort
22 of lobbying tactic or pressure tactic. It was better to use the -- it was better for
23 the people to go back and take care of the children who were in the DDR process.
24 That's how I see things. I shared that thought with the people who were close to me.
25 So that is how I saw things.

- 1 Q. [15:03:10] All right. Then let me ask you about two other documents very
2 quickly. One is CAR-OTP- -- well, tab 13, CAR-OTP-2030-0270.
3 We're going to go to the next page of this document, please. It is ERN ending
4 270 -- 0270 (sic).
5 And you'll see it's a document dated 21 -- what am I looking at here.
6 PRESIDING JUDGE SCHMITT: [15:04:06] I have here 23 October 2014.
7 MR VANDERPUYE: [15:04:12] 21st of -- 23rd you see?
8 PRESIDING JUDGE SCHMITT: [15:04:16] Actually, if it is tab 13.
9 MR VANDERPUYE: [15:04:18] Yes.
10 PRESIDING JUDGE SCHMITT: [15:04:20] At least mine that I have is
11 23 October 2014.
12 MR VANDERPUYE: [15:04:26] Okay.
13 PRESIDING JUDGE SCHMITT: [15:04:28] But it's --
14 MR VANDERPUYE: [15:04:29] Let me give the ERN again.
15 PRESIDING JUDGE SCHMITT: [15:04:30] I would be very -- I would be very
16 surprised if you had the same ERN and it would -- would be to read 21 October.
17 MR VANDERPUYE: [15:04:40] That is very odd indeed. No, no, no, no. It's
18 the next -- it's the next -- the page is 0272.
19 PRESIDING JUDGE SCHMITT: [15:04:52] Yes, but this is then 21 January 2014.
20 MR VANDERPUYE: [15:04:57] That's right. I think that's what I said (Overlapping
21 speakers)
22 PRESIDING JUDGE SCHMITT: [15:05:01] Okay. So you were completely right
23 with the 21st, absolutely.
24 MR VANDERPUYE: [15:05:06] Wrong on the ERN number. I think you're right.
25 Q. [15:05:08] 21 January 2014, ERN page ending 0272 for the record.

1 And what I'd like to draw your attention to, once again this is a CLPC document. It
2 is entitled *Revendications des Anti-Balaka*. It says the movement takes this
3 opportunity to present its demands *comme suit*. And if you look at number 6 down
4 below, it talks about the *composition du gouvernement* and then it lists a number of
5 different posts in government.

6 If we go over to the next page you'll see a couple more. And that's ERN ending 0273.

7 So my first question is are you familiar with this document?

8 A. [15:06:25] No. Well, I know that in this document I see that there are some
9 demands. Yes, I recognise that these are demands that we were making at the time.

10 PRESIDING JUDGE SCHMITT: [15:06:46] So it -- Mr Witness, since you were the
11 spokesperson, it seems not too far-fetched to ask you if you know the document or if
12 you know something about the demands that are in this document. Wouldn't you
13 agree?

14 THE WITNESS: [15:07:14](Interpretation) In actual fact I'm not familiar with this
15 document. This is the first time I've ever seen it, the very first time I've ever seen this
16 document.

17 PRESIDING JUDGE SCHMITT: [15:07:24] No, but the question would be,
18 Mr Witness -- okay, I understand and this is -- you see the document for the first time.
19 But the demands that are in there, are you familiar with them?

20 THE WITNESS: [15:07:48](Interpretation) Yes, I was aware of these demands. But
21 the positions, no.

22 PRESIDING JUDGE SCHMITT: [15:07:56] Okay.
23 Mr Vanderpuye.

24 MR VANDERPUYE: [15:07:58] Thank you, Mr President.

25 Q. [15:08:01] Thank you, Witness. I'm done with that document.

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1 I'd like to show you another one. I'm nervous.

2 PRESIDING JUDGE SCHMITT: [15:08:10] It's -- no, no, you don't have to be
3 nervous.

4 MR VANDERPUYE: [15:08:13] (Overlapping speakers)

5 PRESIDING JUDGE SCHMITT: [15:08:14] Together we get it right, I think.

6 MR VANDERPUYE: [15:08:16] This one is tab 53, yeah, CAR-OTP-2079-0024. I've
7 indicated here -- just stay at the top of the page, please. Please avoid -- because we
8 are in open session.

9 PRESIDING JUDGE SCHMITT: [15:09:05] But I think we can make this short,
10 because -- and also for all the parties here in the room, and with regard to the last
11 objection or -- that Mr Knoops made, assuming that the witness is not -- no, I don't see
12 him here and he has not produced it, but - and this was the reason why I put the last
13 question to him - since he was the spokesperson, he might know something about it.
14 So this is -- this is the reason why I think it makes sense to put these documents to
15 the witness. I simply want to explain it. Because otherwise we said, you know,
16 when we have these Facebook communications and the witness is not part of it
17 and -- and neither party of the communication nor is mentioned there -- you see what
18 I mean. So these are the exceptions, if the witness has a position that he might know
19 or he should know or could know.

