

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 Monday, 29 March 2021
9 (The hearing starts in open session at 9.31 a.m.)
10 THE COURT USHER: [9:31:29] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SCHMITT: [9:31:57] Good morning, everyone.
14 Good morning, Mr Witness.
15 Court officer, please call the case.
16 THE COURT OFFICER: [9:32:11] Good morning, Mr President, your Honours.
17 The situation in the Central African Republic II, in the case of The Prosecutor versus
18 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.
19 And for the record, we are in open session.
20 PRESIDING JUDGE SCHMITT: [9:32:27] Thank you.
21 I ask for the appearances of the parties.
22 Prosecution first, please, Mr Vanderpuye.
23 MR VANDERPUYE: [9:32:35] Good morning, Mr President. Good morning your,
24 Honours. Good morning everyone. Today -- and good morning, Witness. Today
25 the Prosecution is represented by Sylvie Wakchom, seated behind me;

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- 1 Olivia Struyven, behind her; and myself, Kweku Vanderpuye.
- 2 PRESIDING JUDGE SCHMITT: [9:32:50] Thank you.
- 3 And for the representatives of the victims, Ms Douzima, first.
- 4 MS DOUZIMA-LAWSON: [9:32:57](Interpretation) Good morning, Mr President.
- 5 Good morning, your Honours. The victims of the other crimes are represented by
- 6 Ms Paolina Massidda and myself, Ms Douzima. Thank you very much.
- 7 PRESIDING JUDGE SCHMITT: [9:33:10] And Mr Suprun.
- 8 MR SUPRUN: [9:33:11] Good morning, Mr President, good morning your Honours.
- 9 The former child soldiers are represented today by myself, Dmytro Suprun, counsel at
- 10 the Office of Public Counsel for Victims. Thank you.
- 11 PRESIDING JUDGE SCHMITT: [9:33:22] Thank you.
- 12 And now we turn to the Defence, I think we start with Ms Dimitri.
- 13 MS DIMITRI: [9:33:27] Good morning, Mr President. Good morning your Honours.
- 14 This morning Mr Yekatom, who's present in the courtroom, is represented by
- 15 Mr Thomas Hannis, co-counsel; Ms Audrey Breton, legal intern; and myself,
- 16 Mylène Dimitri. Thank you.
- 17 PRESIDING JUDGE SCHMITT: [9:33:40] And finally, Mr Knoops.
- 18 MR KNOOPS: [9:33:42] Good morning, your Honours. Mr Ngaïssona is present in
- 19 the courtroom. I am assisted today by Ms Marie-Hélène Proulx, associate counsel;
- 20 and on my left side, Chiara Giudici, case manager.
- 21 PRESIDING JUDGE SCHMITT: [9:34:00] Thank you very much.
- 22 We continue with the examination of the witness. It's still the turn of the
- 23 Prosecution.
- 24 I give Mr Vanderpuye the floor.
- 25 MR VANDERPUYE: [9:34:15] Thank you, Mr President.

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1 WITNESS: CAR-OTP-P-1847 (On former oath)

2 (The witness speaks French)

3 QUESTIONED BY MR VANDERPUYE: (Continuing)

4 Q. [9:34:23] Good morning, Witness.

5 A. [9:34:25] Good morning.

6 Q. [9:34:27] Before we pick up where we left off yesterday, I just wanted to

7 backtrack on a couple of things. So, if you just bear with me, we'll go through some

8 of those things and then -- and then we'll get started.

9 Yesterday, we talked a little bit about this organisation called COCORA and we

10 talked about their -- not yesterday, Friday, we talked about this and we talked about

11 their checkpoints and barricades, where they were set up. And I asked you about

12 how Muslims in particular were being treated, and you responded to that talking

13 about the Runga and the Gula and the Muslims and how they were targeted.

14 Are you aware of whether Javon Papa Zama made certain remarks about the conduct

15 of COCORA, either at that time or at a later point in time?

16 A. [9:35:47] I'm sorry, I didn't understand your question.

17 Q. [9:35:49] You mentioned on Friday a certain individual named Jevon Papa Zama

18 and his association with COCORA, and I wondered if you had been aware of remarks

19 that he had made concerning COCORA, either at that time - that is, in the end of 2012,

20 early 2013 - or any point after that, concerning the way they were behaving or their

21 treatment of -- of individuals?

22 A. [9:36:36] Well, he did not -- well, he had a programme every morning at 6 a.m.

23 on the Central African radio and he didn't make any specific remarks on COCORA,

24 but he denounced the exactions committed by Séléka who had come in from the

25 northwest and who were committing these crimes like burning down houses, and so

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1 and so forth. So that's the kind of thing he used to say on his 6 a.m. meeting on radio.

2 The programme was called *Sango Ye so* something --

3 THE INTERPRETER: [9:37:19] Which the interpreter didn't get.

4 THE WITNESS: [9:37:22](Interpretation) And so he would do his programme at
5 6 a.m. in the morning and then that's when he would say things of that nature.

6 MR VANDERPUYE: [9:37:30]

7 Q. [9:37:31] (Overlapping speakers) Do you remember commenting about that in
8 your statement that you gave in 2020?

9 A. [9:37:43] Yes.

10 Q. [9:37:44] And do you recall specifically what you said concerning remarks made
11 by Javon Papa Zama regarding COCORA?

12 If you want, I could read you some of it and that might help you remember.

13 A. [9:38:03] That's fine.

14 Q. [9:38:03] Yeah?

15 PRESIDING JUDGE SCHMITT: [9:38:05] Please tell us where you are then.

16 MR VANDERPUYE: [9:38:07] I will, I will, Mr President.

17 I'm at -- all right, tab 1 -- sorry, tab 66, the ERN of the document is

18 CAR-OTP-2122-8251. I'm going to go to paragraph 160, which is at page 8268. I'm
19 going to read it in French, so bear with me. With respect to the broadcast that you
20 just described, that is there. At the beginning of the paragraph, you say:

21 (Interpretation) "Javon Papa Zama" -- I'll leave out the next part of it. You say:

22 (Interpretation) "I do not know whether he played a role within the Anti-Balaka. He
23 was the director of the presidential press for Bozizé. And he was involved in the
24 COCORA in 2012. Every morning he would go on radio with the broadcasts in
25 the -- on the '*Ye So Ilingbi Hinga*' programme and broadcast messages in support of

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1 President Bozizé. And on radio he would make Anti-Séléka statements against the
2 jihadists, saying that people had to be vigilant and to denounce the Islamists. And
3 so he supported -- or, rather, he was in favour of the actions of the COCORA. And
4 when the Séléka arrived he left for the Democratic Republic of the Congo. And I
5 didn't have any contact with him. I don't have his telephone number."

6 (Overlapping speakers)

7 THE INTERPRETER: [9:40:28] Overlapping speakers, Mr President.

8 THE WITNESS: [9:40:32](Interpretation) Well, what I mean --

9 THE INTERPRETER: [9:40:33] Witness answers.

10 THE WITNESS: [9:40:33](Interpretation) What I mean is that he was communicating
11 on the actions of the COCORA, asking the population to do the same thing that
12 president -- that the president was asking them to do, to be vigilant -- that
13 President Bozizé was asking them to do, to be vigilant, to stand up as one man.

14 MR VANDERPUYE: [9:41:03]

15 Q. [9:41:04] And the part where he makes an apology for the actions of COCORA,
16 what was that concerning?

17 A. [9:41:25] What -- what do you mean "apology"? Well, that's what I've just
18 explained, that he was communicating on the actions of the Balaka -- sorry, of the
19 COCORA. And every morning at 6 a.m. he would go on radio and speak to the
20 people, to the Central African people, asking them to be conscious and said that these
21 people coming were bandits. And every morning at 6 a.m. that's what he would do.

22 Q. [9:42:09] All right. I think I have my answer.

23 We talked a bit about the individuals at the checkpoints for COCORA as well on
24 Friday. And let me just ask, to your recollection were these individuals armed?

25 A. [9:42:45] No. Most were youth who were supporters of the movement. That's

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1 it. There was no specific identity as such.

2 Q. [9:43:03] Maybe there's a misunderstanding. Did they carry arms, weapons?

3 A. [9:43:11] No, they did not carry any weapons.

4 Q. [9:43:15] Did they carry knives and machetes?

5 A. [9:43:23] No. We're talking here about people who were there mobilised
6 to -- to man the roadblocks. They had some sticks or so and then they would check
7 those who were fleeing and those who were passing by to see what their identity was,
8 and things of that nature.

9 Q. [9:43:55] Do you recall commenting on this in your statement from 2020?

10 A. [9:44:09] Maybe you want to jog my memory, please.

11 Q. [9:44:11] Yeah, if I could maybe just read you a bit of what you said in your
12 statement, that might help you.

13 MR VANDERPUYE: Mr President, I'm at the same tab, the ERN of -- well, the ERN
14 remains the same (Overlapping speakers)

15 PRESIDING JUDGE SCHMITT: [9:44:28] I think we have the same ERN. This costs
16 too much time. Simply --

17 MR VANDERPUYE: [9:44:29] Very well.

18 PRESIDING JUDGE SCHMITT: [9:44:23] -- simply say the end page, so to speak,
19 and the paragraph.

20 MR VANDERPUYE: [9:44:35] Exactly. It's 8270, it's the last -- is the page I'm
21 referring to and it's paragraph 182. It says in -- in this statement: (Interpretation)
22 "The youth of COCORA who were at the roadblocks would go around with knives
23 and machetes."

24 (Speaks English) Can you explain that?

25 A. [9:45:05] Well, when I reread the statement, I pointed out that there had been a

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1 few mistakes in the statement. Because those who were there at those points would
2 be provided with coffee and sugar, and then they would be mobilised to check the
3 identity of people who would be going through those roadblocks, because they
4 claimed that the Séléka were in the suburbs of Bangui and that they would come in
5 late at night to wait for their troops that were advancing.

6 So COCORA decided to call on the youth to mobilise them, to keep them vigilant and
7 awake till 4 a.m. in order to check those who were coming into the city with
8 motorcycles, to check their identity and then to report to the police accordingly.

9 Q. [9:46:20] All right. So I'm given to understand, then, that your reference in the
10 statement specifically to knives and machetes was just a mistake?

11 A. [9:46:34] That's correct.

12 Q. [9:46:35] All right.

13 PRESIDING JUDGE SCHMITT: [9:46:36] And I think perhaps to add to that, on
14 page 6, line 21 of the real-time transcript, English, the witness has said that they had
15 some sticks, as I recall it correctly, so (Overlapping speakers)

16 MR VANDERPUYE: [9:46:51] Thank you very much, Mr President.

17 Q. [9:46:58] Did you hear anything, by the way, about the youths manning the
18 checkpoints or the youths that were surveying and patrolling the arrondissement
19 being supplied with machetes? Even if you didn't see it, did you hear that?

20 A. [9:47:24] Yes.

21 Q. [9:47:25] When did you hear that, at the time or since then?

22 A. [9:47:38] What?

23 Q. [9:47:39] When did you hear that the youth that were patrolling Bangui had
24 been supplied with machetes?

25 A. [9:47:53] No, I didn't learn that they had received machetes. What I know is

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1 that the coordination of COCORA went to give them tea and sugar every evening and
2 the youth who were there had pieces of sticks or wood which they used to block the
3 road or any access roads into Bangui, whether it be by motorcycle or by foot, and this
4 was to check those who would probably access Bangui late at night.

5 Q. [9:48:31] Okay. All right. Thank you for that clarification. So you never
6 heard to this day that machetes were distributed or given to the youth patrolling
7 Bangui?

8 A. [9:48:44] No. No.

9 Q. [9:48:49] Okay. You said yesterday that (Interpretation) "*les jeunes républicains*
10 *pour la paix*" (Speaks English) were engaged in radio announcements. And that the
11 idea was for people not to give in to the temptation and to remain loyal to the
12 government and to follow the government's instructions. That's at page 43, lines 15
13 through 19 of Friday's transcript.

14 And with respect to remaining loyal to the government and following the
15 government's instructions, what did you mean by that? Whose instructions in the
16 government?

17 A. [9:50:02] In (Redacted) citizenship activities
18 separately in Bangui town, but COCORA at some point called on all the organisations
19 to meet -- or the associations to meet in the house of the general coordinator of
20 COCORA, Mr Levy Yakete, and that's when they called on all civil society and
21 religious groups to be vigilant and to respect the government that had been elected in
22 2011 democratically, stating that it's the bandits who were advancing on the town.
23 So they gave this call to all the associations and movements to follow and support the
24 government that had been democratically elected.

25 Q. [9:51:00] I have two questions that follow up on that. First of all, you talk about

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1 a democratically elected government in 2011. Are you aware that that election was
2 largely criticised as being highly fraudulent?

3 A. [9:51:18] Yes, I'm aware of that. I know that the opposition and their coalition
4 at the time, the FARE, denounced fraud, claiming that it had occurred during those
5 elections.

6 Q. [9:51:37] And following those elections, those opposition groups were called to
7 the table to discuss with the government what to do in terms of going forward, right?

8 A. [9:51:53] Yes.

9 Q. [9:51:53] And certain concessions were made by the government in order to
10 allow those disenfranchised parties to participate in the government in Libreville,
11 right?

12 A. [9:52:06] Yes.

13 Q. [9:52:09] And following those Libreville discussions, there were some concerns
14 about whether the government was fulfilling its promises to those disenfranchised
15 parties, right?

16 A. [9:52:30] Yes.

17 Q. [9:52:30] And that would have been throughout 2012; is that right?

18 A. [9:52:35] Yes.

19 Q. [9:52:35] And it was as a result of those allegations of the government not
20 fulfilling its promises to those political parties, in terms of representation, in terms of
21 changes, that the Séléka took root; is that right?

22 A. [9:53:03] Yes.

23 Q. [9:53:03] And the Séléka was a constituency of different groups from different
24 parts of the country, including Bangui?

25 A. [9:53:17] I'm sorry, I didn't follow. Please.

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1 Q. [9:53:20] The Séléka was made up of different groups with different political
2 interests, right?

3 A. [9:53:29] Yes.

4 Q. [9:53:30] And some of those groups actually were in Bangui?

5 A. [9:53:47] Well, it was the opposition.

6 THE INTERPRETER: [9:53:50] Could the witness be asked to repeat his answer.

7 We didn't quite understand what he said.

8 PRESIDING JUDGE SCHMITT: [9:53:56] Mr Witness, the interpreters did not get
9 your answer well. I have to apologise. Please repeat it.

10 THE WITNESS: [9:54:02](Interpretation) Very well. In Bangui city it was the
11 democratic opposition that supported them, through their coalition which was known
12 as FARE.

13 MR VANDERPUYE: [9:54:21]

14 Q. [9:54:22] All right. Thank you for that clarification.

15 With respect to the instructions, you said on Friday, that is to follow the government's
16 instructions, was the government issuing instructions to the youth as far as you're
17 aware?

18 A. [9:54:49] Well, the government did not make any announcements of that nature
19 anyway, but they -- they -- they sent messages through the coordinators of COCORA,
20 who every afternoon held meetings with representatives of various associations and
21 their leadership, those associations which had joined, so to speak, COCORA. And it
22 is during those meetings that the messages were conveyed.

23 Q. [9:55:25] Did the government have an apparatus in order to relate to or
24 communicate with the youth? Was there an office or a department that dealt with
25 those issues, to your knowledge?

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1 A. [9:55:49] What I know is that at Levy Yakete's residence, every evening, every
2 afternoon there would be a meeting for purposes of communication, and then
3 thereafter they would send messages to be broadcast over Radio Central Africa.

4 And this would be broadcast on their programmes on the Central African radio
5 frequently.

6 Q. [9:56:20] Do you know how the government engages with the youth in the
7 Central African Republic? Do you know what the mechanism is by which the
8 government engages the youth?

9 A. [9:56:42] Mostly government would convey messages through the appropriate
10 ministers or through associations or through the spokesperson of the government for
11 official matters, who would then make such communications or releases on radio and
12 through other means of communication.

13 Q. [9:57:13] And in late 2012, to your knowledge, who was the Minister of Youth,
14 Sports and Arts in the Central African Republic government?

15 A. [9:57:28] It was Patrice-Edouard Ngaïssona.

16 Q. [9:57:35] Do you know somebody by the name of Jean-Serge Bokassa? Have
17 you heard that name before?

18 A. [9:57:48] Yes.

19 Q. [9:57:50] Do you know what his position was at the end of 2012?

20 A. [9:58:03] Yes, he was also a minister. He became the Minister of Youth as well.
21 But I don't remember his last position, the last position he held. But I know that he
22 was a minister in the government.

23 Q. [9:58:19] Okay. So at a certain point you were aware that Patrice-Edouard
24 Ngaïssona was the Minister of Youth in the CAR government; is that what I
25 understand from what you just said?

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1 A. [9:58:37] Yes.

2 Q. [9:58:45] Was he the minister, to your knowledge - of youth, that is - at the time
3 that the coup took place in March of 2013?

4 A. [9:58:56] Yes.

5 Q. [9:58:59] And are you aware of any messages that he relayed through
6 Steve Yambete in the week preceding the coup to the youth?

7 A. [9:59:23] Well, for -- as for him personally, I know that he did not send any
8 messages. But Steve Yambete, even before he became *chargé de mission*, he was one
9 of the youth who was in the close circles of Bozizé's power circles and he was well
10 known among the youth and was involved in mobilising the youth. He was a
11 soldier, a lieutenant, but who always worked in civilian attire, and he was very
12 popular with the youth in the Central African Republic.

13 Q. [10:00:05] You mentioned that he was a *chargé de mission*?

14 A. [10:00:09] Yes.

15 Q. [10:00:12] In what part of the government was he a *chargé de mission*?

16 A. [10:00:19] The 2012 government.

17 Q. [10:00:24] Okay. And what about 2013?

18 A. [10:00:29] Yes, 2012, 2013 he was *chargé de mission*.

19 Q. [10:00:35] Under whom? Who did he work for?

20 A. [10:00:45] Well, he was directly affiliated to General Bozizé. He was directly
21 affiliated to General Bozizé.

22 Q. [10:01:01] Now, did you ever hear that Steve Yambete delivered a message on 22
23 March 2013 in which he said: "... the Minister of Youth, Arts and Culture has asked
24 me to send you this message, not to be afraid. Stay calm where you are. And as
25 soon as you're needed, we will call upon you."

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1 Did you ever hear of that?

2 A. [10:01:47] No.

3 PRESIDING JUDGE SCHMITT: [10:01:48] Mr Vanderpuye, where do you have it
4 from? Where are you citing from?

5 MR VANDERPUYE: [10:01:54] I'll -- I will -- I'll come back to that, Mr President.

6 PRESIDING JUDGE SCHMITT: [10:01:57] Fine, fine.

7 MR VANDERPUYE: [10:01:58]

8 Q. [10:02:04] Do you know if there was a relationship between Steve Yambete,
9 *chargé de mission*, and Patrice-Edouard Ngaïssona as the minister of youth, sports, art
10 and culture?

