

Trial Hearing
Procedural Matters

(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
7 Judge Chang-ho Chung
8 Trial Hearing - Courtroom 1
9 Wednesday, 24 May 2023
10 (The hearing starts in open session at 9.33 a.m.)
11 THE COURT USHER: [9:33:02] All rise. The International Criminal Court is now in
12 session. Please be seated.
13 PRESIDING JUDGE SCHMITT: [9:33:28] Good morning, everyone.
14 Court Officer, please call the case.
15 THE COURT OFFICER: [9:33:31] Good morning, Mr President, your Honours.
16 Situation in the Central African Republic II, in the case of The Prosecutor versus Alfred
17 Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18. And, for the
18 record, we're in open session.
19 PRESIDING JUDGE SCHMITT: [9:33:49] Thank you. I ask for the appearances for the
20 parties. We start with Ms Galupa for the Prosecution.
21 MS GALUPA: [9:33:56] Good morning, Mr President. Good morning, your Honours.
22 Good morning, everyone in the courtroom. The Prosecution is represented today by
23 Ms Claire Henderson, Mr Kweku Vanderpuye, by Mr Yassin Mostfa, and myself, Irina
24 Galupa.
25 PRESIDING JUDGE SCHMITT: [9:34:15] Thank you. I turn to the representatives of

1 the victims.

2 MR FALL: [9:34:27](Interpretation) Good morning, your Honour. Good morning,
3 everybody. The victims are represented by myself, and also by Orchlon Narantsetseg,
4 Evelyne Ombeni, and myself, Yaré Fall.

5 PRESIDING JUDGE SCHMITT: [9:34:40] I think it's Orchlon Narantsetseg, I would
6 say.

7 Mr Suprun next.

8 MR SUPRUN: [9:34:40] Good morning, Mr President. Good morning, your Honours --

9 MR FALL: [9:34:48](Interpretation) Yes, I tried several times but I can't do it, but one
10 day I'll manage to do it.

11 PRESIDING JUDGE SCHMITT: [9:34:54] Well, we know him very well from another
12 case so we had enough time to practice.

13 Mr Suprun, please.

14 MR SUPRUN: [9:35:11] Good morning, Mr President. Good morning, your Honours.
15 The former child soldiers are represented by myself, Dmitri Suprun. Thank you.

16 PRESIDING JUDGE SCHMITT: [9:35:16] Turning to the Defence.

17 Ms Dimitri for the Defence of Mr Yekatom.

18 MS DIMITRI: [9:35:21] Good morning, Mr President. Good morning, your Honours.
19 Good morning, everyone. Mr Yekatom is present in the courtroom. He is represented
20 today by Ms Laurence Hortas-Laberge, Ms Alexandra Baer, Ms Fiona Houdin, Mr
21 Lionel Messi Tikpa, Ms Anta Guissé, and myself, Mylène Dimitri.

22 PRESIDING JUDGE SCHMITT: [9:35:34] Good morning.

23 And Mr Knoops.

24 MR KNOOPS: [9:35:42] A very good morning, Mr President, your Honours. Good
25 morning, everyone in the courtroom. Mr Ngaïssona is represented today by Mr

1 Michael Rowse on my right side; in the second row, Ms Chiara Giudici, Mr Mathias
2 Goffe, and Ms Lina Taki. And Mr Ngaïssona himself is in the third row.

3 PRESIDING JUDGE SCHMITT: [9:35:57] Thank you very much.

4 And, of course, most importantly we have a new witness. I would like to welcome
5 you, Mr Okoa-Penguia. Good morning and welcome to the courtroom.

6 THE WITNESS: [9:36:14](Interpretation) Thank you very much, madam.

7 PRESIDING JUDGE SCHMITT: [9:36:18] Well, it's the Presiding Judge speaking. So
8 the translator is a woman. Because of that, you hear a female voice, so that is the
9 reason. I would like to ask if I pronounce well -- he doesn't hear me. If I pronounce
10 your name correctly. Is it pronounced Okoa-Penguia?

11 THE WITNESS: [9:36:42](Interpretation) Yes, that's exactly what it is, madam. That's
12 correct.

13 PRESIDING JUDGE SCHMITT: [9:36:46] Thank you very much. Mr Witness, there
14 should be a card in front of you with the solemn undertaking to tell the truth. I would
15 like to ask you to read this card out aloud.

16 THE WITNESS: [9:37:03](Interpretation) I solemnly declare that I will tell the truth, the
17 whole truth, and nothing but the truth.

18 PRESIDING JUDGE SCHMITT: [9:37:38] Thank you very much, Mr Witness. You are
19 now under oath. I think I give Ms Galupa the floor immediately. You can also explain
20 so we don't do this twice. Well, with regard to the velocity of -- perhaps I do it, but the
21 other things.

22 Mr Witness, you recognise that everything we say here is written down and, most
23 importantly, interpreted, and to allow for the interpreters to follow what you are
24 saying and the others are saying, we have to speak at a relatively slow pace. I sense
25 that this will not be a problem with you. Also please only start speaking when the

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1 person that has asked you a question has finished and perhaps wait a couple of
2 seconds so that everyone can catch up.

3 Thank you very much for the moment. And with this, I give the floor to the
4 Prosecution.

5 WITNESS: CAR-OTP-P-2084

6 (The witness speaks French)

7 QUESTIONED BY MS GALUPA: (Interpretation)

8 Q. [9:38:54] Good morning. How are you this morning?

9 A. [9:39:03] Very well. I am doing very well. Thank you.

10 Q. [9:39:04] So for starting, for the record, could you provide us your complete name.

11 A. [9:39:08] My name is Roger Okoa-Penguia, mayor of Pissa in the Central African
12 Republic.

13 Q. [9:39:23] Aren't you born on the 30th of December, 1954?

14 A. [9:39:27] Yes, I was born on the 30th of December, 1954, in Pissa.

15 Q. [9:39:32] Are you Central African by nationality?

16 A. [9:39:38] I am Central African in origin.

17 PRESIDING JUDGE SCHMITT: [9:39:41] Mr Okoa-Penguia, please wait a couple of
18 seconds until you answer. It's very difficult otherwise for the interpreters to follow
19 because everything is not -- you know, one of the working languages is French. We
20 understand French perfectly that you -- the French perfectly that you speak, but it is
21 also translated into English, and that costs a little bit of time, so to speak. Thank you
22 very much.

23 Ms Galupa, please.

24 MS GALUPA: [9:40:13](Interpretation)

25 Q. [9:40:14] To continue, what is your ethnic group?

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1 A. [9:40:16] I'm going to express myself in French. I speak French.

2 Q. [9:40:23] Yes. That's very good. That's fine.

3 A. [9:40:25] I am a French speaker. We are all French speakers. We studied French.

4 This is the second language of the Central African Republic, madam. In our country,
5 we have two languages, Sango and French. So we who were there before
6 independence, we speak French correctly, perfectly.

7 Q. [9:40:46] Yes, I understand. It's just for the interpreters, so that they can
8 understand and translate what you say in English. That's all. So you do need to make
9 a break and speak a bit slower.

10 A. [9:41:01] I understand.

11 Q. [9:41:04] Sir, can you tell us what is your ethnic group?

12 A. [9:41:07] Sorry?

13 Q. [9:41:12] Are you an ethnic group Mbaka?

14 A. [9:41:18] Yes, I am Mbaka. I am the ethnic group Mbaka.

15 Q. [9:41:27] And what is your religion?

16 A. [9:41:28] I am a Catholic, a Christian, married, baptised, confirmed.

17 PRESIDING JUDGE SCHMITT: [9:41:37] Ms Galupa, also you can do a lot to, let's say,
18 avoid difficulties for the interpreters. When the witness has answered, maybe then you
19 also wait a couple of seconds to -- because I sense it might not be so easy. It's not a
20 critique. You did well. But I have the impression if you - you - also wait a couple of
21 seconds more, it also helps the interpreters. Thank you.

22 MS GALUPA: [9:42:09] Understood. Thank you.

23 Q. [9:42:12](Interpretation) So, Mr Okoa-Penguia, is it correct that at the end of 2018
24 you made a statement with the OTP which you signed?

25 A. [9:42:30] Yes. Since 2018, I have made at least six statements for the OTP of the

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1 ICC who were on a mission in the Central African Republic. It started in July 2018 until
2 December 2018.

3 Q. [9:42:52] Fine. And I understand you had the opportunity to review your
4 statement completely with the victims unit.

5 A. [9:43:02] Yes. When I arrived, I re-read everything I said and I tried to check. It
6 was fine. It was good, except the first statement of the 18th of July didn't appear on the
7 documents. But everything that I had to say was reviewed, and it was fine.

8 PRESIDING JUDGE SCHMITT: [9:43:29] You can ask him immediately now if he's fine
9 to have this introduced as part of his evidence, I think.

10 MS GALUPA: [9:43:36] If I may just ask one additional question.

11 PRESIDING JUDGE SCHMITT: [9:43:39] Of course, yes.

12 MS GALUPA: [9:43:40] Thank you.

13 Q. [9:43:41](Interpretation) So I understand, you didn't make any corrections to your
14 statement?

15 A. [9:43:50] Only perhaps on the first page, the first page. There the statements
16 didn't -- what I said didn't appear, but the other statements were all correct.

17 Q. [9:44:13] So this statement you made in 2018, does that reflect what you said to the
18 OTP at that time?

19 A. [9:44:30] The 18th of July, there was a series of questions that were put to me,
20 because before answering the OTP team, I asked them to contact my minister to get
21 authorisation. Indeed, they carried that out and the ministry gave authorisation, and
22 that is why I was authorised to provide information to the OTP team who were in
23 Bangui on the ground. The series of questions were put to me, and that series of
24 questions enabled me to formulate my answers so that I could assist the OTP.
25 The first question didn't really bother me.

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1 The first question that I was asked: The ICC wants to have information about the crisis
2 which the CAR faced since December 12th to today. And in 2018, it was the first
3 question I got.

4 And the second question: The ICC wants to have information on the presence of the
5 Seleka elements in CAR and their exactions, and that was the question that was put to
6 me.

7 And the third question --

8 PRESIDING JUDGE SCHMITT: [9:45:58] Mr witness, allow me to interrupt you. We
9 are getting to that. The question is: You have said you have re-read what you told the
10 Office of the Prosecutor. You said you have one correction to make. So would you
11 mind if the Judges would take this statement that you have made in the past on
12 investigation by the Prosecutor, if we put this as part of your evidence today? Would
13 you agree to that, Mr Witness? With the corrections that have been made by you.

14 THE WITNESS: [9:46:46](Interpretation) Yes, but, in fact, the questions were put to me
15 and I answered all those questions. And I was told today we're going to try and look at
16 the case against Yekatom and Patrice Ngaïssona and I said I agree. We can always try
17 to accommodate that. So I tried to answer all the questions that were put to me.

18 PRESIDING JUDGE SCHMITT: [9:47:08] Thank you, Mr Witness.

19 So I think, for the record, we can state that the requirements for Rule 68(3) with regard
20 to the statement made by the witness, and also taking into account the corrections
21 made, are fulfilled.

22 Mr Witness, the only reason why we are asking you that is so that we don't have -- the
23 Prosecution specifically doesn't have to ask everything anew, but the Prosecution and
24 also the other parties will have additional questions to clarify.

25 Ms Galupa, please.

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1 Ms Dimitri.

2 MS DIMITRI: [9:47:46] Just a clarification, Mr President. You said "and the corrections
3 made." I'm not aware, unless I'm mistaken, but I don't think there was any corrections.

4 MS GALUPA: [9:47:59] There was no corrections.

5 PRESIDING JUDGE SCHMITT: [9:48:00] So then we strike out on intervention, not
6 objection, on intervention by Ms Dimitri and clarification by Ms Galupa, that there
7 were no corrections made. So the Rule 68(3) requirements are fulfilled without any
8 further corrections. Thank you, Ms Dimitri, for that.

9 MS GALUPA: [9:48:22] I think just for the record, your Honour, Ms Dimitri, the only
10 correction that he brought was today, in the sense that he was in contact with the Office
11 of the Prosecutor in July as well. That was not noted. And I just want to make a note
12 that that was his screening note.

13 PRESIDING JUDGE SCHMITT: [9:48:37] Okay. Thank you for that. This is why I was
14 misled, I have to say.

15 Ms Galupa, please, you can start now.

16 MS GALUPA: [9:48:46] Thank you, Mr President.

17 Q. [9:48:48](Interpretation) Mr Okoa-Penguia, the Judges know your statement
18 which you have provided to the OTP. I just have some additional questions I'd like to
19 put to you which go beyond what you said in your testimony. I expect it might take
20 two hours or so.

21 If there is something that is not very clear to you in my questions, do not hesitate to let
22 me know. Okay?

23 A. [9:49:21] Well, I think when reading through my testimony when I arrived here, I
24 saw that everything was taken into account. But there's one part, the first part, as I said
25 just now, the four questions that were put to me, I answered those questions. And in

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1 the statement, I didn't see them. We can move ahead because I'm aware of all those
2 questions. Everything that I wanted to say I have said, and I remain faithful to the
3 questions that were put to me when the OTP was in the Central African Republic.

