

Trial Hearing
WITNESS: CAR-OTP-P-1847

(Open Session)

ICC-01/14-01/18

- 1 International Criminal Court
- 2 Trial Chamber V
- 3 Situation: Central African Republic II
- 4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard
- 5 Ngaïssona - ICC-01/14-01/18
- 6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and Judge Chang-ho Chung
- 7 Trial Hearing - Courtroom 1
- 8 Friday, 26 March 2021
- 9 (The hearing starts in open session at 9.44 a.m.)
- 10 THE COURT USHER: [9:44:25] All rise.
- 11 The International Criminal Court is now in session.
- 12 Please be seated.
- 13 PRESIDING JUDGE SCHMITT: [9:44:52] Good morning, everyone.
- 14 Good morning, Mr Witness. Do you hear and understand me well?
- 15 WITNESS: CAR-OTP-P-1847
- 16 (The witness speaks French)
- 17 THE WITNESS: [9:45:06](Interpretation) Yes.
- 18 PRESIDING JUDGE SCHMITT: [9:45:08] Court officer, could you please call the
- 19 case.
- 20 THE COURT OFFICER: [9:45:11] Good morning, Mr President, your Honours.
- 21 The situation in the Central African Republic II, in the case of The Prosecutor versus
- 22 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.
- 23 And for the record, we are in open session.
- 24 PRESIDING JUDGE SCHMITT: [9:45:27] Thank you.
- 25 And for the appearances of the parties, we start with the Prosecution.

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1 Mr Vanderpuye.

2 MR VANDERPUYE: [9:45:32] Good morning, Mr President. Good morning, your
3 Honours. Good morning, everyone. Today the Prosecution is represented by
4 Sylvie Wakchom, seated behind me; Olivia Struyven and myself,
5 Kweku Vanderpuye.

6 PRESIDING JUDGE SCHMITT: [9:45:46] Ms Douzima.

7 MS DOUZIMA-LAWSON: [9:45:48](Interpretation) Thank you very much, your
8 Honour. The victims of the other crimes are represented this morning by counsel,
9 Paolina Massidda; myself, Marie-Edith Douzima. My thanks.

10 PRESIDING JUDGE SCHMITT: [9:46:01] Mr Suprun.

11 MR SUPRUN: [9:46:04](Interpretation) Good morning, Mr President, your Honours.
12 The former child soldiers are represented today by myself, Dmytro Suprun, counsel at
13 the Office of Public Counsel for Victims. Thank you.

14 PRESIDING JUDGE SCHMITT: [9:46:12] Thank you.

15 And now we turn to the Defence, Ms Dimitri.

16 MS DIMITRI: [9:46:17] Good morning, Mr President, good morning, your Honours.
17 Mr Yekatom, who is present in the courtroom this morning, is represented by
18 Mr Thomas Hannis, co-counsel; Ms Audrey Breton, legal intern; and myself,
19 Mylène Dimitri.

20 PRESIDING JUDGE SCHMITT: [9:46:29] And Mr Knoops.

21 MR KNOOPS: [9:46:31] Good morning, Mr President, your Honours.
22 Mr Ngaïssona is present in the courtroom. And I'm assisted today by case manager
23 Chiara Giudici and Mathilde Veronesi, she is legal intern. Thank you.

24 PRESIDING JUDGE SCHMITT: [9:46:48] Thank you very much.

25 And, again, welcome to our witness. If you feel more comfortable you can wear the

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1 mask. If not, afterwards, if you'd like to speak without the mask, you're free to take
2 it off. It's up to you, Mr Witness.

3 I think you have to wear the earphones, but not -- you don't have -- I simply say, you
4 may take off the mask if you want to, but it's up to you.

5 Now, Mr Witness, you have been informed, but I recall it that protective measures
6 have been put into place for you --

7 I understand.

8 Mr Witness, protective measures of face distortion and voice distortion have been put
9 into place. Do you understand me?

10 I have the impression there is a problem.

11 THE WITNESS: [9:48:04](Interpretation) It's fine now. It's fine now.

12 PRESIDING JUDGE SCHMITT: [9:48:07] Okay. And we also take a pseudonym so
13 to shield your identity from the public.

14 Mr Witness, there should be a card in front of you with a solemn undertaking to tell
15 the truth. Could you please read out loud the content of this card.

16 THE WITNESS: [9:48:36](Interpretation) Solemn undertaking. I swear to tell the
17 truth, the whole truth and nothing but the truth.

18 PRESIDING JUDGE SCHMITT: [9:48:50] Thank you, Mr Witness. You are now
19 under oath. As you have just sworn, you have to speak the truth to this Court. It's
20 an offence within the jurisdiction of this Court to give false testimony.

21 Before we start with your testimony, a few practical matters. Everything we say
22 here in the courtroom is written down and interpreted, and, to allow for the
23 interpretation, we need to speak at a relatively slow pace and please only start
24 speaking when the person asking you the question has finished and perhaps wait two
25 or three seconds before you give your answer.

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1 We can now start with the testimony and I give the floor to Mr Vanderpuye.

2 MR VANDERPUYE: [9:49:39] Thank you, Mr President.

3 Good morning, everyone. Good morning, Mr President.

4 QUESTIONED BY MR VANDERPUYE:

5 Q. [9:50:00] Good morning, Witness.

6 A. [9:50:02] Good morning.

7 Q. [9:50:02] We met yesterday and let me reintroduce myself. My name is

8 Kweku Vanderpuye, and I am a member of the Prosecution team and I'll be asking

9 you some questions concerning your evidence in this case over at least today and

10 probably also Monday.

11 As the Presiding Judge indicated, you're testifying with protective measures so your

12 identity is not public, and, as we go, I will cover certain areas of your testimony which

13 may tend to identify you. And when I do that, the intention is to do that in what's

14 called private session so that your identity is not made known to the public.

15 I'll do my best to avoid any missteps and I think it would be helpful for you also to be

16 reminded of that. If there's anything that I ask you to which you need to respond in

17 a way that might identify you, if I haven't already foreseen that, then please bring that

18 to our attention and you can simply do that by saying, "I can respond to this but it

19 may identify me". And if you do that, I will ask the Presiding Judge for permission

20 to proceed with your examination on that topic in private session.

21 Do you understand that?

22 A. [9:51:38] Yes.

23 PRESIDING JUDGE SCHMITT: [9:51:40] Mr Vanderpuye, I have a technical matter

24 which has nothing to do with your examination.

25 It pertains to an email by the Registry from 9.24 this morning, shortly before we

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1 wanted to start. Without getting into the medical details, I see that members of the
2 OPCV are present in the courtroom while no Plexiglas has fully been installed. I
3 would therefore urge the Registry to either install this Plexiglas.
4 Moreover, I would like to stress that it is possible to attend the hearing remotely. So
5 unless necessary to be here in person, please do so.
6 Perhaps we have to take a break for that to figure that out, but this is something that
7 has been brought to my attention just -- and I think we have to figure out that first, for
8 the benefit of everyone here in the courtroom. So we go --

9 Yes?

10 MR KNOOPS: [9:52:36] Sorry, Mr President, is this COVID related, if I may ask?

11 PRESIDING JUDGE SCHMITT: [9:52:41] Yes.

12 MR KNOOPS: [9:52:42] Okay then I understand your worry (Overlapping speakers)

13 PRESIDING JUDGE SCHMITT: [9:52:44] Yes.

14 MR KNOOPS: [9:52:44] Yes, I understand.

15 PRESIDING JUDGE SCHMITT: [9:52:45] It's not our fault here, but we shall do
16 everything, what is necessary --

17 MR KNOOPS: [9:52:50] I understand.

18 PRESIDING JUDGE SCHMITT: [9:52:51] -- so we go into a break for a short time.

19 MR KNOOPS: [9:52:55] Thank you.

20 THE COURT USHER: [9:52:58] All rise.

21 (Recess taken at 9.53 a.m.)

22 (Upon resuming in open session at 11.21 a.m.)

23 THE COURT USHER: [11:21:10] All rise.

24 Please be seated.

25 PRESIDING JUDGE SCHMITT: [11:21:36] Disruptions of the proceedings are

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1 always unfortunate. Sometimes they are inevitable and this was such a case.
2 I think everyone in this courtroom understands that the Chamber takes the health of
3 everyone here in the courtroom and involved in the proceedings very, very seriously.
4 We have to be cautious and abide to the guidelines set in place for good reason and
5 we cannot and will not allow ourselves negligence in that regard. With that, I think
6 we can continue.
7 First for the procedure today, the Chamber thinks we should go now until 1 o'clock.
8 Then have a shortened lunch break, we can't go outside anyway, so until 2 o'clock
9 and then have a two-hour afternoon session until 4 o'clock.
10 So on that, Mr Vanderpuye, I give you floor again. Of course, for you it's very
11 unfortunate that you have been interrupted, but before I give you the floor, I would
12 also like to thank again very, very much and praise the Registry for setting up this
13 possibility that OPCV representatives can follow remotely in such a quick time.
14 Please, Mr Vanderpuye.
15 MR VANDERPUYE: [11:23:11] Thank you. Good morning again, Mr President,
16 your Honours.
17 Q. [11:23:18] Good morning, Witness. I think when I left off, I just had some
18 introductory remarks, which I think you for the most part have understood, but I will
19 just reiterate a couple of things.
20 I was saying I think that if there's an answer to a question that you think might reveal
21 your identity, to be wary of that, and just to indicate to us if you consider that your
22 answer might tend to identify you, by saying just simply that, and that way I can ask
23 the Presiding Judge to go into private session so that we can discuss these things
24 more profoundly.
25 I've tried to organise my questions in a way that we can cover different topics of your

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1 anticipated evidence sort of topic by topic, and, the idea there is, I'll ask you certain
2 questions in open session - that means it will be audible and people can follow it
3 publicly - and then I'll ask you more profound questions about how it is you know
4 things and what you know and from whom in a private session.
5 So that's sort of how I've organised it and I'll do my best to try to stick to that so we
6 don't risk exposing your identity.
7 The Judge has already explained to you that we are communicating through an
8 interpreter and so try to speak a little more slowly than you might ordinarily speak
9 and just pause so that the interpreters can accurately translate my question to you and
10 as well as your answers, and that goes for anybody else who might interact with you
11 during the course of these proceedings.
12 And that's basically it.
13 So I'll start with a few questions concerning your background, unless you have a
14 question for me just now?
15 All right, I take that to mean that you don't have any questions.
16 So the other thing is, you could remove your mask, I think, if (Overlapping speakers)
17 PRESIDING JUDGE SCHMITT: [11:25:41] Of course.
18 MR VANDERPUYE: [11:25:41] -- more comfortable for you.
19 PRESIDING JUDGE SCHMITT: [11:25:42] Yes, and there might also be an issue, but
20 we have wait for that with the interpretation, but we will see. But in principle, if
21 there would not be an interpretation issue, I would leave it up to the witness.
22 But I think this is fine. If this is comfortable for you, Mr Witness, it's -- I think we can
23 proceed like that.
24 Please, Mr Vanderpuye.
25 MR VANDERPUYE: [11:26:03] Thank you, Mr President. If we could just go into

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1 private session for a little while.

2 PRESIDING JUDGE SCHMITT: [11:26:11] Yes, of course.

3 Private session.

4 (Private session at 11.26 a.m.) *(Reclassified partially in public)

5 THE COURT OFFICER: [11:26:30] We are in private session, Mr President.

6 MR VANDERPUYE: [11:26:32] Thank you.

7 Q. [11:26:36] Good morning, Witness. If you could please state your name for the
8 record?

9 A. [11:26:43] Thank you. Thank you.

10 Q. [11:26:51] Yes, I was asking if you could state your name for the record. We are
11 in private session so it's not public.

12 A. [11:27:12] (No interpretation)

13 Q. [11:27:19] I can barely hear you, so if you could try to speak up a little bit.

14 A. [11:27:34] (No interpretation)

15 PRESIDING JUDGE SCHMITT: [11:27:36] And I think it's very technical here and
16 the witness is, for the first time, in this courtroom, and we are used to this huge
17 courtroom, I think it's perfectly clear that we need some time to adjust to the situation.
18 So it's no problem, Mr Witness. We will get there. Thank you.

19 MR VANDERPUYE: [11:27:52] Thank you, Mr President.

20 Q. [11:27:57] Where were you born, sir?

21 A. [11:28:04] (No interpretation)

22 THE INTERPRETER: [11:28:04] The witness ...

23 PRESIDING JUDGE SCHMITT: [11:28:16] Actually I have understood it. Yet there
24 is no interpretation, so I don't hope we have this issue now.

25 THE WITNESS: [11:28:27](No interpretation)

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1 MR VANDERPUYE: [11:28:28] All right, I can hear you but I'm not seeing any

2 translation --

3 THE WITNESS: [11:28:31](Interpretation) I (Redacted). (Redacted)

4 (Redacted).

5 MR VANDERPUYE: [11:28:37]

6 Q. [11:28:38] Very good. And when were you born?

7 A. [11:28:54] (Redacted)

8 Q. [11:29:00] What is your ethnicity?

9 A. [11:29:11] Central African.

10 Q. [11:29:13] Okay. (Redacted)?

11 A. [11:29:19] Yes.

12 Q. [11:29:21] And from where does your family hail? Where in the Central

13 African Republic does your family come from, what region?

14 A. [11:29:39] From (Redacted).

15 Q. [11:29:44] And do you have relatives that are living there now?

16 A. [11:29:55] Yes.

17 Q. [11:29:57] Did you yourself spend any time there growing up in the Central

18 African Republic?

19 A. [11:30:16] No. I just visited the area.

20 THE INTERPRETER: [11:30:21] Message from the Sango interpreters: The witness

21 is answering in two languages, in English -- or, rather, in Sango or in French. So

22 that's confusing for the interpreters.

23 PRESIDING JUDGE SCHMITT: [11:30:36] Mr Witness, I'm informed that you

24 sometimes answer in Sango and sometimes in French. So it would be easier for the

25 interpretation if you could stick to one language. I would suggest the one which you

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1 are most comfortable with. So if you can do that, that would facilitate things.

2 THE WITNESS: [11:30:59](No interpretation)

3 PRESIDING JUDGE SCHMITT: [11:31:02] Yeah? I think that's fine, *français c'est*

4 fine. I think that's the best (Overlapping speakers)

5 THE WITNESS: [11:31:06](Interpretation) I can, I can speak French.

6 PRESIDING JUDGE SCHMITT: [11:31:09] Thank you very much.

7 MR VANDERPUYE: [11:31:19]

8 Q. [11:31:21] Thank you very much for that. And if there's anything that you

9 want to express and you feel it would be more accurate to express it in your maternal

10 language, then just let us know and then we can -- I think we can work that out and

11 do it, okay?

12 A. [11:31:44] Yes, in French it's fine.

13 Q. [11:31:46] Very good. And what is your religion?

14 PRESIDING JUDGE SCHMITT: [11:32:08] Please repeat the question,

15 Mr Vanderpuye. It might not have come through.

16 MR VANDERPUYE: [11:32:12]

17 Q. [11:32:12] What is your religion? Are you Christian? Are you a Muslim?

18 Are you of a different order?

19 A. [11:32:20] I'm (Redacted).

20 Q. [11:32:22] Have you ever been a member of the government in the Central

21 African Republic or ...?

22 A. [11:32:32] (Redacted). Can -- can we switch over into the French channel

23 because then it will be direct Sango?

