

**INTERNATIONAL CRIMINAL COURT
OFFICE OF THE PROSECUTOR**

WITNESS STATEMENT

WITNESS INFORMATION:

Last Name: BEINA

Gender: Male

First Name: Vivien

Father's Name: [REDACTED]

Other names used: Ngbha Rostand

Mother's Name: [REDACTED]

Place of Birth: Bocaranga, CAR

Passport / ID number: [REDACTED]

Date of Birth/Age: 25/11/1983

Nationality(s): Central African

Language(s) Spoken: Sango, French and English

Language(s) Written: Sango and French

Language(s) Used in Interview: French and English.

Occupation: Programmer for IT Applications- Private Sector

Place of Interview: Bangui, CAR

Date(s) and Time(s) of Interview: 06/04/2019 09:15-12:00 hrs.

Names of all persons present during interview: [REDACTED] (Investigator),
[REDACTED] (Investigator), [REDACTED] (Interpreter) and Vivien
BEINA (Witness).

Vivien BEINA

CAR-OTP-2108-0333



Signature

WITNESS STATEMENT

Procedure

1. I was introduced to [REDACTED] and [REDACTED] and I was told that they are investigators with the Office of the Prosecutor (OTP) of the International Criminal Court (ICC). I was introduced to [REDACTED] and told that they are an interpreter with the OTP of the ICC.
2. The investigators explained to me what the ICC is and described its mandate. They explained the role and mandate of the OTP within the ICC.
3. The investigators explained to me that they are investigating events that took place in Central Africa from 2012 to the present. I was informed that the OTP is contacting me because they believe I may have information relevant for establishing the truth.
4. The investigators explained to me that I am currently being approached in the context of the investigation of the OTP and not within the context of my application as a victim. I understand that the OTP is an independent organ and that this statement has a separate purpose to that of my application as a victim.
5. I was told that I have the right to be questioned in a language that I fully understand and speak. I confirm that French is a language that I fully understand and speak. I confirm that the language used by the interpreter in this interview is the French language.
6. The investigators explained to me that this interview is voluntary and that I may end it at any time.
7. I was informed that any information I give to the OTP, including my identity, might become subject to disclosure to the parties of the proceedings at the ICC; in particular the Judges, Accused persons, the Counsel of the Accused and the legal representatives of the victims.

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8. I was informed that I might be called to testify before the Court. It was brought to my attention that ICC trials are held in public and explained to me that, as an exception to the principle of public hearings, the judges may apply protective measures to those testifying if circumstances require.
9. I am currently willing to appear as a witness in Court, if called to testify. I understand that disclosure of my identity and information I have provided may take place whether or not I am called to testify.
10. The possible security implications resulting from my interaction with the OTP were discussed with me. The investigators have explained to me the reasons and importance of keeping my contacts with the OTP confidential, which I fully understand.
11. Having understood all the above issues, I confirmed my willingness to answer the investigators' questions.
12. The investigators explained to me how the interview was going to be conducted. I was told by the investigators that it is important that I am as accurate as possible in my account; and that I state when I do not know or do not understand the question. I understand that I need to distinguish between what I have experienced or seen myself and what I have heard or learned about from someone else.
13. I was told that at the conclusion of the interview, I would be asked to sign a written statement after having had the opportunity to review it, make any corrections, or add additional information.

VIDEO FOOTAGE:

14. I was interviewed by OTP investigators in 2016, and this is my second meeting with OTP investigators. They requested to meet with me again to review some videos.
15. The investigators showed me video number 0684cf35da952eab38244485442084e. It has no CAR OTP ERN number assigned to date: Frame started from counter 09:50
16. At 10:06 I recognized the man in the middle as RAMBO, YEKATOM. The one of the far right of the screen is GONDA. Sometimes you hear he is a FACA and sometime you hear he is not. He was an element and one of YEKATOM's Corporal. Previously he was in PISSA. The man on the left, he is military and from the same draft class as YEKATOM. His nick name is "CESSEZ LE FEU".