4 Q. [9:50:06] Perfect. Thank you. So, firstly, when you made the statement with the
5 OTP, you were the mayor of Pissa. Is that still the case today?

6 A. [9:50:22] I am the mayor of Pissa. I am the douane of the mayors in CAR. It is 30
7 years where I have been mayor. And coming here, I received the authorisation of the
8 CAR government who officially authorised me to cooperate between the ICC and the
9 Central African Republic, and they agreed that I come here to give my testimony.

10 Q. [9:50:57] So we understood from your statement, and I'm referring to the French
11 version, CAR-OTP-2122-4905, we understood from your statement that because of the
12 Seleka, you had to leave for your own safety from Bangui on several occasions, starting
13 on 3 December 2012 until 2014 when you left Bangui to go to Mbaiki with the High
14 Commission for Refugees.

15 So during your trip to Mbaiki, you say you saw children of 10 years of age amongst the
16 Anti-Balaka in the town of Pissa and Mbaiki.

17 And now my question to you is: How many of these young children of 10 years,
18 approximately, roughly, did you actually see?

19 A. [9:52:01] Let me talk more specifically. Everybody knows that CAR faced a very
20 sad history. Since December 2012 until 24th of March, 2013, CAR fell into chaos and
21 disaster. We were facing genocide. We had to follow the same -- we were following in
22 the footsteps of Rwanda. It was unacceptable.

23 That situation broke the country. We saw damage, killings, looting, destruction of the
24 armoury. Our weapons went to Chad, Sudan, and CAR became destitute. It was a
25 position that made us very uncomfortable. All the people of CAR were revolted.

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1 But gradually there was improvement, and I'm telling you, madam, that in March 2013,
2 the 24th of March, when the Bozizé government fell, it is the Seleka who controlled the
3 country and led it to chaos, to disaster. And from the 4th or 5th of December, the Anti-
4 Balaka took over the relay to try to bring about peace in CAR, in my region, in my
5 prefecture.

6 I assure you, I'm here before you, and when I say this, I'm telling you the truth. It is the
7 Anti-Balaka who brought peace in Lobaye, in the prefecture of Lobaye, in Bangui and
8 in some towns in CAR.

9 So the 4th and the 5th of December, 2013, was disastrous. There was a French lady of
10 United Nations, Elizabeth Mathy, who tried to do something about it and took contact
11 with Rombhot. But all the Muslims who were in Lobaye, which is made up of five
12 prefectures, 13 sub-prefectures, so Samba-Panza was responsible. And then all the
13 Muslims who were in Mbaiki, in Lobaye, found themselves in Mbaiki for their own
14 safety. The economic operators, traders, farmers, cattle-breeders, everybody, in order
15 to avoid a bloodbath, they all went to Mbaiki. And this lady of the United Nations
16 HRC tried to contact Alfred Yekatom, who gave his agreement that you had to find a
17 solution for these Muslims in Mbaiki. And the prefecture in Mbaiki was informed and
18 Bishop Guerino was informed and everybody in Mbaiki was informed.

19 And this lady called me to tell me that they must -- that I should meet in PK9 in front of
20 the gendarmerie. And from that moment onwards that I realised what was happening
21 and we went to Mbaiki.

22 There was the bishop, there was two mayors, the one of Mbaiki and the one of Pissa,
23 myself, the commissioner of the police, the company commander, two imams, two
24 priests, two preachers, we were all in the parish hall of the Catholic church of Mbaiki,
25 everyone. Our safety outside was ensured by the Sangaris. The Sangaris made sure

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1 we were all safe.

2 Alfred and his men said that they would arrive as well, but when they came, he was --

3 he arrived at the level of the Sangaris. He stopped the vehicles. He got out of the

4 vehicle with his aide de camp, and the Sangaris elements said they must lay down their

5 weapons and enter the hall. And he entered into the hall with his aide de camp. And

6 the prefecture of Lobaye opened the meeting to say that he, the prefecture of Lobaye

7 did not want that there was a bloodbath in Mbaiki as what happened on the 4th and

8 5th of December in Bangui.

9 So we had to find a solution to the problem about the Muslims that were in Mbaiki.

10 The bishop himself, who said, "In the name of God, we must do something for the

11 Muslims in Mbaiki. We have to find a solution so that these Muslims can have a way

12 out." Everybody spoke about it. Everybody said these are the Muslims who are in

13 Mbaiki.

14 And this is how the corporal chef Yekatom Rombhot spoke, and he said, on 30 January

15 2014, that the Anti-Balaka movement is not against the Muslims but the Anti-Balaka

16 movement is against the devil. The devil is Djotodia who made the mercenaries arrive,

17 the terrorists, the jihadists from Chad and Sudan, to sow the seeds of chaos in our

18 country. That is why they came together to ask or demand the resignation of Djotodia.

19 But as regards the Muslims in Mbaiki, he hoped that these would be able to return

20 home as soon as peace came to the country in Mbaiki. That's what he said.

21 After that we went our ways. We had some drinks together. We had some exchanges

22 by way of information. In my statement I said that on 6 February 2014, you can find

23 that, the 6 February 2014, the president of Chad, having heard the situation of his

24 compatriots sent to Mbaiki 61 vehicles to transport all the Chadians who were in the

25 Lobaye. That was Idriss Déby. And they left on the 6th of February. The order was

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1 given. The local authorities made the population aware of this so that these vehicles
2 would not be attacked. There's 700 kilometres' distance between the two.
3 So since the month of February 2014 up to today, for the CAR, the only prefecture
4 where there is peace, where people can go along and do their activities, is the
5 prefecture of Lobaye. They have asked the other Anti-Balakas to kick out the
6 mercenaries, but unfortunately, there was a ban, so to say, no, it's nothing. Leave them.
7 They are already amongst us.
8 And as you know, you have information about CAR. We have prefectures such as
9 Ouham, Ouham-Pende, where people are still unsure. They still battle.
10 In some towns in Ouham-Pende, you will see children that don't go to school.
11 Children don't go to school.
12 So, madam, your Honours, Prosecution, madam and gentlemen of the Defence, with all
13 due respect, my country is suffering. We are continuing to suffer. And we appreciate
14 the work which the ICC is doing at this moment.
15 People are saying, well, if the ICC opens a huge file about the CAR, that's a great thing.
16 They should really dive into the subject matter and do something and stop the wrong-
17 doing and do something about everything that is happening in the Central African
18 Republic, a country from Central Africa that gained its independence. In 1960, we
19 gained independence, other countries during the same period of time.
20 But these three countries, you see, these three countries, they have their oil to export,
21 but the Central African Republic, you see, we are experiencing dire poverty, war.
22 Every ten years there's war in the Central African Republic. If it hadn't been for the
23 Barracuda Operation, there would have been a mutiny. If not that, it would have been
24 a coup d'état, the government overthrown. And then the Seleka and all of this we are
25 suffering in the Central African Republic. So that the ICC has to open its eyes and look

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- 1 at what's going on in our country.
- 2 We have our special court in the Central African Republic. We have this court here.
- 3 But perhaps something can be done to bring peace back to our country. We can't -- we
- 4 can't keep on going. We continue to suffer dire poverty, war. And then, you see, God
- 5 gave the country so many resources that make us the envy of many countries. It was
- 6 the Lord who gave us all these minerals and resources.
- 7 I can tell you that I'm very happy, very happy to have this opportunity to briefly
- 8 explain to you the fate of my country. The government of the Central African Republic
- 9 is trying, is making efforts. There is a political agreement, political and reconciliation
- 10 with the support of some partners, such as MINUSCA and humanitarian stakeholders.
- 11 Outreach is being done. People's awareness is being enhanced so that people
- 12 understand the issues.
- 13 PRESIDING JUDGE SCHMITT: [10:03:52] Yes. Mr Witness, we appreciate it, that you
- 14 told us about the situation of your country. I think this is not a problem at all to say
- 15 this in this court. It's very important that we hear this from a competent person.
- 16 What I would like to ask you is, again, to slow down a little bit, and then perhaps
- 17 answer more -- let's say, more to the point the questions by the Prosecutor. I think
- 18 there will not be so many questions left, I would assume.
- 19 But just also a remark for everybody, I think it is -- I would even say it's appreciated
- 20 that when a witness says what his country has been going through in a couple of
- 21 decades, why not speak it out in open session. So this is well-spent time, I would say.
- 22 Thank you, Mr Witness.
- 23 And, Ms Galupa, please continue with your questions.
- 24 MS GALUPA: [10:05:07](Interpretation)
- 25 Q. [10:05:11] We very much appreciate your testimony, and I realise you have a lot to

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1 tell us and that you know an awful lot about the Central African Republic and its
2 history. But today I would like to ask you some very specific questions and I'd like to
3 ask you to listen very carefully to the question and to give a very specific answer to my
4 specific questions.

5 Now, in your statement you have said, and also just now you have said, that Elizabeth
6 Mathy was waiting for you in front of the brigade at PK9 to take you to Mbaiki, and
7 that along the way you saw some children amongst the Anti-Balaka in the towns of
8 Pissa and Mbaiki.

9 My question to you is quite specific. How many young children did you see,
10 approximately, these kids aged about 10 years old? Could you give us a number?
11 How many were there?

12 A. [10:06:12] Thank you, ma'am. I believe that the Anti-Balaka, when they began in
13 their prefecture of Ouham, and in Bouca, when they started, they advanced towards
14 Bangui and reached Bangui. But apparently, apparently, there were some children
15 who were traumatised ever since the movement began there because they had seen
16 their parents killed, their houses torched, their property destroyed. And these young
17 children, * who were 14 or 15 or even 20 years old, had to follow the Anti-Balaka
18 movement. They did various odd jobs and chores.

19 Along the way from PK9 to Mbaiki, there was -- how should I put this? There was --
20 this affected all the people in Lobaye. People were along the road and they were giving
21 an ovation to Mr Yekatom. The people were applauding him because they were really
22 tired of the *Seleka elements, they were sick of them.

23 And for your information, you mentioned Anti-Balaka children, but I can tell you that
24 the beginning of all this goes back further. I was in the CAR and I saw people
25 alongside of the road, and they were applauding Mr Yekatom Rombhot. Ms Mathy

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1 and I had already gone along, you see, on our way, and when asked about the presence
2 of children in the Anti-Balaka movement, I said yes. And actually, there was an NGO
3 called Enfants Sans Frontières and those people had gone to see Yekatom. And they
4 said, "Listen, those children are school-aged children. They have to be removed, and
5 then they have to get some training and be returned to society and brought back to
6 Mbaiki.

7 Yekatom agreed that those children should go back there for training. After that, this
8 NGO, Enfants Sans Frontières, came back with a number of children and provided
9 them with kits, for example, tools so that they could learn mechanics, sewing machines,
10 and they helped them with income-generating activities. That was done.

11 And the ceremony -- there was a ceremony with all the local people, and those children
12 who were part of the team, I saw children who were 14, 15, 16, perhaps even 18 years
13 old. And then after that they were removed and the older people stayed to work with
14 Yekatom Rombhot.

15 Q. [10:09:47] Thank you very much. Once again, I'd like to ask you to respond very
16 specifically to my questions. Now, you said you saw some children aged 10 in Pissa
17 and in Mbaiki. So I would like to ask you how many children did you see who were 10
18 years old?

19 A. [10:10:18] Well, actually, when they were altogether, gathered together, Enfants
20 Sans Frontières had gathered the children together, there were about 60 children. So
21 this NGO did a survey of all these children, and this NGO, Enfants Sans Frontières,
22 was able to take the children to Mbaiki for training and social -- and for their return to
23 society.

24 Q. [10:10:51] I'm not asking about the project that was conducted by the NGO. What
25 I'm asking you is what did you yourself see on your way from Bangui to Mbaiki? You

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1 were in the car, and in your statement you said that you saw some children, and they
2 were dressed in a certain way. They were also wearing gris-gris. And I am asking you
3 -- they were amongst the Anti-Balaka. How many children did you see?

4 A. [10:11:31] Thank you, ma'am. I was telling you. Alfred came. He was applauded
5 and there was an entire crowd, crowds alongside the roads, women, men, children, and
6 they were all applauding him, greeting him. That is what we saw. He received a very
7 warm welcome from the people, ma'am. I can tell you that.

8 PRESIDING JUDGE SCHMITT: [10:12:05] Ms Galupa, we have to leave it at that, I
9 think, at some point in time. And we have the Rule 68(3) statement. There are some
10 indications, or we will not get, I think, any numbers. In a way, it's understandable also
11 after all these years to say whether it was five, 10, 20, or none.