11 A. [10:02:32] I know that they worked together, but I also know they -- they didn't
12 really have very close relationships. Let me explain why I'm saying this. Steve
13 Yambete, as a military person, did not really respect the administrative hierarchy in
14 order to relay his messages. He went to the presidency for that in order to relay his
15 messages. It was someone who was really close to President Bozizé and, when he
16 had something to say, he didn't go via a minister to communicate. That's what I
17 know about him.

18 Q. [10:03:29] Okay.

19 MR VANDERPUYE: [10:03:33] Mr President, I'd like to go into private session, if I
20 could at this time.

21 PRESIDING JUDGE SCHMITT: [10:03:39] Private session.

22 (Private session at 10.03 a.m.) *(Reclassified partially in public)

23 THE COURT OFFICER: [10:03:44] We are in private session, Mr President.

24 MR VANDERPUYE: [10:04:04] Thank you.

25 Q. [10:04:05] On Friday I had asked you some questions concerning a meeting that

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1 was had in Yaoundé, I believe it was at the Hilton hotel. And at the end of the
2 session I asked you what was your basis of knowledge, how did you know what had
3 happened in the meeting, and you said that you got this information from
4 (Redacted)

5 For the record, that's at 94, page 94, lines 9 through 14 is the question, and the answer
6 is 15 through 16.

7 I wanted to ask you a bit of a clarification there. Are those the only two individuals
8 you got information from concerning that meeting?

9 A. [10:05:19] Yes.

10 Q. [10:05:24] Did you get any information (Redacted) regarding that
11 meeting?

12 A. [10:05:38] On the same day, no. It was afterwards.

13 Q. [10:05:43] And what information did you get (Redacted) regarding
14 the meeting and when did he give you that information?

15 A. [10:06:05] (Redacted), after the meeting he left again for Douala. (Redacted)
16 (Redacted) with Levy Yakete. Then he returned to Yaoundé for the second time to meet
17 with Levy Yakete.

18 (Redacted) at that -- *cette* meeting and so we exchanged some words
19 with him at that particular moment. It was one week after the meeting, because
20 immediately after the meeting he left for Douala and then he came back later.

21 Q. [10:06:50] Okay. You said you had some exchange, but I think the Chamber
22 would like to know what that exchange consisted of. What was said exactly, if you
23 can remember?

24 A. [10:07:13] He was speaking -- he went to see Levy Yakete to see how to organise
25 everything and how to resume contact with people. And (Redacted), he said he's

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1 still going to stay in Cameroon for a while, * then go on to visit his wife in Cotonou,
2 before returning to Yaoundé, so they exchanged some information. And afterwards
3 (Redacted) that he had to contact all the former military. And also the military who
4 left the country, he wanted to gather them together to get a more dynamic
5 arrangement.

6 Q. [10:08:09] Let me ask just a few questions about that. You said that he -- he
7 needed to gather all the military together and the ones that had left the country. For
8 what purpose?

9 A. [10:08:31] The aim is clear, to mobilise individuals to chase out Séléka who were
10 there. That's it.

11 Q. [10:08:45] To chase out Séléka who were there and then do what?

12 A. [10:08:58] That's it. To get to power again. That was their objective.

13 Q. [10:09:05] When you say that was "their" objective, who do you mean? You
14 mean the people in the meeting?

15 A. [10:09:22] Yes, yes.

16 Q. [10:09:24] That would be Bozizé, Bernard Mokom, Levy Yakete, Louis Oguere,
17 David Banga, Joachim Kokaté. Were there others?

18 A. [10:09:50] Those are the ones I know. But there were other people who went
19 directly to the meeting and (Redacted). There was also an ambassador, that's
20 what I know.

21 Q. [10:10:02] All right.

22 MR VANDERPUYE: [10:10:06] Mr President, we have to stay in private session
23 I think for little bit, I think.

24 Just before I continue, let me just put on the record, you asked previously what I was
25 referring to with regard to the speech. The audio is CAR-OTP-2042-1783. The

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- 1 transcript reference is CAR-OTP-2107-1475.
- 2 PRESIDING JUDGE SCHMITT: [10:10:39] Thank you.
- 3 MR VANDERPUYE: [10:10:41] Thank you, Mr President.
- 4 Q. [10:10:45] You mentioned that two of Bozizé's sons were in Cameroon with him.
- 5 I believe so. I believe you said it was Franklin and Giscard; is that right?
- 6 A. [10:11:15] Yes, yes.
- 7 Q. [10:11:16] And his other sons, did they also go to Cameroon?
- 8 A. [10:11:26] Yes, there was also Francis and the -- he came then there and then he
- 9 went to the Congo. And there was Socrate, he was there, and he also went to
- 10 Senegal.
- 11 Q. [10:11:41] And did any of his sons -- well, you mentioned one at least that went
- 12 to the Congo. Where in the Congo did they go, if you know?
- 13 A. [10:11:57] I know he was a refugee in Kinshasa at a certain point.
- 14 Q. [10:12:07] Did he go -- did he go to Zongo?
- 15 A. [10:12:13] Well, from 24 March he passed via Zongo to go to Kinshasa.
- 16 Q. [10:12:27] That's what you know or that's what you suppose?
- 17 A. [10:12:36] No, that's what I know.
- 18 Q. [10:12:40] As far as the meetings at the Hilton hotel, how many meetings
- 19 concerning the point that you expressed, that is, to return to power, were held?
- 20 A. [10:13:03] I know they had at least two meetings.
- 21 Q. [10:13:08] So the one that you described on Friday, was that the first of the two
- 22 meetings or the second of the two meetings?
- 23 A. [10:13:20] It's the second.
- 24 Q. [10:13:22] Can you tell us about the first of the meetings then?
- 25 A. [10:13:30] The first meeting was when Levy Yakete arrived. He -- he was with

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1 the ambassador and some authorities from the embassy which the ambassador had
2 brought with him and they decided to reorganise -- or, rather, to resume all the
3 allegations that were being laid at President Bozizé. And they said they would have
4 a second meeting to call on all those people who they needed to contact in the
5 meantime. And then they left. So the second meeting, where you had David Banga,
6 the ambassador and the others, as well as Bernard Mokom.

7 Q. [10:14:37] Was Bernard Mokom, to your knowledge, at the first meeting?

8 A. [10:14:51] No, I don't think he was there at the first meeting. He was at the
9 second meeting.

10 Q. [10:14:56] Was Joachim Kokaté at the first meeting?

11 A. [10:15:05] At the second meeting.

12 Q. [10:15:07] Not at the first?

13 A. [10:15:14] Yes.

14 Q. [10:15:16] And the first meeting was also held at the Hilton hotel, Bozizé's suite?

15 A. [10:15:29] Yes.

16 Q. [10:15:31] In respect of the meetings that were held at the Hilton hotel, were
17 there any concerns about the Cameroonian authorities finding out what was going
18 on?

19 A. [10:16:03] Yes.

20 MR VANDERPUYE: [10:16:12] I think we can actually go into public session,
21 Mr President.

22 PRESIDING JUDGE SCHMITT: [10:16:18] Open session.

23 (Open session at 10.16 a.m.)

24 THE COURT OFFICER: [10:16:33] We are back in open session, Mr President.

25 MR VANDERPUYE: [10:16:38] Thank you.

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1 Q. [10:16:39] We were just talking about the meetings in Yaoundé and whether
2 the -- there was concern expressed about the Cameroonian authorities finding out
3 about what was happening in those meetings. You indicated that there were some
4 concerns. Could you just tell us what those concerns were.
5 We're in public session, so I just want to remind you so that you don't say something
6 inadvertently that might identify you.

7 A. [10:17:24] I know that they had a lot of security in the hall for General Bozizé,
8 and also around the hotel, and the protocol was that they had to see who entered.
9 They even checked the telephone numbers, so they really controlled everything.

10 Q. [10:17:59] Well, was Bozizé told to refrain from organising politically in
11 Cameroonian territory, to your knowledge?

12 A. [10:18:18] Yes. The Minister of Administration is one of the reasons why
13 Bozizé left Yaoundé.

14 Q. [10:18:34] I'm not sure I follow. The transcript says that you said that, "The
15 Minister of Administration is one of the reasons why Bozizé left".
16 Could you expand on that a little bit. What do you mean, one of the reasons that he
17 left Yaoundé?

18 A. [10:18:57] After -- yes, because after the Cameroon government sent a general, if
19 I remember correctly, who was also part of the presidential security, saying that these
20 small meetings were not allowed and therefore these meetings that he was organising
21 were not allowed. And even the Chad government noticed this and they officially
22 asked the Cameroon government what was -- Bozizé was doing. And it was also in
23 the -- on the television and radio journalists were talking about it, so Bozizé felt a bit
24 uncomfortable about this.

25 Q. [10:19:57] Well, what were they talking about? What were the journalists and

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1 television talking about concerning what was happening in Yaoundé? What was
2 Bozizé doing?

3 A. [10:20:15] He doesn't say what he was doing, but there was all the information
4 about Bozizé arriving in Cameroon and the journalists who saw that Bozizé was there
5 and they also wondered what his intentions were. They wanted to know what he
6 was going to do, whether they would have a return to constitutional order.

7 Q. [10:20:59] Well, you knew what they were talking about. Do you think the
8 Cameroonian authorities found out?

9 A. [10:21:20] Yes, when he talked about the -- restoring constitutional order, he
10 wanted to establish it as president. He didn't want those people to chase him like
11 that from power, from position. So he relied on everyone to help him regain his
12 position.

13 Q. [10:21:55] Yes, I suppose. But it's more than that, isn't it? There were CAR
14 military in Cameroon organising; isn't that right?

15 A. [10:22:17] Yes, there were military who fled from Séléka. And also there were
16 some in Garam Boulaï, as I said on Friday, they were there. The aim of the second
17 meeting was to pick up contact with those military to reorganise themselves.

18 Q. [10:22:48] Reorganise themselves so they could do what? Fight the Séléka and
19 take back power in CAR; is that it?

20 A. [10:23:00] Yes, yes.

21 Q. [10:23:02] And the Cameroonian authorities found out about that, because that
22 organisation --

23 A. [10:23:11] Yes.

24 Q. [10:23:11] -- was happening in Cameroon?

25 A. [10:23:17] Yes.

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1 Q. [10:23:20] And this is the Hilton hotel. So the people that were involved in that
2 were Bozizé himself, Bernard Mokom, Levy Yakete, Louis Oguere, Joachim Kokaté,
3 David Banga, and some other individuals; is that right?

4 A. [10:23:49] Yes.

5 Q. [10:23:59] How long did Bozizé stay at the Hilton hotel, to your knowledge, in
6 Yaoundé?

7 A. [10:24:09] I thought I answered that on Friday. It was roughly three months.

8 PRESIDING JUDGE SCHMITT: [10:24:16] And I think the witness is right.

9 MR VANDERPUYE: [10:24:18] I believe he is right and I apologise if I'm asking to
10 repeat things.

11 Q. [10:24:23] After he left the Hilton hotel, where did he go?

12 A. [10:24:36] The Cameroon government found residency for him in Yaoundé in
13 the *Cité du Golf*.

14 Q. [10:24:52] In the *Cité du Golf* in Yaoundé? Okay. At the *Cité du Golf* in
15 Yaoundé, at this residence, was there security there?

16 A. [10:25:08] Yes.

17 Q. [10:25:11] And can you describe, you know, the level of security that Bozizé had:
18 How many people were there to protect him? Were they state officials or CAR
19 officials who were protecting him there? Can you just expand a bit on that.

20 A. [10:25:41] No, it was from the Presidential Guard of Cameroon, they were
21 protecting him.

22 Q. [10:25:50] How long did he stay at the *Cité du Golf* residence, to your
23 knowledge?

24 A. [10:25:59] I think it was two months. Maybe two and a half months or one and
25 a half months, something around there.

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1 Q. [10:26:13] And are you able to describe that residence?

2 A. [10:26:24] The *Cité du Golf* in Yaoundé, it is a residential area. It was opposite
3 the embassy of the United States, about 200 or 300 metres away on the right-hand side
4 from it.

5 Q. [10:26:50] It's a big building, isn't it?

6 A. [10:26:59] Yes, it's a duplex.

7 Q. [10:27:00] And do you know if there were meetings that were held there along
8 the same lines as the meetings that were held at the Hilton?

9 A. [10:27:20] From the moment when he went into that residency I know that many
10 people came there. (Redacted)
11 (Redacted)

12 Q. [10:27:39] We'll talk a little bit about how you know certain things that you
13 know. But you said there were a number of meetings?

14 A. [10:27:50] Yes.

15 Q. [10:27:52] Did Bozizé meet with Mr Ngaïssona at that residence?

16 A. [10:28:07] No, I know that when Bozizé left, that's when Ngaïssona came to
17 Yaoundé. They didn't see each other just like that.

18 Q. [10:28:21] I'm not sure I follow. Are you saying that Bozizé did not meet with
19 Mr Ngaïssona at the *Cité du Golf* residence?

20 A. [10:28:40] Yes. If I remember, when he -- he came from -- when -- Ngaïssona
21 arrived when I came back from my trip, but he was still in Douala. And it's only
22 afterwards -- I don't know if there were meetings or not, but if there were it was after
23 Bozizé left that I had news from Ngaïssona that he had arrived. Arrived in Yaoundé.

24 Q. [10:29:23] Did President Bozizé meet with Mr Ngaïssona, to your knowledge, or
25 not?

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1 A. [10:29:38] I just said. No, they didn't meet, as far as I know. I didn't see
2 meetings between Bozizé and Ngaïssona. What I know, that Ngaïssona arrived at
3 Yaoundé after Bozizé had left.

4 Q. [10:30:20] Who met with Bozizé at the *Cité du Golf* residence?

5 A. [10:30:34] What I know is then Yakete was there, he participated in meetings
6 and he went to meetings there, because (Redacted). And
7 afterwards (Redacted) during the
8 meeting. He left once and then he went to Cotonou. I know that he was there
9 when Bozizé was there as well. There were many compatriots who were there at
10 that time. But since there was a protocol service, they registered all the people who
11 came there when -- upon arrival.

12 Q. [10:31:46] All right. So in terms of the meetings that were had there, how many
13 meetings are you aware of that took place at the *Cité du Golf* residence?

14 A. [10:32:01] I know Levy Yakete was there twice for meetings. And then he went
15 to Cotonou to visit his wife.

16 Q. [10:32:16] Was Kokaté there?

17 A. [10:32:23] Yes, yes.

18 Q. [10:32:24] Wapounaba, was he there?

19 A. [10:32:27] Yes.

20 Q. [10:32:28] Bernard Mokom, was he there?

21 A. [10:32:30] Yes.

22 Q. [10:32:35] Am I missing anyone?

23 A. [10:32:44] David Banga also went to the residency. He was there.

24 Q. [10:32:57] And the purpose was the same, in other words to organise Bozizé's
25 return to power?

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1 A. [10:33:06] Yes. They were asked to take up contact with the people at
2 Bossangoa and also in Central Africa, and in particular Bossangoa.

3 Q. [10:33:31] I think I heard you say the word -- say the name Mokom, but I don't
4 see it in the transcript. Did you mention the name Mokom just now in your answer?

5 A. [10:33:45] Yes.

6 Q. [10:33:47] What did you say? If you could just repeat it, please.

7 A. [10:33:54] I said he -- responsible in the meeting to contact the Anti-Balaka who
8 were in Bossangoa and at the frontier with Cameroon, and also others in the Central
9 African Republic.

10 Q. [10:34:13] And you're talking about a very specific meeting or just generally?

11 A. [10:34:25] No, it was the second meeting, which was the final meeting before he
12 left -- before Levy Yakete left.

13 Q. [10:34:39] All right. So this was the final meeting at *Cité du Golf* residence
14 before Levy Yakete left to go to Cotonou?

15 A. [10:34:52] Yes.

16 Q. [10:34:53] How many meetings had there been at the *Cité du Golf* residence
17 before he left, to your knowledge?

18 A. [10:35:10] I already answered. Yes, two, two.

19 Q. [10:35:13] What was Kokaté's role supposed to be, if that was discussed in the
20 meeting?

21 A. [10:35:25] Kokaté was supposed to contact former soldiers and the officers at the
22 border who were on the other side of the Central African Republic and to organise
23 them.

24 Q. [10:36:05] Where were the meetings held, to your knowledge?

25 A. [10:36:20] At the *Cité du Golf* -- two locations. The Hilton. And then later

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1 when Bozizé went to the *Cité du Golf*, that's where the meetings took place.

2 Q. [10:36:33] And they took place in the residence, I take it?

3 A. [10:36:37] Yes, yes.

4 Q. [10:36:41] In a particular location in the residence?

5 A. [10:36:50] Yes, in the residence, mostly in the living quarters of the residence.

6 Q. [10:36:57] And when these meetings took place were there other people around?

7 People that didn't take part in the meetings, were they around?

8 A. [10:37:10] Well, those who were around were the team he came with, those who

9 remained with him, the officers, the two captains. And there was also a sergeant

10 whose name I forgot, and then there was the pilot, and then there's also somebody

11 from the security with whom he had left Bangui. And they all remained with him.

12 Q. [10:37:45] So they lived there, you mean?

13 A. [10:37:50] Yes.

14 Q. [10:37:53] You said that after Bozizé left the residence is when Ngaïssona came

15 there; is that right?

16 A. [10:38:03] Yes, yes.

17 Q. [10:38:06] But he was in Cameroon before Bozizé left the residence; isn't that

18 right?

19 A. [10:38:13] Yes.

20 Q. [10:38:18] Where was he?

21 A. [10:38:20] In Douala.

22 Q. [10:38:22] Doing what?

23 A. [10:38:26] Well, like every official or person in authority, he was on mission

24 when the Séléka came in and he was not able to return to Bangui at the time, so he

25 rather landed at the -- or he was forced to land at the Douala airport. That's --that's

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1 what I think. I do recall that he was on mission at the time the Séléka took over.

2 Q. [10:39:01] All right. So your information is that he wasn't actually in Bangui at
3 the time of the coup?

4 A. [10:39:13] Yes.

5 Q. [10:39:14] Did you ever speak to him about how it is he wound up in Douala
6 and when? That is, did you ever speak to Ngaïssona about that?

7 A. [10:39:30] No. I don't have any official contact with Ngaïssona, you know, to
8 have any such discussions.

9 PRESIDING JUDGE SCHMITT: [10:39:42] You say you don't have any official
10 contact. Do you have any unofficial informal contact with Mr Ngaïssona or did you
11 have it at the time?

12 THE WITNESS: [10:39:56](Interpretation) No, not even in Bangui, no.

13 MR VANDERPUYE: [10:39:58]

14 Q. [10:39:59] Not even when he was a minister of youth?

15 A. [10:40:05] No. Well, I was involved in my own activities which – (Redacted)
16 (Redacted)

17 Q. [10:40:25] Would it surprise you to learn that he said that he was in -- that he
18 was in Bangui at the time of the coup? Are you surprised by this?