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17. At 10:15 I recognize BODIOS. He is the tall, slim man with glasses that has a type of Muslim turban. He is a soldier and one of RAMBO's elements. These men in the panning footage wearing fatigues and civilian clothes are elements of YEKATOM.
18. I recognize one woman at 10:33. The one with the sunglasses I recognize but I do not know her name. She was an element. She was going out with a soldier or military man in the movement. He was not a Comzone. He was a Corporal or Chief Corporal. She was like his wife but now they are separated. His name was "SAKADA".
19. At 10:50. The man on the left, camouflage T- Shirt and unzipped brown jacket. He is presently an auxiliary at the Gendarmerie in NZILA. His nick name is "CB".
20. At 11:30, the man most to the right with hair in a ponytail and red beret is Freddy OUANDGO. Beside him I recognize Alban GOLIATHA, and a soldier, nick named "Cube Magie". YEKATOM is amongst them too.
21. At 12:05, I recognize a tall man in middle, black cap and in military clothing. His first name is Davy (LNU). He was a FACA.
22. At 12:09. The bald man in glasses and at the forefront is a FACA but he is deceased. I do not remember his name. He died from an illness.
23. At 12:11, this one too is a FACA soldier and still is. He is wearing the baseball cap backwards. I do not remember his name.
24. At 12:36, I see BODIOS again and SEDA is the man on the right. SEDA is dead. SEDA has a turban and sunglasses on.
25. At 12:44, the man in the red beret and who has the CAR flag around his neck is a soldier. He is one of YEKATOM's men but I do not know his name.
26. At 13:11, this area is KAPOU and it is on the road to MBAIKI. I am from the south, so I know this road and use to go in that direction.
27. At 14:39, I see my brother Habib BEINA. He is in the passenger seat of the car.
28. At 15:30, I see Habib again and he is shaking hands with the crowd. I do not know the area.
29. At 15:40, they are on the road. It is not KAPOU but it is on the road to MBAIKI, a tarmacked road.
30. At 18:00, I only recognize Habib in all these people.

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31. At 18:44, I do not recognize this area. Maybe if I saw the road.
32. At 18:52, I see YEKATOM is sitting on the left. CESSÉ LE FEU is smoking a cigarette on the right.
33. At 19:05, I see YEKATOM in truck and GOLIATHA is sitting on top of the truck above him.
34. At 19:25, I recognize BOUKANGA. He is a FACA soldier. He is the one in the green-beret holding a gun and wearing camouflage. I met these guys later through my brother. He was an element of YEKATOM. They all are. BOUKANGA is at the General Staff-Etat Major now in BANGUI.
35. At 19:49, his name is BEDAN. He is FACA and is dead now. He has a red beret, in camouflage and carrying a grenade.
36. At 20:16, this is the entrance to PISSA. The building you see was built for the Gendarmerie but it is not occupied.
37. At 20:24, it is PISSA.
38. At 21:02, this is BAKALE. He is the man on the most left and he is a civilian. He is wearing camouflage and wearing a black knit cap.
39. At 21:30, BEDAN is there again with sunglasses on.
40. At 21:47, I recognize DAWILI at the forefront wearing camouflage. He was FACA. He was Comzone somewhere between BIMON and KAPOU.
41. At 21:59, BAKALE is talking to two other people who are dressed in camouflage but are civilians.
42. At 22:03, the man at front and centre holding the gun, with headphones and cap is a FACA. I do not know his name. Both men in the front are FACA but I have no names.
43. At 22:15, CESSÉ LE FEU is in the red beret shaking hands with man in Black T-Shirt and wearing beads. His name is MANOUMANA.
44. At 22:36, the man in fatigues and the pink jacket is a FACA. To the right of him, the man with a gun wearing platelets is also FACA. I do not know their names.



45. At 24:38, the main man in the scene is a FACA but I do not know his name.
46. At 25:26, CESSER LE FEU and MANOUMANA are in this frame again.
47. At 26:17, I see a man on the left side. I believe he is a nurse because of the stripe on his shirt, but I do not know who he is.
48. At 26:46, I see YEKATOM and his men standing around him. These men are still in PISSA. You can see the Gendarmerie office there and these are his closest elements.
49. At 26:50, I see the man directly centre at the back. He is carrying a gun across his shoulders. He is in PISSA there and still is. His name is YAGONGO and he is not FACA. He is an element only.
50. At 27:15, I see the man in the front in camouflage but I do not know his name.

Video: CAR- OTP-2065-3897.