12 MS GALUPA: [10:12:30](Interpretation) Thank you.

13 Q. [10:12:33] At paragraph 87 of your statement, you said in relation to these children
14 aged 10, the youngest children, you said the ones about 10 took care of various chores.
15 For example, they would get -- they would fetch water. They would try to get
16 intelligence.

17 So my question to you is this: How did you know that?

18 A. [10:13:06] I beg your pardon?

19 Q. [10:13:08] How did you know that the youngest children that you saw that day
20 were responsible for fetching water or seeking out information?

21 A. [10:13:23] I think I need to clear something out, ma'am. I need to clear something
22 up and be specific. You see, if war breaks out in a country -- and this is what I told you
23 at the beginning. War broke out in the Central African Republic, and everywhere, I can
24 tell you, there was assistance. And even the Anti-Balaka didn't always have food to
25 eat. So it was the local people who provided commodities to eat, cassava, for example.

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1 Because, you see, a war occurred in the country and it was difficult. It was tough.

2 So I tell you, war broke out. And I wasn't everywhere in all the markets. The

3 statement here, I think that's not exactly really what I said. I am the mayor. I work at

4 the town hall, and information and intelligence comes in. And that information and

5 intelligence has to be managed and we have to ensure peace. We have to ensure that

6 peace reigns in the location, and that is what we have ensured. I can tell you that peace

7 reigns in our area.

8 Q. [10:14:54] Just for the record, I mentioned paragraph 87.

9 Very well. I'll move on to something else, Mr Witness, and in particular, this is the

10 ceremony organised by Enfants Sans Frontières that you mentioned. At paragraphs 90

11 and 91 of your statement, you said that at the ceremony, Mr Yekatom was present, and

12 that during the ceremony, the children who had been part of the Anti-Balaka group

13 were supposed to receive training. You said that the ceremony was held under a

14 mango tree.

15 I'd just like to ask you to clarify this point. Where was this mango tree in Pissa?

16 A. [10:15:48] In the school compound, ma'am. In the Pissa school compound, there

17 are various mango trees there that provide shade to people. If it's terribly hot, people

18 meet underneath the mango trees to talk, so if it's sunny. It's in front of the

19 fundamental school 1 of Pissa.

20 Q. [10:16:25] Is that close to your office at the city hall?

21 A. [10:16:28] Yes, the city hall is on the other side and the school as well on the other

22 side. The school is now part of what we call the school complex. You have

23 fundamental 1, you have an awareness centre, and also a community centre is being

24 built for young people, for women. There's also a football pitch where kids can play

25 football, and so on and so forth. So the city hall is truly at the very centre, and then the

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1 school is to the side. And it was within the school compound. There's at least five or
2 six mango trees that provide shade to the people. When there's major ceremonies or
3 rallies, people go in front of the school for such ceremonies, ma'am.

4 PRESIDING JUDGE SCHMITT: [10:17:22] Ms Dimitri, please.

5 MS DIMITRI: [10:17:24] Yes, it's just to clarify the record. I think you made a small
6 mistake. It's paragraphs 90 and 91, and not 80 and 81.

7 PRESIDING JUDGE SCHMITT: [10:17:35] Thank you for that clarification.

8 Please continue, Ms Galupa.

9 MS GALUPA: [10:17:39](Interpretation)

10 Q. [10:17:42] Who else was present during the ceremony? There were local
11 authorities?

12 A. [10:17:47] I beg your pardon?

13 Q. [10:17:48] Who else was present at the ceremony? Do you remember?

14 A. [10:17:52] Ma'am, the NGO Enfants Sans Frontières did a lot within the
15 community in Pissa, in Mbaiki, Mbata and elsewhere. And when a ceremony like that
16 is held, you invite the village chiefs, the neighbourhood chiefs, people from the various
17 faith communities to attend the ceremony. And that's what the NGO tried to do,
18 because, you see, there's a great deal of school dropout in the Central African Republic.
19 Children who are of school age just don't go to school, and that problem is such that
20 many young people aged even 20, when they have nothing to do and there's any
21 opportunity to take up weapons, they take up weapons and commit crimes.
22 So, you see, there's a terrible problem with kids dropping out of school in the Central
23 African Republic, and the government is trying to do something about this. And 1,000
24 schools are being built or needed in the Central African Republic. The government is
25 also trying to improve education in the country. There is a terrible shortage of teachers,

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1 and parents have to take over teaching even though they are not professionals. If you
2 go into a classroom, you'll find 250 kids, 200 kids, 180 kids, and even those children,
3 most of them are just sitting on the ground, on the floor, studying.

4 So what kind of quality education is being given to the future generations of the
5 Central African Republic?

6 There's a huge deficit. This is what we deplore. The future of the country depends on
7 its children. Our children have to be able to go to school. They have to get a
8 reasonable, good education for their future. But unfortunately we have serious
9 problems, serious problems. We have the problem of danger, education, health
10 problems, employment problems, electricity blackouts, water shortages. We have
11 every problem you can imagine in our country. Our country suffers and continues to
12 suffer.

13 No one listens to us. The calls of the Central African Republic people are not being
14 heard. I am coming here as the mayor, the mayor of my town, the most senior mayor
15 in the entire country, and I call out, and I pay contribute to the Court. The work that
16 the Court is doing should help with what the government is doing in the field so that
17 one day we can stop all these people who want to take up arms and fight the
18 population.

19 Q. [10:21:23](No interpretation)

20 A. [10:21:30](No interpretation)

21 Q. [10:21:35](No interpretation)

22 A. [10:21:36](No interpretation)

23 Q. [10:21:38](No interpretation)

24 PRESIDING JUDGE SCHMITT: [10:21:44] For the interpreters, please, microphone.

25 We know each other so long, and I really feel for the situation today without further

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1 explanation. Perhaps if you can -- yes. You can tell us the question and then we
2 continue with the answer.

3 THE INTERPRETER: [10:22:05] The interpreter will sight translate the last response off
4 the screen.

5 The witness said: What was her name?

6 The Prosecution said: Marceline Seremandji.

7 Answer: Who? Yes.

8 Do you remember if the lady was present?

9 And then the Presiding Judge took over.

10 PRESIDING JUDGE SCHMITT: [10:22:35] Thank you so much. Perhaps we can repeat
11 the last question so that the witness can answer.

12 Mr Witness, this can happen. You see that with the translation there's a back and forth.

13 That's, of course, not at all your fault, but it has to be clarified for the record that we
14 have in the French language but also the English language.

15 Ms Galupa, please.

16 THE WITNESS: [10:22:57](Interpretation) Oh, I see.

17 MS GALUPA: [10:23:01](Interpretation)

18 Q. [10:23:03] Mr Mayor, I was asking you this: During this ceremony, was Marceline
19 Seremandji, regional director of social affairs, was this lady present?

20 A. [10:23:19] Director in Mbaiki or elsewhere? Because the director is in Mbaiki.

21 Q. [10:23:29] She was responsible for an area that covered the Lobaye prefecture.

22 A. [10:23:38] I don't remember this lady.

23 Q. [10:23:51] Do you remember who was present from UNICEF?

24 A. [10:23:55] UNICEF had helped the NGO Enfants Sans Frontières. Enfants Sans
25 Frontières had set up the project and asked for help from UNICEF. UNICEF helped

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1 out so that the NGO could go into the field and help the children.

2 Q. [10:24:30] And was the head of -- was Jean Lokenga there?

3 A. [10:24:37] Who? Who was he?

4 Q. [10:24:39] He was responsible for child welfare in Bangui.

5 A. [10:24:42] I think so. I think so. He must have been part of that group because
6 UNICEF provided the funding for the project. But I don't have a very good memory of
7 that.

8 Q. [10:25:00] Very well. I'd like to show you a photograph.

9 And this is at CAR-OTP-2068-0558, and this is a photograph at tab 17. This is a
10 photograph taken from the first page of the document, tab 17.

11 A. [10:25:24] Yes. Yes, that's the Pissa town hall. You can read it right there, Hotel de
12 Ville. Yes. I can see the people there.

13 Q. [10:25:35] Do you recognise anyone from USF or anywhere else?

14 A. [10:25:46] Well, there's quite a few people. Ah. Yes, yes, I remember. This is
15 when the children were photographed. I recognise a few people in the photograph.

16 Q. [10:26:03] Do you see Mr Yekatom in the middle?

17 A. [10:26:05] Yes, he's in the middle. And the ones wearing the blue T-shirts, those
18 are the people from Enfants Sans Frontières, the NGO.

19 Q. [10:26:13] Do you see Mr Kakpayen wearing blue?

20 A. [10:26:19] Yes, the member of parliament. Yes.

21 PRESIDING JUDGE SCHMITT: [10:26:23] Please slow down, too. Thank you.

22 MS GALUPA: [10:26:33](Interpretation)

23 Q. [10:26:34] I haven't quite understood your answer. Do you see Mr Kakpayen,
24 wearing blue, beside Mr Yekatom?

25 A. [10:26:45] Yes, I can see him. He's there. He's the member of parliament for

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- 1 Mbaiki 1.
- 2 Q. [10:26:58] And what about Kevin Mborolo, do you see him?
- 3 A. [10:27:07] Who?
- 4 Q. [10:27:08] Kevin Mborolo.
- 5 A. [10:27:12] Yes, he's there. He's there. He was the one who was second in
- 6 command, so to speak. He was often in the field.
- 7 Q. [10:27:24] On the other side of Mr Yekatom, can you see Mrs. Seremandji?
- 8 A. [10:27:31] Oh, yes. Okay.
- 9 Q. [10:27:33] Do you see her?
- 10 A. [10:27:34] Yes, I do.
- 11 Q. [10:27:35] Is that her?
- 12 A. [10:27:36] I see her.
- 13 Q. [10:27:48] Could you tell us whether this photograph was taken during the
- 14 ceremony that you were talking about, under the mango tree?
- 15 A. [10:27:54] Yes, but this was for the official handover. That was under the mango
- 16 tree. But for the presentation, you see, the president of the NGO Enfants Sans
- 17 Frontières had asked that the children gather, and they gathered under the mango tree.
- 18 That's what happened.
- 19 Q. [10:28:29] Just to confirm, that was before they went to Mbaiki for the training?
- 20 A. [10:28:32] Indeed. Indeed. That's right.
- 21 Q. [10:28:34] If we could please move to page 561 of the same document, if we could
- 22 just zoom in.
- 23 A. [10:28:42] Oh, yes. Yes, I see. I see. The children are underneath the mango tree.
- 24 Yes. The town hall is on the other side and also the school over on the other side.
- 25 Q. [10:29:04] Very well. If we could scroll down, please.

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1 A. [10:29:11] Yes. Enfants Sans Frontières.

2 Q. [10:29:17] So that was the ceremony that you took part in?

3 A. [10:29:19] That's the official ceremony.

4 Q. [10:29:23] Okay. In your statement, at paragraph 91, you said that you were
5 present when the children received their equipment at the Pissa town hall after their
6 training ended.

7 A. [10:29:42] Uh-huh.

8 Q. [10:29:42] Are we talking about the same ceremony or another one?

9 A. [10:29:45] You have to show me the photograph because the kits were given to the
10 children, they were -- they brought kits for the kids. The children were behind and
11 photographs were taken, ma'am.

12 Q. [10:30:07] But when they got the kits, was that during the ceremony or after?

13 A. [10:30:17] Oh, I see what you mean. I see.

14 Q. [10:30:33] Very well. I'd like to move on to another topic now, and I'd like to ask
15 you about the records at the Pissa town hall.

16 A. [10:30:42] Yes.

17 Q. [10:30:43] You said in your statement, paragraph 34, that you had emptied the
18 archives and you stored the records in a safe place.

19 A. [10:30:56] Yes.

20 Q. [10:30:56] What archives are you talking about?

21 A. [10:30:59] Thank you, ma'am. The ministration of the commune has various
22 records, for example, birth records, marriage records, death records, correspondence.

23 All the correspondence received by the town is filed, correspondence received,
24 responses sent out. So everything is filed away and we have archives, because if you
25 do -- if you're doing research and you go to the town hall, you can go, for example, and

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1 ask for a copy of your birth certificate. All of that is in the records of the town hall.

2 When the Anti-Balaka came in, they started in Ouaka and elsewhere, they would go
3 into the town hall and destroy all the archives. And when we heard about that, we
4 said to ourselves, to protect the history of our commune, we had to move all the
5 records. And so we put the records from the area in a safe place, including
6 photographs. It was all stored away safely somewhere else.

7 So the six offices in the town hall and the main meeting room, everything, all those
8 rooms were emptied out, and the records were put away in a safe place. When they
9 got to Mbaiki, even in the office of the prefect and at the sub-prefecture, you see, when
10 they got there, they emptied out the offices. They occupied the prefect's office, the
11 office of the sub-prefect and the residence. And on the walls, they wrote "Seleka" all
12 over the walls. It was truly very sad. Because each country, each location, each
13 community has its own records. And I can tell you that in our case, our commune is
14 the place where -- well, our commune is the commune of Barthélemy Boganda, the
15 commune of Dacko, the second president who signed the agreement with the French,
16 and the commune of Bokassa. So you see, all this information is extremely important
17 to the history of the country. The archives contain all this information.