24 MS DIMITRI: [11:32:59] Mr President, if I can assist to speed it up. I think the

25 witness wants his headsets in French because it's getting out in Sango and he's

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1 answering in French.

2 PRESIDING JUDGE SCHMITT: [11:33:09] Thank you very much for that help.

3 I -- actually I didn't figure out at the moment what's going on. That might be -- of
4 course, that would be absolutely confusing. Can we fix that?

5 (Pause in proceedings)

6 PRESIDING JUDGE SCHMITT: [11:33:44] Mr Witness, may I ask you something:

7 Would you be more comfortable to have the Sango channel or the French channel on
8 your earphones?

9 THE WITNESS: [11:34:05](Interpretation) In French, in French.

10 PRESIDING JUDGE SCHMITT: [11:34:11] Thank you. And I think from the
11 answers that you can hear from the original voice, indeed he's commandment of
12 French is very, very good.

13 So perhaps we can continue, Mr Vanderpuye. And I think we will get to a flow at
14 some point in time.

15 MR VANDERPUYE: [11:34:31] Thank you, Mr President.

16 Q. [11:34:35] Thank you, thank you, Witness.

17 I think I was asking you if you'd ever been in government or worked in government.

18 MR VANDERPUYE: [11:35:16] It sounds like he's getting different feeds from
19 different sources, one from English and one French.

20 PRESIDING JUDGE SCHMITT: [11:35:24] That sounds to be a technical problem, so
21 it would have to be fixed.

22 And really, really sorry, Mr Witness, for these interruptions. But I'm always
23 optimistic. We will get there where we can have a -- as I worded it shortly before -- a
24 flow of your testimony.

25 MR VANDERPUYE: [11:35:49] Should I continue, Mr President? Or give it another

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1 try, so to speak?

2 PRESIDING JUDGE SCHMITT: [11:35:56] I think we can give it another try.

3 MR VANDERPUYE: [11:35:59] Okay.

4 PRESIDING JUDGE SCHMITT: [11:36:00] Or perhaps first, we let our court officer
5 try to fix it.

6 So perhaps you stay there, court officer.

7 And Mr Vanderpuye, you try it again and then we can perhaps figure out if things
8 have improved.

9 Mr Vanderpuye, I think now the court officer will stay for your question and could
10 act immediately if need be and you can ask your question again and then we might be
11 on the right track.

12 MR VANDERPUYE: [11:36:53] Thank you, Mr President. I apologise for that.
13 You caught me out. I wasn't paying attention.

14 Q. [11:37:00] All right. I think I asked you whether you had been a
15 member -- ever been a member of government or worked in the government?

16 A. [11:37:17] I was -- I worked for the government.

17 Q. [11:37:19] All right.

18 A. [11:37:22] I worked for the government (Redacted).

19 Q. [11:37:29] Very good. And in what position did you work? What was the
20 nature of the work you did in the government?

21 A. [11:37:43] (Redacted).

22 Q. [11:37:54] How long did you hold that position?

23 A. [11:38:09] 18 months.

24 Q. [11:38:12] You say this was (Redacted). (Redacted)

25 A. [11:38:23] (Redacted).

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1 Q. [11:38:27] And have you ever been a member of the armed forces, gendarmerie,
2 FACA?

3 A. [11:38:37] No. No.

4 Q. [11:38:42] I just want to ask you a few questions about the different positions
5 you've held in your career. Can you tell us a bit about what kind of work you've
6 done besides your work in the government?

7 A. [11:39:05] Yes, outside of my work in the government, (Redacted)

8 (Redacted). (Redacted)

9 (Redacted).

10 Q. [11:39:33] And what was the nature of (Redacted)?

11 A. [11:39:44] (Redacted)

12 (Redacted)

13 Q. [11:40:06] And did you ever work in the industry relating (Redacted)

14 A. [11:40:20] (Redacted)

15 (Redacted).

16 Q. [11:40:28] When would that have been approximately?

17 A. [11:40:36] What, (Redacted)?

18 Q. [11:40:37] Yes.

19 A. [11:40:38] I – (Redacted)

20 (Redacted). (Redacted)

21 (Redacted)

22 (Redacted)

23 Q. [11:41:17] All right. We'll come to that in a little bit. And just let me ask you a
24 couple of things.

25 Can you tell us about your (Redacted)

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1 (Redacted)

2 A. [11:41:42] Yes, when (Redacted) when events in
3 Birao and other regions in the country started to flare-up, (Redacted)
4 from the district to talk about peace and to make the young mindful and to be aware
5 of not being manipulated. And so (Redacted) the rebellion because as war in 2012
6 was getting closer and closer, there were young -- they were recruiting young people.
7 So (Redacted) raise awareness among young people to not join the rebellion and to
8 be -- and to think of peace, and young people in the -- (Redacted)
9 (Redacted).

10 Q. [11:42:44] Thank you, that's very helpful and I'll come to that I think a little bit
11 later as we go.

12 MR VANDERPUYE: [11:42:54] I think that's about it for private session,
13 Mr President. I'm going to take a chance and go into public session.

14 PRESIDING JUDGE SCHMITT: [11:43:01] Yes, you know, when I always say we try
15 to give our best, of course this I understand, that we can't figure it out for two hours
16 or three hours questioning in advance. Things might evolve. We fully understand
17 that as a Chamber.

18 We go to open session.

19 (Open session at 11.43 a.m.)

20 THE COURT OFFICER: [11:43:29] We are back in open session, Mr President.

21 MR VANDERPUYE: [11:43:33] All right.

22 Q. [11:43:35] Now, Witness, we're in open session, so please avoid mentioning
23 names. I'll try to stay -- I'll do the same, but there's just a few questions I want to ask
24 you about, your prior contacts with the Office of the Prosecutor.
25 So let me start this way: Do you recall meeting with members of the Office of the

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1 Prosecutor back in 2017?

2 A. [11:44:05] Yes, I do.

3 Q. [11:44:07] And in the course of that meeting, were you interviewed by members
4 of the Office of the Prosecutor, investigators in particular?

5 A. [11:44:18] Yes.

6 Q. [11:44:20] Did that take place in September 2017?

7 A. [11:44:27] Yes, it did.

8 Q. [11:44:30] And was the subject matter of that interview about certain events
9 concerning the conflict in the Central African Republic?

10 A. [11:44:46] Yes.

11 Q. [11:44:48] And did it involve issues concerning the Anti-Balaka?

12 A. [11:44:58] Yes.

13 Q. [11:44:59] And also the Séléka?

14 A. [11:45:03] Yes.

15 Q. [11:45:04] And the roles of Mr Ngaïssona?

16 A. [11:45:24] Yes.

17 Q. [11:45:26] And also Mr Yekatom?

18 A. [11:45:31] Yes.

19 Q. [11:45:32] And several other individuals?

20 A. [11:45:38] Yes.

21 Q. [11:45:40] When you were interviewed in 2017, did you provide a statement to
22 the office of the Prosecutor investigators?

23 A. [11:45:52] Yes.

24 Q. [11:45:55] Were you later interviewed in 2020 by the Office of the Prosecutor
25 investigators?

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1 A. [11:46:04] Yes.

2 Q. [11:46:07] (Overlapping speakers) and did that also take place in late August
3 and into September of 2020?

4 A. [11:46:19] That's exactly right.

5 Q. [11:46:20] Okay. And the purpose of that statement, was it to get -- or, rather,
6 that interview was to get more information from you concerning other matters; is that
7 right?

8 A. [11:46:34] Yes.

9 Q. [11:46:35] As well as to clarify certain things that you made in your 2017
10 interview?

11 A. [11:46:46] Yes.

12 Q. [11:46:49] Did you provide a statement to the Office of the Prosecutor
13 investigators on the second occasion in 2020?

14 A. [11:47:03] Yes.

15 Q. [11:47:05] Okay. And were those statements provided to you by the victim and
16 witness services before today? Some days ago, perhaps?

17 A. [11:47:19] Yes.

18 Q. [11:47:22] Were you able to read them?

19 A. [11:47:30] Yes.

20 Q. [11:47:33] So you read them through completely; is that right?

21 A. [11:47:40] Yes.

22 Q. [11:47:41] And having read them, do they fairly and accurately reflect what it is
23 that you told the investigators on those two occasions?

24 A. [11:48:01] I discovered a small error in the thing that I raised the other day, it's a
25 tiny, tiny error in the thing. But otherwise I came across small errors in the

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1 statement.

2 Q. [11:48:23] Okay. Did you come across errors that changed the meaning of your
3 statement in any way to the best of your recollection?

4 A. [11:48:37] It's only the name of a person that wasn't written properly, things like
5 that.

6 Q. [11:48:43] Okay. All right. We can come to that at a later point perhaps.
7 All right.

8 I take it then when you were interviewed by the investigators back in 2017 and also in
9 2020, they probably made clear to you that it was important to tell the truth? Is that
10 fair?

11 A. [11:49:09] That's right, yes.

12 Q. [11:49:10] Okay. And you understood that during the course of giving your
13 statement to the investigators?

14 A. [11:49:19] Yes.

15 Q. [11:49:21] And I take it that you understand that you were expected to answer
16 the questions to you as completely as you could, based on what you could remember
17 at the time? Is that fair?

18 A. [11:49:40] That's right, yes.

19 Q. [11:49:42] Okay. And that's what you did; is that right?

20 A. [11:49:46] Yes.

21 Q. [11:49:48] And was it your understanding that in interacting with the
22 investigators in answering their questions that they -- their expectation was that you
23 provide relevant information concerning the topic that you were discussing, even if
24 they weren't asking you questions about that; is that -- is that fair?

25 A. [11:50:16] Yeah, that's right.

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1 Q. [11:50:17] And you also did that as well during the course of your -- during the
2 course of giving those statements?

3 A. [11:50:24] Yes.

4 Q. [11:50:27] And at the end of those interviews in -- well, let's start with the one in
5 2017, did you have a chance to correct your statement or correct what the
6 investigators had presented you with as your statement?

7 A. [11:50:52] There was a memorandum sent the other day.

8 THE INTERPRETER: [11:50:57] Beginning of the witness's utterance: inaudible.

9 THE WITNESS: [11:51:03](Interpretation) They took into consideration the draft that
10 I had written.

11 MR VANDERPUYE: [11:51:07]

12 Q. [11:51:08] Okay. I'm sorry, I may have to ask you to repeat your answer
13 because I heard from the interpreter that your -- the beginning part of your answer
14 they couldn't hear. Would you mind repeating what you just said, sir?

15 A. [11:51:27] I corrected some paragraphs in the draft and then they took the draft
16 away with them.

17 Q. [11:51:43] And before they took the draft away with them, did you have a
18 chance to look to see if they had incorporated the corrections that you made?

19 A. [11:51:54] Not yet, no.

20 Q. [11:51:56] All right. Did you sign the statement that you gave in 2017?

21 A. [11:52:05] Yes, I did.

22 Q. [11:52:06] And did you sign it after having read it or it being read to you?

23 A. [11:52:18] Yes, after having ...

24 THE INTERPRETER: [11:52:21] Answer: Inaudible.

25 MR VANDERPUYE: [11:52:25]

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1 Q. [11:52:26] I'm sorry, I'm going to have to ask you to repeat that again for the
2 interpreters. Sorry.

3 A. [11:52:36] I signed it after having reread the document.

4 Q. [11:52:43] And when you signed the statement, you were satisfied, I take it, that
5 it did reflect what you told the investigators?

6 A. [11:52:59] That's right, yes.

7 Q. [11:53:00] All right. And let me ask you about the 2020 statement. Is it
8 basically the same, that you had a chance to read that statement before you signed it?

9 A. [11:53:17] Yes, that's right. And it was read back to me.

10 Q. [11:53:23] Did you have any corrections to make to that statement, by the way?

11 A. [11:53:31] No.

12 Q. [11:53:37] At the time that you signed the statements, you also acknowledged
13 that they were truthful? Is that right?

14 A. [11:53:46] Yes.

15 Q. [11:53:48] And having read your statements over now before coming to court
16 before this Chamber, do you stand by what you said in those two statements?

17 A. [11:54:03] Yes, I do.

18 Q. [11:54:04] All right. Prior to making the statement in 2017, did anyone put any
19 pressure on you to speak to the Office of the Prosecutor or investigators?

20 A. [11:54:28] No.

21 Q. [11:54:31] Did anyone threaten or coerce you in order to make that statement
22 in 2017?

23 A. [11:54:46] No.

24 Q. [11:54:46] And did anyone force or threaten you to do so?

25 A. [11:54:57] No.

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1 Q. [11:54:58] All right. Is the same true for the statement that you made in 2020?

2 A. [11:55:04] Yes.

3 Q. [11:55:06] No one forced you to make that statement, you made it voluntarily?

4 A. [11:55:13] Yes.

5 Q. [11:55:14] And since having made either of those statements, has anyone

6 approached you or confronted you about -- about them?

7 A. [11:55:27] No.

8 Q. [11:55:30] Have you spoken by anyone associated with either of the accused in

9 this case, that is either associated with Mr Ngaïssona or associated with Mr Yekatom?

10 A. [11:55:50] No.

11 Q. [11:55:51] All right. And you haven't had any contacts with any member of the

12 Defence regarding your statement or anything related to this case; is that fair?

13 A. [11:56:04] No.

14 Q. [11:56:05] Has anyone other than the accused or anyone working for the accused

15 or with the accused, has anyone otherwise interfered with you in connection with

16 your statements or the evidence you might give in this case?

17 A. [11:56:30] No.

18 Q. [11:56:31] All right.

19 I want to move into a slightly different area and I want to remind you again, that if

20 there are answers that you need to give that are -- that might indicate your identity,

21 just to let me know, all right?

22 So I'm going to ask you some questions and I would expect some -- probably some

23 general answers and then we can go more into in depth, all right?

24 A. [11:57:02] *D'accord.*

25 Q. [11:57:04] All right. My first question is, do you know General Bozizé?

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1 A. [11:57:14] Yes, I know him well.

2 Q. [11:57:16] And how long have you known him?

3 A. [11:57:29] As general in the chief of staff, we were in the same neighbourhood,
4 in the same village, the same region. So I've known him very well since my
5 childhood and then (Redacted)

6 Q. [11:57:54] All right. And so from 2010 through, let's say, 2015, was it -- is it fair
7 to say that you were in contact with him at various times?

8 A. [11:58:13] Up until 2013.

9 Q. [11:58:16] Up until 2013, okay. Were you in contact with other individuals that
10 were close to General Bozizé through 2013?

11 A. [11:58:41] (Overlapping speakers)

12 Q. [11:58:41] And don't give their names.

13 THE INTERPRETER: Answer: Inaudible.

14 PRESIDING JUDGE SCHMITT: [11:58:44] There was an overlap, so we would have
15 to, I think, ask again to make it sure and then hear the answer.

16 MR VANDERPUYE: [11:58:52] Thank you, Mr President.

17 I think he -- I think he actually did answer it just as you were speaking also. So I'll
18 ask him to repeat it once again. I'm sorry about that. I'm sorry, Mr President.