51. At 00:08, that is MOMO KAMA. He has a yellow T-Shirt and is holding a radio. He is a solider. He is currently a Chief Sergeant. His role was as part of the YEKATOM command. He became a Comzone near the M'POKO River in BANGUI.
52. At 00:38, the man in the red jacket is YEKATOM.
53. At 00:44, I do not recognize the woman in the Mohawk haircut or the location.
54. At 01:14, I do not know the female who comes out the door nor the second one. I only recognize YEKATOM, Habib BEINA, and MOMOKAMA. I think this may have been when they were still in BOEING. I do not know that area that well.
55. 01:21 I do not recognize the third female.
56. At 1:30 I do not recognize the red motor bike.

Video: CAR- OTP-2065-4849

57. At 00:16, I see YEKATOM in the red T- Shirt. He is warning his men not to play with their weapons and cause chaos. He says he will confiscate their weapons if anyone plays games with them. Freddy OUANDGO is in the frame and is in the one wearing a yellowish green T-Shirt next to YEKATOM.

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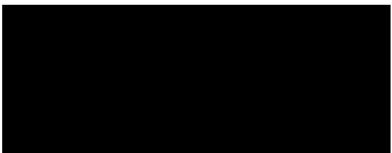
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58. At 00:27, I do not know the one in yellow T- Shirt sitting on the other side of YEKATOM.
59. At 01:40 the man standing up talking is Alban GOLIATHA.
60. At 03:48, it is DAVY again. He is the one in the blue t-shirt and is wearing a bandage on his right arm. They are discussing their organizing and positions and how they should behave. It is a group conversation.
61. At 04:55 my brother Habib is speaking. I remember him well when I see him like that. I am taking care of his five children now. His wife's name is [REDACTED] it is really [REDACTED] and she lives [REDACTED] Habib died in a moto bike accident in KAPOU II on M'BAIKI road on 17 June, 2017.

Video: CAR- OTP-2065-4934.

62. At 00:22, the one in Blue T- Shirt and yellow scarf was a FACA but he was dismissed. I do not know the reason and or his name. I knew this from other people.
63. I was often mediating between YEKATOM's elements when they were beyond the bridge. Some did not get along, we would give them advice. When the NGO's came, we spoke to them because his elements would not speak to them. It was Paleon ZILABO and I who were the ones mediating. I was ZILABO's assistant in mediation.
64. At 00:24, I see a man in a red and green cap. That is BODIOS.
65. At 00:38, Habib is speaking to a man in a blue suit coat and I do not know who he is.
66. At 00:46, it is Junior KEAPEX. He is in a green T- Shirt and has braids in his hair. He is a FACA. He is not a Comzone but part of YEKATOM's staff.
67. At 01:01, I do not recognize the man in the white T- Shirt.
68. At 02:00, they are talking about French Soldiers. BODIOS is saying some other French are over there behind at another location.
69. At 02:32, the man in a blue t-shirt is saying that they want to disarm them, but I do not know this man is.
70. At 03: 08, I do not know the man in the red cap.
71. At 03:43 I recognize MOKOKAMA in the beige jacket.

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Video: CAR- OTP-2065-4224.

72. At 00:00 at the start of video I recognize YEKATOM and Habib only.
73. At 00:28 I do not know the man wearing camouflage.

ANTI-BALAKA BASES

74. MOMOKAMA had a base by the M'POKO River. I think RAMBO 's main base was in SEKIA. There was also a base by PK9 Bridge Base, PISSMISS base. The Chief of that base was Habib BEINA. After OUANDGO died, YEKATOM chose Habib as his deputy. It was located just after the bridge on the way to NZILA.
75. MOMOKAMA was just in a post, not a real base. I knew that he was beyond the MPOKO River. They are soldiers and they know where to stay. Like you see today, you see military men along the river and are there for protection. They are like Check Points and checking for protection of goods and people. They are along the river and they see the boats going up and down. He controlled checkpoints behind the river.
76. In the OUBANGUI river area of Villa KOLONGO, there were military and also Gendarme who controlled that area. It was not YEKATOM'S men that controlled that area. In PETEVO, it was a firefighter station there but it was not in use. The Anti Balaka were not in PETEVO. I travelled through this area when going to and from BIIMBO and when I went to visit Habib.
77. Habib was at the PK9 Bridge. He lived in Pk9. Later he left and rented in NZILA until he died.
78. I have no information on "12 PUISSANCE" or his activities by the river. He was in the 7th Arrondissement, near OUANGO.
79. There were men at VILLA KOLONGO previously, along the river where the market is. They were Anti Balaka, Military and gendarme. There were not many. I did not know the person in charge. I never went there.