20 Excuse me, Mr Vanderpuye for interrupting.

21 MR VANDERPUYE: [15:10:07] No, no problem, Mr President. I'll be very delicate
22 with this one I think, but --

23 PRESIDING JUDGE SCHMITT: [15:10:17] And by the way, I was wrong with my
24 assumption. I also see it for the first time, I have to say. So bear with me. But you
25 understood the principle.

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- 1 MR VANDERPUYE: [15:10:25] Completely.
- 2 PRESIDING JUDGE SCHMITT: [15:10:26] And it might have an advantage that
- 3 I was wrong with regard to the questioning.
- 4 MR VANDERPUYE: [15:10:32] We may have to go into private session though.
- 5 But before we go into private session --
- 6 PRESIDING JUDGE SCHMITT: [15:10:37] Yes, yes, we have to.
- 7 MR VANDERPUYE: [15:10:39] Should we?
- 8 PRESIDING JUDGE SCHMITT: [15:10:40] Yes, we go to private session, yes.
- 9 MR VANDERPUYE: Thank you.
- 10 (Private session at 3.10 p.m.)
- 11 THE COU(Redacted)RT OFFICER: [15:10:50] We are in private session,
- 12 Mr President.
- 13 (Redacted)
- 14 (Redacted)
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20 (Open session at 3.26 p.m.)

21 THE COURT OFFICER: [15:26:29] We are back in open session.

22 MR VANDERPUYE: [15:26:31] Thank you, Mr President.

23 Q. [15:26:33] I wanted to ask you some questions about the role or the function of

24 the general coordinator of the Anti-Balaka. So the first thing I want to ask you is,

25 what does that mean, what -- what does that position entail?

1 A. [15:27:09] That question -- well, (Redacted) or are

2 you asking what are the duties or requirements or the role of the coordination?

3 Could you explain what your question means.

4 Q. [15:27:28] The second part, what are the duties and responsibilities and role of
5 a general coordinator, and in this case the general coordinator of the Anti-Balaka?

6 A. [15:28:01] That's the person who is in charge of managing the Anti-Balaka, all
7 the Anti-Balaka. That is the meaning -- well, that's the responsibility of the
8 coordinator.

9 Q. [15:28:18] In this case would that relate to Anti-Balaka in Bangui and also in
10 the provinces?

11 A. [15:28:35] Yes, that's right.

12 Q. [15:28:36] And that that position would be the highest position in the hierarchy
13 of the -- of the movement?

14 A. [15:28:58] Absolutely. That's the responsibility of the general coordinator.
15 That is to say, he is the leader of the movement.

16 Q. [15:29:09] As the leader of the movement, would he be above the operations
17 coordinator?

18 A. [15:29:34] Absolutely. That is to say, the coordinator of operations and all
19 the other positions are under the authority of the general coordinator.

20 Q. [15:29:50] Would the general coordinator have the authority or the right to
21 discharge the operations coordinator, that is to kick them out or replace them?

22 A. [15:30:15] Yes.

23 Q. [15:30:17] And what about ComZones, does he have the authority to replace,
24 assign or dismiss ComZones?

25 A. [15:30:40] Yes, indeed.

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- 1 PRESIDING JUDGE SCHMITT: [15:30:44] Yes.
- 2 MR VANDERPUYE: [15:30:45] We can take the break.
- 3 PRESIDING JUDGE SCHMITT: [15:30:47] I think we'll take the break until 4 o'clock
4 now.
- 5 THE COURT USHER: [15:30:51] All rise.
- 6 (Recess taken at 3.30 p.m.)
- 7 (Upon resuming in open session at 4.01 p.m.)
- 8 THE COURT USHER: [16:01:08] All rise.
- 9 Please be seated.
- 10 PRESIDING JUDGE SCHMITT: [16:01:41] Mr Vanderpuye, you may continue.
- 11 MR VANDERPUYE: [16:01:44] Thank you, Mr President. Good afternoon, again.
- 12 Q. [16:01:46] Good afternoon, Witness.
- 13 When we left off I was asking you some questions about the position of general
14 coordinator, and I asked you sort of in the abstract about what is the -- what are
15 the rights and obligations of a general coordinator. But I want to ask you more
16 specifically about Mr Ngaïssona. And insofar as you've discussed what a general
17 coordinator has the authority to do, does that apply or did that apply to
18 Mr Ngaïssona during the period of time that he was an Anti-Balaka general
19 coordinator?
- 20 A. [16:02:50] You've already asked me that question. I told you that he was
21 the one who led all the others, including the ComZones.
- 22 Q. [16:03:00] Okay. And I asked you also about his ability to dismiss members of
23 the group. I want to show you a document. It's tab 3, CAR-OTP-2001-5386.
- 24 All right. And we're going to need to go to page 5469 of this document.
- 25 This is a document, as you can see, that is entitled "Anti-Balaka". Its decision

1 number 1. At the bottom of the page you'll see that it's signed by Mr Ngaïssona.