19 Q. [11:59:05] Could you repeat your answer, Mr Witness?

20 A. [11:59:11] Yes. I know people in his entourage.

21 Q. [11:59:19] All right. And do you know Mr Ngaïssona?

22 A. [11:59:35] Yes, as a leader, former minister and that. Even in the region, things
23 like that.

24 Q. [11:59:52] How long have you known Mr Ngaïssona?

25 A. [12:00:03] Well, he's a neighbourhood leader. And when we were young he

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1 was one of the elder children. I didn't have much to do with him, but I knew about
2 his activities and things.

3 Q. [12:00:23] All right. So you've known him for a very long time, I guess?

4 A. [12:00:30] Yes. The same arrondissement. The same neighbourhood, yes.

5 Q. [12:00:40] All right. And what about Mr Yekatom? Do you know him?

6 A. [12:00:46] Yekatom, no. It is only after the events, after the Balaka started that I
7 heard mention of his name and affinities with him. People spoke about that.

8 Q. [12:01:02] Okay. And we'll go into this a little bit more, but during the period
9 that's before the Chamber, effectively from 2012, let's say, until the end of 2014, were
10 you in contact with Mr Ngaïssona from time to time?

11 A. [12:01:26] Contact? No, not direct. I did not have direct contact with him.

12 Q. [12:01:34] And what about Mr Yekatom, were you in contact with him from time
13 to time during that period?

14 A. [12:01:42] No. No.

15 MR VANDERPUYE: [12:01:48] Okay. I'd like to go into private session, if I could,
16 Mr President.

17 PRESIDING JUDGE SCHMITT: [12:01:52] Of course.

18 Private session.

19 (Private session at 12.02 p.m.) *(Reclassified partially in public)

20 THE COURT OFFICER: [12:02:08] We are in private session, Mr President.

21 MR VANDERPUYE: [12:02:11] Thank you.

22 Q. [12:02:16] You mentioned that you've known General Bozizé for a long time and
23 (Redacted)

24 A. [12:02:31] Yes.

25 Q. [12:02:32] In what circumstances did you (Redacted)

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1 A. [12:02:45] Well, (Redacted) whose

2 name I mentioned. (Redacted)

3 (Redacted). (Redacted). (Redacted)

4 (Redacted).

5 Q. [12:03:13] And how was it that you were (Redacted)

6 (Redacted)

7 (Redacted)

8 A. [12:03:31] Well, (Redacted)

9 (Redacted), (Redacted)

10 (Redacted). (Redacted)

11 (Redacted) And that is when he

12 said, (Redacted)

13 (Redacted) And then after when the company persons left, (Redacted)

14 (Redacted)

15 This lasted till 2013.

16 Q. [12:04:33] Did you get the impression that he knew your parents or -- or was his

17 reaction -- he did know them; is that what you're saying?

18 A. [12:04:44] Yes, yes, yes.

19 Q. [12:04:47] And how is it that you were put in contact with him to begin with?

20 A. [12:05:02] Well, at the very onset I had gone with (Redacted)

21 (Redacted) to see how we can work out to get an audience through the

22 secretary-general of the presidency with the president. So he granted us audience.

23 And during the audience, that is when he saw me and I introduced myself, I told him

24 my identity. He said, (Redacted). (Redacted)

25 And that's how he then asked the protocol officers to let go of (Redacted) and then do

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1 the necessary contact as instructed. And that's how it all began with him.

2 Q. [12:05:52] Thank you for that.

3 Does the name Ezeb Emtenou mean anything to you?

4 A. [12:06:06] Yes, it does ring a bell.

5 Q. [12:06:10] And who is he to you?

6 A. [12:06:19] (Redacted). (Redacted) He

7 was with (Redacted). (Redacted)

8 (Redacted). He is the son of President Bozizé's elder brother.

9 Q. [12:06:47] All right. I'm doing -- I'm doing the math in my head. That makes
10 him General Bozizé's nephew; is that right?

11 A. [12:06:57] Yes.

12 Q. [12:06:58] Was he involved in helping you (Redacted)

13 (Redacted)

14 A. [12:07:14] Yes. (Redacted) That didn't work.

15 Then (Redacted)

16 Q. [12:07:31] And was he a member of the government at that time, or was he
17 member of the armed forces or (Overlapping speakers)?

18 A. [12:07:37] He was a captain in the army.

19 Q. [12:07:41] Okay. He was in the army.

20 And your relationship with General Bozizé up until - I think you said it was 2013, was
21 it - how was that? Was it a close relationship, a familial relationship, or just a
22 business relationship?

23 A. [12:08:08] Well, (Redacted)

24 (Redacted)

25 Q. [12:08:21] In terms of (Redacted), what do you mean by that?

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- 1 A. [12:08:33] What I meant is that (Redacted)
- 2 (Redacted) That's what I mean.
- 3 Q. [12:08:49] And by (Redacted)
- 4 (Redacted) Which?
- 5 A. [12:09:01] Yes.
- 6 Q. [12:09:03] Or both?
- 7 A. [12:09:05] Both.
- 8 Q. [12:09:06] Okay. I think you mentioned the name of (Redacted), but what is the
- 9 name of (Redacted)?
- 10 A. [12:09:16] Yes, I did. (Redacted).
- 11 Q. [12:09:28] Okay. And (Redacted); is that right?
- 12 A. [12:09:31] Yes.
- 13 Q. [12:09:39] (Overlapping speakers) And did General Bozizé have a financial stake
- 14 (Redacted)
- 15 PRESIDING JUDGE SCHMITT: [12:09:47] You're hard to hear at the moment. I
- 16 don't know why.
- 17 MR VANDERPUYE: [16:49:00] Oh, I'm sorry. My mic -- can you hear me now?
- 18 PRESIDING JUDGE SCHMITT: [12:09:50] The microphone is on. Probably you
- 19 spoke into the wrong direction, so we didn't hear you.
- 20 MR VANDERPUYE: [12:09:54] Sorry, excuse me.
- 21 Can you hear me now? Yes.
- 22 Q. [12:09:58] Did General Bozizé have a financial stake (Redacted)?
- 23 A. [12:10:08] No, (Redacted).
- 24 Q. [12:10:13] Okay. And what was the relationship with (Redacted)
- 25 (Redacted), (Redacted) that sort of

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1 thing?

2 A. [12:10:32] Yes, (Redacted).

3 Q. [12:10:37] And how long were you (Redacted) -- if I can call it that -- how
4 long were you in (Redacted)?

5 A. [12:10:57] Well, we started in 2010, but it was in 2011, it was in (Redacted)
6 (Redacted)

7 Q. [12:11:12] How long did (Redacted)?

8 A. [12:11:20] I could -- I would put it at two years and a half or three years,
9 thereabouts.

10 PRESIDING JUDGE SCHMITT: [12:11:26] Mr Vanderpuye, I assume that you're
11 asking what was the core or the subject of (Redacted)? You know, (Redacted), okay,
12 can mean many things. Otherwise, I would ask. Perhaps -- perhaps I can ask then.

13 MR VANDERPUYE: [12:11:40] Thank you, Mr President.

14 PRESIDING JUDGE SCHMITT: [12:11:42] Mr Witness, what was the subject of this
15 (Redacted)? Can you just explain this to the Court a little bit more in detail?

16 THE WITNESS: [12:11:54](Interpretation) (Redacted)

17 (Redacted). (Redacted)

18 (Redacted). (Redacted)

19 (Redacted), we had initiated steps to get registration of the company with the
20 partners. And then the registry or registration of the company only effectively took
21 place at the time of the events. And that's how we left.

22 MR VANDERPUYE:

23 Q. [12:12:35] Okay, understood. So you're talking about (Redacted)
24 (Redacted)?

25 A. [12:12:45] Yes -- no, no, no. The -- (Redacted)

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1 (Redacted). (Redacted). And (Redacted)

2 (Redacted)

3 THE INTERPRETER: [12:13:15] If we understood the witness.

4 MR VANDERPUYE: [12:13:17]

5 Q. [12:13:18] All right. I think that's -- that's fine.

6 And forgive me if I'm repeating the question. After 2013, what was your contact

7 with General Bozizé like? Was it frequent, infrequent?

8 A. [12:13:45] Well, in March 2013 (Redacted)

9 (Redacted). (Redacted)

10 (Redacted).

11 Q. [12:14:16] And since he's gone into exile to today, have you had an -- have you

12 been in contact with him?

13 A. [12:14:27] No. From the time in Uganda we lost contact. (Redacted)

14 (Redacted)

15 (Redacted).

16 Q. [12:14:47] (Redacted)

17 A. [12:14:55] (Redacted)

18 Q. [12:15:06] Okay. All right. Just one other question.

19 Does the name and title Chief Warrant Nico mean anything to you?

20 A. [12:15:31] Please, what's the question?

21 Q. [12:15:33] Someone of the title of Chief Warrant - in the presidential

22 guard - Nico, does that mean anything to you?

23 A. [12:15:50] Nico was a warrant officer -- first warrant officer. He was the first

24 officer who worked in President Bozizé's cabinet.

25 Q. [12:16:04] And were you in contact with him (Redacted)

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1 (Redacted) earlier on?

2 A. [12:16:21] Please can you be specific in your question.

3 Q. [12:16:24] Yeah, sure. In terms of (Redacted), let me flip

4 it -- turn it a different way.

5 (Redacted) he ever involved with you or him?

6 A. [12:16:41] When (Redacted) shortly thereafter, but then

7 went on to Senegal. He came, spent two weeks, and then went to Senegal with his

8 wife.

9 PRESIDING JUDGE SCHMITT: [12:17:00] Ms Dimitri?

10 MS DIMITRI: [12:17:01] Yes, Mr President. I'm sorry for the interruption. My

11 client would like to step out for a minute.

12 PRESIDING JUDGE SCHMITT: [12:17:09] Yeah, of course.

13 MS DIMITRI: [12:17:11] Thank you.

14 PRESIDING JUDGE SCHMITT: [12:17:12] Then we wait. No problem.

15 MS DIMITRI: [12:17:16] Thank you, Mr President.

16 (Mr Yekatom exits the courtroom)

17 (Pause in proceedings)

18 (Mr Yekatom enters the courtroom)

19 PRESIDING JUDGE SCHMITT: [12:18:49] You may continue.

20 MR VANDERPUYE: [12:18:52] Thank you, Mr President. Thank you very much,

21 Mr President. I think we can go into public session again.

22 PRESIDING JUDGE SCHMITT: [12:18:56] Yeah, public session. It's not easy at the

23 moment, I understand that, but we'll give it a try.

24 MR VANDERPUYE: [12:19:04] Thank you.

25 (Open session at 12.19 p.m.)

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1 THE COURT OFFICER: [12:19:57] We are back in open session, Mr President.

2 MR VANDERPUYE: [12:20:02] Thank you very much.

3 Q. [12:20:05] A little bit earlier on you mentioned -- you mentioned a certain
4 involvement you had in respect of a rebellion, and I wanted to take you back to 2012
5 and ask you some questions about that period.

6 So if you could just tell the Chamber when you first heard about the existence of the
7 Séléka.

8 A. [12:20:50] It was in 2012. I heard mention of the advance of the Séléka towards
9 Birao.

10 Q. [12:21:05] And what did you hear about it exactly? What did you know about
11 what was going on at that time?

12 A. [12:21:17] What I knew at the time is that the Séléka were coming and
13 committing crimes in villages and towns, burning down houses as they advanced.
14 And we also knew that they were not Central Africans. They were Chadians and
15 Sudanese who were coming, burning down houses and what have you. And that's
16 how it all started. And then it is only after the Brazzaville -- or, rather, Libreville
17 forum, that the leaders of the movement were known as they introduced themselves
18 to the Central African Republic.

19 Q. [12:22:03] And among the leaders that were known at that time would be whom,
20 to the best of your recollection? This is the leaders of the Séléka coalition; is that
21 right?

22 A. [12:22:21] The leaders of Séléka were Michel Djotodia, Nouradine Adam, those
23 are the ones I knew. Joachim Kokaté was the one who left Séléka and joined
24 government at the time.

25 Q. [12:22:49] So he was in the Séléka; is that right? According to your

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1 information?

2 A. [12:22:55] Yes, yes, yes. He had made statements on the radio that he had been
3 part of it at the beginning.

4 Q. [12:23:06] And the three individuals you named were, well, let's say leaders in
5 that Séléka coalition; is that right?

6 A. [12:23:22] Yes.

7 Q. [12:23:22] And do you know if Michel Djotodia is Central African or Chadian or
8 Sudanese?

9 A. [12:23:35] He is Central African.

10 Q. [12:23:38] And what about Joachim Kokaté?

11 A. [12:23:43] Yes, he is a Central African.

12 Q. [12:23:47] And Nouradine Adam?

13 A. [12:23:51] Well, as for him, it was always a question whether he was Sudanese
14 or Central African, so I don't -- I don't know the answer to that question.

15 Q. [12:23:59] Okay. So you heard that this Séléka movement had begun in 2012
16 and were committing crimes during that period of time? Yeah.

17 A. [12:24:15] Yes.

18 Q. [12:24:16] About when in 2012 did you hear about the Séléka for the first time?

19 A. [12:24:34] I do not remember the exact month, but it was in 2012 that they
20 started.

21 Q. [12:24:40] And what did you hear about the kinds of crimes they were
22 committing?

23 A. [12:24:51] They burnt down houses in villages and they burnt people -- I mean
24 they burnt houses with people in them.

25 Q. [12:25:03] You heard that they were committing very serious crimes, atrocities,

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1 exactions I think is some of the words we use here?

2 A. [12:25:13] Yes, that's correct. Yes.

3 Q. [12:25:15] And did you hear about how many they might have been or were at
4 that time? Did you hear anything about that?

5 A. [12:25:28] Yes, there were -- there were many of them, very many of them.

6 Q. [12:25:33] Okay. Did you hear anything about approximately how many they
7 might be or -- or that's just not something that you discussed or heard about?

8 A. [12:25:42] Well, at the time I remember that their spokesperson Narkoyo said
9 that there were about 20,000 elements, and he said that on RFI. He said 20,000
10 troops.

11 Q. [12:26:06] And that was in 2012?

12 A. [12:26:09] 2012.

13 Q. [12:26:14] Okay. And their advance continued through the end of that year.
14 Do you --

15 A. [12:26:25] Yes.

16 Q. [12:26:26] And from where did they come? Did they come from the east of the
17 country -- or through the east of the country? Let me put it that way.

18 A. [12:26:41] They came from the border between Central African Republic and
19 Chad. Northwest, so to speak, northwest. Yes.

20 Q. [12:26:56] Northwest you said?

21 A. [12:26:59] Yes. Yes.

22 Q. [12:27:01] And were you aware of whether there were Séléka groups coming
23 from the east?

24 A. [12:27:16] No.

25 Q. [12:27:19] Do you know the town of Ndélé? Have you heard that name before?

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1 A. [12:27:28] Yes.

2 Q. [12:27:29] And did you hear at some point about a Séléka offensive at Ndélé the
3 end of the year?

4 A. [12:27:38] End of which year? 2012?

5 Q. [12:27:43] 2012 -- I'm sorry. I've overlapped, sorry.

6 Yes, I'm thinking about 10 December, or thereabout, 2012.

7 A. [12:28:02] Yes.

8 Q. [12:28:02] And What did you hear about that?

9 A. [12:28:08] Well, the same thing. They were committing exactions, torching
10 houses, and people sought refuge in the -- in the bush. But they committed those
11 crimes in the areas under their occupation.