18 We put all the records in a safe place, and once things had gone back to normal, we
19 brought all the records back and put the records back in their normal places.

20 PRESIDING JUDGE SCHMITT: [10:34:22] Ms Dimitri, please.

21 MS DIMITRI: [10:34:25] Thank you, Mr President. Just a small correction, in the
22 English transcript, page 25, line 22, "Seleka" was incorrectly interpreted by "Anti-
23 Balaka." I understand --

24 PRESIDING JUDGE SCHMITT: [10:34:36] Thank you. Of course, we would put it into
25 context. But we appreciate it, this correction.

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1 Ms Galupa.

2 MS GALUPA: [10:34:54](Interpretation)

3 Q. [10:34:55] You said, sir, that you put the archives elsewhere in safety. Can you tell
4 us where you put them?

5 A. [10:35:04] Sorry, madam?

6 Q. [10:35:05] In your answer you just gave us you said that you took the archives and
7 you put them in safety elsewhere, outside the town hall. Where did you put them?

8 A. [10:35:27] I'm a mayor, I'm a mayor of a municipality. If I knew that there was
9 danger, then we have to hide our goods, our important elements. We took all the
10 archives. But once the events ended, we took them back. I'm a local authority. I
11 cannot accept that the terrorists, the jihadists come and destroy the archives of Central
12 African Republic. Please.

13 PRESIDING JUDGE SCHMITT: [10:35:59] Ms Galupa, the archives were put into a safe
14 place and they have returned, if I understood the answer correctly, and that's the
15 important point.

16 Mr Witness, I understand the archives were not lost because you have hidden them at a
17 safe place, and later on you put them back. Is this correct, then?

18 THE WITNESS: [10:36:23](Interpretation) Exactly. Exactly. Precisely.

19 PRESIDING JUDGE SCHMITT: [10:36:25] Okay, thank you.

20 THE WITNESS: [10:36:24](Interpretation) Yes. Precisely.

21 MS GALUPA: [10:36:30](Interpretation)

22 Q. [10:36:31] I'd also like to know whether you could look over them. Could you
23 check out the archives which you put in a safe place?

24 A. [10:36:42] But, yes, madam. We put them in cases, in boxes with keys, and we put
25 them in a safe place. And once that was over, we took them back, madam. And when

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1 the Anti-Balaka returned, and there was no terror, then we quickly took all our
2 archives and put them back in place, madam.

3 Q. [10:37:17] Thank you. I would like to know, you left Pissa over several periods,
4 October, November, and then December to January 2014. I would like to know who
5 dealt with the archives when you were absent, when you were in Bangui?

6 A. [10:37:38] But at that time the town hall didn't operate anymore at all. The Seleka
7 was already there. The gendarmerie brigade was taken over by the Seleka. The
8 brigade in Pissa was taken over by Seleka elements. They took over PK9 brigade and
9 the office of checking in PK9, the Pissa brigade at the checkpoint. At the Mbaiki level,
10 it's the same thing. They had taken over the entire country. There was no soldiers
11 anymore. There was no operating military anymore. There was no police, madam.
12 You see, all those people went away for their own safety.

13 A funny thing is that the transitional president, Djotodia, said on the radio that he came
14 with his kinship who -- there were about 5,000, and when they arrived in Bangui, they
15 were 50,000 Seleka. So the situation was uncontrollable.

16 So we kept our archives safe, and when the Anti-Balaka returned, we put things in
17 order and the town hall started working again. But the site of Bokassa had many
18 people in order to have military training, and he had the new army which was called
19 ARCA, the army of the Central African Republic. So the armed forces, the FACA, was
20 set up, and the first initiator was Bokassa and others since it was started in 1960. And
21 they said, no, no, all these people, for safety and security will be kicked out and we will
22 recruit new soldiers from the ARCA.

23 But that really upset us, madam. And when Samba-Panza took over, she asked the
24 military, to the police, the gendarmerie, to rectify the matter so that everybody could
25 resume work. So that's what Samba-Panza did. And the military, the gendarmerie

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1 police were then forced to wear their uniform and listen to the call of the president.

2 But in the meantime, there was -- everything before that was in the hands of the Seleka.

3 I wish you lots of luck. I wish you lots of luck. The ICC must carry through its work

4 for our country. We are waiting because the mayor of Pissa is getting old. So we're

5 asking the ICC do something so that the Central African Republic finds a solution. It's

6 an enormous task. There is also the social cohesion. It's a big work that you have to

7 do.

8 For example, you release Laurent Gbagbo who has returned home. You released Jean-

9 Pierre Bemba. You have to continue your work for the Central African Republic.

10 Because when the Seleka was there, I sought refuge in the forests.

11 You talk about my absence in Pissa. I had a friend, a French friend, Philippe Gaden,

12 who had a lumber factory, and it was he who gave me the Sangaris' phone number so

13 that I, as the mayor, could leave Pissa, because there were rumours circulating that an

14 important event would take place in the country and that the mayor of Pissa must

15 leave.

16 The 1st December is a national holiday in CAR which everybody celebrates, but after

17 that I withdrew. And that is why the 3rd of December, I left Pissa, madam, and went

18 to Bangui.

19 And on the night of the 4th and 5th of December, we heard gunshots (sound effect)

20 everywhere. This was the entry of the Anti-Balaka in the capital. There were terrible

21 clashes between the Anti-Balaka and the Seleka elements. And the African Red Cross

22 buried many people in the surroundings of Bangui, madam. There were more than 700

23 deaths, madam. There were more than 500 deaths.

24 I'm here before you, I ask God to help you in this enormous task so that CAR can be

25 seen by the world, because they are the perpetrators and accomplices who created this

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1 crisis in CAR. Today perhaps witnesses will go in front of the court, but tomorrow
2 there will be all the perpetrators and their accomplices who stop CAR, who want to
3 exploit the richness of CAR for their own benefit.

4 So why are you harming a country? Why are you harming an independent country?

5 Madam, I wish you the best of luck in this enormous task.

6 PRESIDING JUDGE SCHMITT: [10:43:56] Mr Witness, what you ask from the ICC is
7 exactly what we are trying to do in this courtroom, and you are one important piece of
8 evidence that could help us and that will help us to determine the truth. This is why
9 we are all here for a long time already and this is why you are here in the courtroom.

10 Ms Galupa.

11 THE WITNESS: [10:44:24](Interpretation) Thank you, thank you, thank you.

12 MS GALUPA: [10:44:29](Interpretation)

13 Q. [10:44:32] Mr Mayor, in order to have justice, I ask you, once again, to answer my
14 question specifically. Please answer my questions.

15 A. [10:44:44] Okay.

16 Q. [10:44:45] I'm going to move on to another topic. I understood that you are a
17 mayor of Pissa for 30 years, so my question is: Within the town hall, who are the
18 individuals who carry out the functions of the civil status register? Is it yourself or
19 your colleagues?

20 A. [10:45:08] Thank you, madam. The registers of status are in the secretariat,
21 because we have the secretariat office for the civil status. We also have the accounting
22 and we have the police office as well. We have the counsellor's advice. So the registers
23 are in the civil status register, and once a citizen comes forward to make a statement,
24 then it is recorded in the register. And the mayor is in charge of that, and the role is to
25 sign those documents. And then once that is done, it goes to the secretariat of the

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1 mayor who will sign it. And after the signing, when the mayor has authenticated the
2 documents, then the birth certificate, for example, is made. The same is true for death
3 certificate.

4 The same is true for marriage certificate. And for the wedding certificate, it is the
5 partners, the wife and husband, the witnesses to the marriage, for the husband, and
6 those four people are in front of the mayor. They celebrate the wedding, and then it is
7 recorded and registered. The wife, the husband will sign, the witnesses will sign, for
8 both the husband and the wife, and the mayor in the end will acknowledge the
9 wedding, the marriage. That's what happens as regards the civil status.

10 So even if there's correspondence, this always go via the secretariat because they are
11 the ones who put the stamp on the document, and it is initialed. And we put -- we
12 initial it manually. This is how the procedure works. This is what we have done. This
13 is what we have done. This is the guidelines which we follow. For all the
14 correspondence which we send, we have the same circuit, madam.

15 Q. [10:47:46] Thank you very much. I would like to focus on birth certificates. Okay?

16 A. [10:47:52] Yes.

17 Q. [10:47:54] If I understand correctly, when you have a birth certificate, it is done
18 and is covered by family law. Are there other family or other laws that cover birth
19 certificates?

20 A. [10:48:15] Yes, as regards the protection of the rights of children. That also must
21 be taken into consideration. There is also law on family law and also the code for
22 children. There is also the electoral code -- the territorial code. So that is what we use
23 to protect the life of our citizens.

24 Q. [10:48:42] Can you explain to us in what situation you make an original birth
25 certificate?

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1 A. [10:48:51] The original birth certificate, firstly, there's an administrative process.
2 We record that. It starts with the superior court in Mbaiki. He will initial all the pages
3 of the register, and on the page -- first page, on the left, he will say -- he will issue the
4 birth certificates for the population and also put the stamp. And this register will
5 arrive at the register and we will follow the procedure for issuing a birth certificate.
6 There are births which take place elsewhere which are not declared. And if the citizen
7 approaches the town hall, we sometimes say they should go to the court so that they
8 can have a certificate which is issued by the court itself. And then they take that to the
9 town hall so that this can be transcribed supplementarily. And then there is a
10 transcription with the various articles taken into consideration so that this can be given
11 to that particular citizen, madam.

12 Q. [10:50:27] So if I understand correctly, can you confirm with a yes or no, you issue
13 a birth certificate when the birth is, firstly, declared in the first month of the birth?

14 A. [10:50:42] Yes.

15 Q. [10:50:44] Then there's a supplementary transcription when the birth is not
16 declared in the month following the birth, if someone has lost a birth certificate and the
17 register does no longer exist?

18 A. [10:51:05] Well, you know, for birth certificates, there are three ministries
19 involved. The first is public health. When the child is born in a health centre, the
20 midwife delivers the bulletin of birth, and via this -- this is taken to the town hall to
21 respect the time frame for issuing a birth certificate. That's the first thing. So the
22 ministry of health provides a birth bulletin.
23 Then in the town hall, in the meantime, the Ministry of Justice initials and records it in
24 the register in Mbaiki, and authorises the town hall to issue a birth certificate. So you
25 can see that on each page of the birth certificate, you will see the stamp of the president

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1 of the court of Mbaiki with the initials. Each page is initialed. So the midwife will --
2 the name of the midwife will also be mentioned on the certificate. The midwife was so.
3 That is included.

4 And the third element is the ministry of territory for the local area. So the mayor will
5 sign the birth certificate for that particular citizen.

6 Q. [10:52:48] Thank you. So for the transcription of these supplementary elements, is
7 there a different register?

8 A. [10:52:56] When the birth was not declared within the legal framework, it was
9 done later and wasn't declared, so in order to help things, you have to go to the courts.
10 The courts, for example, must provide a supplementary certificate, and this is
11 transcribed, madam.

12 Q. [10:53:30] So the first possibility to issue a birth certificate is when the birth is
13 declared in the month following the birth. I would like to know, so that the birth
14 certificate meets the requirements of the law, what are the rules that must be followed?
15 Let me explain. So for the child, must it indicate the date, the hour, and the place of the
16 birth of the child?

17 A. [10:54:13] Yes.

18 Q. [10:54:14] The date of the birth, must it be written in a specific way, with letters?

19 A. [10:54:19] It must be in letters.

20 Q. [10:54:21] Thank you. So for the child, must you have the name, the first name,
21 and the sex of the child?

22 A. [10:54:27] Yes.

23 Q. [10:54:28] So for the parents, do you have to indicate the name, the first name, the
24 age, the profession, and the date of birth of the parents and also their normal place of
25 residence?

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1 A. [10:54:43] Yes.

2 Q. [10:54:45] So for those who are making the declaration, must the birth date
3 indicate the date of the declaration of the birth?

4 A. [10:54:57] Yes.

5 Q. [10:54:59] Fine. When it is a birth certificate as such, does it have a particular
6 number?

7 A. [10:55:09] Yes. There is a specific number for that particular birth certificate.

8 Q. [10:55:17] Must it contain the signature of the person making the declaration?

9 A. [10:55:21] The number of register is there, and that is linked to the child. And if
10 you want to find out about that child, we have to go into the archives and then we find
11 that there was a birth who was declared on such and such a date, and then we will find
12 the information. If you look at the crisis that happened in my country, the government
13 was forced to say that many archives were lost or disappeared from the town halls. So
14 the government authorised the offices to try and issue birth certificates because in some
15 prefectures, for example, in Pissa, we managed things. But in other places, the archives
16 were in chaos. Many documents disappeared. A lot of things disappeared. So to try
17 and find somebody's certificate, you have to follow a lot of procedures, madam.