2 If we could slide down we can see that. And it's dated 24 June 2014 concerning

3 Léopold Bara.

4 Have you seen this document before?

5 A. [16:04:54] Never. I've never seen this document before.

6 Q. [16:04:59] Are you aware that Mr Bara was removed from the movement by

7 Mr Ngaïssona?

8 A. [16:05:21] Yes, I heard about that, but this is the first time I've seen this

9 document.

10 Q. [16:05:36] I just want to show you another document. I think we can show it,

11 but I'll ask you for comment on it. So don't say anything when you see it.

12 It's on the next page, 5470, please.

13 This document is also dated 24 June. Is this a document you've seen before? Don't

14 discuss the substance of it, just whether you've seen it before.

15 A. [16:06:38] No, I haven't seen this document before. This is the first time. But

16 I'd like to specify that I do know the Mouda association. Maybe that document was

17 published subsequent to an internal problem. But if I can't review the document

18 I can't make any comments on it.

19 Q. [16:07:15] That's all right. I wanted to ask you if you were aware that at

20 a certain point in time that a -- an effort was made to establish a unified coordination

21 among the Anti-Balaka, which involved Ngaïssona and other people who we've seen

22 in some other documents, in around June of 2014, if you're aware of that fact?

23 A. [16:08:06] Could you please rephrase your question. You mentioned

24 Ngaïssona.

25 PRESIDING JUDGE SCHMITT: I think we go to private session.

1 THE WITNESS: (Interpretation) Who do you think is linked to him? Who is linked
2 to whom?

3 PRESIDING JUDGE SCHMITT: [16:08:14] Private session I think is --

4 MR VANDERPUYE: [16:08:15] Yes, Mr President.

5 PRESIDING JUDGE SCHMITT: [16:08:16] If you try to circumvent it it's too
6 complicated, becomes too complicated.

7 (Private session at 4.08 p.m.)

8 THE COURT OFFICER: [16:08:27] We are in private session, Mr President.

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7 (Open session at 4.27 p.m.)

8 THE COURT OFFICER: [16:27:27] We are back in open session, Mr President.

9 MR VANDERPUYE: [16:27:32]

10 Q. [16:27:33] Now, in terms of organising to go to Brazzaville, it's right to say that
11 Mr Ngaïssona was the person who selected the members of the Anti-Balaka to attend
12 that forum; is that -- is that right?

13 A. [16:27:58] Yes, that is correct.

14 Q. [16:27:59] All right. Let me just show you very quickly a document.

15 It is tab 12, CAR-OTP-20 -- I see counsel on her feet.

16 PRESIDING JUDGE SCHMITT: [16:28:12] Yes, Ms Dimitri.

17 MS DIMITRI: [16:28:15] I'm sorry for the interruption. There's an interpretation
18 issue and we won't see it, neither in French or English. I'm told that when
19 the witness spoke about a meeting with Mr Yekatom, we both saw in French and
20 English PK13, but in fact in Sango he would have apparently said PK9.

21 PRESIDING JUDGE SCHMITT: [16:28:35] Thank you. That is indeed -- that might
22 be indeed the difference. Yeah. Thank you.

23 MR VANDERPUYE: [16:28:43] Thank you.

24 Q. [16:28:44] Maybe -- maybe you can clarify that, Witness, just for one second.
25 The meeting that we just saw took place where?

- 1 A. [16:29:06] Either PK -- it was at PK9 at Mr Yekatom's base.
- 2 Q. [16:29:15] Okay. Thank you. Thank you very much for that clarification.
- 3 The document I was about to show you is tab 12, CAR-OTP-2030-0267.
- 4 Do you have the document in front of you now? You can see it?
- 5 A. [16:30:06] Yes, I have it up on the screen here.
- 6 Q. [16:30:09] Have you seen this one before?
- 7 A. [16:30:28] No, I have not seen it before. But I think this is the list.
- 8 Q. [16:30:33] Okay. If I could just refer you to the next page very quickly, just
- 9 to -- just to look at.
- 10 Does this comport with your memory of the individuals that were selected to go to
- 11 the Brazzaville forum?
- 12 A. [16:31:26] Yes, this is the list of the people who attended the Brazzaville forum.
- 13 I think that the list was drawn up after the forum, because I see Yagouzou's name
- 14 there, who'd already passed away, which means that the list was drawn up after
- 15 the Brazzaville forum.
- 16 Q. [16:31:46] That's right.
- 17 Let me show you the document from the Brazzaville forum, which is at tab 4,
- 18 CAR-OTP-2001-6924.
- 19 And from here we'll need to go to ERN page 6926.
- 20 Here you can see the list that's reflected in the document issued at the forum itself, or
- 21 following the forum itself. Does that seem accurate to you?
- 22 A. [16:33:12] Yes, that is the list.
- 23 Q. [16:33:16] I was -- okay. I was asking you some questions about the power of
- 24 the -- or the powers of the general coordinator, and I think you could hear in
- 25 the video before Mr Zilabo saying that the coordinator had the power to manage all of