12 Q. [12:28:25] In that period of time around the end of the year, where were you?
13 Were you in -- where were you?

14 A. [12:28:33] I was in Bangui.

15 Q. [12:28:37] And what you're relating to us now is what you heard about what
16 they were doing; is that fair?

17 A. [12:28:53] Yes, yes.

18 Q. [12:28:53] And I take it that that was in broad circulation in Bangui at the time?

19 A. [12:29:00] Yes, yes, yes.

20 Q. [12:29:05] And at that time, were you still in contact with certain circles of
21 people that we discussed a little bit earlier in your neighbourhood and -- and that?

22 A. [12:29:27] Yes. Yes, yes.

23 Q. [12:29:30] What was, generally speaking, their reaction to what was happening
24 in the north of the country? Because Ndélé is certainly north of Bangui. But what
25 was their reaction around that time?

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1 A. [12:29:48] Like everybody, surprised. And they were wondering why were
2 these people coming. And we were told that they were Sudanese, the Janjaweed that
3 were coming into the Central African territory and that were committing crimes and
4 serious abuses. And the military were -- showed an interest and readied to go into
5 the field. And that's how it was.

6 Q. [12:30:32] I think -- yeah. I think you said that you were told that they were
7 Sudanese, I guess, and Chadians and Janjaweed?

8 A. [12:30:47] Mm-hmm.

9 Q. [12:30:48] Where was that information coming from?

10 A. [12:30:51] From the government, from the government.

11 Q. [12:30:56] Okay. And when did that start? When did you start hearing that
12 from the government?

13 A. [12:31:13] In 2012.

14 Q. [12:31:14] Early in 2012 or later in the year?

15 A. [12:31:20] Not really the beginning. Maybe April, something like that, I would
16 think. Because in the beginning of the year it would have been ...

17 Q. [12:31:37] All right. All right.

18 So relatively early in 2012 the government was talking about people coming from
19 Sudan and Chad and other places?

20 A. [12:31:49] Yes.

21 Q. [12:31:52] And you heard this on the radio and -- how did you hear this?

22 A. [12:31:58] Yes, on the radio.

23 Q. [12:32:00] All right.

24 A. [12:32:01] On the Central African radio.

25 Q. [12:32:06] Okay. How often would you say you heard that on the radio?

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1 Often? Every day?

2 A. [12:32:15] Often. In the papers, in the press, on all the radio stations.

3 Q. [12:32:23] Okay. And that was widely available, I guess, in Bangui at the
4 time, no?

5 A. [12:32:31] Yes, yes.

6 Q. [12:32:33] And do you know -- or can you recall any specific messages or radio
7 broadcasts concerning this that jump out at you today?

8 A. [12:32:54] Well, I remember - well, this was afterwards, actually - the forum.

9 There was an advance and Bozizé made statements at the zero roundabout to ask the
10 population to step up to the mark, these people coming towards Bangui, these are
11 faithless people that are invading your country. And that was the thing he said.

12 And that was after the Libreville forum, do forgive me. He made a statement.

13 Q. [12:33:38] Was that a radio broadcast that you heard, or was that a rally at PK0
14 that you attended along with other people, or what is your recollection of that?

15 A. [12:33:56] No, it was a meeting. It was a political meeting.

16 Q. [12:34:02] A political meeting. Okay. And aside from that one --

17 A. [12:34:10] Yes.

18 Q. [12:34:11] Okay. Aside from that one, did you hear -- you know, you
19 mentioned that you heard some radio broadcast. Do you recall who might -- or who
20 was speaking during those broadcasts? Was it government officials, civil society, if
21 you want to put it that way, radio personalities; do you recall?

22 A. [12:34:42] Yes, it was journalists, and the presidential press -- members of the
23 presidential press were talking to the civil society, and religious figures also
24 sometimes spoke.

25 Q. [12:34:59] Okay. Does the name Zama ring a bell with you?

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1 A. [12:35:11] Yes.

2 Q. [12:35:12] And I don't want to know how you know, but who is Zama?

3 A. [12:35:20] The presidential press director general at the time.

4 Q. [12:35:28] And do you recall if he was making speeches of the nature that you've
5 just described?

6 A. [12:35:40] Yes, he was making speeches on the radio.

7 Q. [12:35:45] Speeches about the Séléka coming from Sudan, Chad (Overlapping
8 speakers) Janjaweed, all of that?

9 THE INTERPRETER: [12:35:54] Overlapping speakers.

10 THE WITNESS: [12:35:58](Interpretation) Yes. Yes.

11 MR VANDERPUYE: [12:35:59]

12 Q. [12:36:00] Okay. Do you know someone named Banga? Does the name
13 Banga mean anything to you?

14 A. [12:36:09] Yes, the director general of Central African radio.

15 Q. [12:36:14] And do you recall anything -- any emissions by him personally, if not
16 Central African radio, along the lines we've just discussed?

17 A. [12:36:41] Yes, yes. There was a programme that was brought out
18 Atinga (phon). It was talking about the sitting president's political activity at the
19 time, and he was criticising the people who had come in, who were coming in, who
20 were rebelling against the incumbent government.

21 Q. [12:37:08] Do you know if there's any association between Banga - I understand
22 his name to be David Banga, does that sound right - David Banga and General
23 Bozizé's government at that time? Do you know if there was any association
24 between him as the director general of Central African radio and the incumbent
25 regime?

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1 A. [12:37:44] He was a supporter of the Kwa Na Kwa party, so he was appointed
2 director general of the radio. And that's what he did, and he spoke in that capacity.

3 Q. [12:38:00] Okay. Thank you.

4 And this Zama that we were talking about before, obviously he was part of the
5 government itself; is that right? As the communications director?

6 A. [12:38:16] Yes.

7 Q. [12:38:17] All right.

8 MR VANDERPUYE: [12:38:21] Mr President, I thought you had a question
9 so -- okay. Sorry.

10 PRESIDING JUDGE SCHMITT: [12:38:25] I was just listening attentively.

11 MR VANDERPUYE: [12:38:27] That's encouraging. Thank you very much.

12 Q. [12:38:33] Now, I think you said that this sort of talk was going on since at least
13 the first half of 2012; is that -- is that right?

14 A. [12:38:53] Yes.

15 Q. [12:39:02] More or less?

16 A. [12:39:02] Yes, yes.

17 Q. [12:39:02] And how would you describe it in terms of the frequency or its
18 intensity between earlier 2012 compared to late 2012, December going into -- going
19 into 2013? How would you describe it?

20 A. [12:39:32] Well, civil society and the Kwa Na Kwa party did a number of actions
21 to denounce local and international press and talking about the barricades, talking
22 about what the Séléka was doing, was marshalling their supporters.

23 Q. [12:40:02] You've referred a couple of times to the Kwa Na Kwa party, and I
24 wondered if you might expand on that a little bit and tell the Chamber what that
25 party is and who -- who is associated with that party.

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1 A. [12:40:24] Okay. Kwa Na Kwa is the party of Bozizé. It's his party. At the
2 time that's what it was. General Bozizé was the president and founding father of
3 that party.

4 Q. [12:40:49] And you talked about just a moment ago -- sorry to say, I don't have
5 the -- I didn't put the transcript up, but you mentioned a moment ago that part of the
6 effort there was to get people -- I don't want to say mobilised, but something like that,
7 call people to action. Would that be fair to say?

8 A. [12:41:13] Yes. Not internal action. Civil society tried to raise awareness
9 among the civil society to get them to refuse the rebellion and the presidential party
10 was doing the same thing.

11 Q. [12:41:36] I understand. I understand. Okay.
12 And towards the end of 2012, what sorts of actions were you aware of
13 that -- that the -- the government was engaging in, in terms of raising awareness
14 concerning the situation regarding the Séléka and the Séléka crimes? What sorts of
15 things were they doing?

16 A. [12:42:17] Well, I wasn't really in the government to see, but as an external
17 observer I would say that they were organising things. There was the press directors
18 organising radio broadcasts from 6 in the morning, and civil society established the
19 COCORA, a movement designed to call young people to action and raise awareness
20 in them about this Séléka advance.

21 Q. [12:43:07] And in terms of calling young people to action there were -- there
22 were groups, I guess, that were -- well, had differing views on what kind of action the
23 young people should be involved in. Some groups refrained, I would say, from
24 joining in certain actions and some didn't. Can you tell the Chamber a bit about the
25 actions that were engaged in by the -- I think we'll call them the *jeunes républicains*

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1 *pour la paix?*

2 A. [12:44:04] (Redacted) just doing things with private radio. (Redacted)
3 announcements through the radio to get the young people not give in to temptation
4 when thinking about these thieves coming in and to remain loyal to the government
5 and to follow the government's instructions. It had been a democratically elected
6 government, so the rebellion couldn't be accepted and also had to talk about what
7 was -- talked to the hospitals, the schools. (Redacted)

8 THE INTERPRETER: [12:44:47] Can counsel please turn off his mic when the
9 witness is speaking because it makes it difficult to hear properly. Thank you very
10 much.

11 PRESIDING JUDGE SCHMITT: [12:44:55] May I shortly, Mr Vanderpuye.
12 Mr Witness, you use the word "rebellion". What do you -- what has been
13 understood by you at the time, or perhaps also in the -- in the public domain, why
14 this was a rebellion? Can you explain why you used this expression?

15 THE WITNESS: [12:45:17](Interpretation) Yes, rebellion, people who are entering
16 into rebellion go against a democratically elected government. So things aren't
17 straightforward in Central African Republic. People who revolted in this way
18 rebelled, and that's why I described it as a rebellion.

19 PRESIDING JUDGE SCHMITT: [12:45:41] I was not so clear, and perhaps I should
20 speak out why I ask about the expression. You know, "rebellion", from a normal
21 understanding of the word, would mean that people from inside would rebel against
22 something. So perhaps this might help you to expand a little bit on it.

23 THE WITNESS: [12:46:14](Interpretation) Yes, the people who refuse democratic
24 action and the legal action on the part of the government are faithless people who rise
25 to trample the rights of the villages and the underprivileged. And so they were

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1 called rebels, and what they did is described as a rebellion or a revolt.

2 PRESIDING JUDGE SCHMITT: [12:46:46] Okay.

3 Mr Vanderpuye.

4 MR VANDERPUYE: [12:46:49] Thank you very -- thank you very much for that

5 clarification. Thank you, Witness. Thank you, Mr President.

6 Q. [12:46:55] So there were different groups that reacted differently to this rebellion,

7 and by that you mean the actions of the Séléka alliance in 2012?

8 A. [12:47:08] Yes, yes.

9 Q. [12:47:10] And some were more pacifist, if you could put it that way, and some

10 were more active.

11 Would that be fair to say?

12 A. [12:47:26] No. It was afterwards, after the power was taken that some people

13 became pacified. But at the beginning people had very entrenched positions in

14 terms of their objectives and in terms of overflowing -- overthrowing the Bangui

15 power base.

16 Q. [12:47:49] Okay. And we'll -- I think we'll come to that in a little while.

17 You just mentioned previously a group called COCORA. What can you tell us about

18 COCORA?

19 A. [12:48:11] The COCORA group is a movement within civil society coordinated

20 by Yakete in the arrondissements around Bangui.

21 Q. [12:48:36] You mentioned -- and just so the record is clear, you mentioned

22 someone by the name of Yakete.

23 A. [12:48:47] Yes, that's right.

24 Q. [12:48:48] Do you know Yakete's full name or name?

25 A. [12:48:56] Levy Yakete.

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1 Q. [12:48:59] And do you know approximately when or around when this
2 COCORA movement came into being?

3 A. [12:49:19] Towards the end of 2012. That's when it emerged.

4 Q. [12:49:25] And besides Levy Yakete, do you know anyone else that was
5 involved -- of, rather -- do you know of anyone else that was involved with that
6 group?

7 A. [12:49:44] There was him and -- and the presidential press director general who
8 came, and he was the spokesman for the COCORA. And there was Papa, who I
9 knew very well, and he was very involved in the movement.

10 THE INTERPRETER: [12:50:02] The interpreter missed the name, but ended
11 with Papa.

12 MR VANDERPUYE: [12:50:09]

13 Q. [12:50:10] You've mentioned someone by the name of Papa. Could you please
14 just restate -- say it again so that we can have it clear?

15 A. [12:50:22] It was the name of the director general, Zama Javon Papa, director
16 general of the presidential press.

17 Q. [12:50:37] All right. So that's Javon Papa Zama, right?

18 A. [12:50:47] Yes, yes.

19 Q. [12:50:48] And Levy Yakete is the other person, or Yakete is the other person
20 you referred to; is that right?

21 A. [12:50:55] Yes.

22 Q. [12:50:56] Do you know what the acronym COCORA stands for?

23 A. [12:51:05] I can't remember. I can't remember what it stands for.

24 Q. [12:51:11] If I were to suggest to you that it's *Coalition citoyenne d'opposition aux*
25 *rébellions armées*, would that sound right to you?

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1 A. [12:51:24] Yes, that's right.

2 Q. [12:51:27] And in terms of the activities of this movement or group, how many
3 people would you say or did you know at the time were involved with it?

4 A. [12:51:39] In the arrondissements around Bangui, they had branches in each
5 Bangui neighbourhood.

6 Q. [12:51:57] And what kind of people were involved with COCORA? Young
7 people? Ordinary people? (Overlapping speakers) *Pardon?* Sorry, sorry.

8 A. [12:52:13] It was young people, and ordinary people were involved.

9 Q. [12:52:27] And do you know about how many people we're -- we're talking
10 about in terms of the size of the movement or the size of the organisation?

11 A. [12:52:44] I couldn't give an exact figure, but they've got branches in all the
12 Bangui arrondissements.

13 Q. [12:52:56] And the purpose of those branches was for what? To recruit youth,
14 bring them on board?

15 MR KNOOPS: [12:53:03] Mr President, it would be quite helpful if there's first a
16 foundation to be laid by the Prosecution about these alleged facts.

17 PRESIDING JUDGE SCHMITT: [12:53:13] No, but he can ask what was the purpose
18 of these branches.

19 MR KNOOPS: Yeah, but --

20 PRESIDING JUDGE SCHMITT: [12:53:17] I don't see a problem.

21 MR KNOOPS: [12:53:18] -- how can we verify how the witness knows this? I think
22 we have to be very efficient, and in our cross-examination we have to come back to
23 this question. So in my submission, it would be helpful if there's first a foundation
24 how the witness does know about the composition of COCORA and other questions
25 which are put to him. He is not an expert. He's a fact witness, so it's very

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1 important (Overlapping speakers)

2 PRESIDING JUDGE SCHMITT: [12:53:48] Yeah, but (Overlapping speakers).

3 MR VANDERPUYE: [12:53:49] Just -- just maybe I can clarify it a little bit.

4 PRESIDING JUDGE SCHMITT: [12:53:51] Yeah, I think -- I think we can do that. I

5 don't see a huge problem here. Perhaps you can try to lay this foundation a little bit

6 now. And the witness has already said that there were these branches, but of course

7 this does not, does not mean that he knows exactly what structure it had, so ...