19 A. [10:40:40] Yes, but again, maybe in any event, to my knowledge, he was -- well, I
20 know that he had left or he was in Tunis. But I don't know, I don't know whether he
21 was in Bangui, or -- but I learnt that he was in Douala and that's -- that's what I know.
22 He alone is in a position to say where -- where he was or something like that.

23 Q. [10:41:17] Yeah, that's right. When you were in Yaoundé, were you aware of
24 any -- well, while you were at the Hilton, that is when Bozizé was at the Hilton, did
25 you hear of any contact between the group that Bozizé was with and individuals in

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1 Douala?

2 A. [10:41:48] Well, the group or the people who were in Douala, it was after Levy
3 and Kokaté had passed through Douala after the meeting, then they contacted people.
4 Because, you see, there were -- there was no official team of Bozizé's people to contact
5 people and it was after this meeting that Joachim Kokaté and Yakete Levy contacted
6 some people in Douala. I remember that at the time of the second meeting one
7 colonel, one colonel came by. I forget his name, but maybe it's in the statement. I
8 forget -- I forget his name.

9 PRESIDING JUDGE SCHMITT: [10:42:46] Mr Witness, do you recall when
10 Mr Ngaïssona arrived at Yaoundé?

11 THE WITNESS: [10:42:59](Interpretation) Well, not -- not exactly, but I
12 learnt -- although it was not important for me, I know that he arrived in Yaoundé
13 after the -- after General Bozizé had left.

14 PRESIDING JUDGE SCHMITT: [10:43:15] Do you know where he lived in
15 Yaoundé?

16 THE WITNESS: [10:43:25](Interpretation) Well, but -- no, but when he came to the
17 residence in Yaoundé to greet people, that's when I was informed that Ngaïssona had
18 arrived in Yaoundé and that he had gone to the residence. I think his family was
19 mostly resident in Douala, so from time to time he would come to Yaoundé and then
20 go back, according to the information that I received.

21 PRESIDING JUDGE SCHMITT: [10:43:54] I would like to read a short portion of
22 your second statement, CAR-OTP-2122-8251 at 8254 and paragraph 24:

23 (Interpretation) "Ngaïssona spent one month in Douala and after that he was based in
24 Yaoundé in Bozizé's residence in the *Cité Golf* neighbourhood."

25 THE WITNESS: [10:44:26](Interpretation) Yes, that -- that was at the -- at the end or

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1 the -- towards the end of 2013, towards the end of 2013. That's when he was there.
2 And I went there to the residence and I was told that he had arrived two or three days
3 before and he was sleeping at the residence. I did not talk with him. I greeted him,
4 but they were having a conversation. I went to pick up my telephone and -- which
5 had been repaired there and then I left. I left.

6 PRESIDING JUDGE SCHMITT: [10:45:09] Thank you. For the Chamber it's
7 important, you know, also to understand and at what time things are going on you're
8 talking about, yes.

9 Mr Vanderpuye, please continue.

10 MR VANDERPUYE: [10:45:22] Thank you.

11 Q. [10:45:23] You said that was at the end of 2013. That's what we have in the
12 transcript.

13 A. [10:45:29] Yes. Yes.

14 Q. [10:45:34] All right. I want to ask you about something that's in your statement
15 that I'm puzzling over. It's in your first statement from 2017, I think that's at
16 tab -- bear with me, I'm sorry, Mr President. I think I have it at tab 33, is it? One
17 second. Tab 30. ERN is CAR-OTP-2061-1534. The page I'm referring to is
18 1545 -- no, 1546, sorry, paragraph 84.

19 It reads as follows: (Interpretation)

20 "A limited meeting held at Bozizé's residence at the *Cité du Golf* in Yaoundé in
21 July 2013. Some ten persons were present, including Patrice-Edouard Ngaïssona,
22 Joachim Kokaté, captain of the Presidential Guard Vincent Wapounaba as well as two
23 former ministers and dignitaries of the Bozizé regime whose names I no longer
24 remember. During that meeting they discussed how to organise the coordination in
25 order to engage and better continue the political fight for a return to the constitutional

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1 order. For Bozizé therefore to return to power."

2 (Speaks English) So I'm going to ask you again, with respect to Mr Ngaïssona's
3 presence at a meeting at the *Cité du Golf* residence, did he meet with President Bozizé?

4 A. [10:48:34] No. Well, I was there. There must be a little bit of a mistake in this
5 statement. What I saw is that, when Levy left, Ngaïssona did not have any meeting
6 with Bozizé on the spot -- Yakete. Francis Bozizé had come from Kinshasa. Levy
7 Yakete, Bernard Mokom and Vincent Wapounaba and David Banga participated in
8 the meeting.

9 Now, if Ngaïssona was present at any such meeting or participated with those people,
10 it must have been after Bozizé left for Uganda -- rather, South Sudan, because when
11 they had any meetings Levy Yakete would participate and I remember that, with
12 Levy, they only had conversations over the phone. So I think there is a bit of a
13 mistake in the statement because Yakete would have telephone conversations
14 with -- would have telephone conversations when he was in Douala. But later on
15 when I saw him at the residence, it was towards the end of 2013 when I went there
16 and I saw him at the residence.

17 Q. [10:50:22] Okay. Thank you for clarifying that. Can you tell us about the
18 meeting then that Ngaïssona had with Levy Yakete, Vincent Wapounaba,
19 Joachim Kokaté at the *Cité du Golf* residence of Bozizé in July of 2013?

20 A. [10:50:46] Not in July. Not in July. (Redacted) a meeting before
21 leaving for Paris. He said it was towards the end before the N'Djamena meeting and
22 he said that he had spoken with Ngaïssona in Yaoundé. So there was him, Levy
23 Yakete, Ngaïssona, and Francis and Joachim Kokaté who were supposed to fly to
24 attend the meeting which was supposed to take place in N'Djamena. He said he had
25 talked to Ngaïssona and Ngaïssona had refused to go to N'Djamena. (Redacted)

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1 he wasn't going either and it was Yakete alone who went to attend the resignation
2 in -- or, rather, to attend -- to be part of Michel Djotodia's mission in N'Djamena.
3 So it was after this meeting (Redacted) that Ngaïssona was still at the
4 *Cité du Golf* and then he and Mokom decided to go to Bangui and to bring the troops
5 together and stop them from committing any exactions so that he left -- Levy Yakete
6 and Joachim Kokaté were then expected to go to Bangui.

7 Q. [10:52:24] Okay. So we'll come back to that. But just so that we're clear, what
8 you have in your statement here of the meeting being held in July 2013 is not correct,
9 right?

10 A. [10:52:41] Yes.

11 Q. [10:52:43] All right. Were there other meetings besides this one that you've just
12 described at the *Cité du Golf* residence involving Mr Ngaïssona, Levy Yakete,
13 Joachim Kokaté, the usual, in the absence of President Bozizé?

14 A. [10:53:16] I have just told you that it was towards the end of 2013 that
15 (Redacted) there had been a meeting between him and Ngaïssona at the
16 residence with a view to designating the person to represent the Anti-Balaka
17 movement in N'Djamena. Following that meeting, Mr Ngaïssona declined the offer
18 to go to N'Djamena and Levy Yakete also refused to go. And it was only
19 Levy Yakete who -- or, rather, it was only Joachim Kokaté who alone travelled to
20 N'Djamena. It is only after the mission that they -- (Redacted) they had
21 held a meeting and then designated Mr Mokom to go to Bangui and talk with the
22 Anti-Balaka while waiting for a meeting with General Bozizé before going to Bangui.

23 Q. [10:54:35] So Joachim Kokaté is the only one who went to N'Djamena,
24 that's -- that's what you're saying?

25 A. [10:54:41] Yes.

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1 Q. [10:54:43] And that Ngaïssona was offered to go to N'Djamena, but refused?

2 A. [10:54:50] Yes.

3 Q. [10:54:52] Levy Yakete also was offered to go to N'Djamena and also refused?

4 A. [10:54:58] Yes.

5 Q. [10:55:01] But Levy Yakete also passed a memorandum to Joachim Kokaté to
6 take to N'Djamena?

7 A. [10:55:10] Sorry.

8 Q. [10:55:12] Levy Yakete passed a message to Joachim Kokaté to take with him to
9 N'Djamena?

10 A. [10:55:21] Yes, indeed.

11 Q. [10:55:23] What was the nature of that message?

12 A. [10:55:29] He made a statement on behalf of the Anti-Balaka and gave to Kokaté
13 to read there, and this was in relation to the exactions --

14 THE INTERPRETER: [10:55:44] Mr President, the witness is going way too fast for
15 the interpreters.

16 MR VANDERPUYE: [10:55:49]

17 Q. [10:55:49] You have to slow down a little.

18 PRESIDING JUDGE SCHMITT: [10:55:52] Mr Witness, can you repeat it. The
19 interpreter could not follow your answer. Please a little bit slower. Thank you very
20 much.

21 THE WITNESS: [10:56:01](Interpretation) Very well.

22 Well, in the statement, the statement was made to the heads of states of CAC and
23 CEMAC and the other group of the Anti-Balaka calling for the resignation of

24 Mr Djotodia and calling for transition which would take place after the disarmament
25 and elections. So that was a note that he wrote and gave it to Joachim Kokaté to take

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1 with him.

2 MR VANDERPUYE: [10:56:37]

3 Q. [10:56:38] All right. This is at the end of 2013?

4 A. [10:56:40] Yes.

5 Q. [10:56:43] And then you said that Bernard Mokom was designated to go back to
6 Bangui at a certain point?

7 A. [10:56:54] Yes, yes.

8 Q. [10:56:57] Was Ngaïssona designated to go back to Bangui at a certain point?

9 A. [10:57:07] Well, according to what (Redacted)

10 MR VANDERPUYE: [10:57:14] Mr President, if we can go into private session for a
11 moment.

12 PRESIDING JUDGE SCHMITT: [10:57:17] Yes. Private session.

13 (Private session at 10.57 a.m.) *(Reclassified partially in public)

14 THE COURT OFFICER: [10:57:39] We are in private session, Mr President.

15 MR VANDERPUYE: [10:57:43]

16 Q. [10:57:45] What did (Redacted) specifically concerning Mr Ngaïssona's
17 return to Bangui?

18 A. [10:57:56] He said that Ngaïssona -- because the Anti-Balaka were calling on
19 their leaders who were abroad to come home quickly because they wanted to enter
20 into discussions after the resignation of Djotodia. So the head of the CAC told
21 Joachim to forward this message to Levy Yakete and all the leaders who were abroad
22 to come back and coordinate because there was disorder in the troops and there was
23 need to come back, coordinate them and facilitate transition and disarmament. This
24 is what (Redacted).

25 Q. [10:58:48] In your whole answer I don't think I heard you say the word

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1 Ngaïssona. You talked about various leaders. I'm asking you specifically about
2 that one.

3 A. [10:59:04] Very well. Yeah, what I know about Ngaïssona is that when he left
4 Douala with Bernard Mokom -- you see, let me explain this, a few things to clarify for
5 you in relation to the Anti-Balaka. In my statement, you see, I think I was very clear
6 when I said things in relation to the Anti-Balaka *- who were there before the events
7 of the Seleka; that had nothing to do with it; who was in charge of coordination; who
8 were blocking the roads with the highway robbers there, but who were resident in
9 Bossangoa. That's what I talked about. And they were under the coordination of
10 (Redacted) They were supported by the
11 government, because I do remember a day on which (Redacted)
12 (Redacted) the private residence, the private residence in the palace of
13 President Bozizé. (Redacted)
14 (Redacted)
15 (Redacted) (Redacted)
16 (Redacted) that annoyed President Bozizé so he wasn't given the
17 vehicle, he only received the motorcycles, which he collected and left with.
18 So he was -- President Bozizé was supporting them in the -- in the Batangafo, Bouca
19 areas. Andjilo and -- and all these other areas, and the other groups that were on the
20 other side of Bossangoa were under his control. He was the one controlling all the
21 activities of the Anti-Balaka at that time.
22 And then subsequently he -- they were at the borders after the arrival of Séléka and at
23 that time Mr Mokom Bernard was designated to contact the Anti-Balaka and that's
24 when (Redacted) he had
25 been in contact with Mokom Bernard who was going to take over all the activities in

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1 the area in order to contact the Séléka teams.

2 And indeed he came to meet with Mr Mokom and then he came also with Mr Ndale, à

3 Bouar, the coordinator of Anti-Balaka, to go and see Danzoumi. And that is, when

4 they went to see Danzoumi, they were received there. At the time they came back I

5 was in Yaoundé and (Redacted)

6 (Redacted) they had met on his way out, but on his way back this is what happened, they

7 had been given a little bit of money and then that he was going back now to see how

8 things would be organised in Ngaoundaye, Bozoum, and what have you, in order to

9 sensitise the Anti-Balaka who were in there area so that they can start the attacks.

10 So (Redacted) came back to Garam-Boulai, to the base, and (Redacted) at that time

11 and that's when (Redacted) Colonel Daz and his troops were now dealing

12 directly with Rambo. Rambo, who at the time was a former FACA and who was on

13 the other side of the -- of the river towards Zongo and that they were getting ready to

14 attack the Séléka.

15 Therefore, the answer to your question is that I got to know Mr Ngaïssona

16 really -- and his involvement in the Anti-Balaka when he arrived in Bangui and

17 declared himself to be a coordinator as all the others. But I didn't know him before.

18 When it came to transferring funds and -- it was Mokom who was doing that. There

19 was also a warrant officer*, Fred Serefio, whom I mentioned in my statement. There

20 was Mokom *fils*, who was also on the other side who bought hunting ammunition

21 which he would send to a woman who would take them to Bossangoa in order for

22 these preparations to take place.

23 Now, in Bossangoa, the former Presidential Guard official soldiers who were in

24 Bossangoa and Bouar were under the command of one sergeant, Mr Dedane, (Redacted)

25 (Redacted). (Redacted) they had received

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1 orders from President Bozizé to descend on Bangui and attack. And that's how they
2 started to attack the towns from Bossangoa, then to Ndjo, to Bossembélé and other
3 locations to come as far as Bossembélé.
4 (Redacted) near the mosque they ran out of ammunition and that since
5 they had been promised some ammunition, the ammunition had not yet arrived, and
6 that Mokom father had sent some money which was held up in Bouar and that he
7 was now burying about three people in the -- in the bush in Bossembélé.
8 So at the time they were advancing, before 5 December, they got blocked at
9 Bossembélé for about 10 days to two weeks. And then thereafter they went up to
10 Boali and the Andjilo group which was at the Batangafo area were attacking as well.
11 At that time (Redacted), who was a sergeant
12 coordinating all the activities, and (Redacted) the weapons they had were
13 weapons that were in Bossangoa and Bongofi (phon), in Bozizé's village. They used
14 those weapons to counterattack, along with the hunting weapons that Mokom *files* had
15 provided, along with the ammunition through the intermediary of a woman whom I
16 do not know, who disguised and brought the said ammunition.
17 And then they went to Bangui, I think it was towards the end of November. And
18 I was told they had been given orders to rest because they had been walking for one
19 month before getting to Bangui, and that they were there all around the periphery of
20 the city of Bangui.
21 *And then when they got to the periphery or suburbs of Bangui, he then told me that
22 Lieutenant Konaté was behind Camp Kassai and that he, Dedane, was on the other
23 side from PK26 all the way to the location behind the airport, but that there were
24 other soldiers coordinated by Sébastien Wenezoui behind the airport, towards Boeing
25 area and thereabouts. Sébastien Wenezoui was preparing them for the attack on

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1 Bangui. Through this very channel, the.. the... I believe (Redacted)
2 (Redacted), who talked about Rambhot, whom I don't know, who was
3 also coordinating the activities from PK9 to M'Poko as they prepared the attack on Bangui.
4 And then their objective, as they said, was to attack on 1 December, the date of the
5 national march pass. So thereafter I don't know what happened. (Redacted)
6 (Redacted). And then in the night of the 4th he said, (Redacted)
7 (Redacted) (Redacted)
8 (Redacted) (Redacted)
9 (Redacted) up until the attack of the -- of the 5th.
10 So at the time they were committing these exactions and things of that nature I did
11 not see Ngaïssona appear in that capacity, it was Mokom and Levy Yakete who
12 would speak on the radio. I do remember that the Minister of Foreign Affairs of
13 Chad and someone else were involved in communicating with Yakete, they actually
14 advised him to watch his communication and moderate it a little bit. Levy Yakete
15 was even arrested I think on that day by the Cameroonian police. We were called up
16 following a summons from the presidency of the Republic of Cameroon. We went to
17 the DSPJ and then shortly thereafter we were informed that it was upon orders from
18 the presidency that he had been arrested.
19 Levy Yakete then contacted the president of the * CEEAC commission and called RFI
20 and the RFI broadcast information on that -- on that arrest, and then at about 8.30 he
21 was released and (Redacted)
22 (Redacted).
23 It is only after we had gone back after the attack on Bangui that Levy Yakete then got
24 ready to go to Paris, saying that he wanted to see his family first before going to
25 Bangui.

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1 Unfortunately, when he came to Bangui after the Brazzaville forum, (Redacted)
2 (Redacted) he had designated Ngaïssona and Mokom to come and bring the
3 Anti-Balaka together. He was supposed to be the coordinator, but now it is
4 Ngaïssona, and that he was not happy with that, he disagreed with Ngaïssona and
5 took a different stance.
6 Yakete also came back -- rather, Joachim Kokaté also came back and said that he too
7 was a lieutenant and that he was not happy with the arrangement, so he contacted
8 Rombhot's group and then his name was sent to the government supported by
9 Rombhot's group. That's how he became the adviser at the prime minister's office at
10 the time. So that's how it was.

11 Now, at the Brazzaville forum Levy Yakete tried to contact --

12 PRESIDING JUDGE SCHMITT: [11:10:52] Mr Witness, I think we have to -- to stop
13 here for a moment. Let me put it this way. This was, at least up until now, a long
14 answer. And I think you have to ponder a little bit how to proceed, Mr Vanderpuye.

15 MR VANDERPUYE: [11:11:07] Mr President, I think it's -- is it time for -- it is time
16 for the break

17 (Overlapping speakers)

18 PRESIDING JUDGE SCHMITT: [11:11:12] Yes, it is time for a break and this is why
19 I'm intervening. And I think you can -- you have half an hour now to think about
20 how you -- how you process this. This is of course very difficult.