1 the -- in charge of all of the Anti-Balaka ComZones throughout the country. That
2 accords with your understanding as well; is that right?

3 A. [16:34:13] You've already asked me that question and I answered that that was
4 his responsibility. He was in charge of the ComZones, he managed them.

5 Q. [16:34:25] And the ComZones were in charge of the elements, right? Or their
6 elements.

7 A. [16:34:40] (No interpretation)

8 Q. [16:34:41] In the case of Mr Yekatom he would have been in charge of his
9 elements then, if he was a ComZone; is that right?

10 A. [16:35:01] He was also in charge of the elements, of course. Under
11 the supervision or under the coordination of Mr Ngaïssona.

12 Q. [16:35:12] And did the ComZones report to the general coordinator or
13 the coordination itself?

14 A. [16:35:34] Indeed, the ComZones did report either to the general coordinator or
15 to the operations coordinator.

16 Q. [16:35:48] Do you know what means they used in order to report to
17 the coordination or to the general coordinator?

18 A. [16:36:22] When the general coordinator asked them questions about activities,
19 they would generally go to the coordinator's home to report to him.

20 Q. [16:36:38] And do you know what types of things the ComZones were required
21 to report to the coordinator, general coordinator, and/or the coordination? Did they
22 report on things like the number of men, the security situation, ammunition,
23 operations? Those kinds of things.

24 A. [16:37:29] Well, generally I wouldn't know the content of the report. But
25 certainly they spoke about their men and the DDR. They reported on their activities.

1 I was not present at the meetings.

2 Q. [16:37:48] Do you know what types of things, though, they were required to
3 report? For example, the security situation in the areas that they control.
4 The positions of Séléka or Séléka fighters. The availability of reinforcements or
5 the -- or the need for reinforcement, things like that. If you know. I don't want you
6 to guess.

7 A. [16:38:52] I don't know. They were the ones who attended the different
8 meetings at his home. I was not there.

9 Q. [16:39:04] With respect to the ComZones themselves, did they have the same
10 sort of authority over the elements, if you want to put it that way, as Mr Ngaïssona
11 had over the coordination or members of the coordination? In terms of, let's say,
12 removing people, or disciplining them, or promoting them.

13 A. [16:39:49] Yes, they had that type of authority.

14 Q. [16:39:57] And do you know whether Mr Yekatom, in respect of the group that
15 he commanded, exercised that authority, that is gave orders or directions or punish
16 people or discipline them?

17 A. [16:40:30] Yes, he gave orders to his elements, to his men.

18 Q. [16:40:38] Do you know approximately how many elements he had under his
19 command?

20 A. [16:41:03] I don't know the exact number, but I know there were numerous
21 elements including military men.

22 MR VANDERPUYE: [16:41:14] Yes, Mr President.

23 PRESIDING JUDGE SCHMITT: [16:41:15] Could you be perhaps a little bit more
24 specific what you mean by "numerous". You know, we understand that you do not
25 know the exact number, that is clear. But could you make an estimate but with -- an

1 informed estimate. You understand what I mean.

2 So what you understood approximately was the question by Mr Vanderpuye,
3 approximately how many elements there were.

4 THE WITNESS: [16:42:02](Interpretation) Yes, taking account of the civilians, of
5 which there were many, and the military, he could have 2,000 or more than 2,000.
6 I don't know the precise figure. I don't have that.

7 MR VANDERPUYE: [16:42:27]

8 Q. [16:42:27] And you mentioned before that he had certain aides-de-camp,
9 Coeur de Lion you mentioned, Habib I think you mentioned, and someone named
10 Dolway.

11 Do you know whether the group that Mr Yekatom commanded was organised in
12 a military-like hierarchy or was organised in some other way? Is that something you
13 ever discussed with him or talked to him about?

14 A. [16:43:24] What I know is that he had control of the PK9 to Mbaïki area and
15 Coeur de Lion was his aide-de-camp -- his aide-de-camp, he was his deputy. But I
16 know nothing about the organisation.