8 MR VANDERPUYE: [12:54:08] Yes. What I had hoped to do was to lead general

9 information - we're in public session, I think - and then in private session be more

10 profound in terms of his basis of knowledge. But I can do this -- I can do it either

11 which way.

12 PRESIDING JUDGE SCHMITT: [12:54:23] No, no. I think -- Mr Knoops, I think

13 you're fine with that approach. So it will be laid. I understand that. So -- and,

14 actually, I'm a little bit responsible for that because I said we should group the

15 questions as far as possible together in a way that we can stay as long as possible in

16 public session. So if you do that later on in private session, fine. Because any

17 information that the witness might give where he knows that from might, of course,

18 potentially reveal his identity. So I think there's some logic in it.

19 Thank you, Mr Vanderpuye. Please continue.

20 MR VANDERPUYE: [12:55:00] Thank you, Mr President.

21 Q. [12:55:03] Well, just in terms of the purpose of these branches and the movement,

22 what was your understanding of what they were doing at these branches?

23 A. [12:55:22] Well, the branches had to condemn people who were complicitous

24 with the Séléka coalition, to find them out, to identify them, to see if they're hidden.

25 Because at the end of 2012, we learned that Séléka had entered very much into Balaka

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1 and so that was the objective.

2 Q. [12:55:55] I just want to clarify something for the record. I don't know if that's
3 how you meant it, but in the record it says that -- that you said just now that the
4 Séléka entered very much into the Balaka or Balaka. Is that what you said? Or did
5 you say Bangui?

6 A. [12:56:16] Bangui. They were entering Bangui, Bangui.

7 Q. [12:56:22] Thank you. Thank you for that clarification.

8 And so part of the purpose of COCORA and the various satellite or various offices
9 they had around was to ensure that people were, well, doing the things you said,
10 making sure that people were not hidden when coming into the city. Does that
11 sound about right?

12 A. [12:57:00] Sorry?

13 Q. [12:57:01] That's my fault. I'm sorry. It was a bad question. I'll try again.
14 Part of the purpose of these various offices of COCORA and COCORA itself was to
15 find people that were hidden?

16 A. [12:57:20] Yes. The Séléka who had already got inside Bangui and their -- their
17 accomplices.

18 Q. [12:57:36] And their accomplices, what did you understand that to mean, the
19 accomplices of the Séléka that you just referred to?

20 A. [12:57:57] Well, people who were in contact with Séléka and Séléka which had
21 taken minor roads around Bangui to get into Bangui. Because their objective, of
22 course, was to get into Bangui in droves, and so people who already got in by foot, on
23 motorbikes, they had already got into Bangui. So COCORA, therefore, marshalled
24 every effort to condemn and denounce any accomplice. And that's what we were
25 calling the accomplices.

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1 Q. [12:58:40] Okay. And did you hear about how it is they organised to do that or
2 intended to interrupt or detect the flow of Séléka coming into Bangui?

3 A. [12:59:00] I don't really know. I don't really know. But I do know is, that
4 it's -- how can I put it? It's the Runga, the Muslims, the Gula were more targeted as
5 being the accomplices of those people.

6 Q. [12:59:28] I see. And they were targeted where? In and around Bangui?

7 A. [12:59:43] Yes, yes.

8 MR VANDERPUYE: [12:59:45] Okay.

9 Mr President, I think you indicated that 1 o'clock we would stop.

10 PRESIDING JUDGE SCHMITT: [12:59:50] Yes.

11 MR VANDERPUYE: [12:59:51] I'm happy to stop here, if that's okay with you.

12 PRESIDING JUDGE SCHMITT: [12:59:53] That's fine. It's one minute to 1 o'clock,
13 so I won't complain. And then we continue at 2 o'clock. As I said, we have a
14 shortened lunch break, and we have a longer afternoon session so that we can cope a
15 little bit with the time problem that we might have created today. But I think we are
16 quite well on track. That is also because I have pushed a lot yesterday.

17 And, Mr Knoops, I think you will bear with me, but you were able to finish at 5.

18 I think that must have been yesterday the longest session we ever had continuously at
19 this court. So we won't repeat it constantly.

20 So we continue at 2 o'clock.

21 THE COURT USHER: [13:00:36] All rise.

22 (Recess taken at 1.00 p.m.)

23 (Upon resuming in open session at 2.02 p.m.)

24 THE COURT USHER: [14:02:50] All rise.

25 Please be seated.

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1 PRESIDING JUDGE SCHMITT: [14:03:20] Good afternoon, everyone.

2 Good afternoon, Mr Witness.

3 Mr Vanderpuye, you can continue with your examination.

4 MR VANDERPUYE: [14:03:33] Thank you, Mr President. Good afternoon to you.

5 Good afternoon, your Honours.

6 Q. [14:03:38] Good afternoon, Witness.

7 We're in open session, right? Yes, okay.

8 As we left off, I think I had asked you some questions about some of these groups in

9 Bangui that were organising themselves, if you will, at the time that the Séléka was

10 advancing. And you had mentioned a group called COCORA and what they were

11 doing. And to your recollection, do you know if COCORA was organised to erect

12 roadblocks or intercept individuals suspected of collaborating with the Séléka in and

13 around Bangui?

14 A. [14:04:45] Yes. Yes.

15 Q. [14:04:51] And if you know, what was the relationship, if there was one,

16 between COCORA and the Bozizé government at that time?

17 A. [14:05:13] COCORA was organised by Yakete, who was a KNK supporter and

18 also national director of an entity, a press director. And some senior officials of the

19 COCORA were involved in the Balaka movement. Papa is a case in point. David

20 Banga. And -- and some other members of the KNK party.

21 Q. [14:06:04] All right. I just need to clarify a few things, because maybe I

22 misheard you. But are you saying that Papa Javon Zama and David Banga were part

23 of the Anti-Balaka movement later on, is that what you're saying? Or they were part

24 of COCORA at the time, or both?

25 A. [14:06:35] No. No, it was part of the COCORA coordination.

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1 Q. [14:06:40] Okay. That's -- that's much more clear, to me anyway.

2 Have you ever heard of a group called COAC? Not COCORA, but COAC.

3 A. [14:06:56] No.

4 Q. [14:06:57] And maybe I ask it this way: *Comité d'organisation des actions*
5 *citoyennes*, have you heard of that?

6 A. [14:07:18] No. I know that gravitating around COCORA there were other
7 movements that were affiliated, but I -- I'm not familiar with ...

8 Q. [14:07:28] And does the name Steve Yambété ring a bell? Have you heard that
9 name before?

10 A. [14:07:36] Yes, I have.

11 Q. [14:07:37] And without telling us how you know just now, but in what context
12 have you heard that name?

13 A. [14:07:51] He was a former liberator, an army lieutenant. I was in the same
14 arrondissement with him.

15 Q. [14:08:02] And just so that the Chamber is a bit informed about this, what do
16 you mean by "a former liberator"? How do you mean?

17 A. [14:08:19] That's the name of the Bozizé rebellion group in 2003 when they came
18 to take over power.

19 Q. [14:08:29] Oh, I see. So I'm given to understand then that Steve Yambété would
20 have been part of the group that helped usher Bozizé in in March 2003; is that right?

21 A. [14:08:40] Yes.

22 Q. [14:08:41] I see, okay. All right.

23 MR VANDERPUYE: If we could just go briefly -- well, maybe not briefly, but into
24 private session, Mr President.

25 PRESIDING JUDGE SCHMITT: [14:08:54] Yes, private session.

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1 (Private session at 2.09 p.m.) *(Reclassified partially in public)

2 THE COURT OFFICER: [14:09:10] We are in private session, Mr President.

3 MR VANDERPUYE: [14:09:14] Thank you.

4 Q. [14:09:17] Sir, you may recall a little while earlier I indicated that I would ask
5 you some general questions and then I would ask you how it is that you know some
6 of the things that you're talking about, so --

7 A. [14:09:31] Yes.

8 Q. [14:09:31] And I apologise for having to do it this way, but I think it's probably
9 better, to make sure that your identity is protected.

10 All right, so let me ask you a few questions.

11 In terms of COCORA and Levy Yakete, can you tell us how it is that you came to
12 know what COCORA was and what COCORA was doing. What is -- what is the
13 basis of that information?

14 A. [14:10:10] Levy Yakete was calling upon the associations in the civil society for
15 the COCORA coordination and young Central African people. In his residence there
16 was an area where -- or a room in which he could organise meetings, and (Redacted)
17 (Redacted) also went to listen, listen to him and to hear the news he was going to
18 be giving to the associations and the people who were affiliated to COCORA. And
19 that's how I knew the scheduling of the meetings, the location of the meetings in his
20 residence, and that he was coordinating actions and he -- he was trying to increase the
21 movement to take over the entirety of Bangui. He needed supporters of former civil
22 society associations which already had a supporter base to -- to swell the ranks of the
23 COCORA, and that's how (Redacted) was invited to provide a contribution to be
24 involved in the COCORA meetings and that was the first time that I came.

25 Q. [14:11:53] And would that have been at the end of 2012, I suppose?

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1 A. [14:11:58] Yes, yes.

2 Q. [14:12:01] Did you ever discuss what COCORA was doing or intended to do

3 (Redacted)?

4 A. [14:12:19] Well, COCORA wanted to oppose this rebellion that was advancing

5 and to denounce and condemn all accomplices. That was the clear purpose. So

6 every evening they gave advice to young people in all the neighbourhoods or the

7 affiliated associations to set up barricades to check and search people who entered

8 Bangui after 6 p.m. And that's what they did and that that was -- that was the

9 instruction.

10 Q. [14:13:00] Do you know how they managed to do that? Were they -- were they

11 supplied with equipment, money, things like that, in order to mobilise, disperse and

12 do what was asked of them?

13 A. [14:13:16] Well, what I can tell you, I didn't see any money per se, but cafés were

14 surveilled in each arrondissement where there were COCORA branches, and they

15 covered also coffee and sugar to help young people resist.

16 Q. [14:13:40] And I may have asked you before, but how many people were

17 involved in it, let's say the young people? Are you able to estimate at all?

18 A. [14:13:58] No. It was across all of Bangui's arrondissements. In all the

19 arrondissements they were there, but I couldn't tell you how -- I couldn't give you a

20 number, no.

21 Q. [14:14:12] Okay. That's fair enough. And the individuals that you spoke

22 about, Papa Javon -- Javon Papa Zama and David Banga and other members of the

23 KNK party or members who were part of the coordination of COCORA, did you have

24 a chance to speak to them about the activities of the group, either at that point or any

25 point?

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1 A. [14:14:45] No.

2 Q. [14:14:49] And did you discuss -- or, rather, did you hear anything with respect
3 to Levy Yakete's relationship with Mr Ngaïssona?

4 A. [14:15:09] At what particular time? Could you tell me.

5 Q. [14:15:12] Yes, towards the end of the -- end of 2012 and into the beginning of
6 2013.

7 A. [14:15:18] What I can tell you is that their relationship began in Cameroon, not
8 Bangui. I don't know what their relationship was in Bangui. It started in
9 Cameroon.

10 Q. [14:15:32] All right.

11 MR KNOOPS: [14:15:35] Mr President, I'm sorry, but I -- it's my submission this
12 information could have been elicited in open session. I think it's important that it's
13 being presented in open session because it has nothing to do with the identity of the
14 witness (Overlapping speakers)

15 PRESIDING JUDGE SCHMITT: [14:15:52] Yeah, yeah, I understand. That is also
16 inevitable, that this sometimes happens, because it already puts a strain and some sort
17 of pressure --

18 MR KNOOPS: [14:16:05] I understand.

19 PRESIDING JUDGE SCHMITT: [14:16:07] No, let me -- let me explain -- on the
20 parties and participants, especially on the examiners, to group it. And you
21 can't -- you can't be 100 per cent sure what can be elicited in private session -- what
22 has to be elicited in private session and what can be elicited in open session. But,
23 you know, we can fix this later on. This can be, you know, this -- this can be lifted.
24 And I don't see -- see a problem here in that regard.

25 But I'm absolutely sure that also Defence counsel will come into a situation where we

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1 would say, "Okay, couldn't that have been elicited in open session?" And I can only

2 say today from the questioning, Mr Vanderpuye tries -- tries his best.

3 Yes, please continue.

4 MR VANDERPUYE: [14:16:52] Thank you, Mr President.

5 I think on that basis we can probably go to -- in fact we should, let's go to -- back to

6 open session.

7 PRESIDING JUDGE SCHMITT: [14:17:11] Yes, we can go back to open session.

8 And perhaps you can simply introduce your next question with the answer of the last

9 question, then we have it in open session.

10 MR VANDERPUYE: [14:17:20] It's a bit disconnected, but that's okay (Overlapping

11 speakers)

12 PRESIDING JUDGE SCHMITT: [14:17:26] Yeah, of course it is, but you know we are

13 trying out everything.

14 MR VANDERPUYE: [14:17:31] Understood, understood.

15 PRESIDING JUDGE SCHMITT: [14:17:33] The motto being so you said that.

16 MR VANDERPUYE: [14:17:36] I've got it. I've got it.

17 (Open session at 2.18 p.m.)

18 THE COURT OFFICER: [14:18:12] We're in open session, Mr President.

19 PRESIDING JUDGE SCHMITT: [14:18:14] Thank you.

20 MR VANDERPUYE: [14:18:16] Thank you.

21 Q. [14:18:17] Just following on from what you said earlier, where you indicated

22 that, to your knowledge, the relationship between Levy Yakete and Mr Ngaïssona

23 began in Cameroon - I think is what you said - I want to take you to a different

24 area -- or, rather, go back to an area that you've covered previously, and that related

25 to some of the things that you were hearing as the Séléka advance was occurring.

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1 And I think you indicated that you attended a meeting where Bozizé spoke. Do I
2 have that right? That you --

3 A. [14:19:03] Sorry.

4 Q. [14:19:03] That you attended a meeting at PK0 where Bozizé spoke?

5 A. [14:19:11] No, I didn't attend, but there was a big political meeting at PK0.

6 Bozizé left the presidential palace to offer a radio broadcast speech at that particular
7 point.

8 Q. [14:19:29] Okay. I understand now. I just want to play you an audio
9 recording. I'll play it for you, take a listen to it. I'd like you to listen to it in Sango,
10 so I'm going to need you or someone to switch your channel to "Floor". We're going
11 to put the transcript up and then we'll play the tape I think.

12 So the transcript is -- let's see that I have it right here.

13 Hold on a second. The video is 200 -- CAR-OTP-2000-0630 and -- hang on a second.

14 Pardon me. Okay, so the transcript is CAR-OTP-2060-0663. Yeah. And so the
15 idea is to play this from 05:00 to 12:30.

16 All right, fingers crossed, we'll see if we can get the translation at the same time.

17 *(Playing of the audio excerpt CAR-OTP-2060-0678)

18 FB: Eeh... he is not a Central African; why would he declare himself to be our
19 spokesperson? He's a foreigner. He's a foreigner. He is the son of Massi's wife. His
20 father is someone else. His father is from Martinique.