21 MR VANDERPUYE: [11:11:26] It's a long answer.

22 PRESIDING JUDGE SCHMITT: [11:11:29] It's a long answer, yes.

23 MR VANDERPUYE: [11:11:30] It's not a problem. If we could take the break now
24 that would be fine.

25 PRESIDING JUDGE SCHMITT: [11:11:34] Yeah, indeed we do that.

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- 1 We have the break until quarter to 12.
- 2 THE COURT USHER: [11:11:40] All rise.
- 3 (Recess taken at 11.11 a.m.)
- 4 (Upon resuming in open session at 11.46 a.m.)
- 5 THE COURT USHER: [11:46:04] All rise.
- 6 Please be seated.
- 7 PRESIDING JUDGE SCHMITT: [11:46:33] Mr Vanderpuye, we are in open session
- 8 now, just to remind you, and you have still the floor.
- 9 MR VANDERPUYE: [11:46:48] Thank you, Mr President.
- 10 Q. [11:46:52] Good after -- well, good morning still, Mr Witness.
- 11 I'd like to take you back to a few things that we were just discussing. I had asked
- 12 you, essentially, about the leadership role that Mr Ngaïssona had when he was in
- 13 Cameroon, at least as a member of the group that was around Levy Yakete,
- 14 Joachim Kokaté and others.
- 15 So I would like for you, if you could, to tell the Trial Chamber what you know about
- 16 Ngaïssona's role with respect to the individuals on the ground in CAR, the militaries,
- 17 as well as the Anti-Balaka.
- 18 So let me start this way: You mentioned just a moment ago the role of Bernard
- 19 Mokom with respect to providing money to the elements on the ground. What can
- 20 you tell us with respect to Mr Ngaïssona?
- 21 A. [11:48:53] As I said in my statement -- I thought I'd given an answer to the
- 22 question. Is -- there was also Colonel Dobigue, who I forgot before, who also
- 23 participated in the Hilton meeting. Colonel Dobigue.
- 24 Now, the role of Ngaïssona, I didn't see him do any actions in Yaoundé. As in my
- 25 statement, I saw him once or twice with (Redacted) where he left Douala and

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1 he had contact with Achille.

2 Q. [11:49:54] Just -- just one moment.

3 MR VANDERPUYE: [11:49:57] Mr President, may we go into private session for a
4 moment?

5 PRESIDING JUDGE SCHMITT: [11:50:01] Yes.

6 Private session.

7 (Private session at 11.50 a.m.) *(Reclassified partially in public)

8 THE COURT OFFICER: [11:50:07] We are in private session, Mr President.

9 MR VANDERPUYE: [11:50:17] Thank you.

10 Q. [11:50:18] Mr Witness, I'm sorry to interrupt you, it's just that you had
11 mentioned (Redacted) and we were in public session, so we'll take care of that in
12 terms of the -- in terms of the transcript and the broadcast.

13 But, okay, go ahead and continue answering. Sorry for -- (Overlapping speakers)

14 PRESIDING JUDGE SCHMITT: [11:50:34] I think, I think we -- I have the impression,
15 at least - also from the very lengthy answer before the break - that we -- or you should
16 specifically direct him. And if we don't get any further, then it's like it, we have to
17 take it as an answer.

18 So, for example, he said now, page 44, line 25, "I didn't see him take any action in
19 Yaoundé", and it seems that in the statement there might be something different.

20 But, okay, so I think we -- we should have to -- or you should have to address that.

21 And if -- if, yeah, this stands as it is, we have to take it probably -- or, possibly, as it is.

22 MR VANDERPUYE: [11:51:20] Thank you very much, Mr President.

23 Q. [11:51:25] What I was asking you is what do you know? And that means if you
24 saw it, that's one thing. If someone told you, that's another thing. Or if you heard
25 about it from -- even just overheard it, that's another thing again.

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1 So with respect to Mr Ngaïssona's role you said, I think on a number of occasions, I
2 didn't actually see him do X or Y.

3 So my question is: Not having seen him do X or Y, what do you know about what
4 he was doing and where did that information come from?

5 A. [11:52:23] What I know is that he had contact with other compatriots. (Redacted)
6 (Redacted) Ngaïssona has gone via Douala to go to Bertoua. That was in the
7 beginning when he was in Douala. He told me Ngaïssona has just passed there and
8 he's going to take some actions. He talked about Bernard Mokom who provided
9 money and ammunition in Garam Boulaï so that some actions could be taken on the
10 ground. Ngaïssona was involved in Anti-Balaka movement. He was coordinator
11 of the Anti-Balaka. In Yaoundé, his actions really didn't involve all the other people
12 there.

13 PRESIDING JUDGE SCHMITT: [11:53:38] May I -- may I shortly, please because,
14 yeah.

15 Mr Witness, do you know a Achille Godonam?

16 THE WITNESS: [11:53:51](Interpretation) Yeah, that's what I was saying, (Redacted)
17 (Redacted).

18 PRESIDING JUDGE SCHMITT: [11:53:58] Yeah. And with regard -- did he
19 have -- did he have any interaction with Mr Ngaïssona?

20 THE WITNESS: [11:54:08](Interpretation) Sorry?

21 PRESIDING JUDGE SCHMITT: [11:54:09] I repeat my question.

22 Did (Redacted) have any interactions, any dealings with Mr Ngaïssona?

23 THE WITNESS: [11:54:24](Interpretation) The contact he had with Ngaïssona at that
24 particular area, Achille, he knew Ngaïssona in the area over there.

25 PRESIDING JUDGE SCHMITT: [11:54:40] Perhaps just to refresh your memory, I

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1 read a portion from -- from your first statement. That is CAR-OTP-2107-0120,
2 paragraph 115:
3 "Achille Godonam was responsible for collecting money [from] Ngaïssona to prepare
4 for the attacks. I saw him three to four times taking money [from] Ngaïssona at
5 Bozizé's residence at the *Cité Golf* in Yaoundé. I don't know where this money that
6 Ngaïssona gave Godonam came from. But Ngaïssona is an economic operator and
7 I think he may have funds."

8 So does this refresh your memory, or how would you comment this?

9 THE WITNESS: [11:55:46](Interpretation) Thank you, Mr President. I remember,
10 when the investigators asked me, I corrected the statement the other day, but they
11 didn't take that into consideration. I told them when Ngaïssona arrived I didn't see
12 him. In my statement I said I didn't see Ngaïssona give money to Achille Godonam.
13 Mokom did all the transactions. He either came to get money with Ndale and
14 Mokom who were -- who was a part of the Anti-Balaka.

15 PRESIDING JUDGE SCHMITT: [11:56:38] Yeah, thank you. And then, with that, I
16 will finish that because it might very well be that we don't get any further here.
17 I quote something what you said on Friday, Mr Witness. It's on page 18 of the
18 transcript, line 8 to page 19:

19 Question by Mr Vanderpuye: "And were those statements provided to you by the
20 victim and witness service ... today? Some days ago, perhaps?"

21 Answer: "Yes."

22 Question: "Were you able to read them?"

23 Answer: "Yes."

24 Question: "So you read them through completely; is that right?"

25 Answer: "Yes".

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1 Question: "And having read them, do they fairly and accurately reflect what it is
2 that you told the investigators on those two occasions?"

3 Answer: "I discovered a small error in the thing that I raised the other day, it's a tiny,
4 tiny error in the thing. But otherwise I came across small errors in the statement."

5 Question: "Okay. Did you come across errors that changed the meaning of your
6 statement in any way to the best of your recollection?"

7 Answer: "It's only the name of a person that wasn't written properly, things like
8 that."

9 So what you now correct, is that a tiny error that -- that you referred to on Friday
10 morning?

11 THE WITNESS: [11:58:40](Interpretation) Thank you, Mr President. When I read
12 the statement, there was an assistant next to me and I told them there were some tiny
13 errors in the statement. And I asked whether I could correct them then and he said
14 no -- she said no, rather. And afterwards she said, after some hours, that I could tell
15 them what I wanted to correct in my statement.

16 PRESIDING JUDGE SCHMITT: [11:59:15] Mr Witness, let me be blunt a little bit.
17 According to the statement, this paragraph 115 I cited, you saw Mr Ngaïssona there.
18 Now you say you didn't see him. This is not a tiny error. You know, there is an
19 accused in detention, perhaps including because of such a statement, and now you're
20 saying you didn't see him. So, actually, it is difficult to qualify these matters, these
21 kind of things, as tiny errors. It's just a comment by me.

22 THE WITNESS: [12:00:00](Interpretation) No. I said -- I said I did see Ngaïssona at
23 the residence once. That's what I said in my declaration in 2020. That's when that
24 question was put. I was asked when -- whether Ngaïssona was aware of the attack
25 of 5 December, and I said: Just like Mokom he was informed, just like all the others,

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1 about the attack. That's what I said in 2020.

2 And the question whether I saw Ngaïssona give money, I said already the name of
3 Bernard Mokom who made money transfers and who gave money to Achille
4 Godonam. When I saw that statement -- or that sentence about transferring money, I
5 insisted with the investigator that I never saw Ngaïssona do any transfers. But in
6 2013 he did live together with Mokom, so he might have been aware of it, he might be
7 aware of the funding of Mokom. As Ngaïssona was part, he might have been aware
8 of it. But I didn't speak about money with Ngaïssona and whether that was given
9 via him to Achille.

10 PRESIDING JUDGE SCHMITT: [12:01:50] Then one additional question. This is
11 the following paragraph, still on page 0120, 116, and it reads as your former
12 statement:

13 "Sometimes Ngaïssona and Bernard Mokom also transferred money to the
14 Anti-Balaka in the CAR via Express Union using intermediaries."

15 My question would be, with regard to what you said here in the courtroom now, how
16 did you come to phrase this sentence like that in your statement at the time?

17 THE WITNESS: [12:02:40](Interpretation) I think my answer to that question, the
18 investigators asked me a question, the presence of Ngaïssona in the *Cité du Golf*, and
19 now the transfers which were carried out by Bernard Mokom. I told them that I
20 didn't see Ngaïssona give money to Achille Godonam, but what I do know is that at
21 the end of 2013 they were together and resided in the *Cité du Golf*. Mokom went
22 there every day and Fred Serefio did the transfer. And one -- Serefio did a transfer
23 with Express Union, and the Cameroon police knew that and stopped him and
24 searched him. And I said that in my statement.

25 PRESIDING JUDGE SCHMITT: [12:03:41] Well, I think I leave it at that. But

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1 actually, you say you said that in the statement, yet it is not reflected like that in the
2 statement, just as a comment.

3 Mr Vanderpuye, please continue.

4 MR VANDERPUYE: [12:03:53] Thank you, Mr President.

5 Q. [12:03:57] I think I won't leave it at that. It's not just the money that's in your
6 statement, but there are other actions that you attribute to Mr Ngaïssona as well, is
7 that right, with respect to his leadership position relative to the people that were on
8 the ground?

9 PRESIDING JUDGE SCHMITT: [12:04:23] Could this be discussed in open session?

10 Probably not.

11 MR VANDERPUYE: [12:04:27] I'm afraid it might -- it might not be able to be
12 sustained.

13 PRESIDING JUDGE SCHMITT: [12:04:34] Okay. Go ahead.

14 MR VANDERPUYE: [12:04:36]

15 Q. [12:04:36] Did you understand my question, sir? Mr Ngaïssona gave orders to
16 the elements on the ground, didn't he?

17 A. [12:04:49] No.

18 Q. [12:04:50] You sure about that?

19 A. [12:05:11] He gave orders? I wasn't there in the *Cité du Golf* with Ngaïssona.
20 (Redacted) said I

21 received this or received that. That's it. But once, I said that in my statement, when

22 (Redacted) said Ngaïssona has passed to have contact with Mokom

23 because he was already involved in action towards the border with Cameroon and

24 Ngaïssona passed to have contact with him. All I know is that there was contact and

25 that they were in the same residence at the end of 2013 in the *Cité du Golf*. He was

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1 active and (Redacted) Bernard Mokom and his son who was giving

2 orders to those on the ground.

3 Q. [12:06:35] Bernard Mokom's son is whom, to your knowledge?

4 A. [12:06:49] It's somebody from the police, a commissioner in the police who was
5 in the intelligence service of Bozizé, and then he went to the other side of the Congo
6 in Zongo. I think it was in March, 24 March.

7 Q. [12:07:13] Maxime Mokom, is that his name?

8 A. [12:07:23] No, he was in Zongo and Bernard was in Cameroon.

9 Q. [12:07:31] Maxime Mokom is his name?

10 A. [12:07:39] Yes, yes.

11 Q. [12:07:40] I'm a little puzzled at why you're having so much trouble with his
12 name. Maybe it's a translation issue.

13 Do you know who Maxime Mokom is? Do you know him personally?

14 A. [12:07:59] Yes, very well.

15 Q. [12:08:00] Okay. And you've had numerous conversations with Maxime
16 Mokom over the years I take it?

17 A. [12:08:12] Yes, yes.

18 Q. [12:08:12] And he's someone who you visited?

19 A. [12:08:21] Yes.

20 Q. [12:08:22] And you have a good relationship with him?

21 A. [12:08:25] Yes.

22 Q. [12:08:27] And Maxime Mokom played (Interpretation) "He played a profound
23 role in the Anti-Balaka movement, that is something you cannot deny."

24 (Speaks English) Do you agree with that?

25 A. [12:08:49] Yes.

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1 Q. [12:08:55] With respect to Mr Ngaïssona, what was his leadership role or role, if
2 you know, in relation to the Anti-Balaka of the north as you describe in your
3 statement?

4 A. [12:09:26] Well, his role when he was coordinator, when all the actions of the
5 Anti-Balaka happened under him.

6 Q. [12:09:47] Yeah, what was his role? What did he do?

7 A. [12:09:56] As coordinator?

8 Q. [12:10:02] As coordinator, to your knowledge.

9 A. [12:10:09] When he was coordinator, (Redacted) It was in 2014.

10 All the ComZones, is what we called them, regrouped at his residency in Boy-Rabé
11 and everybody was residing there. (Redacted). I
12 wasn't there myself to know what actions he gave or what actions he undertook as
13 regards coordination.

14 Q. [12:11:05] All right. And before he became the coordinator in 2014, what was
15 his role in respect of the other individuals whom you've talked about? In other
16 words, in respect or by comparison to Bozizé --

17 PRESIDING JUDGE SCHMITT: [12:11:25] Mr -- Mr Knoops.

18 MR KNOOPS: [12:11:27] Could this be in open session?

19 MR VANDERPUYE: [12:11:32] It could be.

20 PRESIDING JUDGE SCHMITT: [12:11:35] Yeah, I think -- yeah, thank you,

21 Mr Knoops. You're right. It's of course -- it's not easy, yeah. We might -- but we
22 can always intervene if it becomes critical.

23 Open session then.

24 (Open session at 12.12 p.m.)

25 THE COURT OFFICER: [12:12:03] We are in open session, Mr President.

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1 MR VANDERPUYE: [12:12:05]

2 Q. [12:12:05] I was just asking what -- what was Ngaïssona's position in respect of
3 the other leaders, that you were aware of, before he became the coordinator in 2014?

4 A. [12:12:26] As I said, and I'm repeating it now, before 2014 the person who was
5 very active are the people I've already mentioned, the person at the radio, the
6 television. But he was in contact with Bernard Mokom at the end of 2013 and
7 afterwards he stayed there, as I said already. To give orders and all that is
8 something I can't say. All I know is that he had links to Mokom on the ground. But
9 with the people in the bush, there were people who came from Bossangoa who
10 were -- I was -- he talked about Mokom, his son, and Bozizé, but I don't really think
11 they mentioned Ngaïssona.

12 PRESIDING JUDGE SCHMITT: [12:13:43] May I shortly, again.

13 Mr Witness, do you know a Florent Kema?

14 THE WITNESS: [12:13:58](Interpretation) Yes, Kema I know.

15 PRESIDING JUDGE SCHMITT: [12:14:02] My question would be has Mr Bozizé
16 ever given instructions to Mr Mokom and/or Mr Ngaïssona through Mr Florent Kema,
17 according to your knowledge?

18 THE WITNESS: [12:14:28] I know that Bozizé spoke to Kema and Kema also talked
19 to everybody. But I don't know when Bozizé did this, because he was still also the
20 other former Presidential Guards who were there as well.

21 PRESIDING JUDGE SCHMITT: [12:14:53] In the statement that we have already
22 discussed, the first statement to the Prosecution, and it's now here on 0126 at
23 paragraph 152, it is written down as your statement at the time, and I leave out any
24 information that would perhaps identify you: "... Bozizé would phone Florent Kema
25 to give him instructions either via Ngaïssona or through Bernard Mokom."

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1 Do you recall that?

2 THE WITNESS: [12:15:43](Interpretation) That is after 2015 when he became
3 coordinator.

4 PRESIDING JUDGE SCHMITT: [12:15:52] Actually, this is under the subheading at
5 the time, the statement, "activities of the Anti-Balaka before the attack on
6 5 December 2013".

7 So is this correct or is this wrong?

8 THE WITNESS: [12:16:16](Interpretation) When I saw or noticed Kema, it was
9 already in 2014. Kema coordinated -- after the death of Dedane, Kema became
10 coordinator of the Anti-Balaka in one specific area in the zone of Ouham and became
11 more involved in activities.

12 PRESIDING JUDGE SCHMITT: [12:16:44] Mr Vanderpuye.

13 MR VANDERPUYE: [12:16:46] Thank you, Mr President.

14 Q. [12:16:51] It's right that between Bozizé, Ngaïssona and Bernard Mokom, Bozizé
15 came at the top of that hierarchy, followed by Ngaïssona and then followed by
16 Bernard Mokom?

17 MR KNOOPS: [12:17:12] Mr President, I think this is too much to leading. Sorry.
18 We gave the Prosecution quite some (Overlapping speakers)

19 PRESIDING JUDGE SCHMITT: [12:17:17] Yeah, actually, I think we all see now that
20 we are in a situation where it simply has to be figured out where potential
21 contradictions from the former statement with the live testimony here may come from.
22 So of course there's - no, no, I know, I'm on your side with this question - so that in
23 principle there is more leeway to try to address that and try to figure out where these
24 contradictions might come from. And if it can't be figured out where they come
25 from, all parties and also the Chamber would have to try to figure out, if this is

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1 possible at all, what comes closer to the truth, what is said as live testimony or what
2 has been said in the former statement, for what it's worth at all.

3 Having said that, this question, Mr Vanderpuye, you can put in a way that is not so
4 leading. So I would -- I would agree with Mr Knoops. You can simply ask what
5 was the hierarchy at the time and then you may proceed from there, please.

6 MR VANDERPUYE: [12:18:28] Thank you, Mr President.

7 Q. [12:18:30] Well, among those three individuals, what is your understanding of
8 the hierarchy or the relationship between them?

9 A. [12:18:47] The hierarchy, well everyone obeyed General François Bozizé. And
10 then after him there was the coordinator, who is Ngaïssona, followed by Mokom, and
11 then the ComZones of all the Anti-Balaka entities by region and by sector.

12 Q. [12:19:26] Now, I think we've asked, or at least I have, whether Mr Ngaïssona
13 met with President Bozizé at the *Cité du Golf* residence at Yaoundé. And you said no,
14 as far as you're aware, right?