18 Q. [10:56:42] I just want to come back to this birth certificate which is delivered after
19 the birth. Generally speaking, there's one person who comes to state about the birth.
20 Does the signature of the person making the declaration appear on the certificate?

21 A. [10:56:58] Yes. Generally speaking, yes. That certificate was made by so-and-so,
22 because after that you have the stamp and on the left-hand side you have the signature
23 of the declarant. If that is not signed, something has to be done about it. Usually, the
24 things are done in an orderly fashion.

25 Q. [10:57:32] So you already mentioned the official stamp and the officer's signed. I

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1 would like one further clarification. Is the colour of the ink important on the birth
2 certificates?

3 A. [10:57:45] We use blue from a ballpoint in our birth certificates, madam.

4 Q. [10:57:50] Is there a combination of colours which signify anything in particular,
5 for example, if it's in red or if it's in blue?

6 A. [10:58:03] Well, for us, normally speaking, it's blue. And this is usually used for
7 birth certificates, madam.

8 PRESIDING JUDGE SCHMITT: [10:58:17] I think we allow us a break until 11.30.
9 Thank you.

10 (Recess taken at 10.58 a.m.)

11 (Upon resuming in open session at 11.32 a.m.)

12 THE COURT USHER: [11:32:27] All rise. Please be seated.

13 PRESIDING JUDGE SCHMITT: [11:32:34] Just a small housekeeping matter. We have
14 to finish today at half past three. That means we shorten the lunch break, if need be, so
15 we have the lunch break only from 1 until 2.00.

16 Ms Galupa, you have the floor.

17 MS GALUPA: [11:32:53] Thank you, Mr President.

18 Q. [11:33:00](Interpretation) Now, before the break, sir, we were talking about birth
19 certificates and when the birth is officially declared. You confirmed the various
20 elements that are required under law, and I have one final question for you about this.
21 Now, to obtain a birth certificate of this nature, do you have to pay a fee; and if so, how
22 much is the fee?

23 A. [11:33:31] I apologise for my earlier statement. Perhaps I had raised my voice and
24 I was speaking rather quickly. I do apologise. I'll try to go more slowly so that the
25 interpreter can do his work.

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1 Now, ma'am, in response to your question, yes, you do have to pay a fee for such a
2 birth certificate.

3 Q. [11:34:02] Do you know how much the fee is in Pissa?

4 A. [11:34:07] 1,000 francs, and a copy is 500 francs. At one point, the government
5 issued an order to issue birth certificates free of charge to children aged 0 to 5, even up
6 to 15 years of age. In light of the crisis, many people had lost their birth certificates,
7 and so the town halls had to issue replacement birth certificates to the parents of these
8 children.

9 Q. [11:34:49] You said that the fee was about 1,000 francs. Is that a large amount of
10 money in relation to the average wage in the Central African Republic?

11 A. [11:35:00] Yes. Before it was rather expensive, but then the fee was reduced upon
12 instruction from the authorities. It was reduced to 1,000 francs so that everyone could
13 get a birth certificate. Because under the law, each citizen needs to have a birth
14 certificate, to gain citizenship, to have a passport, to get an identity card. So a birth
15 certificate is, indeed, very important in the life of each and every citizen.

16 Q. [11:35:38] Could you tell us, what's the average wage in the Central African
17 Republic?

18 A. [11:35:47] Ma'am, hm. 18,000 francs, I would say. Sometimes state employees ask
19 the government for raises. There are never any raises. So the government has
20 problems. For example, a public servant might get 120,000 or 150,000, but that's not
21 enough, given the cost of living in our country.

22 In Bangui, for example, I took part in a workshop organised by a number of partners,
23 and we looked at the sort of average household basket of goods required for a
24 household. 150,000, 150,000 for a public servant is insignificant. Sometimes we said,
25 well, isn't the international community aware? Because if -- a public servant really

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1 needs to be earning more. But 18,000, 15,000 francs, it's insignificant. Insignificant.

2 Perhaps, as I said earlier, perhaps all the work that you're doing -- because wages need
3 to be increased in light of the resources of the government, when you consider all the
4 oil, the commodities that are exported, but -- public servants would be in a better
5 position, but everything is blocked. If you compare the wages of a public servant in the
6 Central African Republic to his counterpart in Chad or the Congo or elsewhere, you'll
7 see that the wages are really a mere pittance.

8 Q. [11:38:15] Thank you. And if a birth certificate is missing some information, the
9 birth certificate will be deemed to be invalid by law?

10 A. [11:38:26] No, not at all. The act would not -- rather, the certificate would not be
11 deemed irregular. The certificate would be in good order because, you see, it would be
12 stamped.

13 Q. [11:38:42] I asked you whether it would be valid under the law. If the registration
14 requires the declarant to sign and there is no such signature, would you agree that that
15 is not in keeping?

16 A. [11:39:02] To be in accordance with the law, the declarant must sign the certificate
17 for it to be in conformity.

18 Q. [11:39:21] Once you draw up a document, how much copies of a certificate do you
19 issue?

20 A. [11:39:25] I beg your pardon?

21 Q. [11:39:29] How many copies do you prepare?

22 A. [11:39:31] Sometimes two copies, two copies. One is issued and the other one
23 stays in the archives. There are two slips of paper. One is given to the parent and the
24 second slip of paper remains in the files, in the records.

25 Q. [11:39:54] What procedure exists to gain access to the archives?

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1 A. [11:39:57] It depends on the citizen who wants to do the research. We have
2 records ever since the day in 1959 when our commune was established. You will find
3 many things in the records. The records of a community constitute a country's history.
4 If we can't find the item in question, we turn to the courts and we ask for a kind of
5 replacement certificate to be issued by the court. And then someone comes and
6 transcribes the information.

7 Q. [11:40:50] So you have a registry at the town hall. Does the general public have
8 access?

9 A. [11:40:55] No. The public provides a form, perhaps the bulletin of birth. And
10 everything is transcribed and the mayor signs. Sometimes there are certificates that are
11 missing. Sometimes parents come or sometimes certificates remain at the town hall.

12 Q. [11:41:38] Exactly what do you mean?

13 A. [11:41:39] Well, within the batch of certificates that have not been paid for, those
14 certificates are set aside. We do various batches, you see, month by month, year by
15 year.

16 Q. [11:42:06] Thank you. I'd now like to move on to a second kind of birth certificate,
17 namely a certificate issued by a court. Am I correct in saying that anyone can apply to
18 the court to obtain this kind of certificate?

19 A. [11:42:22] It depends. It depends on the parents. They can turn to the court to get
20 a kind of replacement certificate, and they -- for example, they are able to go to the
21 court, ask for a decision, and then they come to the city hall.

22 Q. [11:42:54] Thank you. I wasn't asking whether a parent could do it. I was asking,
23 in addition to the parents, could any other person go to the tribunal and ask for any
24 such certificate?

25 A. [11:43:04] If the person finds himself obliged to get a replacement birth certificate,

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1 he can go to the court. The courts are open to everyone. So they can provide the
2 information, the references, the name of the child, the mother, the father, and also two
3 witnesses are required. And these two witnesses swear before the chair or the
4 presiding judge of the court so that the court can issue this sort of replacement birth
5 certificate.

6 Q. [11:43:55] Now, could someone who was not a family member do this?

7 A. [11:43:59] Well, if you're not part of the family, how could you be trying to get a
8 birth certificate? Perhaps if you're an adoptive parent or perhaps if you're a guardian,
9 then you might get involved in the issuance of a birth certificate. But someone who's
10 not a family member, that's not possible.

11 Q. [11:44:38] There are a number of provisions --

12 A. [11:44:40] I beg your pardon?

13 Q. [11:44:43] Are you familiar with Articles 179, 183, and 184 of the Family Code?

14 A. [11:44:50] What's that all about? There are several local family codes. I think
15 there's more than a thousand provisions, actually, so the Family Code is a very large
16 piece of legislation, more than a thousand provisions in that particular piece of
17 legislation.

18 Q. [11:45:20] Very well. I'll read out the provision. Article 179 reads as follows:

19 "If the certificate never existed, any person who wishes to request a ruling in relation to
20 a certificate that does not exist can make an application to the Tribunal de Grande
21 Instance."

22 Then Article 183 and 184:

23 "If a certificate was lost or destroyed or deleted from a registry, a person who has a
24 born and current interest in its establishment or its reconstitution can make an
25 application to the court."

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1 So does this mean that it is possible to turn to the courts?

2 A. [11:46:24] Yes. The Tribunal de Grande Instance of Mbaiki often organises
3 workshops for local authorities, and the tribunal informs people and gives the --
4 explains the legislation to the population. That's one of the duties of the tribunal of
5 high instance.

6 If you go further and if you read further on in the Family Code, you will find more
7 provisions, and you will see that any person can turn to the tribunal. The tribunal is
8 open to everyone. The presiding judge's door is open. He hears from everyone.
9 Citizens turn to him and he has to facilitate matters. So there's not a problem with that,
10 ma'am.

11 Q. [11:47:32] Thank you very much.

12 MS GALUPA: [11:47:41](Interpretation) I'd now like to speak to the Chamber in
13 English. (Speaks English) Mr President, your Honours, I'm just asking the Chamber to
14 take judicial notice of the law with -- the Family Code that's been discussed here. It
15 does not require proof of fact so if you would like to (Overlapping speakers)

16 PRESIDING JUDGE SCHMITT: [11:47:57] That is -- judicial note, it is common
17 knowledge, I would say, if it is not contradicted. If, for example, the Defence would
18 tell us, well, that was the law back in 1960 but now it's different, we could not use it.
19 But in any other way, it's clear it's -- that the law of a certain country we can take
20 judicial notice of and it is common knowledge then. I don't see a problem, and nobody
21 will contradict me, I think, here in this courtroom.

22 Or Ms Guissé is going to contradict.

23 Ms Guissé, please, you have the floor.

24 MS GUISSÉ: [11:48:34](Interpretation) Yes, I would not dare to contradict you, your
25 Honour. Just perhaps as a civil law specialist, I believe that the prosecutor thought

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1 there was a contradiction when she quoted from the provision, when it says "toute
2 personne" in French. And, once again, as a civil law person, and I can say for the
3 record that these are general principles. A person has to have an interest. It's not just
4 anyone, any Tom, Dick or Harry who can waltz in and ask for a birth certificate. This is
5 the detail I wanted to provide and put on the record. This is a general principle of law,
6 and I think we're dealing with a principle that's to be found in all French-speaking
7 countries who adopted the civil law in general terms. That's what I'd like to say for the
8 record.

9 PRESIDING JUDGE SCHMITT: [11:49:46] We don't discuss this. I just mention that
10 this is not only in French-speaking countries you have to have a legal interest to obtain
11 such a document.

12 But since, Ms Galupa, it was perfectly clear, the witness -- and normally it would be --
13 the interested person would be a family member, would be the parents, would be the
14 person concerned, that is clear, but there are also other instances and there are other
15 persons who have a legal interest who can apply for that.

16 MS GALUPA: [11:50:21] Thank you very much. Just to mention that the law is from
17 1997 and that it was already recognised as formally submitted but just --

18 PRESIDING JUDGE SCHMITT: [11:50:27] No problem.

19 MS GALUPA: [11:50:28] Thank you.

20 PRESIDING JUDGE SCHMITT: [11:50:35] And of course we have here -- we could not
21 have a better witness for these matters to clarify than the witness we have today in the
22 courtroom. So please, Ms Galupa.

23 MS GALUPA: [11:50:52] Thank you, Mr President.

24 PRESIDING JUDGE SCHMITT: [11:50:53] Do you have already an idea how long
25 you're ...

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- 1 MS GALUPA: [11:50:56] I anticipate maybe 30 minutes to 45.
- 2 PRESIDING JUDGE SCHMITT: [11:50:59] Okay. Fine. And do the representatives of
3 the victims have any questions?
- 4 MR FALL: [11:51:05](Interpretation) Your Honour, we have no questions for the
5 witness.
- 6 MR SUPRUN: [11:51:13] Mr President, I have no questions for this witness.
- 7 PRESIDING JUDGE SCHMITT: [11:51:18] Since we are on it, Ms Guissé and -- I
8 assume Ms Guissé will also step in later? No, it's Ms Dimitri. Yes, please.
- 9 MS DIMITRI: [11:51:31] This time it's Ms Dimitri. Ms Guissé had a lot at the last block.
- 10 PRESIDING JUDGE SCHMITT: [11:51:34] Okay. No, but I thought because of some --
- 11 MS DIMITRI: [11:51:29] Yes. She's actively involved though --
- 12 PRESIDING JUDGE SCHMITT: [11:51:30] -- thematic --
- 13 MS DIMITRI: [11:51:30] -- I must say.
- 14 PRESIDING JUDGE SCHMITT: [11:51:33] -- thematic overlap, I thought perhaps. yes,
15 okay. Ms Dimitri.
- 16 MS DIMITRI: [11:51:40] The transcript of today is quite dense. I need to review it. At
17 this time I don't think I'm going to do ten hours, as anticipated. I'm going to do less.
18 But I'll have more -- a more detailed answer as to how long once I review the transcript
19 and review the questions.
- 20 PRESIDING JUDGE SCHMITT: [11:52:04] So do you think it is feasible to say that after
21 we have finished the examination of the Prosecution today that we will reconvene on
22 Friday? Because we have two full days. Normally, I can trust your assessment that
23 this will be enough. Because if you need time to review, we don't want -- let me put it
24 this way: We don't want the accused to stay here under these unpleasant
25 circumstances for so long.