17 Q. [16:43:44] Okay. And did you know anything about other groups that were
18 not Mr Yekatom's -- under Mr Yekatom's control operating in that area, that is from
19 PK9 down to Mbaïki, along that road?

20 A. [16:44:23] No, I have no knowledge of that. I know there was someone whose
21 first name was Mike, he was also a military man. Gouma Mike (phon) was his name,
22 a military man, and he was active at PK9 but he was always the authority of Yekatom.
23 But I don't know anything about their organisation. And let me say that I know this
24 person by the name of Mike.

25 Q. [16:45:04] All right. I want to show you another document.

- 1 Mr President, I think we may have to go back into private session for a moment.
- 2 PRESIDING JUDGE SCHMITT: [16:45:24] Private session.
- 3 (Private session at 4.45 p.m.)
- 4 THE COURT OFFICER: [16:45:37] We are in private session, Mr President.
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Trial Hearing
WITNESS: CAR-OTP-P-0884

(Private Session)

ICC-01/14-01/18

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14 (Open session at 5.00 p.m.)

15 THE COURT OFFICER: [17:00:18] We are back in open session, Mr President.

16 MR VANDERPUYE: [17:00:29]

17 Q. [17:00:29] Are you familiar with the ComZone in Boda by the name of

18 Habib Soussou?

19 A. [17:00:50] Yes, I know him. He's a soldier. I've heard of him, the ComZone of

20 Boda.

21 Q. [17:00:58] And while you were -- well, did he remain in that position throughout

22 2014, to your knowledge?

23 A. [17:01:24] No. At one particular point in time he was replaced.

24 Q. [17:01:29] Do you know, one, who replaced him, that is who did the replacing?

25 And the second is, when did that happen? If you can remember.

1 A. [17:02:04] Regarding the date, I don't know, but the successor was Hyppolite,
2 I believe, that was his first name, and he was from Boda. I no longer recall his family
3 name, nor his other name.

4 Q. [17:02:28] Do you have an understanding of why Soussou was replaced?

5 A. [17:02:48] I don't have any idea why he was replaced. I don't even know about
6 the situation in Boda.

7 Q. [17:02:58] When you say you don't know about the situation in Boda, what do
8 you mean by that? You mean you don't know about the coordination or you don't
9 know about the events that happened in Boda?

10 A. [17:03:26] I don't know why he was removed of his duties. But, however, in
11 Boda there was always internal religious conflict between Muslims and Christians.
12 But why he was relieved of his duties, I have no idea. I wasn't -- I wasn't taking part
13 in the coordination meetings. Those meetings were being held at the home of the
14 coordinator and I wasn't taking part in them, so I don't know why he was relieved of
15 his duties.

16 Q. [17:04:05] Okay. The meetings that you're talking about are meetings that were
17 called by Mr Ngaïssona with ComZones in different areas of the country that were
18 coming to his house? Is that what you were describing?

19 A. [17:04:36] Yes, he organised meetings at his home, but I wasn't attending.

20 Q. [17:04:46] How often did he organise these meetings at his home, or meetings
21 with the ComZones in the provinces and in Bangui? If you know.

22 A. [17:05:14] When he thought he would be organising a meeting, he would
23 summon the ComZones. The frequency of those meetings, I don't know. He might
24 organise them twice a month. And as I said, a few moments ago I said I didn't
25 attend those meetings. Sometimes those meetings might have taken place and I

1 would hear about them only afterwards.

2 Q. [17:05:49] And do you know whether Mr Ngaïssona provided ComZones with
3 the means, that is the money, to attend these meetings, or otherwise provided them
4 with money or support when they did attend those meetings?

5 A. [17:06:20] Yes. For example, the people who came from the provinces, when
6 they finished the meeting he would gave them money.

7 Q. [17:06:33] What was the money for or intended for, to your knowledge?

8 A. [17:06:48] I have no idea. Certainly, for the people who lived far away, they
9 used the money for transportation, either for -- for food for the elements. But I know
10 that when he held those meetings at the end he gave money.

11 Q. [17:07:16] Was Yagouzou ever involved in the distribution of money to
12 Anti-Balaka bases and ComZones in relation to these meetings, or otherwise, with
13 respect to his duties within the coordination?

14 A. [17:07:51] Yes, he too got his share. When he would attend the meetings he
15 would get his share.

16 Q. [17:08:04] Well, did he distribute money for Mr Ngaïssona to other ComZones
17 or -- in the provinces or in Bangui, to your knowledge?

18 A. [17:08:23] Yes, when he came with the money he would distribute it to
19 the ComZones. For example, he would give a share to people from Boeing, he
20 would gave them their share and then they would share it amongst themselves.
21 That's how it occurred.

22 Q. [17:08:52] Do you know if Mr Yekatom appeared at these meetings that were
23 called by Ngaïssona and whether Mr Ngaïssona would distribute money to leaders
24 including Mr Yekatom?