15 A. [12:19:42] Yes, yes.

16 Q. [12:19:44] And I wanted to ask you, because I see in your statement at paragraph
17 114, it's ERN ending 1552, that you say something that doesn't seem quite the same.
18 So I will read it to you and then you can tell me what you think about it. And maybe
19 I just misunderstand it, but what it says is:

20 (Interpretation) "When Bozizé was at the *Cité du Golf* residence in Yaoundé, he often
21 met -- he very often met with Ngaïssona and Bernard Mokom. The others, namely
22 Yakete and Kokaté, travelled a lot. They were not always present."

23 (Speaks English) So can you explain why your statement says - and maybe I've
24 misunderstood it - but why does your statement say that when Bozizé was at the
25 residence at the *Cité du Golf* that he met often with Ngaïssona and Bernard Mokom?

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1 A. [12:21:07] Mr President, Mr Prosecutor, I believe that I was there when I agreed
2 to speak with the investigators, and I committed to speak the truth. And what I have
3 said could have been cross-checked, what I am testifying to here can also be
4 cross-checked. (Redacted) - and I think this is included in my
5 statement - (Redacted)
6 (Redacted) (Redacted) news was immediately given
7 to Bozizé and he wanted to immediately leave the residence to go to South Sudan.
8 Throughout that time I didn't see Ngaïssona at the residence. I therefore do not see
9 how in my statement I could have gone ahead to say that I saw Ngaïssona when
10 Bozizé was at the *Cité du Golf*.
11 Let me repeat that - and as I've said this several times - I saw him only after the
12 departure of President Bozizé to South Sudan. It is only at that time that I began to
13 see him at the *Cité du Golf* residence.

14 Q. [12:22:40] I appreciate that clarification.

15 PRESIDING JUDGE SCHMITT: [12:22:44] Well --

16 MR VANDERPUYE: But --

17 PRESIDING JUDGE SCHMITT: [12:22:46] Well, this is not a clarification. No, you
18 know, we have a -- we spent a lot of time here today and I think what you have read
19 out and what is stated here is the opposite, and the opposite is not a clarification.

20 MR VANDERPUYE: [12:23:04] In part, Mr President. What I'm -- what I'm
21 referring to is a very -- I think maybe the witness has a subtle distinction between
22 what he saw and what he knows, and what I've read here relates to what you said.
23 Although it doesn't say you saw it, it does say that that's what happened. And so
24 what I want to know is, what is that based on? You may not have seen him there,
25 and we accept that, or at least some of us do, but what your statement says quite

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1 clearly is that Bozizé met often with Ngaïssona at the residence.

2 What is your information for that statement?

3 MR KNOOPS: [12:23:51] Well, I'm sorry, Mr President, but with all due respect, the
4 witness has answered this already four times today.

5 PRESIDING JUDGE SCHMITT: [12:23:58] I fear that you're right, but we're giving it
6 a last chance. And, yeah, and I think how it is worded, you try to find out where this
7 statement as it looks like here, came from at the time. I will let it pass for the last
8 time, so to speak, otherwise we would have to continue or simply at some point of
9 time say, okay, that's -- that's it. So please answer the question, Mr Witness.

10 So, as Mr Vanderpuye has read out to you, in your statement at least you said that
11 Mr Bozizé would very often meet with Mr Ngaïssona. If this is true, if you also say
12 today this is true, then please tell us where the information you got from. If it is not
13 true, you simply say, yeah, that's not correct, and you could -- yeah, and then you
14 could perhaps explain why this is not correct.

15 THE WITNESS: [12:25:16](Interpretation) Thank you, Mr President. I stand by my
16 statement which I provided to the investigators at the beginning. When they
17 asked -- when they met me in 2017, they asked me these questions and we talked a lot
18 and went as far as going to the residence where Bozizé was with them and I told them
19 that Ngaïssona arrived, because even at that time it wasn't a matter of talking about
20 Ngaïssona. We talked about our stay there and what we had done at the *Cité du Golf*.
21 I think I told them that concerning Ngaïssona, he only came to the residence after the
22 departure of Bozizé from the *Cité du Golf* residence.

23 So they asked me who was there. I said Wapounaba and Bernard Mokom, who
24 often had discussions with Ngaïssona at the time. So I cannot again say that Bozizé
25 was meeting with Ngaïssona, whereas he -- or, rather, when he was at the residence.

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1 That's -- that's what is a bit confusing for me.

2 MR VANDERPUYE: [12:26:35] All right. I have my answer.

3 PRESIDING JUDGE SCHMITT: [12:26:38] Yeah, okay. For what it's worth.

4 MR VANDERPUYE: [12:26:49]

5 Q. [12:26:49] I want to take you to a different area, if I may. In around August of
6 2013, can you tell us -- well, let me -- let me rephrase that. Let me withdraw it and
7 rephrase it.

8 What do you know about this organisation called FROCCA, *le Front pour le retour à*
9 *l'ordre constitutionnel en Centrafrique*?

10 A. [12:27:26] What I know is that when President Bozizé was in South Sudan, (Redacted)
11 (Redacted)

12 (Redacted)

13 (Redacted). And then when he got to Paris he met up with his lawyer and Yakete and
14 Kokaté and other Central Africans who were there, along with the lawyer
15 FROCCA -- along with the lawyer. And that's how FROCCA was created. Kokaté
16 was the spokesperson of that movement called FROCCA.

17 Q. [12:28:21] You made a reference to the lawyer.

18 Do you know the lawyer's name?

19 A. [12:28:30] The lawyer's name is Mr Banoukepa, Banoukepa, but I forget -- I
20 forget his first name.

21 Q. [12:28:41] Okay. And what can you tell us about what you learned concerning
22 the creation of that group? How did that come about, if you know?

23 A. [12:29:01] That's what I just said. It was created in Paris when President Bozizé
24 went for a health check, and that's when FROCCA was born. The purpose of
25 FROCCA was to coordinate military action on the ground against the Séléka group

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1 that was there.

2 Q. [12:29:26] And did you receive information about who participated in this group,
3 at its founding at least? You've mentioned already the lawyer, Banoukepa. Who
4 else?

5 A. [12:29:48] Joachim Kokaté, Levy Yakete, who urgently went to Paris to attend
6 that meeting, and other fellow countrymen in France also attended that meeting.

7 Q. [12:30:07] Do you recognise the name Adrien Poussou?

8 A. [12:30:15] Yes, yes. He attended the meeting too, yes.

9 Q. [12:30:23] I'd like to show you a document, if I could. It's CAR-OTP-2124-0852.
10 It's tab 68 in the binders. This is a document that's called (Interpretation) "Protocol
11 on the political agreement on the creation of the front for the return to the
12 constitutional order in the Central African Republic".

13 (Speaks English) I'm assuming you haven't seen this before?

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

15 Q. [12:31:22] All right. Could we please go to page 0852. I'm sorry, I misspoke.
16 0854. I'm sorry about that.

17 Okay. Very good. If we can go down a little bit to the bottom, or close to the
18 bottom.

19 First, you can see here it refers to certain objectives. It says, essentially, to establish
20 promptly in Central Africa constitutional order that was destroyed by the enemies of
21 the nation. And it describes certain crimes attributed to the Séléka, referred to as
22 mercenaries and Islamist mercenaries.

23 Do you see that in the middle of the paragraph, yes?

24 A. [12:33:17] Yes.

25 Q. [12:33:19] Okay. If we can go down the page, please, a little bit. You'll see the

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beginning of the Article 2, which talks about the actions to carry out -- to return the constitutional order.

And if we can now go to the next page, 0855.

A. [12:33:46] Mm-hmm.

Q. [12:33:51] At the top of this page you can see that it redefines these objectives on how to carry out the following actions and they refer to three distinct plans:

(Interpretation) At the political level, at the diplomatic level, and at the strategic level.

(Speaks English) So let me just stop right there and ask you this: Were you aware of this, this plan in order to achieve or to return the constitutional order to the Central African Republic?

A. [12:34:31] Yes, I was aware of this because (Redacted)

(Redacted)

Q. [12:34:45] And if we could just go down the page, I want to focus a little bit on the *Plan Stratégique*. And here you can see there are four specific categories:

One is (Interpretation) "FROCCA must acquire all human, material and financial reasons in order to attain its objectives;

FROCCA has to acquire communications resources in order to be able to decipher intelligence -- intelligence information, particularly through the Thuraya;

FROCCA should acquire flexible, practical coordination resources for strategic, rapid and efficient actions;

And provide confidence and encourage members of the forces who are disenchanted in order to bring them to an expectation of more favourable conditions regarding the problems inflicted on them by the Islamic invaders."

(Speaks English) Does this accord with your understanding of what FROCCA was designed to do and doing, to your knowledge?

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1 A. [12:36:37] Yes.

2 Q. [12:36:44] In terms of "*les moyens humains, matériels et financiers*", was

3 Mr Ngaïssona involved in activities related to those things?

4 A. [12:37:03] I'm sorry. Could you please rephrase your question?

5 Q. [12:37:06] Yes. In terms of procuring (Interpretation) "all the necessary human,
6 material and financial resources necessary for the achievement of these objectives"

7 (Speaks English) was Mr Ngaïssona involved in actions related to those things while
8 he was in Douala or while he was in Yaoundé or while he was in Bangui?

9 A. [12:37:43] I wasn't informed about that, but the objective of FROCCA, namely to
10 return to the constitutional order, was principally funded by General Bozizé and
11 coordinated by Yakete and others. When there was any travel involved to Paris or to
12 Yaoundé, he would be the one to take care of it.

13 Q. [12:38:15] All right. So to your knowledge, Mr Ngaïssona wasn't involved in
14 obtaining finances for the Anti-Balaka for this purpose; is that how I should
15 understand your testimony?

16 A. [12:38:36] Well, maybe he was involved, but I don't know. I don't remember
17 being mentioned -- being told even once about his participation in it. I know that
18 from time to time Levy Yakete would talk about -- talk with the financiers, and I've
19 mentioned that in the documents, asking for -- for money for communication and for
20 other things.

21 Q. [12:39:13] All right. Did Mr Ngaïssona participate in going to the border to
22 meet with troops, for instance?

23 A. [12:39:32] Yes, that is what I told you already, that (Redacted)

24 (Redacted) Ngaïssona had come to that place to meet him and that happened when
25 he was in Douala. I was told -- when I was in Douala. I was told that Ngaïssona

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1 had come by, but whether he was given money or not, I don't know. But all I know
2 is that Ngaïssona had left Douala and gone to Bertoua.

3 Q. [12:40:14] All right. (Redacted) concerning money
4 provided by Ngaïssona and by Bernard Mokom, didn't he?

5 A. [12:40:36] No. When Ngaïssona was going to the border, he didn't say Bernard
6 Mokom was with him. He said Ngaïssona was passing through Bertoua.

7 Q. [12:40:53] All right. Let me take you to your statement again. It's at
8 paragraph 134. This is the statement from 2017. One moment and I'll give you a
9 page number. Page reference is 15 -- ERN ending 1555.

10 What your statement says (Redacted) received funds transferred
11 either from Maxime Mokom ... from the DRC or from Bernard Mokom coming from
12 Cameroon." Right?

13 A. [12:41:37] Yes, yes.

14 PRESIDING JUDGE SCHMITT: [12:41:41] I think we have to discuss this in private
15 session, this specific one. We get a lot of redaction requests and I think we can go to
16 private session.

17 (Private session at 12.41 p.m.) *(Reclassified partially in public)

18 THE COURT OFFICER: [12:42:09] We are in private session, Mr President.

19 PRESIDING JUDGE SCHMITT: [12:42:11] So, again, we are at paragraph 134 you
20 said?

21 MR VANDERPUYE: [12:42:16]

22 Q. [12:42:20] 134 is where you refer to (Redacted) received
23 money from Bernard Mokom and from Maxime Mokom, right?

24 A. [12:42:31] Yes.

25 Q. [12:42:32] And (Redacted) he received money from

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1 Ngaïssona, which is what Mr President was asking you about before, right?

2 A. [12:42:50] He talked to me about money from Ngaïssona when Ngaïssona
3 travelled from Douala through Bertoua. That's when he talked to me about it, and
4 that was before Ngaïssona went to the *Cité du Golf* residence.

5 Q. [12:43:11] All right. Well, I'm having a little trouble following your timeline.
6 Do you have information that Mr Ngaïssona gave money or provided money to
7 elements of the Anti-Balaka at any point before 2014?

8 A. [12:43:35] No. Before 2014, no. The only one who talked about Ngaïssona's
9 movements was (Redacted) who was at the base near Bertoua in Cameroon,
10 and he talked to me about Ngaïssona coming through the base at that time when he
11 travelled between Douala and Bertoua. But all transfers were by Bernard Mokom
12 and Serefio, I think. Those are the people who conducted those transfers.

13 Q. [12:44:23] All right. I have my answer.
14 In terms of FROCCA, what was Joachim Kokaté's role?

15 A. [12:44:37] Kokaté was the spokesperson for FROCCA.

16 Q. [12:44:42] All right. And what was he supposed to do as the spokesperson?
17 Disseminate information, I guess?

18 A. [12:44:53] Yes, he provided information. He made contact with the soldiers
19 and combatants on the ground.

20 Q. [12:45:04] Okay. One moment.

21 Let me just go back briefly to this FROCCA document.

22 PRESIDING JUDGE SCHMITT: [12:45:30] Of course, please keep always in mind
23 when we go back to open session. But, you know, any information (Overlapping
24 speakers)

25 MR VANDERPUYE: [12:45:34] We can go back to open session.

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- 1 PRESIDING JUDGE SCHMITT: [12:45:37] We can go back to open session.
- 2 MR VANDERPUYE: [12:45:39] Yes, Mr President.
- 3 It was tab 68 -- (Overlapping speakers)
- 4 PRESIDING JUDGE SCHMITT: [12:45:53] We go back to open session.
- 5 MR VANDERPUYE: [12:45:59] Yeah. Thank you, Mr President.
- 6 (Open session at 12.46 p.m.)
- 7 THE COURT OFFICER: [12:46:03] We are back in open session, Mr President.
- 8 MR VANDERPUYE: [12:46:07]
- 9 Q. [12:46:08] If we could just go -- I'm sorry, it's CAR-OTP-2124-0852. It's tab 68.
- 10 And I just want to go very briefly to page 858 and then follow it to page 859.
- 11 First I want to ask you, obviously, if you recognise any of these names. Two of them
- 12 you've already spoke about, and that's Maître Banoukepa and François Bozizé.
- 13 Do you recognise the third name, Wafio Jean Serge?
- 14 A. [12:47:04] Yes, yes.
- 15 Q. [12:47:05] And who is this individual?
- 16 A. [12:47:17] Yes, Wafio Jean Serge, yes.
- 17 Q. [12:47:19] Who is he and how do you know of him?
- 18 A. [12:47:34] Are you talking about Jean Serge Wafio?
- 19 Q. [12:47:38] I am, yeah.
- 20 A. [12:47:39] Are you talking about the third person? * He is a former minister; a
- 21 former member of parliament, and the President of a political party known as the
- 22 PDCA. He hails from Ouham, the same region of origin as myself, and so I know him
- 23 very well.
- 24 Q. [12:48:03] Were you aware of his participation in FROCCA?
- 25 A. [12:48:17] Yes, because he was an official of ECCAS at the time. He was a

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1 commissioner of ECCAS. And when they set up FROCCA, he decided to participate
2 in FROCCA in order to help the movement. This was confirmed to me. He was
3 active with them and participated and contributed in the FROCCA movement.

4 Q. [12:48:59] All right. If we could go to the next page, please. That's 0859.

5 On this page it says: (Interpretation) "Composition of the coordination both politically
6 and diplomatically".

7 (Speaks English) And you can see various names attached to various roles. So
8 Maître Banoukepa Lin is designated here as (Interpretation) political and diplomatic
9 coordinator.

10 (Speaks English) Levy Yakete is designated (Interpretation) spokesman.

11 (Speaks English) Someone named Mazoungou is designated (Interpretation)
12 responsible for the mobilisation of women.

13 (Speaks English) Ngaïssona Edouard-Patrice is indicated (Interpretation) responsible
14 for internal affairs and associations.

15 (Speaks English) Thierry Bongolo indicated (Interpretation) responsible for the
16 mobilisation of youth and their sensibilisation.

17 Responsible for logistics and finance, (Speaks English) Ancienne TG, it says, KNK,
18 (Interpretation) Former TG, KNK.

19 Responsible for communication, Poussou Adrien.

20 (Speaks English) Do you recognise these names? Some of them I'm sure.

21 A. [12:51:03] Yes.

22 Q. [12:51:05] Thierry Bongolo, do you recognise that name?

23 A. [12:51:10] Yes. Yes, it's a compatriot who lives in Paris.

24 Q. [12:51:16] And were you aware of his participation in the FROCCA?

25 A. [12:51:28] Yes, I didn't see his participation, but I know he's a compatriot who

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1 lives in Paris.

2 Q. [12:51:36] Mazoungou, do you know who that might be?

3 A. [12:51:41] Yes, it's a former minister of tourism during the time of

4 General Bozizé.

5 Q. [12:51:50] Do you know the first name?

6 A. [12:52:00] Sylvie, I think.

7 Q. [12:52:02] And would she be a member of the KNK party?

8 A. [12:52:12] Yes.

9 Q. [12:52:13] And this one, Ancienne TG KNK, I think that's supposed to say

10 *Responsable des finances*, but I'm not sure, *et des Logistiques*. But in any event, do you
11 know who that is?

12 A. [12:52:39] No. I think maybe TG stands for general treasury, but I don't really
13 know. But I think it might be the treasury general.

14 Q. [12:52:49] All right. Well, I don't want you to guess. I just wanted to know if
15 you know.

16 If I could now show you CAR-OTP-2069-3544. It's tab 34. I think if we go down to
17 the bottom of the page we can see the date of this document, I think so. Yes, this is a
18 document that is dated 17 August 2013. You can see that it indicates
19 "Joachim Kokaté, *Porte-parole*". And if you go to the top of the document we can see
20 what it's about.

21 A. [12:54:23] Yes.

22 Q. [12:54:25] Do you know what this -- what this is intended to do, this document?
23 What it's for?

24 A. [12:54:40] No.

25 Q. [12:54:42] Do you know what the *Collectif des Officiers Libres* is?

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1 A. [12:54:56] No, Kokaté was organising this collective over there.

2 Q. [12:55:03] Okay. Maybe it's -- it's not clear to me anyway what you mean, but
3 what do you mean by he was organising this collective over there? Over where?

4 A. [12:55:21] No, he was contacting the former military and fighters and he tried to
5 regroup them.

6 Q. [12:55:35] And that was in relation to his role in the movement or his role in
7 FROCCA? Or both?

8 A. [12:55:49] The two. Both of them.

9 Q. [12:55:52] All right. And you can see here it refers to almost the identical
10 languages as in the FROCCA document that I showed you before, right?