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1 MS DIMITRI: [11:52:36] Yeah, I appreciate that. Thank you, Mr President. I do believe
2 that two days is enough for me for sure, and I'll try to get the cooperation of the
3 witness because I have very specific, concise questions.

4 PRESIDING JUDGE SCHMITT: [11:52:51] I'm absolutely sure that you will manage
5 that, and the Chamber trusts that you will have a very focused -- will have a very
6 focused and thorough examination at the same time, which is, let's say -- which adapts
7 to the witness we have here.

8 Yes, Ms Galupa.

9 And, Mr Knoops, no questions?

10 MR KNOOPS: [11:53:22] Well, we're not sure, Mr President. Depending on the
11 examination by the team of Mr Yekatom --

12 PRESIDING JUDGE SCHMITT: [11:53:26] Of course, yeah. Under the normal course
13 of events.

14 MR KNOOPS: [11:53:29] Of course, yes.

15 PRESIDING JUDGE SCHMITT: [11:53:30] Okay. Good.

16 Ms Galupa.

17 MS GALUPA: [11:53:39](Interpretation)

18 Q. [11:53:40] Mr Witness, we were talking about birth certificates issued by way of a
19 court order. And I'm interested in the various rules that govern the issuance of such
20 birth certificates. Under the law, would this kind of birth certificate have to bear a
21 stamp from the tribunal or the tribunal of high instance that issued the order?

22 A. [11:54:12] Yes. But I would like to specify one thing, if you don't mind. One
23 point. Even if you go to the Central African Republic this very day, if you go into the
24 hinterland and you see the children and you ask a child, "Come here, do you have your
25 birth certificate -- do you have a birth certificate?" The child will say, "No, I don't have

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1 a birth certificate." The child might be ten years old and he will answer, "No, I have no
2 birth certificate."

3 A birth certificate is of capital importance for any child, but given everything that
4 happened in our country, it was very difficult for birth certificates to be issued. We are
5 trying hard. Parents are coming and declaring the births of their children. That is quite
6 normal, because when a child goes to school, he has to have a birth certificate. But
7 sometimes when a child goes to register for school, the child has no birth certificate.
8 And various administrative procedures have to be conducted. Everything has to be
9 reviewed and looked over.

10 I can tell you, I've been a mayor for 30 years and I am familiar with all the various
11 governments. But the government that led to chaos -- well, we need your help. The
12 government is trying. UNICEF is providing registries to town halls. The government
13 is trying. The Ministry of the Interior is trying. But we must ensure that all children
14 have a birth certificate. It is a civil right. In some areas, unfortunately, it is somewhat
15 difficult.

16 Q. [11:56:28] Thank you for that explanation. Now, if we could get back to these
17 birth certificates. Now, I understand there needs to be a stamp by the --

18 A. [11:56:35](No interpretation)

19 Q. [11:56:37](No interpretation)

20 THE INTERPRETER: [11:56:44] Excessive speed and overlapping.

21 THE WITNESS: [11:56:49](Interpretation) You see, we go one slip of paper at a time,
22 and the head of the tribunal will sign at the top. He will stamp, initial the document,
23 and also number the various slips of paper, because there are 100 slips, actually. That
24 is one of the duties of the judge. And then he provides the registry to the town hall,
25 and then the town hall provides -- rather, receives information from the health centre.

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1 And then ultimately the parents come and get the birth certificate. But generally
2 speaking, the presiding judge of the tribunal always stamps and initials these birth
3 certificates.

4 Q. [11:57:54] Other than these requirements, does the tribunal place a serial number
5 of some kind on the form or on the birth certificate that is issued by way of a court
6 order or decision?

7 A. [11:58:09] As I was telling you, they just put the number. It is the court clerk who
8 stamps the document, and the presiding judge of that court initials or signs the
9 document.

10 Q. [11:58:40] I'd just like to remind you to speak more slowly.

11 A. [11:58:46] Okay.

12 Q. [11:58:47] Now, does the title have to read something along the lines of
13 "transcript" or "replacement birth certificate" or anything like that?

14 A. [11:59:07] There are two registries, and you have to provide the date of birth, and
15 on the registry you also have to make note of the date on which the other kind of birth
16 certificate was issued on.

17 When it comes to a birth certificate issued by way of a court decision, things are done
18 somewhat differently, under such and such an act, and so on and so forth. And then
19 you see the decision by the court is sent to the town hall. The parent goes to the town
20 hall, and then the registry is taken out and the information is transcribed. And then the
21 -- this kind of replacement birth certificate is issued and given to the parent.

22 Q. [12:00:22] The date you have on this birth comes from the supplementary
23 judgement.

24 A. [12:00:27] I said there are two registers. The first register doesn't have that
25 problem. The second register, that's where you have the transcription of the

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1 supplementary judgement. And this is done by the president of the court and then it's
2 signed. And it is filled in and signed.

3 Q. [12:00:47] Now, we're talking about a case where there's a birth certificate which is
4 transcribed because of a supplementary judgement. I only want to talk about that right
5 now. So it's the register which you have specifically for those cases. So what is the
6 requirements which need to be filled for this birth certificate? That's why I'm asking
7 whether the heading is "transcription of a supplementary judgement" for a birth
8 certificate.

9 A. [12:01:21] That is the second register.

10 Q. [12:01:22] It must indicate the date when, the date the birth certificate was created,
11 and you also have to have the date of the supplementary judgement.

12 A. [12:01:36] Yes, that's it. That's it. That is it.

13 Q. [12:01:46] And it also must have the signature of the registrar and his stamp.

14 A. [12:01:50] Yes.

15 Q. [12:01:53] It must have the signature of the declarant? If you could speak slowly
16 because the transcript doesn't get all if you don't speak slowly.

17 A. [12:02:08] This transcript has the number of the supplementary judgement. It is
18 taken to the town hall, and the town hall fills in the part. Once this is done, then the
19 mayor will give the official stamp. And the declarant signs and that's the end of it.
20 That's what normally happens.

21 I go back to say it is the mayors who are operational today that do this, but there are
22 some mayors where things don't run smoothly, madam. If you go to Birao or Ndele or
23 Bossangoa, can you find the archives that are working properly about the children who
24 are there? That is why the governments are doing their utmost so that the registers are
25 operational and that everybody is aware of what's going on. And that's what we hope

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1 to do on the ground.

2 The question that you put is for the mayors who are operational, who are doing their
3 work, who respect the law. But some other places, that is not the case.

4 Q. [12:03:59] Thank you. When you receive a supplementary judgement, generally
5 speaking, you use the date of birth on that supplementary judgement; is that correct?
6 Can you answer "yes" or "no", because we didn't receive an answer.

7 A. [12:04:24] Could you repeat the question.

8 Q. [12:04:26] So when you receive a supplementary judgement, you just write the
9 birth date of the child as it appears in the supplementary judgement; is that correct?

10 A. [12:04:39] Madam, I'm telling you, the supplementary judgement is the second
11 register. The first register is the birth certificate that exists. And the supplementary
12 judgement, the president of the court gives -- in his ruling says that the court presided
13 over this matter for the additional certificate, and it is for that document that they go to
14 the town hall. And the parties concerned will then -- will cover the rest. This is what
15 we've done because there's a number of rulings, a judgement given on such and such a
16 place, Mbaiki, issued in such and such an area, madam.

17 Q. [12:05:49] So the age of the child which you write down is that which the person
18 has declared before the court.

19 A. [12:05:55] Yes, that's it, madam. So it is a birth that has not been declared before
20 and now the parents want to have a document that is reliable for their child.

21 Q. [12:06:14] And that person who makes the declaration before the court can be any
22 person, as we've already discussed; is that right?

23 A. [12:06:23] Everybody can go to the court, madam. Everybody. There are training
24 workshops which are organised with all the support of the partners as regards an
25 awareness and all the documents, so people are aware what has to be done, madam.

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1 Q. [12:06:59] And to obtain such a supplementary judgement, how much do you
2 have to pay?

3 A. [12:07:04] Well, we don't start with the courts. You have some that it state -- it
4 might be between 1,000, 1,500, and the person gives that to the town hall. And it's
5 always 1,000 francs, madam.

6 Q. [12:07:31] Do you know an example where you have to pay 10,000 to go to the
7 court?

8 A. [12:07:42] What?

9 Q. [12:07:43] Do you know cases where you have to pay 10,000 francs to obtain this
10 supplementary judgement?

11 A. [12:07:49] No, I don't know that. I don't know that.

12 Q. [12:08:01] So I'm going to ask you the same question as I just have already asked
13 you. So if such a birth certificate from the second register which you have, that's to say,
14 where you transcribe the supplementary judgement, if the birth certificate doesn't have
15 one of the elements which we've already mentioned, then the act does not conform to
16 the law.

17 A. [12:08:27] No. All those elements must appear, madam, because we have to
18 respect the law. We respect the law, madam.

19 Q. [12:08:50] Am I correct in saying that it is always you in the town hall of Pissa, you
20 sign the birth certificates, or do you sometimes delegate to another?

21 A. [12:09:01] Yes. The mayor is the official registrar. He's taken an oath before the
22 court and all that. For example, if I'm on a mission here, I'm not there but here in The
23 Hague, then I will ask the first deputy of the district to sign on my behalf all of the birth
24 certificates because he, too, has taken an oath, madam.

25 Q. [12:09:37] And if you delegate the signing, is it mentioned in the document which

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1 says that you have delegated somebody else to sign on your behalf?

2 A. [12:09:45] Madam, if the mayor is away, the entire population is aware of that. If
3 the mayor is coming to The Hague to give his testimony, then there is somebody else
4 who will stand in in the mayor's office. So from that date onwards, it is the first
5 deputy, for example, that will stand in on my behalf and has the competence to sign the
6 birth certificates during the mayor's absence, madam. So the first deputy will carry out
7 the same functions.

8 Q. [12:10:36] So to be clear, he will sign with his signature? The first deputy, when
9 he signs this type of document, like a birth certificate, he will sign in his own name,
10 with his own signature; is that correct?

11 A. [12:10:48] Yes. And he will put the stamp, "Deputy Mayor of the Registrar," he
12 will also put that stamp on the document.

13 Q. [12:11:11] So you as a mayor, when you sign a birth certificate, do you check the
14 information which are manually written in the birth certificate, or is it one of your
15 colleagues who verifies the data and submits it to you for signature?

16 A. [12:11:33] Yes. I have to read each page of the birth certificate, number such and
17 such, but -- the name of the mother, name of the father, the village, the hospital,
18 everything is mentioned. I must check everything first before signing the birth
19 certificate, madam.

20 Q. [12:12:13] So when you receive a supplementary judgement and you have to
21 transcribe it, do you first check that the archives do not have another birth certificate
22 for the same person? Do you carry that sort of work out?

23 A. [12:12:31] No, I don't think so. I don't think so, madam. Because we transcribe the
24 birth certificate. We will classify the archives. You are quite right in asking me that
25 question, though. *You're absolutely right, because, you know, in Bangui there are

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1 people who make the majors' stamps and who, on occasion, buy registers and who
2 make transcriptions which are fraudulent. That happens in Bangui. *And when you
3 compare that with the authentic work we do, there are always things missing. And
4 when we check, we say, no, no, no, this is a false document. *They even manage to
5 imitate the signature of the registrars. They manage to make majors' stamps, madam.
6 We don't understand everything, but what is of interest to us is the stamp of the
7 president of the court. If you see a birth certificate issued with his initials from the
8 president of the court, then you know it's true. *If you see that a birth certificate has
9 been issued, if there is the stamp of the President of the Tribunal, with his initials, it's
10 genuine, because all of this will be transcribed, it's Pissa town hall that has issued the
11 certificate, so there's no issue. There we are.

12 Q. [12:14:08] According to you, are there other places where that might happen, apart
13 from Bangui?

14 A. [12:14:14] There are false certificates everywhere, madam. Bangui is the capital,
15 but in some large towns in the provinces, false certificates are created. For example, for
16 one mayor who legally carries out its work, we don't have that problem. *But if you go
17 to other town halls, where there are shortcomings, then forgeries are being created.
18 That's not only the case in Bangui, you know, madam. You know there are many
19 foreigners in CAR now, who bring the system from their country with them, madam.

20 Q. [12:15:12] Why does somebody want to obtain a false certificate, a fraudulent
21 certificate? Can you perhaps explain why somebody wants such a false certificate?