25 A. [17:09:27] Sometimes he would send money to Yekatom. Yekatom didn't often

1 attend the meetings. He would take part in the meetings, but very rarely. It was
2 difficult for him to go to Ngaïssona's house.

3 Towards the end, when the movement had turned into a political party, he did not
4 attend the various meetings. In actual fact he would go, but it was quite a rare
5 occurrence.

6 Q. [17:10:04] And if I could just ask, for about how long did this practice of giving
7 money to the ComZones occur? How long did Mr Ngaïssona either do that or cause
8 that to happen?

9 A. [17:10:42] For example, when he had just got there from Cameroon he would
10 gave 500,000 to the people from Boeing or from other places, he would distribute
11 the money after the meeting. (Expurgé)
12 (Expurgé). But when the money was redistributed some -- some of the
13 elements got 300 francs. The money was for their food. And sometimes there were
14 even fights when the money was being handed out and redistributed. He gave
15 money to the various people who attended the various meetings. That's what I can
16 tell you. That is what I saw. That is what I can give you an account of.

17 Q. [17:11:38] Okay. Well, that's helpful.

18 I was asking you some questions about, I believe it was about Boda. I want to -- I
19 want to -- yeah, I want to play a recording. We have to go into private session for
20 this, Mr President.

21 PRESIDING JUDGE SCHMITT: [17:11:57] Private session.

22 (Private session at 5.12 p.m.)

23 THE COURT OFFICER: [17:12:11] We are in private session, Mr President.

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Open session at 5.21 p.m.)

3 THE COURT OFFICER: [17:21:20] We are back in open session, Mr President.

4 MR VANDERPUYE: [17:21:23]

5 Q. [17:21:23] What I was asking you, sir, was you mention the circumstances in
6 Boda, and while talking about that you also describe circumstances in Carnot. First,
7 I want to ask if there are other locations, for example, Yaloké, where Muslims were
8 effectively in enclaves or -- or living in very difficult circumstances because of attacks
9 by Anti-Balaka, among others. Was that something that was known at the
10 coordination level, at the national coordination level, by Mr Ngaïssona and other
11 members of the coordination, for example?

12 A. [17:22:24] I don't know. But normally they should have been aware as
13 coordinator. (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted). Everyone knew about that. All the people of
23 the Central African Republic knew that in Yaloké that there were Fula people who
24 were holed up in one particular location who were suffering. They had fled from
25 other areas to go there. And I would like to specify that, thanks to Richard,

1 the ComZone there, he would worked for peace and he was able to bring people
2 together (Redacted).

3 Q. [17:24:20] Okay. Richard the ComZone there, who do you mean by that? Do
4 you understand Richard Bozando or Bejouane? If you can remember.

5 A. [17:24:44] Yes, Richard Bozando, indeed. There were two Richards, one
6 Richard *par* M'Poko and the other one was in Yaloké.

7 Q. [17:24:58] Did you ever hear of a ComZone that goes by the name of Le Bleu in
8 Yaloké?

9 A. [17:25:17] Le Bleu, Le Bleu, he was managing Yaloké, in agreement
10 with -- (Redacted). And let
11 me specify that he even was elected member of parliament because of the work he did
12 to bring about reconciliation.

13 Q. [17:25:45] Okay. Two last things I want to ask you about. One is with respect
14 to Boda. In your previous interview you mentioned that a person named Dopani
15 Firmin was a member of the Anti-Balaka in Boda. You remember that?

16 A. [17:26:25] No, I don't remember.

17 Q. [17:26:26] Okay. Just so you know, you said that at tab 49, CAR-OTP-2072-1913
18 at 1914 line 34. You don't have a recollection of that, that's fine.

19 Let me show you tab 2, CAR-OTP-2001-4633. This is just a news report and it refers
20 to something that Dopani said that I want to ask you about. I'll read it to you
21 because it's very -- its in English and he may not be able to read it.

22 If we could blow it up a little bit, it's in the middle of the page. This a report, news
23 report, dated April 18, 2014.

24 In the middle of the page you will see a quote attributed to Firmin Dopani and it says,
25 quote, about Boda:

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WITNESS: CAR-OTP-P-0884

(Open Session)

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1 "We can wait 10 years for them to leave - and if they don't leave, we will still be there,
2 holding on -- holding our positions,' said Captain Dopani Firmin, the 'anti-balaka'
3 chief in Boda, wearing a red Paris St Germain football shirt.

4 'We cannot accept to live together with Muslims, long-term,' Firmin said. 'It's our
5 right to kill Muslims.'"

6 Now, obviously you probably aren't aware of this, but I want to ask you if you're
7 aware of that sentiment prevailing in Boda at the time.