11 Concerning the crimes committed by the Séléka and the return to the constitutional
12 order.

13 PRESIDING JUDGE SCHMITT: [12:56:23] Well, the witness does not have the two
14 documents aside him. I think we can read -- can read by ourselves. So please put
15 the question to him.

16 MR VANDERPUYE: [12:56:32] No problem.

17 It's okay. I think I have my answer anyway.

18 PRESIDING JUDGE SCHMITT: [12:56:37] Okay.

19 MR VANDERPUYE: [12:56:43]

20 Q. [12:56:44] Did you discuss with Kokaté what the objectives of his assembling of
21 these officers was?

22 A. [12:57:02] At that time he wanted -- they wanted to have the return to the
23 constitutional order.

24 Q. [12:57:13] And what was their relationship -- what would the relationship of the
25 soldiers, that is the military, to the civilians that were in the -- on the ground in CAR

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1 fighting? Like --

2 A. [12:57:34] Sorry?

3 Q. [12:57:35] What was the relationship between the militaries and the civilians that
4 were fighting on the ground in CAR? People like (Redacted).

5 A. [12:57:50] When Bernard Mokom contacted them, he gave (Redacted) -- he gave
6 the numbers of the military who were there so that he could contact them or look at
7 them in the combat zone which they were occupying. So he was trying to bring
8 them together, he was trying to bring the military and civilians together who were in
9 that area.

10 PRESIDING JUDGE SCHMITT: [12:58:29] And again, you have to be careful when
11 to go to private session. And perhaps this is a good moment to remind the
12 parties - this is no reprimand or anything - but it is very difficult, yeah, to -- to always
13 be on top what can be said openly and whatnot, but for the Registry it's at the
14 moment very difficult to follow redaction requests. So please compile and regroup
15 redaction requests as much as possible and try not to send separate emails with
16 multiple requests within minutes. So I have to say that. Otherwise, the Registry
17 simply can't follow and we don't want to come into that situation.

18 And I wonder, we have 1 o'clock, if we --

19 MR VANDERPUYE: [12:59:13] I think now is a good time to move for the break if
20 you want, Mr President.

21 PRESIDING JUDGE SCHMITT: [12:59:20] Yes, this I would like to suggest. And I
22 would like to ask you if you have already an idea how long your examination will
23 last?

24 MR VANDERPUYE: [12:59:23] I think I'll finish today, I think.

25 PRESIDING JUDGE SCHMITT: [12:59:27] Yeah, I think, because we have also the

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1 Defence. We don't know if the Defence will ask so many question as they intended,
2 but nevertheless we don't know. They have their estimate now. And so perhaps
3 it's a good idea to say -- to shorten the lunch break until 2 o'clock and have a two-hour
4 session and that should do it. And also the CLRV, I can't imagine that they have
5 many questions to -- to this witness.

6 MR VANDERPUYE: [12:59:54] I was going to ask if you might consider splitting the
7 difference and making it an hour and 15. But it's okay, an hour is fine.

8 PRESIDING JUDGE SCHMITT: [13:00:02] Okay. No, I think then we do it this way.
9 We have the lunch break now until 2 o'clock, and have a two-hour afternoon session
10 and this -- and finish with your examination and if the CLRV have any questions at
11 all. Thank you.

12 THE COURT USHER: [13:00:16] All rise.

13 (Recess taken at 1.00 p.m.)

14 (Upon resuming in open session at 2.01 p.m.)

15 THE COURT USHER: [14:01:28] All rise.

16 Please be seated.

17 PRESIDING JUDGE SCHMITT: [14:01:58] Mr Vanderpuye, you still have the floor.

18 MR VANDERPUYE: [14:02:09] Thank you, Mr President.

19 Q. [14:02:14] Good afternoon, Witness.

20 A. [14:02:17] Thank you. Thank you.

21 Q. [14:02:26] I'd like to ask you a few questions from your -- from your statement.

22 Just bear with me one second and I'll be with you.

23 All right. If I could, Mr President, I'd like to orient the Chamber to paragraph 112 of
24 the 2017 statement, the ERN there ends in 1551.

25 PRESIDING JUDGE SCHMITT: [14:03:34] The paragraph is, you --

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1 MR VANDERPUYE: [14:03:36] I'm sorry, the paragraph is 112.

2 PRESIDING JUDGE SCHMITT: [14:03:38] This is paragraph -- excuse me, it was my
3 fault.

4 MR VANDERPUYE: [14:03:46]

5 Q. [14:03:46] In the earlier session, sir, I asked you about whether you had
6 knowledge of Mr Ngaïssona giving orders to elements on the ground, and I think you
7 said that you didn't know about that.

8 In your statement at the referenced paragraph, it indicates as follows:

9 "Ngaïssona had decided to live in Bozizé's residence in Golf in Yaoundé. I don't
10 have the telephone number that Ngaïssona used during his stay in Cameroon. I
11 used to see him quite often at the residence in the *Cité du Golf* in Yaoundé. He used
12 to sleep over there after Bozizé went to South Sudan. Ngaïssona expressly issued
13 orders and attack plans by telephone to the other Anti-Balaka who had stayed on the
14 ground in CAR."

15 And as we're in open session I don't want to go into the basis of your knowledge of
16 those facts, but it is accurate what you said in this statement?

17 A. [14:05:31] I think that I already talked about Ngaïssona's activities at
18 the residence at the *Cité du Golf*. When it comes to issuing orders, that was after 2014
19 when he was already the coordinator and that's in relation to his activities with
20 the coordination. However, I know that at the *Cité du Golf* there was Mokom,
21 Wapounaba, and before December they were the ones coordinating Anti-Balaka
22 activities and issuing orders to the Anti-Balaka at the borders because several times,
23 as I have mentioned in my statement, Mokom went to the border to meet him. But
24 at the residence, and as I said earlier, I saw Ngaïssona only once.

25 Now, when it comes to following wherever he was, at the time it wasn't important for

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1 me to know whether it was Bozizé who was calling or whoever was giving orders to
2 the troops at the border and Mokom who was in contact with Achille coordinating
3 the activities as such.

4 Q. [14:07:08] (Microphone not activated)

5 PRESIDING JUDGE SCHMITT: [14:07:09] Microphone, please.

6 MR VANDERPUYE: [14:07:11] Thank you, Mr President.

7 Q. [14:07:13] I have another question about your statement. And this is at ERN
8 page ending 1553, it's paragraph 121.

9 And at that paragraph you say -- you're explaining what you mean by coordination
10 and you say:

11 "By coordination I mean the fact that the northern Anti-Balaka reported directly to
12 Ngaïssona and Bernard Mokom, and they took orders and instructions from him."

13 Is your statement accurate in that respect?

14 A. [14:08:16] Yes, that is correct. After -- after 2013 -- after 2014, that was in 2014
15 when he was coordinating activities with the other on the ground when he was
16 coordinator.

17 Q. [14:08:40] I want to take you to paragraph 138 of your statement. And that
18 is -- one moment, sorry about that. That is at ERN ending 1555. And in that
19 paragraph you say:

20 "Furthermore, all the FACA, in particular, the Presidential Guards, who had left
21 the base in Bouar, abandoning their military uniform when they fled and were living
22 at the border, were organising themselves to attack Séléka bases from Beloko to Bouar
23 under the orders of Prefect Bernard Mokom, Ngaïssona and Marcelin Yaliminde."

24 I won't go into how you received this information, but ask you again is your
25 statement accurate?

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1 A. [14:10:06] Yes, that is accurate, because after the attack on Bangui, that is when
2 he and Marcelin Yaliminde were coordinating. But these were different groups,
3 the groups did not mix. Yaliminde Marcelin also, you may want to know, funded
4 some soldiers who were in their group in Bangui and at the border, and this was
5 coordinated by the people whose names I mentioned in -- in the thing. And since
6 Bernard used to live with Ngaïssona in the residence after -- after, well they -- they
7 coordinated and talked a lot with Ndale and Mr Achille Godonam and also with
8 some soldiers at the border for the attack in Beloko and Bouar.

9 Q. [14:11:10] The attack in Beloko and Bouar took place when?

10 A. [14:11:22] Pardon.

11 Q. [14:11:26] When was the attack on Beloko and the attack on Bouar?

12 A. [14:11:39] I think it was somewhere between November and December, but
13 I don't have an exact date for you.

14 Q. [14:11:54] Of what year?

15 A. [14:12:03] 20 -- 2013.

16 Q. [14:12:05] 2013. So that was before Mr Ngaïssona became a coordinator in 2014,
17 obviously.

18 A. [14:12:20] Yes, the Bouar attack occurred before he became coordinator.

19 Q. [14:12:26] All right. I want to ask you about paragraph 142 of your statement.
20 Mr President, that is at ERN ending 1556.

21 At paragraph 142 of your statement you say the ComZone of Bouar provided certain
22 information about the Beloko attack. He said he "was getting ready to attack Bouar ...
23 following the instructions of Bernard Mokom and Ngaïssona, notably after they met
24 in Yaoundé."

25 Is that part of your statement accurate?

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1 A. [14:13:35] That part of my statement, as I have said, my statement stands. But
2 as I said before, there are some small points of confusion in the statement. In 2017, in
3 the first interview, Mr Ndale (Redacted) he was the coordinator
4 in Bouar, not Beloko. He is in Bouar and he is the one who informed me that he was
5 preparing or that the military camp in Bouar had been attacked where there was
6 Séléka and the general.

7 So I think that in my statement I said, on the day -- on the day of the attack -- I said
8 that on the day of the attack (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted). (Redacted)

12 (Redacted) the information which I have just mentioned.

13 So Ndale is the one who, from the very beginning of my statement, had been working
14 with Bernard Mokom.

15 The ComZone of Beloko is our -- a group that attacked Beloko. It's not Ndale who
16 attacked Beloko.

17 Q. [14:15:37] All right, thank you for that clarification.

18 I have a few other questions regarding your statement.

19 Does the name Pacom Azounou mean anything to you?

20 A. [14:16:10] Yes.

21 Q. [14:16:11] Do you know him?

22 A. [14:16:13] Yes, I do.

23 Q. [14:16:15] In your statement you refer to him, and in particular --

24 PRESIDING JUDGE SCHMITT: [14:16:26] A moment we don't hear you. I

25 don't -- you have the microphone on, but for whatever reason we don't hear you at

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1 the moment.

2 MR VANDERPUYE: [14:16:31] Sorry.

3 Q. [14:16:31] In your statement you refer to Azounou at paragraph 135, which
4 should be ERN ending 1555 again. And I just want to clarify something there, if you
5 could. In your statement you say:

6 "There was also Pacom Azounou (who was Anti-Balaka deputy chief of staff) ... he
7 had received money from Ngaïssona and Bernard Mokom by various means (either
8 via an intermediary physically conveying the funds or via Express Union), so that
9 the attacks could continue."

10 Is that part of your statement accurate?

11 A. [14:17:43] Mr Prosecutor, I think that there's a bit of confusion in the -- in
12 the things or paragraphs that are being quoted. I also explained that Pacom Azounou
13 was on the Damara road. He was someone in the mining sector. (Redacted)
14 (Redacted). So I said over and over again
15 that all transfers that were made were done by Mokom Bernard and one chief warrant
16 officer Serefio.

17 And then when it comes to Mokom the son, known as Maxime Mokom, he is the one
18 who prepared the ammunition for the hunting guns and then transported those
19 ammunitions with other material along with other third parties, to the -- to the field,
20 according to what I was told.

21 Q. [14:18:59] So the part about Ngaïssona having to do with the transfer of money
22 in all of your statements is a mistake, is that what you're telling this Chamber?

23 A. [14:19:22] Yes, it's a mistake, because I never saw him make any transfers. It
24 was Mr Mokom and Mr Fred Serefio who handled the transfers, and I can say that
25 with all confidence and with all evidence and everything else. I had never seen him

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1 conduct any transfers.

2 Q. [14:19:46] And then, again, that's not the question. The question is: Are you
3 aware of his involvement in those money transfers? I didn't ask you if you saw him
4 go to the bank or go to the money transfer place and deposit the money, I'm asking if
5 you know whether he was involved in it. Because that's what your statement says.
6 So I'm going to ask you to think about it and answer the question as truthfully as you
7 can.

8 A. [14:20:25] I believe that the investigators put a specific question to me and I gave
9 them my answer, namely that when Ngaïssona was living with Mokom they asked
10 me for the sources of Mokom's funding and I told them that Mokom was
11 the President Bozizé's direct brother. And so if it was Ngaïssona -- whether it was
12 Ngaïssona who gave him the money or Bozizé gave him the money, he never told me
13 the source of the funds which he sent to the border and to Bangui. So my answer to
14 your question then is that the information on Ngaïssona transferring funds, I -- I
15 really didn't provide that information. I didn't have that information.

16 THE INTERPRETER: [14:21:21] Says the witness.

17 MR VANDERPUYE: [14:21:23]

18 Q. [14:21:25] Are you suggesting that the investigators decided to put that in your
19 statement and then tricked you into signing it and reading it? Twice. And then
20 again last week by the victim and witnesses services.

21 A. [14:21:57] Yes, that this statement, on the same day we finished the -- taking
22 the statement, we reread the statement together on their tool and then they printed it
23 and gave me. So later on I told them that there were a few items which I corrected or
24 cancelled in -- in the draft and also on the statement which I reread the other day.
25 Therefore, ...

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1 Q. [14:22:39] I'm sorry, were you finished your answer, or ...

2 A. [14:22:46] Yes.

3 Q. [14:22:48] All right. I have a few more questions for you yet.

4 I'd like to show you a few documents and ask -- and ask you about them. So the first
5 one I would like to show you is CAR-OTP- -- before I call it out, I don't think we
6 should broadcast this one. So it's CAR-OTP-2101-9735 at 9780. It's tab 58.

7 I see Mr Knoops has an objection, I think.

8 PRESIDING JUDGE SCHMITT: [14:24:27] Mr Knoops.

9 MR KNOOPS: [14:24:28] Yes, is if it's the Facebook message, yes, then -- then we
10 object. It's, Mr President, if you look at document 58, it's a communication between
11 two individuals to which this witness was not privy -- or at least he did not
12 participate. He is not in any way involved in this conversation.
13 Secondly, the Facebook messages we are confronted with are forensically not
14 independently authenticated, as such. There is an abundance of jurisprudence to say
15 that the communication which takes place allegedly between Facebook accounts
16 cannot, as such, demonstrate that these accounts were actually used by their
17 legitimate owners. It's also mentioned in our opening statement, as your Honours
18 know.

19 But, most importantly, it would certainly lead the witness -- it's a matter of leading
20 the witness into a certain answer. And I think in light of the initial directions, article
21 4, of this Chamber in relation to Regulation 43, it should not be allowed. The witness
22 can be asked about any conversations, but he should not beforehand before
23 confronted with Facebook messages to which we don't have any identity -- proof of
24 identity of the authors. And the Prosecution has other witnesses to its disposal to
25 introduce Facebook, but not through this witness who was not in any way participant

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1 in these conversations. And it is clearly leading the witness to -- to a certain answer.

2 Thank you.

3 PRESIDING JUDGE SCHMITT: [14:26:43] So there are different layers that you are
4 addressing. First of all -- and this is something that we would have
5 to -- the Chamber would have to ascertain later, and I think there will be further
6 evidence and further discussions about the probative value or if it is -- has a probative
7 value at all.

8 And secondly, if this concrete Facebook entry could be shown or should be shown to
9 the witness. So at the moment I think, if it is alleged that a certain witness has taken
10 part in a conversation, I think you can ask him "Do you recall that?"
11 Here I see a difference, so I would prefer it, Mr Vanderpuye, since he is obviously not
12 part of the conversation, if you draw out the information out of this Facebook entry
13 without showing it and asking him -- ask him the question.

14 MR VANDERPUYE: [14:27:36] I'll happily do that.

15 PRESIDING JUDGE SCHMITT: [14:27:43] Just shortly, for explanation, I think to
16 everyone and especially Mr Knoops, you understand the difference, yeah, what -- that
17 I see here? So I think it's -- it's -- I would not think we should allow a witness to
18 comment on a conversation that he has not taken part of directly. But if he was
19 alleged to be part of, you can ask him "Do you know that?" If he says no, then we
20 come to the second layer with your probative value what this means at all. So
21 just -- just for explanation. So you can draw out -- the information out of this
22 conversation and put a question to him.

23 MR VANDERPUYE: [14:28:17] I'm happy to do that, Mr President. I would like to
24 respond to Mr Knoops' comments (Overlapping speakers)

25 PRESIDING JUDGE SCHMITT: [14:28:23] So do you think -- do you think I was too

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- 1 quick or what (Overlapping speakers)
- 2 MR VANDERPUYE: [14:28:26] Well, (Overlapping speakers)
- 3 PRESIDING JUDGE SCHMITT: [14:28:27] You know -- you know I was -- I'm into
- 4 expediting proceedings and streamlining (Overlapping speakers)
- 5 MR VANDERPUYE: No, no, and I understand it (Overlapping speakers)
- 6 PRESIDING JUDGE SCHMITT: Of course (Overlapping speakers)
- 7 MR VANDERPUYE: No problem, I can just to that.
- 8 PRESIDING JUDGE SCHMITT: Okay. Good.
- 9 MR VANDERPUYE: [14:28:33] If we could go into private session then because I
- 10 think I'm going to have to do that in this case.
- 11 PRESIDING JUDGE SCHMITT: [14:28:39] Absolutely we can do that, go to
- 12 private session.
- 13 (Private session at 2.28 p.m.) *(Reclassified partially in public)
- 14 THE COURT OFFICER: [14:28:50] We are in private session, Mr President.
- 15 MR VANDERPUYE: [14:28:55] Thank you.
- 16 Q. [14:28:56] Witness, do you know someone by the name of (Redacted)
- 17 (Redacted)?
- 18 A. [14:29:14] Sorry.
- 19 Q. [14:29:17] Do you know someone by the name of (Redacted)?
- 20 A. [14:29:34] Yes.
- 21 Q. [14:29:35] How do you know him?
- 22 A. [14:29:36] Sorry, I didn't understand your question.
- 23 Q. [14:29:38] In what way do you know him?
- 24 A. [14:29:46] I knew (Redacted) when we went into exile in Yaoundé.
- 25 Q. [14:29:55] Is he someone with whom you've exchanged information while you

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1 were in Yaoundé?

2 A. [14:30:08] Yes.

3 Q. [14:30:08] What kind of information did you exchange with him?

4 A. [14:30:18] He is a fellow countryman who used to sleep at a place (Redacted)
5 (Redacted). (Redacted)

6 (Redacted) So from time to time in the morning he would come and we
7 would discuss the news about the Central African Republic and that happened when
8 we were there. We would talk about this and that, but I did not engage very much
9 in political discussions with him.