21 Why did the opposition decide to make someone from Martinique their spokesperson?

22 Eeh? But just look at this... when they arrived in Bambari or other places, they
23 destroyed the town; they razed the town to the ground.

24 In Ngakobo, they destroyed the sugar, the sugar production factory. In Bambari, they
25 pillaged businesses. But are these people really builders? Eeeh? Is that their own way

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1 of coming in to build the country, to take over power and develop the country?

2 In spite of all that, you Central Africans, are you going to accept that?

3 The opposition, the democratic opposition, that democratic opposition that we respect,

4 they who are living with us in Bangui, we have never slapped anyone. Are they going

5 to join those individuals? Are they going to join the Janjaweed? Eeeh?

6 The democratic opposition are joining the Janjaweed to overthrow the government in

7 Bangui. No! We must at least engage in politics in this country within the rules; that is

8 not the case. Dialogue? I pointed out the need for that as early as the month of May.

9 I went to Paris on 31 August, and I discussed that issue there. Unfortunately however,

10 I am overwhelmed with work, and that is the only reason why there has been a delay

11 up to this point. Nevertheless, there is no reason to say such and such a person should

12 leave because of dialogue.

13 Why? I am not against dialogue. In fact, we have been involved in a dialogue since

14 2003 to this day, on several occasions.

15 If you want dialogue, since I was the first to talk about it, why don't you, for example,

16 go and meet President Sassou, President Bongo, or President Idriss Deby to initiate a

17 dialogue?

18 That would do just fine. However, to rise up and take up arms, or whatever else, and

19 trigger a war? What then is the reason for this war? I just don't get it at all.

20 After in-depth reflection, I realized that these people have been manipulated.

21 As to the manipulators, you know them all very well. But why orchestrate such a

22 manipulation?

23 The reason is precisely because the Central African Republic is beginning to stand on

24 its own two feet. Because our country now owns a cement factory.

25 It is because if we are left alone, for about two, three or four months, the Chinese will

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1 start extracting our oil without any impediments. That is the only reason which is
2 causing them to instigate the Janjaweed, the foreigners, to come and wreak havoc in
3 the country.

4 There is no other reason. What therefore is the crime that I have committed?

5 Unidentified Speaker: None!

6 FB: All the institutions are functioning well. The judiciary system is independent;
7 there are no political prisoners. There is freedom of the press.

8 The citizens are able to move about freely; anyone can go to Obo and drink palm or
9 raphia wine, or to any other place without a problem. And so why are you in such a
10 hurry to come so early in the morning to kill people; to kill people; to kill people; and
11 to harm our sisters in such an intentional and gratuitous manner?

12 NO! That is not good; it is not good. You must not accept such things by these
13 individuals? It is not good; that is wickedness; it is jealousy; it is witchcraft. That is
14 real witchcraft; real witchcraft. This is not the way that a country is developed. A
15 country is developed in peace; a country is developed in peace.

16 You all know that my politics is based on two things: peace; and.... what?

17 CROWD: The Kwa na Kwa party (work; nothing but work).

18 FB: The Kwa na Kwa party (work; nothing but work).

19 CROWD: The Kwa na Kwa party (work; nothing but work).

20 FB: The Kwa na Kwa party (work; nothing but work).

21 CROWD: The Kwa na Kwa party (work; nothing but work).

22 FB: It is not lies, nothing but lies; it is not war; nothing but war; it is not theft, nothing
23 but theft; it is not disorder, nothing but disorder.

24 All we are saying is work, nothing but work... in peace. And as Boganda said: "All
25 men are equal". Unfortunately, this motto of equality between human beings,

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1 amongst us in Bangui, in the Central African Republic, is encouraging people to
2 capitalize on the situation in order to dominate and harm us.
3 That is why I am appealing for mobilization, by saying that the youngsters cannot sit
4 on their laurels; the women cannot sit on their laurels. You must rise up. Rise up, and
5 stay up. However, standing up does not mean misbehaving. Amongst us, there are
6 certain people who want to disrupt our peaceful march.
7 They are attacking people by throwing stones at them; by throwing stones at them.
8 NO! NO! NO!
9 If you are in front of an embassy or another institution, you have to behave peacefully.
10 A delegation may be constituted to go there and hand over a document, or discuss
11 with the ambassador; that's enough.
12 After that, you disperse, and that's it. You should not go there to throw stones at
13 people; throw stones at people.
14 No! No! No! I am appealing to you to organize your demonstrations peacefully.
15 We can only organize them in accordance with the decision taken by the ECCAS
16 Heads of State. In Ndjamena, they asked for the restoration of peace and stability.
17 They asked the rebels to go back to where they had come from. The rebels must
18 return to their bases of origin.
19 I am in contact with all the Heads of State of the Central African region, and we are
20 prepared to comply with that decision. However, the rebels are not respecting it.
21 These thieves are not respecting it. These trouble makers are not respecting it. These
22 wizards are not respecting it.
23 And it is not for nothing that they are not respecting it; it is because they are
24 foreigners. They are all foreigners. There are many Janjaweed amongst them; far too
25 many Janjaweed. There is no Central African amongst them.

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1 UNIDENTIFIED SPEAKER: None!

2 FB: As you can see, they don't speak Sango; they don't speak French. We are in
3 contact with certain people there who are monitoring them; we are aware of
4 everything that is going on. And so you have to be vigilant. Be vigilant in the various
5 neighbourhoods. In particular, watch out for the foreigners who are living in fenced
6 compounds. They are in the habit of hiding in their compounds. They are waiting for
7 total chaos before coming out and taking action with the aim of killing people, killing
8 people, killing people. You should watch the fenced compounds closely. Surround
9 such compounds and investigate them. Be vigilant. The young people, vigilance,
10 vigilance, vigilance. On the banks of the river towards Mongoumba, in the Damala
11 and Boeing neighbourhoods, in the 8th arrondissement. There are many of them
12 towards Mboko. There are many of them there. You have to be vigilant. Arrest them
13 and hand them over to the Gendarmerie, to the Police. No one should come from a
14 foreign country and enslave us. Be vigilant; do not fall asleep. We are not only dealing
15 with the rebels here; the bigger problem is the foreigners who want to come in and
16 destroy our country gratuitously and intentionally, eeh? During the demonstration of
17 yesterday...

18 MR VANDERPUYE: [14:29:08] Thank you.

19 Q. [14:29:44] Sir, have you heard that speech before?

20 A. [14:29:51] Yes.

21 Q. [14:29:54] And did you recognise who was speaking?

22 A. [14:30:00] Yes.

23 Q. [14:30:02] Who was speaking?

24 A. [14:30:07] François Bozizé.

25 Q. [14:30:09] And when is it that you heard this speech? If you can recall.

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1 A. [14:30:20] When COCORA organised this event, I bet that's when I heard this
2 speech.

3 Q. [14:30:30] Let me just -- you understood what President Bozizé was saying just
4 now, right? And then I suppose? Okay.

5 A. [14:30:43] Yes.

6 Q. [14:30:44] We could hear several references to the term "Janjaweed". What did
7 you understand that to mean?

8 A. [14:30:58] Janjaweed is from Sudan, who also had organised rebellions from
9 Darfur.

10 Q. [14:31:08] And he refers to different areas in and around Bangui. Boeing,
11 I think I heard. And he referred to certain *quartiers*?

12 A. [14:31:23] Yes, he said the people came to Bangui. And he also mentioned
13 those areas, Miskine, Mboko, Boeing. He waited for the others arrived, but he told
14 everybody that they have to be really careful and vigilant.

15 Q. [14:31:44] And they -- you understood that they had to be careful and vigilant of
16 what, exactly?

17 A. [14:32:01] Well, he said that it's the enemies of the republic and they are not
18 Central Africans who are there. They don't speak French or Sango, they only speak
19 English and Arabic. They are foreigners. So if the population sees somebody who
20 doesn't speak French or Sango, then they must belong to Séléka.

21 Q. [14:32:30] I understand, I understand. Well, what if it was me? I don't speak
22 French or Sango, just so you know. Would I be considered a Séléka?

23 A. [14:33:00] You would have your ID. If it's somebody who's normal who
24 doesn't speak Sango, then you would have your identity with you, wouldn't you?

25 Q. [14:33:12] Yeah, that's true, too. Are there areas in the Central African Republic

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1 where people don't speak Sango, to your knowledge?

2 A. [14:33:23] Sango is a national language which is spoken throughout the country.

3 Q. [14:33:31] All right. Do people speak other languages besides Sango in the
4 Central African Republic even if they also speak Sango? Second language, third
5 language?

6 A. [14:33:47] Yes, they speak their ethnic language.

7 Q. [14:33:53] Are there areas in the Central African Republic where Arabic is
8 spoken, to your knowledge?

9 A. [14:34:03] Yes.

10 Q. [14:34:05] Inside the Central African Republic, right?

11 A. [14:34:11] Yes.

12 Q. [14:34:12] And what are those areas, to your knowledge?

13 A. [14:34:20] Birao, Ndélé. There they also speak Arabic.

14 Q. [14:34:28] So if you were from there and you were headed to Bangui at that time,
15 unless you also spoke Sango, then you would be considered a Séléka, is that what
16 you're saying?

17 A. [14:34:47] Sorry?

18 Q. [14:34:47] If you were from those areas as a Central African and you happened
19 to be in Bangui at the end of December 2012, you would be considered a Séléka if you
20 didn't also happen to speak Sango?

21 A. [14:35:03] Yes, yes.

22 Q. [14:35:15] Okay. The speech that I just played you, I believe the indication we
23 have, it's from 27 December 2012. Does that sound about right to you?

24 A. [14:35:32] Yes, that seems right.

25 Q. [14:35:36] And following that speech what was the atmosphere like in Bangui?

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1 I mean, you had COCORA on the ground, I guess, making roadblocks and so on, but
2 what was it like in the town?

3 A. [14:36:00] The town was calm. But in the evening when the barriers were
4 erected, and from 8 o'clock to 4 o'clock in the morning, and checked everything, until
5 then people were able to circulate freely.

6 Q. [14:36:27] Do you know what would happen if somebody, you know, that I just
7 mentioned for example that came from an eastern region in the country, if they were
8 stopped at one of these roadblocks and spoke Arabic, what would happen to them?

9 A. [14:36:48] No, it doesn't have to be that you speak Arabic. But if you spoke
10 Arabic and Sango and you had your ID with you, then they would let you go. But if
11 you only spoke Arabic and you didn't have any ID, then you would be regarded
12 suspiciously.

13 Q. [14:37:15] What would happen to those people, though? The people that were
14 regarded suspiciously, what would happen?

15 A. [14:37:26] In the speech he said, if you find people like that, you have to call the
16 gendarmerie to come immediately to collect them.

17 Q. [14:37:40] And to your knowledge, is that what was happening at these
18 roadblocks and during these searches after hours?

19 A. [14:37:59] Yes.

20 Q. [14:38:02] And in your experience or having lived it, how many people would
21 you say were being brought over to the gendarmerie on a daily basis or, to your
22 knowledge, during that period?

23 A. [14:38:19] I don't really know that.

24 Q. [14:38:21] And did you hear any stories about what happened to people that
25 were stopped and searched and taken away?

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1 A. [14:38:37] Sorry, could you repeat.

2 Q. [14:38:39] Yeah. If somebody were -- did you hear any stories about what
3 happened to the people that were stopped, whether they were taken to the
4 gendarmerie or not taken to the gendarmerie, whether they were let go, whether they
5 were detained?

6 A. [14:39:01] Many went to the gendarmerie.

7 Q. [14:39:09] What about -- what about the ones that didn't go to the gendarmerie?
8 They were let go; is that your understanding?

9 A. [14:39:22] If they were normal people, they let them go. I didn't see any cases.

10 Q. [14:39:29] Did you -- did you hear about any cases?

11 A. [14:39:34] No.

12 Q. [14:39:35] Okay. And how long did this continue? How long did it continue
13 that the roadblocks were set up, people were stopped, searched, detained?

14 A. [14:39:56] Until the Séléka arrived in Bangui in 2013. Then the Séléka arrived.

15 Q. [14:40:07] And did that continue until the coup or did it let up or slow down at
16 some point?

17 A. [14:40:21] No. When the Séléka came to Bangui there was complete
18 destabilisation of the power and everyone fled.

19 Q. [14:40:34] Okay. So people were being stopped and searched even while the
20 talks were occurring in Libreville?

21 A. [14:40:44] Yes.

22 Q. [14:40:46] Okay. And you said that General Bozizé said that people should be
23 taken to the gendarmerie in his speech that we just listened to a moment ago.

24 A. [14:41:02] Yes.

25 Q. [14:41:03] Yes. And they should be taken to the gendarmerie by who, regular

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1 people or by other law enforcement?

2 A. [14:41:16] No, he told the population: "If you find anybody suspects, you have
3 to call the police so that they can come and collect the suspects."

4 Q. [14:41:29] Okay. All right. I think we have to make a correction in the
5 transcript. Thank you for that.

6 In the French transcript it says, page 60, line 3, that you were saying that the Balaka
7 were erecting roadblocks. Is that what you meant to say?

8 A. [14:41:52] The Balaka?

9 Q. [14:41:55] Yeah, that's what the transcript says. But is that what you said?

10 A. [14:42:00] No, no, no. It's the COCORA who were erecting the roadblocks.

11 Q. [14:42:08] Yes, thank you. It's just -- just for the purposes of clarifying the
12 record. I appreciate your patience.

13 I don't know if I got an answer. Mr President, if you can let me know if -- if I'm
14 repeating myself. I apologise for that.

15 I think I asked you in Bozizé's speech where he said the people -- you said that he said
16 the people should call the police or call the gendarmerie?

17 A. [14:42:39] Yes.

18 Q. [14:42:40] But a moment ago you were talking about people being taken to the
19 gendarmerie. And maybe that's a translation issue.

20 A. [14:42:53] No, he said: "If you find anyone suspect you must phone the
21 gendarmerie and then they'll come and collect them to take them to the centre, the
22 detention centre of the police."

23 Q. [14:43:05] All right. And so that would mean that if somebody were stopped at
24 a roadblock -- first of all, who mans the roadblock? The police, the government, the
25 army, or these are private people, *population*?

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1 A. [14:43:27] No, the population.

2 Q. [14:43:29] All right. So it is the population that determines who to stop and
3 who not to stop?

4 A. [14:43:37] Yes.

5 Q. [14:43:37] And as you indicated before, certain people were targeted, Runga,
6 Gula, Muslims, right?

7 A. [14:43:50] Yes.

8 Q. [14:43:50] All right. I wanted to advance a little bit to the coup in March 2013.

9 You remember that clearly. And I wondered if you could tell the Trial Chamber a bit
10 about your experience on the day that the Séléka came into Bangui and the coup took
11 place.

12 If there's something that you might say that could identify you, then we can do that in
13 private session, with the Chamber's permission.

14 PRESIDING JUDGE SCHMITT: [14:44:43] So I get now the information that there is
15 no -- you know, because that I was not -- not attentive at the moment, that there is no
16 problem anymore, no health risk anymore. And I think, to be fair to the OPCV, we
17 should make a short break and let them simply come back. So also to show the
18 goodwill. So that's a very positive news, so I think we do it this way.