22 PRESIDING JUDGE SCHMITT: [12:15:22] Please wait with the answer.

23 Ms Dimitri first.

24 MS DIMITRI: [12:15:25] It's quite a speculative question. I mean, any guess is a good
25 guess.

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1 PRESIDING JUDGE SCHMITT: [12:15:31] Yeah, yeah, but you know it is also one of
2 those questions when you reformulate it a little bit, you can pass it through.

3 Mr Witness, let me ask you, as the Presiding Judge. You said that false certificates
4 exist. Did you come to know what the reasons for such false certificates were? If you
5 can tell us something about this. The reason for the persons to apply or try to obtain
6 false certificates, if you know.

7 THE WITNESS: [12:16:12](Interpretation) Sorry? Sorry?

8 PRESIDING JUDGE SCHMITT: [12:16:14] I repeat, Mr Witness. So you spoke, you
9 said that -- perhaps you can explain that the Presiding Judge is speaking now. That is
10 the person who sits here at the other end, in the middle. Perhaps you can first tell the
11 witness that, and then I'm asking you the question.

12 Mr Witness, you said there that you know that false certificates exist. So do you have
13 information what the reason -- do you have information what the reason for certain
14 persons would be to try to obtain false certificates?

15 THE WITNESS: [12:17:10](Interpretation) *Madam, as I was saying, with the crisis in
16 CAR, there are forgeries everywhere. So if you want to have authentic items, you have
17 to go to your town hall. *Those who were born in the locality come to the town hall,
18 they have the genuine papers. Even if you want a diploma in Bangui, there are people
19 who manufacture these diplomas.

20 When the government was looking into this, there were several officers who had false
21 diplomas. They didn't have genuine diplomas, and they were kicked out. So in Bangui
22 this happens. Somebody comes towards him and says -- and issues a false document --
23 asks for a false document, then the false document is created.

24 That happens in Bangui and some of the towns in the province, but not with me. We
25 carry out our work properly. We respect the law, and we often work with the

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1 president of the court, with the prosecution. They organise meetings, workshops,
2 awareness meetings, because we, the deputy, the mayor, we have taken an oath and we
3 respect the work which the government has asked us to do.

4 *And with those judges, we have good cooperation. And even if the registers are
5 missing, a request is made, and they say, "Fine, bring the registers quickly, we will sign
6 them for you." Where I am now, we sent 10 registers to Mbaiki, 10 civil registers. Some
7 were for the jugements suppletifs. Some were for death certificates, some were for
8 marriage certificates. And all those registers were signed and given reference numbers
9 by the president of the tribunal. And those registers came back to the Pissa town hall
10 so as to assist the population.

11 PRESIDING JUDGE SCHMITT: [12:19:29] I suggest that we have covered that
12 sufficiently and that you move on.

13 MS GALUPA: [12:19:39] Mr President, I have one additional question I would like to
14 ask if possible.

15 PRESIDING JUDGE SCHMITT: [12:19:43] Yes. Let's hear it. Yes.

16 MS GALUPA: [12:19:45](Interpretation)

17 Q. [12:19:46] Mr Mayor, have you heard of ad hoc registers who are sometimes held
18 by some individuals, also perhaps by the staff of the town hall, who use those registers
19 in parallel for their own interests?

20 A. [12:20:01] Not in my town hall, madam. Our registers are numbered. *And once
21 we've finished the register books, we buy new ones, and we send them to the tribunal.
22 Our registers are numbered. We have no ad hoc registers.

23 Q. [12:20:28] But have you heard about ad hoc registries in other town halls? Do you
24 know they exist?

25 A. [12:20:34] I'm not going to become involved in what happens in other town halls.

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1 Each mayor is responsible for his own area. I'm saying to you, where peace exists,
2 where there's safety, things work properly. But where peace has not been restored,
3 then there are gaps, madam.

4 Q. [12:21:21] I would like to know whether you've heard about anyone mentioning
5 that in other town halls.

6 A. [12:21:26] Not really in the town hall. Not really in the town hall but in certain
7 neighbourhoods.*For example, there is a neighbourhood in Bangui called Fondo. Or in
8 Kilometre 5, for example, there are things that are not done properly. People do all
9 sorts of things there. But not really in the town halls, which the town hall, the mayors
10 have to respect the law. But in some neighbourhoods of Bangui, yes, you can have
11 false registers.

12 When the government started to control or check the files of all the civil servants, they
13 found discrepancies, for example, fake diplomas, because you want to look for the true
14 documents. You check, you compare, and see that it is a false diploma. The majority of
15 these civil servants had their salaries suspended because of that.

16 Q. [12:22:39] Fine. Can you help me to understand some documents. I'm going to
17 show you some documents and then I'm going to ask you some clarification. Okay?

18 A. [12:22:49] Okay.

19 MS GALUPA: [12:22:57](Interpretation) Could we display CAR-OTP-2126-0413.

20 Q. [12:23:17] Can you see the document, sir?

21 A. [12:23:20] Yes.

22 Q. [12:23:21] This seems to be a birth certificate from Pissa, and at the bottom, in the
23 last part, written manually, you can see your name; is that correct?

24 A. [12:23:28] Yes, that's me.

25 Q. [12:23:34] So again at the bottom, is it your stamp?

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- 1 A. [12:23:36] Yes. This is the stamp of the town hall, of the mayor.
- 2 Q. [12:23:45] And your signature?
- 3 A. [12:23:46] Yes, that's me. This is my niece.
- 4 PRESIDING JUDGE SCHMITT: [12:23:56] Before you continue, Ms Galupa.
- 5 Ms Dimitri.
- 6 MS DIMITRI: [12:24:02] It's the speed, Mr President. And it's an important topic.
- 7 There's no break from counsel between questions and answers.
- 8 PRESIDING JUDGE SCHMITT: [12:24:07] You are right.
- 9 Also, Ms Galupa, please simply take your time. We are not in a rush at all. I
- 10 understand it's not easy today, but please take your time. Yes.
- 11 MS GALUPA: [12:24:23] Thank you. And my apologies.
- 12 PRESIDING JUDGE SCHMITT: [12:24:25] But I think we got everything until now. At
- 13 least I have understood everything. Please move on.
- 14 MS GALUPA: [12:24:31](Interpretation)
- 15 Q. [12:24:32] At the bottom, I see your name which is affixed with a stamp; is that
- 16 correct?
- 17 A. [12:24:39] Yes, that's right.
- 18 Q. [12:24:41] So you've already seen the name of the child and the birth date, which is
- 19 written, which is in 1996.
- 20 A. [12:24:54] Just go down a bit. Can you move a bit? Can you go up a bit so I can
- 21 see it? Okay. Okay. Okay. Yes. Go down a bit. Go down. No, no, no, go more.
- 22 PRESIDING JUDGE SCHMITT: [12:25:17] I think to the bottom, you should go to the
- 23 bottom for once. Bottom, yes.
- 24 THE WITNESS: [12:25:28](Interpretation) (Redacted)
- 25 (Redacted)

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1 MS GALUPA: [12:25:38](Interpretation)

2 Q. [12:25:38] Is this the stamp of -- on the top, what sort of stamp is that?

3 PRESIDING JUDGE SCHMITT: [12:25:51] Please go to the top. Please go to the top
4 now. Yeah, thank you.

5 THE WITNESS: [12:25:55](Interpretation) That is the stamp from the president of the
6 court, the tribunal.

7 MS GALUPA: [12:26:07](Interpretation)

8 Q. [12:26:08] And there's a number. Can you tell us what that number means?

9 A. [12:26:10] This is a genuine certificate, madam. It's a genuine act.

10 Q. [12:26:32] So this is a birth certificate which was issued where the birth was
11 declared.

12 A. [12:26:37] This is where the birth was declared. This is the birth certificate. This is
13 my sister -- the mother and my sister.

14 Q. [12:26:46] Very well.

15 Can we move on to the document CAR-D29-0013-0084. This is tab 6.

16 A. [12:27:21] Yes. Yes.

17 Q. [12:27:22] So this seems to be a duplicate of a birth certificate of Pissa; is that
18 correct?

19 A. [12:27:26] Let me have a look. Go down a bit. It's still the same boy. It's the same
20 boy. Okay. This is a copy.

21 Q. [12:27:54] So at the bottom, in the final part, manually, we see your name; is that
22 correct?

23 A. [12:28:00] Yes, yes, yes.

24 Q. [12:28:01] And it's also your stamp?

25 A. [12:28:03] Yes.

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1 Q. [12:28:03] And it's your signature?

2 A. [12:28:05] Yes.

3 PRESIDING JUDGE SCHMITT: [12:28:09] So quick. Please, it's too quick. Please take
4 your time. So we understand, this is the stamp, this is his signature. I think we had
5 this. Move on from there, please. And it seems to be a duplicate, which even we could
6 see with our own eyes, I think.

7 MS GALUPA: [12:28:37](Interpretation)

8 Q. [12:28:38] And on the top, we see the name of the child, as we've seen already, but
9 the birth date is of 1981 which is different from the previous document.

10 A. [12:28:50] Let me give you a clarification, madam. *There are young people who,
11 with their genuine certificate... but now they are grown up. If they want... for example,
12 a competition is held to recruit soldiers, or police officers, or gendarmes, that sort of
13 thing. Then they are obliged to ask for a favour; that's the problem. *I remember. That
14 is a certificate signed by me. That's a certificate signed by me. The stamp is the stamp of
15 the Pissa town hall. All that stuff. It is completely normal.

16 But as regards the date of birth, this is irregular. The first -- the second doesn't
17 correspond with the first. But it's to help. As I've said, you sometimes have births that
18 aren't declared or only declared 10, 15 years later. Okay, madam?

19 Q. [12:30:05] When you say it's to help, to assist, what do you mean by that?

20 A. [12:30:08] Well, helping out, doing a favour. Someone, for example, who might be
21 25 years old, he's 25 years old, but there's a job that requires the person -- a young
22 person who is 18. That's a concrete example. They're looking for a kid aged 18. *Given
23 the poverty and the family issues, sometimes young people do things like that. They go
24 to the mayor with something and the mayor signs. Do you see what I mean? So that
25 sort of thing. In other words, sometimes the rules are bent.

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1 *That doesn't mean that it is legitimate. You have to tell the truth. I swore to tell the
2 truth. And that boy doesn't have a job. The guy's unemployed. He's floating around
3 the neighbourhood. He has nothing to do. He's long-term unemployed, absolutely
4 nothing to do. So, you see ...

5 Q. [12:31:25] I've understood. Thank you. I'd like to show you two other documents
6 and I'd like to ask you a few clarifications.

7 First of all, tab 25, CAR-OTP-2126-0416. Tab 25. Take your time and look at it.

8 PRESIDING JUDGE SCHMITT: [12:32:13] And in the meantime, I'm just making a
9 remark here. Am I the only one who thinks that the handwriting appears to be at least
10 a little bit similar in both documents, the last documents we have shown? At least
11 partly. I'm just mentioning it. I don't know for what it's worth but -- and we have --
12 we have seen that one, let's say, important information, to put it mildly, is different. So
13 this could suggest that the two documents were issued at a different time. However, if
14 the handwriting -- I'm not an expert, but it appears a little -- at least to be bit similar.
15 I'm just mentioning it. I don't know what to do with it.

16 Ms Galupa.

17 MS GALUPA: [12:33:05] Maybe in English since I'm responding to you. Just to point
18 out that the second document that we've seen is not actually a duplicate because the
19 number is different from the other one. So I just want to put that there because it's
20 (Overlapping speakers)

21 PRESIDING JUDGE SCHMITT: [12:33:24] Yeah, and only -- yeah, but still, or perhaps
22 even more, why would it have the same handwriting? Of course, we would have an
23 answer. Please. The same person might have issued it, but this is also interesting, then,
24 perhaps. Might have issued it.

25 Ms Galupa.

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1 MS GALUPA: [12:34:00] Thank you, Mr President.

2 Q. [12:34:02](Interpretation) Your worship, in this document, and I'll put the same
3 question to you, this seems to be a birth certificate from Pissa.

4 A. [12:34:12] Yes. I recognise the handwriting of the secretary who transcribed the
5 information.

6 Q. [12:34:26] At the bottom we see your name, handwritten; correct?

7 A. [12:34:29] Yes, that's written out, and we see the stamp. You see, each time you
8 have to record the name of the civil officer.

9 Q. [12:34:42] Is that your signature?

10 A. [12:34:42] Yes, it is.

11 Q. [12:34:57] And that is also your name stamped onto the document.

12 A. [12:35:00] Yes. To avoid forgeries, we had stamps prepared. So I used this stamp
13 bearing my name to show that it was, indeed, me who issued the document.

14 Q. [12:35:21] If we could scroll up a bit, please, we see the name of the child. I'm not
15 going to read out that name. But we also see the date of birth, 5th of July. If we could
16 scroll up a little bit further, 5th of July, 2003, isn't it?