8 For the Chamber's reference, I would just say that there's a video that accompanies
9 this. I see I've got three minutes left so I don't think I've time to play it. But
10 the record should reflect that that video is at tab 31, CAR-OTP-2066-5312

11 (Overlapping speakers)

12 PRESIDING JUDGE SCHMITT: [17:28:51] That's okay. That's okay.

13 MR VANDERPUYE: [17:28:56]

14 Q. [17:28:56] So I was asking you about the prevailing sentiment among
15 the Anti-Balaka in Boda, and maybe elsewhere. Are you aware of that kind of
16 sentiment?

17 A. [17:29:30] Yes, I heard such statements. Even in the video that you showed
18 the day before yesterday they said the same thing. But at the end -- at the end they
19 didn't actually carry out their threats. But when they were angry, that's how those
20 people spoke. But at the end, finally they didn't carry out their threats, because they
21 were also human beings, they thought about things. But I can confirm that, yes, they
22 would make such threats.

23 MR VANDERPUYE: [17:30:13] Last, last video, Mr President.

24 PRESIDING JUDGE SCHMITT: [17:30:15] Yeah, yeah. Okay, I won't discuss about
25 5 minutes or so, but really the last video.

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1 MR VANDERPUYE: [17:30:20] Yeah, it's tab 30, CAR-OTP-2066-5310. We'll play
2 from 2:07 to 2:50.

3 The transcript reference is tab 84, CAR-OTP-2127-4589 and the reference
4 there -- the reference there is 4591, line 33, to 4592, line 43.

5 All right, I think -- hopefully the interpreters are ready, we can -- I guess we can get
6 going, yeah? I can't see if ...

7 THE INTERPRETER: [17:31:33] Line reference, please.

8 (Viewing of the video excerpt)

9 PRESIDING JUDGE SCHMITT: [17:31:39] It's too quick. We don't have the good to
10 go, so we want to have the translation here.

11 The interpreters did not get the line that -- where it is.

12 MR VANDERPUYE: [17:31:58] Oh, I'm sorry, I'm sorry, I'm sorry. Okay. The line
13 should be at page 4591, line 33, and to be read through page 4592, line 43.

14 All right, I think we're good to go now.

15 (Viewing of the video excerpt)

16 MR VANDERPUYE: [17:33:37]

17 Q. [17:33:37] What I want to ask you, you've already testified about a lot of this, but
18 what I want to ask you is what we see at the very end, did you see or, to your
19 knowledge, were there children associated with or within the Anti-Balaka that were
20 engaged in various groups, engaged in hostilities, engaged in fighting?

21 A. [17:34:15] Are you talking about child soldiers?

22 PRESIDING JUDGE SCHMITT: [17:34:23] I think -- I think this is what

23 Mr Vanderpuye is heading at, yes. The question is did you see what sometimes is
24 termed, labelled as "child soldiers"?

25 THE WITNESS: [17:34:54](Interpretation) Yes, in certain groups coming from

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WITNESS: CAR-OTP-P-0884

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1 Bossangoa, for instance, there were young children in those groups, and we don't
2 know how those children joined those groups, we don't know. Personally, I do not
3 know how those young people, those children got to join those groups. I confirm
4 the presence of children in the groups, but as for further details, I would not be
5 capable of saying any more.

6 MR VANDERPUYE: [17:35:34]

7 Q. [17:35:36] All right. I think --

8 PRESIDING JUDGE SCHMITT: [17:35:37] Perhaps, perhaps now that you have
9 addressed it, which is absolutely okay.

10 Mr Witness, when you say children, young children, to what age group are you
11 referring?

12 THE WITNESS: [17:36:02](Interpretation) Around 10, 13, 14, up to 17. And
13 sometimes there are children who look older than their age, but they were children.
14 There were children of 13, 15, 17, I can confirm that they were in those groups.

15 PRESIDING JUDGE SCHMITT: [17:36:33] Thank you.

16 MR VANDERPUYE: [17:36:34]

17 Q. [17:36:34] And that that's not something that you wouldn't know if you were in
18 the Anti-Balaka, is it? In other words, it's something that wasn't hidden, was it?

19 A. [17:37:01] I never said here that I concealed the information. I said that I saw
20 children aged 13, 14, 15.

21 I'm not the only person. A lot of other people saw such children in those groups.
22 Orphans, kids whose parents had been killed but they joined up with these groups.

23 Q. [17:37:27] Thank you. That's -- that's what I wanted to know, Mr Witness, and
24 I have no further questions for you.

25 Mr President, I apologise, I've exceeded my time once again.

1 PRESIDING JUDGE SCHMITT: [17:37:32] No, it's -- you know, of course, in general
2 we should stick to what we say and we -- we start, of course, on Wednesday with
3 the Defence. And if -- if they is say in the end they need 15 minutes more, of course
4 it's -- it's -- but not days and days, so to speak.