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Cell Phone Numbers

80. I confirm that [REDACTED] is not my number. The other two [REDACTED] and [REDACTED] are my numbers. Number [REDACTED] is not my number.
81. During the conflict I had a number with the MOOV network. When we were looted by the SELEKA they took my phone. I have had the two numbers [REDACTED] and [REDACTED] for a long time. I do not remember the MOOV number, it has been too long. It would be a 70 number.
82. I do not recognize number [REDACTED]

Muslim Cemetery

83. This occurred during the time of the crisis, but I don't remember when. WENOUZOU I agreed with his Muslims brothers to open the road to the cemetery or social cohesion. He lived in BOEING and talked to his brothers there. He wanted to liberate the road to the Cemetery. Some others did not want that. They rose up against him and blocked the road on the day it was supposed to be opened. They chased away the Muslims who travelled with him.
84. I was with Paleon ZILABO that day and we bumped into WENOUZOU I. PALEON had been in contact with SANGARIS', Colonel DIDIER. The Colonel sent a helicopter to guarantee the security of WENOUZOU I's and his Muslim brothers for safe passage. I do not know who opposed him exactly.
85. At the time there were no National Coordination, it did not exist at that time. It was born later. The cemetery incident was after DJOTODIA was gone. The Coordination was created at the time of SAMBA PANZA as the request of Madame MONTAGNEI. She was Minister of Communications.
86. I believe NGAISSONA was here at the time already, but he was not made aware of this situation. WENOUZOU I may have informed him, but I do not know if he did or why. There was no need to inform him because there was no Coordination. WENOUZOU I and NGAISSONA did not know each other and only got to know each other later. If they were in contact, I did not know about it.
87. YEKATOM was not made aware either. He was already in BIMBO. The road to the cemetery is in BOEING. I do not know why he was not informed. I think after, PALEON later explained the situation to YEKATOM.

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88. The people of BOEING were not happy with the idea of the road being open. The population was not ready to see any Muslims. The Seleka had harmed people in BOEING. The Chadian military shot people there. They were not ready to collaborate with the Muslims. I do not know of any one specifically expressed their opposition to this. Everyone was just weary of each other.

Closing Procedure

89. I was informed that individuals who according to the judges qualify as victims will be entitled to participate in future court proceedings and potentially to receive reparations. I was informed of the existence of the Victims' Participation and Reparation Section and its function, as well as on the procedure for applications. I consent to my personal data being shared with the Victims' Participation and Reparation Unit.

90. The investigators informed me of the protective measures that may apply during and after the investigation and/or trial proceeding.

91. I have nothing to add to the above statement nor do I have anything to clarify. I am available to be contacted in the future for clarifications or questions on topics not covered during this interview.

92. I have given the answers to the questions of my own free will.

93. There has been no threat, promise or inducement which has influenced my account.

94. I have no complaints about the way I was treated during this interview.

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WITNESS ACKNOWLEDGMENT

This statement has been read over to me from the English to French language and (it) is true to the best of my knowledge and recollection. I have given this statement voluntarily and I am aware that it may be used in legal proceedings before the International Criminal Court and that I may be called to give evidence in public before the International Criminal Court.

Signed:

Dated:



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INTERPRETER CERTIFICATION

1. I, [REDACTED] certify that:
2. I am duly qualified to interpret from the French language into the English language and from the English language into the French language.
3. I have been informed by Vivien BEINA that he speaks and understands the French language.
4. I have orally translated the above statement from the English language to the French language in the presence of Vivien BEINA who appeared to have heard and understood my translation of this statement.
5. Vivien BEINA has acknowledged that the facts and matters set out in his statement, as translated by me, are true to the best of his knowledge and recollection and has accordingly signed his signature where indicated.

Signed: [REDACTED] _____

Dated: [REDACTED] _____

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