10 Q. [14:30:49] Did you discuss with him what was happening with Bozizé, with
11 Ngaïssona, with Kokaté, the people with whom you were in contact while you were
12 in Yaoundé?

13 A. [14:31:11] No, we never talked about this, because, you know, (Redacted)
14 (Redacted)

15 (Redacted). And even if he would come to our home I would talk, but we were just
16 talking about general information on France 24, that we could talk about.

17 Q. [14:31:40] Are you sure?

18 A. [14:31:44] I'm sorry? Our communication with them, yes, he was someone who
19 would come over, he knows me, we would talk about general news in the Central
20 African Republic, but we did not talk about things or information that (Redacted)
21 (Redacted), no.

22 Q. [14:32:14] All right. So you never discussed with (Redacted) anything to
23 do with what you're testifying here today about? None of the facts that you testified
24 to today, none of the facts that were in your statement you never shared with that
25 man, is that what you're saying?

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1 A. [14:32:38] For my testimony here?

2 Q. [14:32:41] The subject matter of your testimony, what it is you're talking about,
3 (Redacted)

4 A. [14:32:55] Never.

5 MR VANDERPUYE: [14:32:56] If I could have CAR-OTP-2101-8599. I'm going to
6 need to go to 8 -- 8692. Let's start there. This one I do want displayed to
7 the witness, please.

8 MR KNOOPS: [14:33:25] Sorry, which number on your binder is that,
9 Mr Vanderpuye? Sorry.

10 MR VANDERPUYE: [14:33:29] I'm sorry, the tab is 56.

11 MR KNOOPS: [14:33:38] Fifty-six, one minute, please. Ah, here it is.

12 PRESIDING JUDGE SCHMITT: [14:34:09] Where's the difference to the one we had
13 before?

14 MR KNOOPS: [14:34:11] Yeah, well, that's -- that was my question, because I just
15 looked at it, 56, and I think, Mr President, that the same objection would stand also
16 for this Facebook.

17 MR VANDERPUYE: [14:34:20] Now I'm at page 8692.

18 MR KNOOPS: [14:34:25] Mm-hmm.

19 PRESIDING JUDGE SCHMITT: [14:34:25] Actually, really, at the moment,
20 Mr Vanderpuye, I would agree, because I don't see that Mr -- our witness was -- is
21 alleged to be part of this conversation.

22 MR VANDERPUYE: [14:34:40] Yes. My question was whether or not he had
23 shared information concerning the subject matter what he testified with
24 the individual who is in this conversation.

25 PRESIDING JUDGE SCHMITT: [15:49:44] Yeah, but then you can -- then you can

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1 ask him that you have information that this individual talked with another individual
2 about -- about that he -- if it is in -- I haven't read it, so I can't -- you see what I mean?

3 So you have to --

4 MR VANDERPUYE: [14:35:02] Yeah, I was just going to direct his attention to it at
5 a particular line and question. And he can deny it or he can admit it, it's
6 (Overlapping speakers)

7 PRESIDING JUDGE SCHMITT: [14:35:13] So now I see the difference.

8 The difference is that he is mentioned inside here. So that -- that is indeed
9 a difference. Yeah, okay. So excuse me, I --

10 MR VANDERPUYE: [14:35:19] It's my fault.

11 PRESIDING JUDGE SCHMITT: [14:35:21] Because I see it for the first time, I have to
12 react quickly or not quickly so it's -- okay.

13 MR VANDERPUYE: [14:35:27] It's entirely under -- it's my fault, I didn't mention
14 he was in it.

15 PRESIDING JUDGE SCHMITT: [14:35:27] No, no, no. Because on the face of it I
16 thought Mr Knoops is -- like Mr Knoops, there is no difference at all. But if he is
17 mentioned in it you can ask him if this information that is entailed there, if he
18 confirms it or if he -- or not and then we move on.

19 MR VANDERPUYE: [14:35:42] That's right.

20 PRESIDING JUDGE SCHMITT: Not more.

21 MR KNOOPS: [14:35:43] Yes, Mr President. For clarity, we were aware that
22 allegedly the name of the witness is mentioned in this Facebook page. But that does
23 not take away the principle objection, I think that's for the Court to decide that --

24 PRESIDING JUDGE SCHMITT: [14:35:58] Yeah, no -- (Overlapping speakers)

25 MR KNOOPS: [14:36:00] -- we have other objections to the same Facebook --

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1 PRESIDING JUDGE SCHMITT: Yeah, yeah, absolutely.

2 MR KNOOPS: -- materials in general.

3 PRESIDING JUDGE SCHMITT: [14:36:05] No, I can assure you, Mr Knoops, that
4 this -- I spoke I think a couple of minutes ago of the different layers. We are aware
5 of this argument that you brought already forward in your opening statement - I
6 think it was you - and we will really have to look into the value, probative value,
7 whatsoever of these Facebook. So this is without prejudice to that. That's perfectly
8 clear.

9 But if we -- you know, if we exclude it from the outside and in two years -- two years
10 on we come to the conclusion, oh they are wonderful, it's wonderful evidence, then
11 we have already, you see, excluded everything. But you can be assured that this will
12 be -- and actually the Chamber is very interested in figuring out in how far, or if at all,
13 this is evidence that can be relied upon.

14 Mr Vanderpuye, please.

15 So perhaps, as a principle for the future, we can put to the witness if he is alleged to
16 be part of the conversation. Secondly, if the witness or if a witness is concretely
17 mentioned in the conversation he can be asked if this information is correct or not.
18 And if he is not part of it at all, I would say you can -- any examiner can draw out
19 some information and put question out of it but not -- not present it directly to
20 the witness. Okay.

21 MR VANDERPUYE: [14:37:22] I understand. Thank you very much, Mr President.
22 If we could just scroll down just a little bit. All right. Yeah, yeah, that's -- that's
23 fine.

24 Q. [14:37:34] And I wanted to draw your attention to this in particular because
25 you're named in this document by - yes, we're in private session - by (Redacted).

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- 1 In the fourth entry on the page in front of you, you can see that he says:
- 2 (Interpretation) (Redacted)
- 3 (Redacted)
- 4 (Speaks English) Have you had a chance to read at least the three preceding entries?
- 5 If we could just scroll down -- scroll, yes, that's it.
- 6 Have a read of those and tell me or tell the Chamber whether the information that
- 7 (Redacted) is saying came from you, the (Redacted) that he refers to?
- 8 A. [14:38:58] Here I see that these two people, these two different people - and
- 9 I don't know this -- what this conversation was about - two of them talked about
- 10 getting closer to Ngaïssona. I'm not sure we're on the same line, but I see that
- 11 (Redacted)
- 12 Q. [14:39:27] Do you see your name mentioned in the bottom entry in this
- 13 exchange?
- 14 A. [14:39:51] No, I don't recognise myself here anywhere in this conversation.
- 15 Q. [14:39:55] You don't see your name on the page in front of you?
- 16 A. [14:39:58] I see my name at the bottom where it says (Redacted)
- 17 (Redacted) but what hypothesis is being referred to, I don't know.
- 18 Q. [14:40:14] Okay. You didn't have any conversations with (Redacted) about
- 19 the events concerning what the Anti-Balaka were doing or what the coordination was
- 20 doing in October of 2015, is that your testimony today?
- 21 A. [14:40:39] No, because they were bringing information that they were getting on
- 22 their side. We were talking about everything, how our parents were and relatives
- 23 were suffering. We were talking about general things like this with them. It's not
- 24 a close friend of mine, (Redacted)
- 25 (Redacted). (Redacted)

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1 came and I didn't discuss important things with him.

2 PRESIDING JUDGE SCHMITT: [14:41:16] Mr Vanderpuye, we have put it to
3 the witness, he has answered, and I think we have to take it as that and we -- you
4 should move on.

5 MR VANDERPUYE: [14:41:23] Yeah, I was just going to, Mr President.

6 If we could just go to the next page, I think it's the next page. No, it's not this page.

7 Let's go to a different document.

8 Mr President, again this is another one in which he's mentioned.

9 PRESIDING JUDGE SCHMITT: [14:42:00] Okay.

10 MR VANDERPUYE: [14:42:01] And this one is CAR-OTP-2102-2520 and I'll need to
11 go to 2643.

12 MR KNOOPS: [14:42:20] Sorry, Mr Vanderpuye, which tab are you referring to?

13 MR VANDERPUYE: [14:42:25] Sorry again, tab 59. Sorry about that.

14 All right, if we could just scroll down a little bit so we can see the last two, three, four
15 or so of them. Yeah, that's okay.

16 Q. [14:43:03] Can you see this conversation, sir?

17 A. [14:43:15] Yes.

18 Q. [14:43:20] And it talks about Ngaïssona: (Interpretation)

19 (Redacted)

20 (Redacted)

21 (Speaks English) And there's an answer and at the bottom (Redacted) says again:

22 (Interpretation) (Redacted)

23 (Speaks English) Did you tell him that?

24 A. [14:43:53] I believe that in my last answer in the last statement to

25 the investigators I gave this information. I said the information was not coming

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1 from me, I never talked about the Thurayas with them. I was very precise on these
2 questions during the last hearing in 2020.

3 Q. [14:44:16] And what about the facts that he's talking about in this conversation?
4 Do you know anything about those?

5 A. [14:44:30] Pardon me.

6 Q. [14:44:32] In this conversation he says that: (Interpretation) (Redacted)

7 (Redacted) (Speaks English) And it says: (Interpretation) (Redacted)

8 (Redacted)

9 (Speaks English) This was on 15 October 2013, does that comport of your memory of
10 where Ngaïssona was at that time?

11 A. [14:45:13] I did not understand this, perhaps it could be repeated.

12 Q. [14:45:16] Yes, I can repeat it. In this conversation, (Redacted) is talking
13 about -- well, he says two things: One, that Ngaïssona is at Golf. And second, that
14 he would bring Thurayas. So my question to you is: Do the facts or does what he
15 say -- what he says in this conversation, does that agree with your memory as to
16 where Ngaïssona was at that time?

17 A. [14:46:03] No, because I did not really have such an exchange, conversation with
18 him. When Ngaïssona arrived there we weren't at the Golf to know on what date
19 exactly.

20 Q. [14:46:28] Was he at the Golf in October of 2013? Do you know that at least?

21 A. [14:46:39] Well, I saw him when I would go to the Golf, for example, in the
22 month of December. I would go to the Golf to get some things, but as I said,
23 the exact month when he arrived, I know that he arrived in Douala after President
24 Bozizé's departure and then he resided there toward the end of 2013 at this Golf city.

25 Q. [14:47:12] All right, I think I have my answer.

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1 Have you spoken to anybody since you testified on Friday about your testimony?

2 A. [14:47:34] To speak to someone, no.

3 Q. [14:47:40] Are you sure?

4 A. [14:47:45] Yes.

5 Q. [14:47:46] Did you speak to anybody before you came to testify at this trial after
6 you gave your statement to the Office of the Prosecutor about the subject matter of
7 your statement or about these events?

8 A. [14:48:07] No, I had stated when arrived to the assistants of witnesses, (Redacted)

9 (Redacted) (Redacted)

10 (Redacted)

11 (Redacted) (Redacted)

12 (Redacted). (Redacted)

13 (Redacted)

14 Q. [14:48:48] So what is your explanation for the differences in what you're
15 testifying here today and what's in your statement in everything in regard to
16 Mr Ngaïssona? What is your explanation for this?

17 A. [14:49:10] When I was making this statement, Mr Prosecutor, I had said at the
18 beginning to the investigators I am not seeking to, you know, take one party's side,
19 but the Central African Republic has suffered too much. Those of us who are seeing
20 the truth and know the truth, if we know something, we have to bring our support so
21 that justice can be done legally to the benefit either of the victims or the Republic.

22 And my statement on Ngaïssona and I -- God knows I never met Ngaïssona,
23 not (Redacted) we didn't meet. When we sat down

24 with Ngaïssona (Redacted), he was

25 the president of the federation. I went into his office to talk because the minister at

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1 the time would -- wanted to remove him from the position of the presidency of the
2 federation (Redacted)
3 (Redacted). That's why I went there. I listened to his point of view, in order to then
4 be able to write up about it.
5 I did not discuss -- or I did not see Ngaïssona. I cannot say that I saw Ngaïssona
6 making the transfers. And this is on my conscience. You can verify everything that
7 I'm telling you here, to see the substance, so you can see the veracity of what I'm
8 telling you.

9 Q. [14:51:19] Is your statement accurate? You're concerned about the truth, is
10 your statement accurate? Or is it not true?

11 A. [14:51:45] I did not understand, sir.

12 Q. [14:51:47] You said it's important that the truth comes out.
13 That's important to your country.

14 A. *Oui.*

15 Q. [14:51:55] That's important that justice is done.

16 A. [14:52:00] *Oui.*

17 Q. [14:52:01] And so I'm asking you whether the statement that you gave is true?
18 The statement you gave in 2017 and the statement you gave in 2020, are those
19 statements true?

20 MR KNOOPS: [14:52:19] Mr President, I don't think this is a fair question.

21 The defendant -- the witness has already answered this question and gave some
22 clarifications, so how can he now say whether his statement in its totality is true? He
23 already said to the Court that there were certain things which were not in conformity
24 with reality.

25 PRESIDING JUDGE SCHMITT: [14:52:40] No, and he was asked this at the

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1 beginning of his testimony in this courtroom on Friday morning and we have -- I
2 think, yeah, it was me confronted him with that already. So I think, indeed, it's
3 repetitive.

4 MR VANDERPUYE: [14:52:59] Well, there's two things, Mr President, if I may.

5 PRESIDING JUDGE SCHMITT: [14:53:02] Yeah.

6 MR VANDERPUYE: [14:53:03] One is that he said in court that his statement is true.

7 He has said in the statement itself which is at issue here that it was true. And as

8 your Honour rightly pointed out - I think rightly pointed out - that some of the

9 discrepancies between what he's saying here and what is in his statement go well

10 beyond minor issues that do not affect the meaning of his statement.

11 So I think it's a fair question to ask whether those minor differences that he

12 pointed out at the beginning of his testimony affect the truthfulness of his

13 statement.

14 PRESIDING JUDGE SCHMITT: [14:53:48] Yeah, you know, it -- we can't -- we can't

15 say these are not minor differences and then ask him if minor differences have an

16 effect on the truthfulness. So I think I already -- I already said and everybody sees

17 that we are -- why should we speak around it, I am not -- I don't know if this is

18 the right English expression, but why aren't we blunt? These are not minor

19 differences here, so -- and you have tried to address this with the witness and he

20 sticks to what he says, but ...

21 MR VANDERPUYE: [14:54:26] Then there's one other thing I will ask the Chamber.

22 PRESIDING JUDGE SCHMITT: [14:54:29] Yes, please.

23 MS DIMITRI: [14:54:31] Mr President, if I may - I'm sorry to interrupt - but is there

24 any need to remain in private session?

25 PRESIDING JUDGE SCHMITT: [14:54:36] Absolutely you are right -- I also -- yeah,

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- 1 indeed, indeed you are right, Ms Dimitri.
- 2 Or do you want to address something that should be addressed in -- in private?
- 3 MR VANDERPUYE: [14:54:45] No, no, we can -- we can do (Overlapping speakers)
- 4 PRESIDING JUDGE SCHMITT: [14:54:47] Yeah, then we go to open session. We
- 5 could have done that after the witness has finished, but yeah.
- 6 (Open session at 2.55 p.m.)
- 7 THE COURT OFFICER: [14:55:04] We are in open session, Mr President.
- 8 PRESIDING JUDGE SCHMITT: [14:55:07] Mr Vanderpuye, you have the floor.
- 9 MR VANDERPUYE: [14:55:09] Thank you. Thank you. Thank you, Mr President.
- 10 There is one other thing I would ask the Chamber and -- at this point, and that is to
- 11 admonish the witness pursuant to his oath or his affirmation which he took at the
- 12 beginning of his testimony to tell the truth, and to warn the witness that false
- 13 testimony is sanctionable under the -- under the -- under the Statute under Article 70.
- 14 I think that's appropriate in the circumstances and I think it's well-established at this
- 15 point that the witness has impeached himself, frankly. His own statement --
- 16 PRESIDING JUDGE SCHMITT: [14:55:53] I would not -- I would not go so far
- 17 because this would -- this would mean that the Chamber would already take a stance
- 18 on that, so I would not want to do that.
- 19 Yet, especially, Mr Witness, with regard to the fact that on Friday morning, being
- 20 asked by the Prosecutor if you had the chance to reread the transcripts of these two
- 21 statements that you gave previously to the Prosecution, you said yes, and then you
- 22 have -- you have been asked if they are correct and then you said yes with regard to
- 23 that. And looking today that there are differences, I would -- on behalf of
- 24 the Chamber I would ask you to reflect upon this and indeed would remind you that
- 25 you have to tell us the truth and nothing but the truth and that it is a -- an offence

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1 under the Statute if you don't do that. I will do this once and not any more.

2 So then we can continue, Mr Vanderpuye.

3 MR VANDERPUYE: [14:56:57] Thank you, Mr President.

4 Q. [14:57:00] Sir, you indicated previously that in the hierarchy of the people that
5 were involved in assisting or organising the fighting elements from Cameroon, that
6 first there was Bozizé, second there was Ngaïssona, and third there was

7 Bernard Mokom. Do you stand by that?

8 A. [14:57:44] At the time when the Balakas restructured themselves, that was in
9 2014, not at the beginning, because at the beginning there were different factions of
10 people involved to help out each camp, but in 2014, that's where things became
11 structured. To confirm what -- what you have noted, that was not at the beginning.

12 Q. [14:58:24] So your testimony is that when the group was structured in 2014,
13 Bozizé was the top person in the group?

14 A. [14:58:35] Yes.

15 Q. [14:58:38] And the second person was Patrice-Edouard Ngaïssona?

16 A. [14:58:44] Yes.

17 Q. [14:58:45] And the third person was Bernard Mokom, *père* Mokom?

18 A. [14:58:53] Yes.

19 Q. [14:58:54] The father?

20 A. [14:58:55] Yes, the father.

21 Q. [14:58:58] What about the son, where was he in that hierarchy?

22 A. [14:59:06] The son? When the father came back in the restructured area, he
23 stayed for a bit and then, when the structure was set up, he crossed over to the other
24 side. So he tried to integrate the group as a leader and that posed problems for him
25 until he left with his father to create his wing, his own Anti-Balaka.

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1 Q. [14:59:41] And that was at the end of 2014, wasn't it?

2 A. [14:59:50] Yes.

3 Q. [14:59:51] So in the hierarchy of the structured Anti-Balaka in 2014, what
4 position did he occupy?

5 A. [15:00:06] Well, he did not have a position at the beginning in 2014. There
6 was -- when there was the father with Ngaïssona, they -- they went back, they held
7 the general assembly and it was on the radio, and then Ngaïssona became
8 the coordinator and the number one remained General Bozizé. So he, together with
9 Mokom, and when he crossed, several times he tried to take the leadership within this
10 organisation at the beginning, but that didn't work out. (Redacted)
11 (Redacted). And then there were differences amongst themselves and then he created his
12 own wing.