5 Are there further questions by the representatives of the victims?

6 MS RABESANDRATANA: [17:37:58](Interpretation) Your Honour, we have just one
7 question.

8 PRESIDING JUDGE SCHMITT: Yeah, please.

9 QUESTIONED BY MS RABESANDRATANA: (Interpretation)

10 Q. [17:38:10] Hello, Witness. Let me introduce myself. My name's Elizabeth
11 Rabesandratana, I'm a lawyer and I practice law in France, in the city of La Rochelle.
12 And I am here as a member of the team representing the victims of other crimes,
13 the legal representatives of the other crimes.
14 Our team has one question to put to you concerning the events that took place in
15 Bangui. You may or may not know that this is a question which is of interest for us.
16 You explained to us that at the time of the attack the soldiers, the elements, were
17 coming in from different provinces, the north, the north-east, the south, the different
18 regions, and 13 prefectures. Our question is: Do you know the path that was taken
19 by those elements in order to arrive in the areas of Cattin or Boeing or
20 the neighbouring districts?

21 MR KNOOPS: Mr President --

22 PRESIDING JUDGE SCHMITT: Yeah I --

23 MR KNOOPS: [17:39:44](Overlapping speakers) evidentiary question.

24 PRESIDING JUDGE SCHMITT: [17:39:47] Yeah, I also think so. And I think it -- it
25 also has been covered by Mr Vanderpuye, also. So for both reasons I agree

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1 with -- with Defence counsel, so I don't accept the question.
2 So this concludes the hearing for today. We reconvene --
3 MS RABESANDRATANA: [17:40:10](Overlapping speakers)
4 PRESIDING JUDGE SCHMITT: [17:40:15] Yeah.
5 MS RABESANDRATANA: [17:40:15](Interpretation) I would like to answer
6 the argument that you just put forward, because for us this is the crux of the matter.
7 This question has a direct bearing on the right of victims to participate. And in that
8 respect, I would like to recall that in the public report ICC-01/14-01/18-939 notified on
9 31 March 2021 concerning the attack against Bangui of 5 December 2013, the Registry
10 asked the Chamber if the geographical scope of the attack against Bangui included
11 also certain districts around PK5. The Registry asked the Chamber whether
12 the victims of crimes in the days -- crimes by the Anti-Balaka in the days following,
13 and sometimes right through to the end of December, should be considered as falling
14 within the time frame of the attack against Bangui and thus authorised (Overlapping
15 speakers)
16 PRESIDING JUDGE SCHMITT: [17:41:54] I can -- I now --
17 MS RABESANDRATANA: (Overlapping speakers)
18 PRESIDING JUDGE SCHMITT: No, no, you can stop here.
19 MS RABESANDRATANA: [17:41:56](Overlapping speakers)
20 PRESIDING JUDGE SCHMITT: [17:41:59] I now --
21 MS RABESANDRATANA: (Overlapping speakers)
22 PRESIDING JUDGE SCHMITT: [17:42:00] Yeah, but I have already understood it.
23 And there is -- this is a pending issue, and so let me rephrase it a little bit, so to
24 make -- to make it shorter here. So I -- because I think I know the answer.
25 Mr Witness, do you know exactly on how -- on which ways these all -- all these

1 Anti-Balaka groups entered Bangui?

2 Yeah, I think that that's a question.

3 THE WITNESS: [17:42:39](Interpretation) Yes, I had answered saying that they
4 followed the tracks and paths across the bush and the forest. They walked through
5 the bush to get to Bangui.

6 MS RABESANDRATANA: [17:42:58](Interpretation)

7 Q. [17:43:00] Witness, which districts did they cross in order to get to Cattin in
8 Bangui?

9 A. [17:43:13] I said that they came from the provinces and they went through
10 the bush. They avoided the Séléka checkpoints. All they were doing was marching.
11 When you talk about districts, that means they've already arrived, they're already
12 there. But I said that they came on foot through the bush.

13 Q. [17:43:42] They came from different directions. They entered the town.

14 A. [17:43:54] As I have already said, they came from different regions and they
15 came on foot.

16 PRESIDING JUDGE SCHMITT: [17:44:02] I think we -- we really have to stop here.
17 The witness has answered the question and has -- actually, he has repeated what he
18 had said already when Mr Vanderpuye was questioning. But it's fine, so we have
19 addressed it now.

20 This concludes the hearing for today.

21 Thank you very much, Mr Witness. Thank you very much, Ms Mbida, at the
22 video-link location.

23 We reconvene on Wednesday, 9.30. Yeah.

24 THE COURT USHER: [17:44:28] All rise.

25 (The hearing ends in open session at 5.44 p.m.)