17 A. [12:35:43] That's one of the Anti-Balaka things.

18 Q. [12:36:01] We also see the number, 86/03; correct?

19 A. [12:36:04] (Redacted)

20 Q. [12:36:21] You said "yes" but it wasn't transcribed. Could you confirm --

21 PRESIDING JUDGE SCHMITT: [12:36:25] Yes, we see it. We see that there are
22 numbers, 86/03. You can move on.

23 MS GALUPA: [12:36:33](Interpretation)

24 Q. [12:36:33] We also see the stamp of the president with a number on it; is that
25 correct?

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1 A. [12:36:39] What can I say? I can see this birth certificate issued by the town hall in
2 Pissa, ma'am.

3 Q. [12:36:52](No interpretation)

4 A. [12:37:23](No interpretation)

5 Q. [12:37:31](No interpretation). With your name and the stamp and your signature.

6 A. [12:37:52] That is the supervisor of the child soldiers, encadreur, in French. The
7 NGO Enfants Sans Frontières had asked for the certificates on an urgent basis. The
8 gentleman who was on the photograph, that person was recruited to work as an
9 encadreur, a kind of supervisor for the children, and take them to Mbaiki.

10 Q. [12:38:28] If we scroll up, we can also see that the number of the document is
11 086/03. So these are two different people but their birth certificate bears the same
12 number, 86/03. Do you have any idea how this came to be?

13 A. [12:39:01] *I wasn't aware of that. But since the NGO Enfants Sans Frontières was
14 asking that the children taking part in the project urgently receive birth certificates,
15 (Redacted)

16 (Redacted)

17 (Redacted)

18 THE INTERPRETER: [12:39:54] Interpreter correction, the witness has mentioned a
19 female child.

20 MS GALUPA: [12:39:59](Interpretation)

21 Q. [12:40:00] Very well. Just to conclude on this point, namely, the birth certificates.
22 CAR-D29-0013-0097, tab 8, if we could have a look at that document. Tab 8, CAR-D29-
23 0013-0097. If we can focus on the top of the page.

24 You can see a serial number beside the words "Town of" and then there's a serial
25 number. Can you see that?

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1 A. [12:40:50] The what number?

2 Q. [12:40:54] The number is in black ink and it is beside the words "Town of," "Ville
3 de." 05 --

4 A. [12:41:04](No interpretation)

5 Q. [12:41:05] Further up, on top, above.

6 A. [12:41:16] Yes, 80. Could you scroll up more? If you could scroll up so I could
7 have a closer look. 80.

8 Q. [12:41:37] Here we see 55020 something 6, quite a long number that appears on the
9 document, and I would like to ask you, do you know what that long number is?

10 A. [12:42:03] Could you zoom in, please? If you could scroll up.

11 Q. [12:42:12] It's the number that ends in 80.

12 A. [12:42:14] Scroll up. Scroll up.

13 PRESIDING JUDGE SCHMITT: [12:42:18] Simply scroll up so that the witness has the
14 whole picture, perhaps. That's perhaps what he wants. He wants to see everything.

15 And, Mr Witness, the long number, we are talking about the long number, starting
16 with some 5, and at the end there is 80. The question by the Prosecutor was, do you
17 know what this is about, what this number means?

18 THE WITNESS: [12:42:59](Interpretation) Now I remember. Because, you see, before,
19 the birth certificates were coded, coded within the presidency. The presidency would
20 put a code and it would be sent to Mbaiki, and it would be sent to the tribunal and then
21 sent back to the town hall. But then at some point the presidency said, oh, no, no, no,
22 that's not worth the bother.

23 Before, the numbers like that, that was the coding by the president of the republic. He
24 had asked that all registers be codified within the presidency. You would put in a code
25 and then it would be sent to the Mbaiki High Tribunal. It would be initialed and then

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1 sent to the town hall for transcription. That's how things worked in the past, more or
2 less. I think that's how it worked.

3 MS GALUPA: [12:44:15](Interpretation)

4 Q. [12:44:15] And when did the system change?

5 A. [12:44:17] It's been more than 30 years now, more than 30 years. Initially, in the
6 time of President Kolingba, all the registers were codified or coded within the
7 presidency of the republic. With time, it was decided that the presidents of the
8 tribunals of high instance that would take over.

9 Q. [12:44:49] Thank you. We also see a stamp and we see another word. We see
10 "rectificative," which means "correction."

11 A. [12:45:03] Yes, yes. I can see that someone has added information and stamped
12 "correction." The staff of the town, I think, would have done that. And then there's my
13 signature.

14 Q. [12:45:27] Now, you said that someone would go and go to the neighbourhood
15 and make the correction. What do you mean by that?

16 A. [12:45:33] *Ma'am, let me give you an example. It says "Town hall of Pissa," and
17 that is fine. The handwriting is the handwriting of a secretary from the town hall of
18 Pissa. *I see the stamp of the president of the tribunal, along with his signature. That's
19 authentic. If you scroll down, you see the stamp of the mayor with his signature. That
20 is authentic. *But once you give the certificate to young people who go off into the
21 neighbourhoods.... Okay, this one is authentic. The mayor has signed it. The mayor of
22 the commune.

23 Q. [12:46:18] And there are cases of fraud in these corrections.

24 A. [12:46:22] Well, this is not us. These corrections, they don't have anything to do

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1 with us.

2 PRESIDING JUDGE SCHMITT: [12:46:38] Ms Dimitri.

3 MS DIMITRI: [12:46:39] Mr President, I would appreciate less leading question
4 especially on such a contentious subject. To lead that they are false certificate on
5 rectificative, it's quite contentious.

6 PRESIDING JUDGE SCHMITT: [12:46:49] Well, we -- yeah. But the witness has
7 answered so -- and it's not a problem. We will get the answer.

8 Ms Galupa, please continue.

9 MS GALUPA: [12:47:00](Interpretation)

10 Q. [12:47:01] One last topic with you, sir, if you don't mind. In your statement,
11 paragraph 76 and 82, you made mention of being in touch with Mr Yekatom on several
12 occasions, and I'd just like to ask you something. Which telephone number did you use
13 to contact Mr Yekatom?

14 MS GALUPA: [12:47:47](Interpretation) And before answering my question, I would
15 like to ask the Presiding Judge if we can go into private session, since this is a personal
16 telephone number.

17 PRESIDING JUDGE SCHMITT: [12:47:56] Private session.

18 (Private session at 12.48 p.m.)

19 THE COURT OFFICER: [12:48:04] We are in private session, Mr President.

20 MS GALUPA: [12:48:28](Interpretation)

21 Q. [12:48:28] (Redacted)

22 (Redacted)

23 A. [12:48:38] (Redacted)

24 Q. [12:48:57] (Redacted)

25 A. [12:49:00] (Redacted)

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1 (Redacted)

2 (Redacted)

3 Q. [12:49:55] (Redacted)

4 MS GALUPA: [12:49:58] (Redacted)

5 PRESIDING JUDGE SCHMITT: [12:50:00] (Redacted)

6 (Open session at 12.50 p.m.)

7 THE COURT OFFICER: [12:50:08] We are back in open session, Mr President.

8 MS GALUPA: [12:50:26](Interpretation)

9 Q. [12:50:26] Your worship, one other question about the certificates. I'm going to
10 backtrack for a moment. A few moments ago we mentioned the stamp that – the
11 stamp that said "correction," "rectificative" in French, and you said that it was not from
12 you. Did you say that because there's a requirement to countersign these corrections?
13 Does the civil registrar --

14 A. [12:50:57] Never. Never. Ever since I took up my duties, we never printed up a
15 correction stamp, ever since I took up my duties. That's not from us.

16 Q. [12:51:11] Are you aware that on the birth certificates, there's a note at the bottom
17 that says: "For any correction of a birth certificate, it must be countersigned by a civil
18 registrar"?

19 A. [12:51:30] Yes. That is provided for by law.

20 Q. [12:51:52] Thank you very much. I'd like to play a video for you.

21 MS GALUPA: [12:51:56](Interpretation) This is tab 20. CAR-OTP-2118-0415, from 58:41
22 to 59:47. And the translation is at tab 26, CAR-OTP-2127-4410, at -- if we could look at
23 pages 4433 to 4434, lines 824 to 836. Then I'll have a few questions.

24 (Viewing of the video excerpt)

25 THE INTERPRETER: [12:53:16](Interpretation of the video excerpt)

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- 1 "Along the way, we stopped to greet a friend ..."
- 2 Message from the booth: We now have the transcript on the screen.
- 3 PRESIDING JUDGE SCHMITT: [12:53:22] Let us play it again, please. Please let's play
- 4 it again, I think, because it makes more sense to have at least -- at least to try to have
- 5 simultaneous translation, and we have enough time. So we play this video again.
- 6 Please listen to it, Mr Witness, and watch it.
- 7 Are the booth ready now?
- 8 The video is shown, and afterwards there will be questions by Madam Prosecutor. Yes,
- 9 we can play it again, please.
- 10 (Viewing of the video excerpt)
- 11 THE INTERPRETER: [12:54:07](Interpretation of the video excerpt)
- 12 "Reporter: Along the road, we stopped to greet a friend of Rombhot. He is the mayor
- 13 of a community in the south dominated by the Anti-Balaka.
- 14 OP: France could not accept terrorists coming into its former colony where there are
- 15 French interests because where there are French interests, you see, there are French
- 16 interests here. And if France allowed the Seleka to enter the Central African Republic
- 17 and destroy the country and spread chaos, today France has recognised its mistake.
- 18 Because you have to tell the truth, it's France that is responsible for what happened in
- 19 the Central African Republic. And pass on the message loud and clear. You have to
- 20 tell Hollande that we pass on our condolences, and now Hollande has understood that
- 21 killing some people is wicked. You have to tell that to Hollande because he, when the
- 22 Seleka killed the Central Africans, and, well, they were proud of that. All our
- 23 condolences. Thank you."
- 24 End of sight translation.
- 25 PRESIDING JUDGE SCHMITT: [12:55:35] Thank you.

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1 Ms Galupa, you can pose your questions now.

2 MS GALUPA: [12:55:39](Interpretation)

3 Q. [12:55:39] Mr Witness, are you the person on this footage?

4 A. [12:55:41] Yes, that is indeed me. And what I said, I could even expand upon that
5 point, because here I am before this court and I am telling you the truth, nothing but
6 the truth, just like I said at the beginning.

7 I am shown this footage and it's the truth. It's France that's responsible for the chaos in
8 the Central African Republic. I reiterate: It was Hollande who is responsible. He
9 supported the Seleka. When he sent the Sangaris elements into the Central African
10 Republic and they took action, two Sangaris elements. He was at the funeral of Nelson
11 Mandela. He had to go back on an emergency -- he had to go back on an emergency
12 basis. He had to fly to Bangui for the funerals.

13 And then later on two more Sangaris soldiers were killed. And once again, Hollande
14 had to fly to the Central African Republic. Twice during the crisis he had to fly to the
15 Central African Republic. And now, well, we all know what he said at the funerals,
16 right in front of the very remains of these two soldiers.

17 So a solution has to be found. He has to give -- he gave an order to call Djotodia and to
18 persuade him, persuade Djotodia to resign on an emergency basis. Djotodia and the
19 prime minister of the day are no longer part of the transition. Then an election had to
20 be organised quickly so that Mrs. Samba-Panza could continue the job.

21 I told you that me, the mayor of Pissa, more than 30 years of experience, I am telling
22 you what France has done. This is not right. It is not right what the French -- what
23 France has done to the Central African Republic.

24 I remember when there was war between France and Germany, people from our
25 country went and fought for them. How can you prefer some countries but not others?

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- 1 But no, our country were left in poverty.
- 2 And here I see the document. When -- just look. The charter of imperialism, France
- 3 and -- France is well aware of that, so --
- 4 PRESIDING JUDGE SCHMITT: [12:58:30] Thank you, Mr Witness. Do we have --
- 5 THE WITNESS: [12:58:34](Interpretation) The people of the Central African Republic
- 6 will hear. They will hear. They know that I'm telling the truth.
- 7 PRESIDING JUDGE SCHMITT: [12:58:48] Mr Witness, you have sworn to tell the
- 8 truth, and we appreciate that.
- 9 Ms Galupa, do you really have further questions?
- 10 MS GALUPA: [12:58:58] I have no further questions.
- 11 RESIDING JUDGE SCHMITT: [12:59:00] Thank you very much. This concludes --
- 12 thank you very much, Ms Galupa. This concludes the hearing for today.
- 13 Mr Witness, thank you for answering all the questions. It's not yet finished. We
- 14 continue on Friday, 9.30, and then it will be the turn of the Defence. So thank you, for
- 15 the moment, and I wish everyone, well, a relaxing afternoon. Well, that was misplaced,
- 16 Ms Dimitri. Okay.
- 17 THE COURT USHER: [12:59:40] All rise.
- 18 (The hearing ends in open session at 12.59 p.m.)