13 MS DIMITRI: [15:00:56] I'm sorry for the interruption, can my client step out for
14 a minute, please, Mr President?

15 PRESIDING JUDGE SCHMITT: [15:01:02] Of course.

16 MS DIMITRI: Thank you.

17 PRESIDING JUDGE SCHMITT: [15:01:03] Please.

18 (Mr Yekatom exits the courtroom)

19 (Pause in proceedings)

20 PRESIDING JUDGE SCHMITT: [15:03:29] Mr Vanderpuye, in the meantime I think
21 I can address that technical issue. I'm informed that there are issues with
22 the transcript caused by your microphone. We had two or three instances. So I'm
23 asked -- what am I asked here, let me have a look? To --

24 MR VANDERPUYE: [15:03:45] (Microphone not activated)

25 PRESIDING JUDGE SCHMITT: [15:03:47] Yes, exactly that, exactly that.

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1 MR VANDERPUYE: [15:03:49] (Microphone not activated)

2 PRESIDING JUDGE SCHMITT: [15:03:55] Yeah, okay.

3 (Pause in proceedings)

4 (Mr Yekatom enters the courtroom)

5 PRESIDING JUDGE SCHMITT: [15:07:42] Mr Vanderpuye, please continue.

6 MR VANDERPUYE: [15:07:48] Thank you, Mr President.

7 Q. [15:07:54] Mr Witness, I was just asking you about the hierarchy of the members

8 of the structured Anti-Balaka, and you indicated to me that Bozizé was at the top,

9 Ngaïssona was next, Bernard Mokom was third.

10 And I'm not sure I understood your answer regarding Maxime Mokom. Was he

11 a member also of the hierarchy of the -- of the organised coordination in 2014?

12 A. [15:08:28] Yes. Yes.

13 Q. [15:08:34] All right. Have you had a chance to see any documents that were

14 issued by the coordinated or the organised Anti-Balaka coordination in 2014?

15 A. [15:08:53] What types of documents? I think they published several

16 documents.

17 Q. [15:08:58] You're right and that's a very good question. Such as *communiqué de*

18 *presse*.

19 A. [15:09:11] They -- they released so many *communiqué de presse*, I think many.

20 But it depends on what -- it depends.

21 Q. [15:09:22] Okay. Well, did you ever see a *communiqué de presse* issued by

22 the Anti-Balaka coordination or the organised Anti-Balaka which had

23 General Bozizé's name on it as the leader of that group?

24 I'm sorry, did you answer the question, because I don't see anything reflected in

25 the record and I didn't hear anything?

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1 A. [15:10:36] Oh, I thought -- I thought -- I thought that what -- you were talking
2 about some documents. Could you please rephrase the question.

3 Q. [15:10:48] Have you ever seen -- well, really, any document issued by
4 the Anti-Balaka coordination or the organised Anti-Balaka in 2014 which had
5 General Bozizé's name on it as the leader of the Anti-Balaka?

6 A. [15:11:16] No, I didn't see that document.

7 Q. [15:11:20] Are you aware that Mr Ngaïssona has publicly denied any association
8 with General Bozizé with respect to his coordination of the Anti-Balaka in 2014?

9 A. [15:11:49] Yes, I do remember that he made such a statement on RFI radio,
10 namely that General Bozizé was not involved in Anti-Balaka, that they should leave
11 him alone. So I remember that part of the statement that he gave to RFI. I
12 remember that.

13 Q. [15:12:23] Do you agree with that statement?

14 A. [15:12:35] Ngaïssona's statement?

15 Q. [15:12:37] Yes, the same.

16 A. [15:12:46] Well, it was a statement he made over radio. We all heard it,
17 everybody heard it. I heard it myself. So it is -- it is correct.

18 Q. [15:12:57] My question is: Do you agree with what he said? Is it factually true
19 or was it not true?

20 A. [15:13:12] I know that it doesn't correspond to reality. Well, it is ...

21 Q. [15:13:25] And the reality was what, that Bozizé was at the top, that Ngaïssona
22 was second? Is it your testimony that that only began in 2014?

23 A. [15:13:46] No. Right from the beginning Bozizé was -- was there. He was
24 there from the beginning of those manoeuvres. He is the one who brought people
25 together, coordinating them through telephone contacts with some officers.

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1 Particularly, most of the members of that group from our region felt that if it was not
2 him, then it was nothing. So he is the one who coordinated things with them.

3 Q. [15:14:25] Do you know someone by the name of Eugène Ngaïkosset? Have
4 you heard that name before, Ngaïkosset?

5 A. [15:14:37] Yes, yes.

6 Q. [15:14:38] Did he receive instructions from Ngaïssona and Bernard Mokom with
7 respect to going back to the CAR to organise groups to fight?

8 A. [15:15:05] Well, he sought refuge in Congo-Brazzaville. Shortly after the end of
9 the year, that is in 2014, he appeared in Yaoundé. And he also went to the residence.

10 Eugène was there, Bernard Mokom was there. And then he left and went to
11 the Central African Republic before Ngaïssona and Mokom left.

12 Q. [15:15:46] (Microphone not activated)

13 PRESIDING JUDGE SCHMITT: [15:15:52] (Microphone not activated)

14 MR VANDERPUYE: [15:15:54]

15 Q. [15:15:55] In your statement at paragraph 177, it's the statement from 2017,
16 the ERN ends 156 -- 1562. Yeah.

17 You say: (Interpretation)

18 "Ngaïkosset clearly received instructions from Ngaïssona and Bernard Mokom with
19 a view to returning to fight in the CAR. I had some information -- some informers ...
20 as well as the nephew of the second wife ..."

21 (Speaks English) Who gave that information? Can you confirm that Ngaïkosset
22 received such instructions, or that's the information that you had?

23 A. [15:17:09] Yes, Ngaïkosset came by and, according to information from my
24 compatriots, (Redacted) Ngaïkosset had come and had

25 discussions with Ngaïssona and that he had received some money to go back on

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1 the road so that he can go back to Bangui and help the fighters who -- who were
2 fighting there.

3 Q. [15:17:51] Well, at paragraph 178 you say:

4 (Interpretation) "They told me that Ngaïkosset was supposed to become the head of
5 the Anti-Balaka, to structure it and coordinate them for the purposes of the attack."

6 A. [15:18:16] Ngaïkosset or Ngaïssona? 78?

7 Q. [15:18:26] Well, according to your statement it says:

8 (Interpretation) "They told me that Ngaïkosset was supposed to take the leadership of
9 the Anti-Balaka and to structure them and coordinate them for the purposes of the
10 attacks."

11 A. [15:18:43] Yes.

12 Q. [15:18:44] That's accurate?

13 A. [15:18:46] Yes.

14 Q. [15:18:48] At 179 you say, paragraph 179:

15 (Interpretation) "Ngaïkosset received money from Ngaïssona and Bernard Mokom,
16 but I don't know how much."

17 (Speaks English) Is that accurate?

18 A. [15:19:09] Yes, that is correct, because he said that he ran into some trouble.

19 (Redacted), that he had run into some difficulty and that -- and

20 then Ngaïssona and Mokom gave him money to return to the country.

21 Q. [15:19:35] All right.

22 MR VANDERPUYE: [15:19:49] Bear with me, Mr President, I'm almost there.

23 PRESIDING JUDGE SCHMITT: [15:19:49] May I -- may I shortly ask one question.

24 MR VANDERPUYE: [15:19:51] Sure. (Overlapping speakers)

25 PRESIDING JUDGE SCHMITT: [15:19:52] Mr Witness, was there ever a - how to

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1 word it - a split or a separation between Bozizé and Mokom on the one side and

2 Mr Ngaïssona on the other side?

3 THE WITNESS: [15:20:17](Interpretation) Mr President, I'm sorry, I didn't follow.

4 PRESIDING JUDGE SCHMITT: [15:20:20] Yeah, my question was not clear enough.

5 My question is: Do you have knowledge if there was ever a split, a separation

6 between Mr Bozizé and Mokom on the one side and Mr Ngaïssona on the other side?

7 THE WITNESS: [15:20:42](Interpretation) I know, yes, that there was a split in 2014

8 when they came back and so Ngaïssona's vision was different from Mokom's vision.

9 Mokom the father and Mokom the son came together and created their own wing of

10 the Anti-Balaka.

11 PRESIDING JUDGE SCHMITT: [15:21:04] I understand. Thank you.

12 MR VANDERPUYE: [15:21:09]

13 Q. [15:21:10] And when they created their own wing of the Anti-Balaka, that was at

14 the end of 2014; is that right?

15 I haven't heard --

16 A. [15:21:25] Yes.

17 Q. [15:21:29] I see you nodding, but I haven't heard the answer.

18 A. [15:21:30] Yes, yes.

19 Q. [15:21:31] I see it in the transcript now. Okay.

20 I want to ask you about your knowledge of the crimes that were committed by

21 the Anti-Balaka. First of all, do you have knowledge of crimes committed by

22 the Anti-Balaka?

23 A. [15:22:07] Well, I know -- what I know is that (Redacted), left

24 Bossangoa to come, there had been an attack on Boali. (Redacted)

25 his group and Andjilo's group had attacked Boali and that they had inflicted some

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1 damage, and then shortly thereafter the announcement was carried over RFI. I
2 listened over radio like everyone else. There were a few excesses and things, and
3 violence, as everyone heard on the radio that time. And burning --

4 PRESIDING JUDGE SCHMITT: [15:23:14] So may I ask you shortly, perhaps to
5 shorten this.

6 So does your knowledge of any crimes that might have been committed by
7 the Anti-Balaka goes beyond the information that you received from public media?

8 THE WITNESS: [15:23:39](Interpretation) No.

9 PRESIDING JUDGE SCHMITT: Okay.

10 MR VANDERPUYE: [15:23:51]

11 Q. [15:23:51] I want to ask you about what you have here in paragraph 161 of your
12 statement. Maybe you can explain a bit of that. That is at ERN ending 1559,
13 paragraph 161. It reads as follows:

14 "It should be stated that the Anti-Balaka committed many abuses on the local Muslim
15 people as they advanced. No penalty was handed down by the Anti-Balaka
16 hierarchy as a result of these criminal acts. Sometimes, albeit much later,
17 the Anti-Balaka leaders called for calm after such atrocities and issued messages
18 urging appeasement. For example in 2014, Ngaïssona's coordination office issued
19 press releases to this end on Radio Ndeke Luca, Radio Notre Dame and
20 Radio Centrafrique. Their spokespersons were Emotion Namsio and Igor Lamaka.
21 They often issued releases in this respect. The government often tried to put an end
22 to these excesses. Besides, the Séléka were doing the same thing to the Christians in
23 the CAR."

24 What I want to ask you about is, you just told the Presiding Judge and the Chamber
25 that your information went only so far as public information concerning the crimes

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1 committed by the Anti-Balaka.

2 A. [15:25:46] I confirmed the attack which was – (Redacted)

3 (Redacted) coordinated issues around Bossembélé, Bossangoa.

4 I confirmed the Boali attack as well, which was rather serious on the Peul and
5 the Muslims, so the prime minister had to go there to see what to do.

6 Now, apart from those, any other information came from radio and public sources,
7 and this was available to everyone else.

8 Q. [15:26:30] And what about the 5 December attack on Bangui? Do you have
9 information concerning that attack that wasn't public?

10 A. [15:26:48] As I have already explained this morning, (Redacted)
11 (Redacted). Going by

12 Mokom's orders, they left and went through a number of villages, heading towards
13 Bangui, in preparation for the attack on Bangui. Then there was the attack of the 5th
14 in which many civilian and Anti-Balaka lives were lost.

15 Q. [15:27:36] Okay. That's public enough.

16 What information did you have regarding the preparations for that attack
17 on 5 December?

18 A. [15:27:53] I explained this morning that the preparations involved soldiers of the
19 Presidential Guard, that is of President Bozizé at the time, had remained in his village
20 in Boguissi and Bossangoa centre. There was a strong base there with weapons
21 which had been abandoned there and in Bossembélé, so they collected that material.
22 And under the coordination of Mr Mokom and Sergeant Dedane, they organised
23 themselves to join the Anti-Balaka civilians with their hunting guns to launch attacks
24 on the Séléka after attacks on the city of Bossangoa and other places.
25 So they reorganised themselves and attacked the Séléka towards the area of

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1 Bossangoa as they moved towards Bangui. Then they got to PK26 and stopped there
2 for a bit. They were supposed to attack on 1 December, it didn't happen. But then
3 on the 5th in the morning, that's when they launched the attack on the capital.

4 Q. [15:29:18] And once they had encircled the capital, did you receive any
5 information on what they did before they attacked?

6 A. [15:29:37] Before the attack, the information I received is that they were on
7 the other side of Bossangoa. Since I was in touch with (Redacted), he
8 (Redacted). But what was happening on the other end with
9 the other Anti-Balaka, I did not know. I only heard information about those coming
10 from Bossangoa, and (Redacted). He is the one
11 who provided me with the information.

12 Now, when it comes to PK9, Balaka -- or, rather, the Anti-Balaka in that area, I don't
13 have any information as to what was happening on that side.

14 Q. [15:30:20] Did you receive information from anyone regarding Mr Ngaïssona in
15 respect of that attack?

16 A. [15:30:37] Sorry, Mr Prosecutor?

17 Q. [15:30:40] Did you receive any information from anyone regarding
18 Mr Ngaïssona in respect of the 5 December attack?

19 A. [15:30:58] No.

20 Q. [15:31:01] Did you talk (Redacted) about Mr Ngaïssona with respect to
21 the 5 December attack?

22 A. [15:31:12] No, I did not ask him how it's happening, but he explained rather
23 what actions had taken place on the ground. He did not explain his contact. But
24 actions, the people who had fallen, the last bases that they were then closing up, that's
25 what he explained.

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1 Q. [15:31:36] Did he tell you that they stopped to rest before the attack?

2 A. [15:31:45] Yes, before the attack when they were walking, because to go from
3 Bossangoa to Bangui, it's almost 400 kilometres. So they did this, you know, on foot
4 and they did all this road to get to Bangui. And Mokom and the other one, Bozizé,
5 they had called upon them to stop and rest and to wait for some equipment and wait
6 also for the sun before launching the attack.

7 Q. [15:32:22] Who did that order come from? Or direction?

8 A. [15:32:31] They said they had discussed this with Bernard Mokom. And also
9 there were some groups coordinating that time with Levy Yakete as well, some
10 information that could be broadcast on the radio and in the press.

11 Q. [15:32:53] All right.

12 I have no further questions for this witness, Mr President.

13 Thank you, sir.

14 PRESIDING JUDGE SCHMITT: [15:32:59] I understand, yes. Thank you,
15 Mr Vanderpuye.

16 From the part of the CLRVs, any questions?

17 MS DOUZIMA-LAWSON: [15:33:08](Interpretation) Yes, Mr President. Once
18 again, the representatives of the victims will not be lengthy.

19 QUESTIONED BY MS DOUZIMA-LAWSON: (Interpretation)

20 Q. [15:33:26] Mr Witness, hello once again. Counsel Paolina Massidda and I, well,
21 we have met with you. We've already explained our role, which is to represent
22 the interests of the victims. And in this respect, in this capacity, I will ask you two
23 small questions.

24 First, I will come back to paragraph 161, which was read here, of your statement that
25 was read out by the Prosecutor, but now I reiterate the statement so that you have it

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1 in mind.

2 In this statement you have said that the Anti-Balaka were committing many exactions
3 on the Muslim population as they progressed. And should we understand by that
4 that the victims of the Anti-Balakas were exclusively Muslims?

5 A. [15:34:34] No. No, because there were also some Christians that suffered at the
6 hands of the Anti-Balaka's exactions and there were also rapes.

7 Q. [15:34:53] Okay. Precisely in the same paragraph, you have qualified the acts
8 of the Anti-Balaka as atrocities, in that same paragraph. So I would like to know
9 what you mean by "atrocities". Could you specify the atrocities you're referring to.

10 A. [15:35:18] I think I was talking generally and precisely the Boali attack that was
11 shown on TV. This attack in Boali was really awful, horrible. There were victims, it
12 was just awful.

13 And in Bangui, when they attacked the capital, they announced 1,000 deaths on
14 the radio. So that's why I said that, yes, the attack was really awful.

15 Q. [15:35:47] Besides the deaths, were there other acts on the part of the
16 Anti-Balakas besides the deaths which you would qualify as atrocities?

17 A. [15:35:59] No. Well, there were hold-ups and there were rapes. When (Redacted)
18 (Redacted) people who
19 had stolen things, motorcycles, and when (Redacted)
20 (Redacted) had to deal with this.

21 Q. [15:36:28] Thank you, Mr Witness. Because the other questions have already
22 been asked by the Prosecutor.

23 A. [15:36:33] Thank you.

24 Q. [15:36:34] Thank you.

25 That's it, Mr President. I have concluded.

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1 PRESIDING JUDGE SCHMITT: [15:36:37] Thank you, Ms Douzima.

2 Mr Suprun, I don't assume that you have questions, to put it this way.

3 MR SUPRUN: [15:36:42] I have no questions to this witness, Mr President. Thank
4 you.

5 PRESIDING JUDGE SCHMITT: [15:36:45] Thank you very much.

6 So we are at the end of today's hearing and I don't think it makes sense to start with
7 the Defence today.

8 I think we have said we start tomorrow at 9 o'clock, if I'm not wrong. Yes. And I
9 assume again - I'm assuming a lot today - Mr Knoops will start. Yes, okay.

10 So -- and I think --

11 Yes, Mr Knoops.

12 MR KNOOPS: [15:37:09] Just for the Court's information, I will start and some
13 additional questions will also be asked by my associate counsel, Ms Proulx.

14 PRESIDING JUDGE SCHMITT: [15:37:18] Fine. Absolutely.

15 MR KNOOPS: [15:37:19] But of course we'll make sure that, based on the testimony
16 of today, we'll tonight streamline our questionnaire. So that might imply that our
17 initial time frame - and the President already alluded to this - might change.

18 PRESIDING JUDGE SCHMITT: [15:37:35] Absolutely. And I --

19 MR KNOOPS: [15:37:36] In a positive way.

20 PRESIDING JUDGE SCHMITT: [15:37:37] I'm absolutely sure that counsel is able to
21 adjust that accordingly. I'm absolutely sure about that.

22 So this concludes the hearing for today. We resume tomorrow at 9 o'clock.

23 (The hearing ends in open session at 3.37 p.m.)

24 RECLASSIFICATION REPORT

25 Pursuant to the Trial Chamber V's Initial Directions, ICC-01/14-01/18-631, dated 26

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- 1 August 2020, the public reclassified and lesser redacted version of this transcript is
- 2 filed in the case.