19 We make a break until they are reinstalled, so to speak, here in the courtroom.

20 I think that that should not last too long. I hope so, at least.

21 THE COURT USHER: [14:45:23] All rise.

22 (Recess taken at 2.45 p.m.)

23 (Upon resuming in open session at 2.56 p.m.)

24 THE COURT USHER: [14:57:01] All rise.

25 Please be seated.

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- 1 PRESIDING JUDGE SCHMITT: [14:57:31] So we are glad to see the Legal
2 Representatives of Victims back. Welcome back to you.
3 And I give Mr Vanderpuye the floor to continue the examination.
4 MR VANDERPUYE: [14:57:44] Thank you, Mr President.
5 Just before I get going again, I needed to correct something in the transcript. It's at
6 page 59, line 14. I misspoke when referring to the translation of the audio tape that I
7 played earlier. And the correct ERN is CAR-OTP-2060-0678. Again, that is the
8 translation of CAR-OTP-2000-0630.
9 Q. [14:58:29] Good afternoon, sir.
10 A. [14:58:39] Good afternoon. Good afternoon.
11 Q. [14:58:44] I think when I left off I had asked you to tell the Trial Chamber about
12 your experience concerning the March 2013 coup, that particular day when the Séléka
13 came into Bangui. So I would ask you to do that. Just be mindful of revealing
14 information that might tend to identify you, but I'd like the Trial Chamber to hear
15 what it was like for you on that day. Is that okay?
16 You can take off your mask if you're more comfortable that way.
17 A. [14:59:37] If we can talk about what I did, perhaps we can go into private session
18 because there are lots of things that ...
19 MR VANDERPUYE: [14:59:48] Mr President, if that's -- if that's (Overlapping
20 speakers)
21 PRESIDING JUDGE SCHMITT: [14:59:51] Yes, that's -- that's fine, if the witness
22 requests it.
23 MR VANDERPUYE: [14:59:55] Thank you, Mr President.
24 Just hang on one second.
25 (Private session at 3.00 p.m.) *(Reclassified partially in public)

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- 1 THE COURT OFFICER: [15:00:08] We are in private session, Mr President.
- 2 MR VANDERPUYE: [15:00:20]
- 3 Q. [15:00:20] Go ahead and tell the Chamber what your experience was on that day,
- 4 please.
- 5 A. [15:00:28] 24 March 2013 when the Séléka entered, my office is (Redacted)
- 6 (Redacted) where the Séléka came, that's where they came in.
- 7 That's how they came in, (Redacted)
- 8 (Redacted) where I was working with (Redacted), so we had an
- 9 office at that location. And all the equipment was being looted by them. I tried to
- 10 go to Bimbo to the priest. (Redacted)
- 11 And then in the evening the fighting began, throughout the day and right through
- 12 into the evening. And (Redacted)
- 13 (Redacted). (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted). (Redacted)
- 17 (Redacted). (Redacted):
- 18 (Redacted)
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Pursuant to the Trial Chamber V's Initial Directions, ICC-01/14-01/18-631, dated 26 August 2020, the public-reclassified and lesser redacted version of this transcript is filed in the case.

Trial Hearing

(Private Session)

ICC-01/14-01/18

WITNESS: CAR-OTP-P-1847

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Trial Hearing

(Private Session)

ICC-01/14-01/18

WITNESS: CAR-OTP-P-1847

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Trial Hearing

(Private Session)

ICC-01/14-01/18

WITNESS: CAR-OTP-P-1847

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- 22 Q. [15:15:09] Thank you very much for that narrative. And I think it's important
- 23 that the Chamber hears what you -- what you went through.
- 24 From the narrative it sounds like you got there a couple of days later, to Yaoundé,
- 25 that is, anyway. Would that have been around the 27th or so of March?

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1 A. [15:15:32] Yes, yes.

2 Q. [15:15:34] All right. And did you -- what happened to your family, your
3 family?

4 A. [15:15:54] (Redacted) there's a Boali French detachment in
5 Boali and (Redacted)

6 (Redacted), so they stayed there at a certain time before joining me in Cameroon.

7 Q. [15:16:18] And there are a few references in the transcript to the residence that
8 you left, and I take that to mean the residence where (Redacted) is
9 that right?

10 A. [15:16:35] Yes. Yes, that's right, the residence.

11 Q. [15:16:39] And the same would refer to the guards that you -- that you
12 mentioned as well?

13 A. [15:16:49] Yes, that's right. Yes.

14 Q. [15:16:51] All right. When you reached Cameroon, you said that you saw that
15 there were a number of also -- a number of Central Africans who had also left
16 following the coup; is that right?

17 A. [15:17:11] Yes, that's right.

18 Q. [15:17:13] And in your particular circumstance, clearly there was violence that
19 was associated to the coup -- associated with the coup, but why in particular did you
20 flee as opposed to some other people who didn't? Did you feel that you were being
21 targeted or you would be targeted for some reason?

22 A. [15:17:38] Yes, that's right. Yeah.

23 Q. [15:17:42] And we're in private session. Why did you think that you would be
24 targeted in particular? Why do you think that you would have been singled out by
25 the Séléka in the course of the coup?

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1 A. [15:18:00] Because of where I was working (Redacted)

2 (Redacted). (Redacted) is

3 their -- is their enemy and that's why, and that's why I had to find some shelter.

4 Q. [15:18:22] Were you associated with (Redacted) in any other way than

5 through (Redacted)?

6 A. [15:18:41] Directly associated, no. But if there's something, an odd job to be

7 done, then he rings me sometimes, and then I -- or he used to ring me and then I went

8 and did that, either (Redacted) when he -- when he came or we'd meet up

9 somewhere.

10 Q. [15:18:58] Is there any particular reason why it was you that -- (Redacted)

11 (Redacted). (Redacted)

12 (Redacted)

13 A. [15:19:27] (Redacted). (Redacted)

14 (Redacted). (Redacted)

15 (Redacted): (Redacted) (Redacted)? (Redacted)

16 (Redacted) (Redacted)

17 (Redacted) (Redacted) So she had to follow

18 me.

19 Q. [15:20:00] All right. I just wanted to clarify that.

20 MR VANDERPUYE: [15:20:09] I think we can go into open session, Mr President.

21 PRESIDING JUDGE SCHMITT: [15:20:13] Back to open session.

22 (Open session at 3.20 p.m.)

23 THE COURT OFFICER: [15:20:27] We are back in open session, Mr President.

24 MR VANDERPUYE: [15:20:31] Thank you.

25 Q. [15:20:35] When you arrived in Cameroon, I was saying, there were a number of

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1 people that had also fled the coup. Is that right?

2 A. [15:20:56] Yes, that's right.

3 Q. [15:20:58] And you encountered them. Were there people of the same ethnicity
4 as you?

5 A. [15:21:07] A lot, yes, but also the KNK supporters, the President Bozizé party,
6 political party.

7 Q. [15:21:19] Okay. I was going to ask you that. Others also associated -- others
8 that were associated with the president, the government itself and his -- or his
9 political party, yes?

10 A. [15:21:31] Yes.

11 Q. [15:21:32] And what about members of the armed forces?

12 A. [15:21:46] Well, many deserters were -- were there on the border of the
13 Cameroon-CAR border. We retrieved all the weapons that they got and then we
14 took them off to military base called Bertoua, in a city called Bertoua, and that's where
15 they were. Those who could cross found -- ended up there. Other people hid in
16 Central African cities.

17 Q. [15:22:22] So military personnel from General Bozizé's regime also fled?

18 A. [15:22:32] Yes.

19 Q. [15:22:33] Did they flee with their arms, weapons?

20 A. [15:22:37] Yes, yes.

21 Q. [15:22:39] And were they allowed to bring those weapons into Cameroon when
22 they crossed the border?

23 A. [15:22:50] They crossed the border and then we -- gathered them all together
24 and -- and took the weapons, the Cameroonian state took the weapons.

25 Q. [15:23:04] That's what I wanted to clarify. The transcript wasn't very clear. So

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1 it's the Cameroonian authorities that seized the weapons; is that right?

2 A. [15:23:16] Yes.

3 Q. [15:23:17] (Overlapping speakers) and what kind of weapons -- sorry, let me
4 pause for a second.

5 What kind of weapons were seized, to your knowledge?

6 A. [15:23:29] I don't know. I don't know the type of weapons. I don't know
7 about weapons like that.

8 Q. [15:23:33] All right. But they're not heavy weapons, they're not like tanks or
9 something, right?

10 A. [15:23:44] Well, there were vehicles and weapons seized by the Cameroonian
11 authorities, that's what I can tell you.

12 Q. [15:23:53] Okay. And what about personnel, did they stop any personnel or
13 hold them, that is to the Cameroonian authorities?

14 A. [15:24:05] They stopped people?

15 Q. [15:24:13] Yes, detained them?

16 A. [15:24:20] Yes, a little while after, they stopped -- or arrested, rather, some
17 compatriots.

18 Q. [15:24:29] Okay. Military compatriots or just civilians?

19 A. [15:24:34] Civilians and soldiers.

20 Q. [15:24:52] Okay. To your knowledge, and don't tell us how you know, but
21 these military compatriots that were held, do you know -- do you know their names?

22 A. [15:25:10] Some of them, I know some of their names.

23 Q. [15:25:14] Okay. And as they were held, do you know what happened to them
24 at the end of the day? Were they released at a later point? Were they jailed? Were
25 they -- do you know what happened to them?

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1 A. [15:25:28] After a while many of them were released.

2 Q. [15:25:35] Okay. And these -- these personnel, they were held in Bertoua; is
3 that right?

4 A. [15:25:57] Yes, in Bertoua, that's right.

5 Q. [15:26:01] Does the name Ngoya mean anything to you?

6 A. [15:26:09] Ngoya, yeah. Mboya (phon), sorry -- Mbuya (phon).

7 Q. [15:26:18] Was he one of the people that was detained or held in Bertoua?

8 A. [15:26:31] No. He was put into barracks in the military camp and he was free
9 to move around.

10 Q. [15:26:38] Within Bertoua?

11 A. [15:26:40] Yes, that's right.

12 Q. [15:26:41] Okay. And how about the name Koudemon, does that mean
13 anything to you?

14 A. [15:26:49] Yes.

15 Q. [15:26:50] Was he among the individuals that was held also or -- in the barracks
16 at (Overlapping speakers)

17 A. [15:26:58] In the barracks.

18 Q. [15:27:02] In the casernes. If you know, does he go by the name or -- yeah, does
19 he go by the name of Bangouma?

20 A. [15:27:11] Yes.

21 Q. [15:27:13] About how long were they restricted to the area of Bertoua in the
22 caserne, as you were saying?

23 A. [15:27:33] From 2013 to 2014 after the resignation of Djotodia when others were
24 coming back.

25 Q. [15:27:46] Okay. So they were there pretty much from the time that you

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1 crossed throughout the year until January of 2014-ish; is that fair to say? Or even
2 past that?

3 A. [15:28:03] Yes.

4 Q. [15:28:06] And the military equipment that was seized by the Cameroonian
5 authorities, what happened to that? Was it released at some point or was it not
6 released?

7 A. [15:28:27] They gave it back to the Central African Republic.

8 Q. [15:28:33] Do you remember when that -- when that happened?

9 A. [15:28:38] No, I don't.

10 Q. [15:28:39] Okay. Was it after 2014 or before?

11 A. [15:28:46] After. After. After 2014.

12 Q. [15:28:50] Okay. I think we can stay in open session.

13 You were in -- you were in Cameroon for some period of time following the coup?

14 A. [15:29:10] Yes, I was.

15 Q. [15:29:11] And did you have a chance to go around in Cameroon to different
16 places?

17 A. [15:29:23] To Douala from time to time but I was based in the capital.

18 Q. [15:29:34] And the -- I take it you would have been in touch or you were in
19 touch with other Central Africans, as you mentioned, that had also fled the coup
20 during that time?

21 A. [15:29:46] Yes.

22 Q. [15:29:48] Would that have been in Douala and in the capital?

23 A. [15:29:54] Yes.

24 Q. [15:29:55] At different times?

25 A. [15:30:10] Yes.

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1 Q. [15:30:11] And the persons that you were in touch with were -- well,
2 encountered anyway, were people of different backgrounds, I suppose, different
3 occupations?

4 A. [15:30:26] Yes.

5 Q. [15:30:27] Civil society, civilians, government people, military people?

6 A. [15:30:41] (No interpretation)

7 MR VANDERPUYE: [15:30:42] I didn't hear a translation of that. I don't know if
8 it's reflected in the transcript.

9 THE INTERPRETER: [15:30:47] Sorry, the -- I didn't say anything.

10 MR VANDERPUYE: [15:30:56] Should I repeat my question?

11 Q. [15:30:57] You were in contact with different individuals, civil society, civilians,
12 government officials, military people; is that right?

13 A. [15:31:10] Yes.

14 Q. [15:31:13] Okay.

15 MR VANDERPUYE: [15:31:26] Mr President, I'd like to go into private session. I
16 apologise for going in and out but ...

17 PRESIDING JUDGE SCHMITT: [15:31:35] It's inevitable obviously.

18 Private session.

19 (Private session at 3.31 p.m.) *(Reclassified partially in public)

20 THE COURT OFFICER: [15:31:53] We are in private session, Mr President.

21 MR VANDERPUYE: [15:31:57]

22 Q. [15:31:59] Can you tell us about some of the military people that you met with
23 while you were in Cameroon?

24 A. [15:32:15] The military which I met that came to Bozizé, they were parts from
25 the general bodyguards, there was somebody who came with me, one of the

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1 bodyguards that came with me, there were – (Redacted)

2 (Redacted).

3 Q. [15:32:59] Okay. Do you know somebody by the name of Vincent Wapounaba?

4 A. [15:33:08] Yeah, that's the bodyguard of President Bozizé.

5 Q. [15:33:12] Okay. And what about Adamou Ndale?

6 A. [15:33:29] Adamou Ndale is not a military. When he came, he came I think

7 (Redacted) They came to go to Douala and they went via Yaoundé to

8 say hello and that's where I saw him, Adamou Ndale.

9 Q. [15:33:52] And (Redacted) whom?

10 A. [15:34:02] (Redacted)

11 Q. [15:34:10] (Redacted)

12 A. [15:34:13] Yes.

13 Q. [15:34:13] Did you encounter someone by the name of Yalo Danzoumi?

14 A. [15:34:20] No, personally I didn't, no. (Redacted)

15 (Redacted). When they came through me, they said they were going to move -- they only

16 came to say hello. They said they were going to see Danzoumi.

17 Q. [15:34:55] Okay. And do you know somebody by the name of Sani Yalo,

18 Sani Yalo?

19 A. [15:35:12] Yes, yes.

20 Q. [15:35:13] How do you know him?

21 A. [15:35:17] It's a Central African businessman. He also crossed to come to

22 Cameroon after the Séléka.

23 Q. [15:35:33] Okay, okay. How do you know him?

24 A. [15:35:44] No, I didn't really know him like that. But I knew him, I knew his

25 name and his family and all that stuff.

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1 Q. [15:35:58] I think you made a reference to Pascal Koyagbéle before. I'm not
2 sure if it was caught correctly in the transcript, but tell me if you referenced that name.

3 Did you speak about Koyagbéle before?

4 A. [15:36:17] Yes.

5 Q. [15:36:17] And just so that we're clear, in what context did you mention him just
6 before earlier?

7 A. [15:36:31] Koyagbéle was in South Africa when the events occurred, then he
8 went to Douala with Kité (phon). So he was gathering compatriots and he was
9 speaking to the compatriots in his hotel in Douala.

10 Q. [15:36:53] And speaking to them about what exactly, to your recollection?

11 A. [15:37:00] He also tried to create revolution or organise the revolution against
12 Séléka with his movement at that time.

13 Q. [15:37:15] And were the people that I've just mentioned, Danzoumi, Yalo, Sani
14 Yalo, Adamou Ndale, (Redacted), were they involved in similar
15 action in order to oppose the Séléka while they were in Cameroon, maybe even in
16 Douala?

17 A. [15:37:43] Yes, when they came to see me, they -- Danzoumi Yalo called them so
18 that they could talk how they could organise themselves to oppose the Séléka.

19 Q. [15:38:05] And this is Douala we're talking about, right?

20 A. [15:38:11] Yes, I was in Yaoundé, but they passed to -- they passed on to Douala.

21 Q. [15:38:21] Okay. And in terms of your stay in Yaoundé, were there similar
22 efforts to organise with respect to what the Séléka was doing in CAR among the
23 people there?

24 * A. [15:38:47] As far as I know, at some point when the General was still at the the
25 Hilton, they tried to regroup, the people of his party. And when Levy Yakete arrived,

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1 I think 10 days later, * a meeting was organized at the Hilton to appoint Levy Yakete
2 as his spokesperson and also to fight against the accusation of the Séléka on
3 President Bozizé at that time.

4 Q. [15:39:33] In Yaoundé who did you meet when you were there? (Redacted)
5 (Redacted) did you meet while
6 you were in Yaoundé?

7 A. [15:40:01] (Redacted)

8 Q. [15:40:19] All right. I'm going to need you to repeat those names because
9 they're not very clear on the transcript, I don't think. I'm sorry about that, but could
10 you repeat the names you just mentioned?

11 A. [15:40:26] (Redacted), yes.

12 Q. [15:40:44] Okay. (Redacted)

13 A. (Redacted), yes.

14 Q. Okay. Did you see Bernard Mokom while you were in Yaoundé?

15 A. [15:40:51] Yes. Yes, yes.

16 Q. [15:40:54] And did you see Patrice-Edouard Ngaïssona in Yaoundé?

17 A. [15:41:09] Once (Redacted).

18 Q. [15:41:11] And when you say (Redacted), what do you mean?

19 A. [15:41:21] The place where he was staying.

20 Q. [15:41:23] Okay. And was that at the Hilton hotel or someplace else?

21 A. [15:41:29] No, it wasn't -- it wasn't the Hilton. It was (Redacted)
22 (Redacted).

23 Q. [15:41:42] (Redacted)

24 A. [15:41:46] Yes.

25 Q. [15:41:49] All right. At the Hilton hotel with Bozizé, was he staying there alone

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1 or was he staying there with other people?

2 A. [15:42:08] His wife, (Redacted), and also the two bodyguards and the two pilots
3 who were -- who were responsible for the helicopters.

4 Q. [15:42:23] (Redacted)

5 A. [15:42:27] Yes, yes.

6 Q. [15:42:31] And do you know their names?

7 A. [15:42:35] Vincent Wapounaba, and the others we just called pilots and captain,
8 captain.

9 Q. [15:43:03] All right. Just so that we're clear on the record, you said
10 Vincent Wapounaba?

11 A. [15:43:11] Yes.

12 Q. [15:43:13] Okay. Bozizé had children?

13 A. [15:43:25] Yes.

14 Q. [15:43:25] Some sons, several actually?

15 A. [15:43:27] Yes, yes.

16 Q. [15:43:28] Were they present with him in Yaoundé?

17 A. [15:43:36] Yes, they came a little bit later.

18 Q. [15:43:39] Do you know which ones were with him?

19 A. [15:43:43] Franklin, Giscard, Rodrigue was there as well.

20 Q. [15:44:02] Okay. (Redacted)

21 (Redacted)? (Redacted)?

22 A. [15:44:17] No. (Redacted).

23 Q. [15:44:19] And you (Redacted)

24 (Redacted)?

25 A. [15:44:30] (Redacted).

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1 Q. [15:44:32] (Redacted) by the way, while you

2 were in Yaoundé?

3 A. [15:44:42] I think it was almost three months.

4 Q. [15:44:46] Okay. And --

5 MR VANDERPUYE: I'm just reflecting on whether I can go into public session or
6 not. I don't think I can.

7 PRESIDING JUDGE SCHMITT: [15:45:00] Take your time.

8 MR VANDERPUYE: [15:45:02] Thank you. I think I'll stay in private session for
9 just a little while, Mr President.

10 Q. [15:45:11] The situation at the hotel, how was it? (Redacted)

11 (Redacted)

12 (Redacted)? (Redacted)

13 (Redacted)?

14 A. [15:45:32] There's the Cameroon government who put security in place so
15 anyone who wanted to see him went through that security. There was also the
16 security of the hotel.

17 Q. [15:45:52] Okay. And (Redacted), did President Bozizé receive
18 people to meet with?

19 A. [15:46:12] There were people who was the Cameroon government who
20 managed his visits through a protocol. If they were compatriots who came, he
21 would (Redacted) then the Cameroon security would accompany them
22 to see him.

23 Q. [15:46:40] And who did you see or were aware was meeting with Bozizé during
24 that period of time? That is while (Redacted) at the Hilton.

25 A. [15:47:02] All compatriots like the ambassador who was there, Oguere. And

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1 there was also the *ambassadrice* of South Africa who came by. And two Chadian
2 opponents who came, Ertiny also came. And then there were others. Levy Yakete
3 who came to say -- to greet him, and also Joachim Kokaté.

4 Q. [15:47:49] Just for the record, the person you referred to from Chad was
5 Iman Ertiny?

6 A. [15:48:02] Yes.

7 Q. [15:48:05] Does the name Yvon Songuet mean anything to you?

8 A. [15:48:12] Yes.

9 Q. [15:48:17] Marius Faimonazoui?

10 A. [15:48:22] Yes.

11 Q. [15:48:22] Were they among the people that General Bozizé met with?

12 A. [15:48:29] Yes.

13 Q. [15:48:30] And I don't know if you mentioned, maybe you did, Gina Sanzé, does
14 that mean anything to you?

15 A. [15:48:41] Yes, yes.

16 Q. [15:48:42] And who is she exactly?

17 A. [15:48:54] Someone who was elected by the people in Sibut area, I think, and she
18 had some supporters at that time.

19 Q. [15:49:06] I didn't hear the last bit of what you said. You said (Overlapping
20 speakers)

21 A. [15:49:12] I said -- I said she was a deputy for the nation.

22 Q. [15:49:18] Thank you. And she was a member of the KNK party, I take it?

23 A. [15:49:24] Yes.

24 Q. [15:49:26] All right.

25 MR VANDERPUYE: We remain in private session, I apologise.

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1 PRESIDING JUDGE SCHMITT: [15:49:39] I understand it's difficult here. Perhaps
2 later on at a later stage we would have to think what perhaps can be lifted and
3 whatnot, which information, so that people can follow also in the CAR.

4 MR VANDERPUYE: [15:49:51] Well, I can -- let's try. We'll go into public session,
5 we'll try.

6 PRESIDING JUDGE SCHMITT: [15:49:57] We go into public session.

7 MR VANDERPUYE: [15:50:01] Thank you, Mr President.

8 Just before we do, I want to just remind you not to say how you know certain
9 information that I may ask you, okay?

10 THE WITNESS: [15:50:15](Interpretation) Okay.

11 (Open session at 3.50 p.m.)

12 THE COURT OFFICER: [15:50:26] We are back in open session, Mr President.

13 MR VANDERPUYE: [15:50:33] Q. [15:50:34] Mr Witness, I was asking you
14 about certain meetings that General Bozizé had while he was in Yaoundé and I
15 wanted to turn your attention specifically to around April 2013, thereabout. Do you
16 know of any meetings that General Bozizé had around that time?

17 A. [15:51:06] Yes, he had a meeting around that time.

18 Q. [15:51:12] And at that meeting did you learn who was in attendance?

19 A. [15:51:26] What I know is Yakete, David Banga and Sanzé and the ambassador,
20 those are the people who came. And there are other people who participated, but
21 I don't know because I didn't go into the meeting myself.

22 Q. [15:52:02] Do you know or did you hear if Bernard Mokom was at that meeting?

23 A. [15:52:11] Yes, yes.

24 Q. [15:52:13] Did you hear if Joachim Kokaté was at that meeting?

25 A. [15:52:21] Yes.

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1 Q. [15:52:24] And I take it you heard that President Bozizé himself was at that
2 meeting?

3 A. [15:52:36] Yes, yes.

4 Q. [15:52:39] And you mentioned that you understood also that David Banga was
5 at that meeting, this is the director general of Radio Centrafrique?

6 A. [15:52:58] Yes.

7 Q. [15:52:59] And did you -- did you hear or learn what the purpose of that
8 meeting was?

9 A. [15:53:14] (Redacted), (Redacted) who said that they wanted to
10 organise something to defend the cause of President Bozizé when I start -- when they
11 started accuse him, so he asked Yakete to be his spokesman to defend him against
12 those allegations. And also there was -- there was also talk about the position of the
13 KNK, the structure of KNK and also the position of Gina Sanzé.

14 Q. [15:54:02] Okay. And did you hear -- well, so as I understand it, at the meeting
15 Levy Yakete was asked to play a certain role as a spokesperson; is that right? That's
16 what your understanding is?

17 A. [15:54:22] Yes.

18 Q. [15:54:25] And do you -- do you have an understanding as to what role
19 Ambassador Oguere was to be?

20 A. [15:54:37] He was responsible to discuss with all the diplomats who he had
21 contact with.

22 Q. [15:54:48] And did you have an understanding as to what role, if any,
23 Joachim Kokaté was supposed to play?

24 A. [15:55:07] No, not exactly on that particular day.

25 Q. [15:55:12] Okay. Did you come into certain information at a later time as to

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1 what his role was to be?

2 A. [15:55:20] Afterwards, they created FROCCA and he became spokesperson for
3 FROCCA.

4 Q. [15:55:38] And when you say "they", you mean generally the group that I'm
5 talking about now, Bozizé, Yakete --

6 A. [15:55:44] Yes. When Bozizé left and went to Paris suddenly, then they decided
7 that they would create FROCCA.

8 Q. [15:55:56] Okay. And so we're talking basically, well, Yakete is the same
9 Yakete that started COCORA, right?

10 A. [15:56:07] Yes, yes.

11 Q. [15:56:08] So it's Yakete, Bozizé, Kokaté, the same group of people; is that fair?

12 A. [15:56:19] Yes, that's correct.

13 Q. Okay.

14 MR VANDERPUYE: [15:56:20] Mr President, I think now is as good a time as any to
15 stop, I think, and continue on Monday (Overlapping speakers)

16 PRESIDING JUDGE SCHMITT: [15:56:27] Or I would perhaps simply put it into the
17 room, so to speak, in a similar vein like the intervention of Mr Knoops earlier, if you
18 want to elicit where the witness has this information from in private session, we can
19 do that, and then go into the break. I think, I think that might perhaps be a good
20 idea.

21 MR VANDERPUYE: [15:56:52] Indeed.

22 PRESIDING JUDGE SCHMITT: [15:56:54] So we go into private session. I assume
23 it would not take too long. If it takes 10 or 15 minutes, doesn't matter.

24 MR VANDERPUYE: [15:56:59] Yes. I don't even think it will take that long, but yes
25 (Overlapping speakers)

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1 PRESIDING JUDGE SCHMITT: [15:57:00] Okay. So then we go into private
2 session.

3 MR VANDERPUYE: [15:57:05] Thank you, Mr President.

4 (Private session at 3.57 p.m.) *(Reclassified partially in public)

5 THE COURT OFFICER: [15:57:13] We are in private session, Mr President.

6 MR VANDERPUYE: [15:57:21] Thank you.

7 Q. [15:57:22] Mr Witness, as I -- as I had planned and hoped to do throughout your
8 examination, I want to ask you certain questions in private session and this would be
9 a series of them.

10 In respect to this meeting in April at the Hilton hotel in Yaoundé, you weren't present;
11 is that right?

12 A. [15:57:45] (Redacted), but I didn't participate in the meeting.

13 Q. [15:57:50] Right. In this particular meeting?

14 A. [15:57:51] Yes.

15 Q. [15:57:52] Okay. And so your information concerning this meeting and what
16 transpired during the meeting came from where?

17 A. [15:58:02] (Redacted), that's
18 when I got the information.

19 Q. [15:58:17] All right. I'm not sure if the transcript is right. Could you just
20 repeat your answer.

21 A. [15:58:28] (Redacted)
22 (Redacted)

23 Q. [15:58:36] And did you get that information from them the same day that the
24 meeting happened or sometime after that?

25 A. [15:58:47] No, the same day of the meeting.

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1 Q. [15:58:49] And they spoke to you about -- about what happened during the meeting?

2 A. [15:58:57] Yes.

3 Q. [15:58:58] And what did they -- well, I assume you spoke to both, so let me ask
4 you first: What did they tell you and who told you what?

5 A. [15:59:12] (Redacted): Well, there we go, the president has just said (Redacted)
6 (Redacted)

7 (Redacted) And Banga is responsible for all the administrative stuff, so David
8 Banga will do that. *And Gina SANZE shall be the interim head of the KNK. Well,
9 that was the objective of the meeting, and OGUERE was appointed as the diplomatic
10 adviser responsible for establishing contacts both outside and inside of the country.
11 That's (Redacted).

12 Q. [16:00:05] Well, did they tell you who was in the meeting? I mean, I assume they
13 told you that? Or did you see the people going into the meeting beforehand?

14 A. [16:00:18] It's a hall on the other side. So when they leave -- because when Levy
15 arrived, (Redacted), (Redacted).

16 (Redacted), so that's

17 how (Redacted) who they were.

18 Q. [16:00:45] All right. So (Redacted) who was actually going into the
19 meeting and who was leaving the meeting?

20 A. [16:00:53] Yes.

21 Q. Okay.

22 MR VANDERPUYE: [16:00:54] I think now is a good time to stop, Mr President
23 (Overlapping speakers)

24 PRESIDING JUDGE SCHMITT: [16:00:59] I also think so. Perhaps we go shortly
25 into open session and then conclude for today.

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1 Open session.

2 (Open session at 4.01 p.m.)

3 THE COURT OFFICER: [16:01:17] We are back in open session, Mr President.

4 PRESIDING JUDGE SCHMITT: [16:01:21] Thank you.

5 This concludes the hearing for today. I wish everyone a nice weekend and we

6 reconvene on Monday, 9.30.

7 THE COURT USHER: [16:01:35] All rise.

8 (The hearing ends in open session at 4.01 p.m.)

9 ~~RECLASSIFICATION REPORT~~

10 Pursuant to the Trial Chamber V's Initial Directions, ICC-01/14-01/18-631, dated 26

11 August 2020, the public-reclassified and lesser redacted version of this transcript is

12 filed in the case.

13