

Trial Hearing
WITNESS: CAR-OTP-P-0884

(Open Session)

ICC-01/14-01/18

1 International Criminal Court
2 Trial Chamber V
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard
5 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 Thursday, 15 July 2021
10 (The hearing starts in open session at 10.43 a.m.)
11 THE COURT USHER: [10:43:29] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [10:43:53] Good morning, everyone.
15 Could the court officer please call the case.
16 THE COURT OFFICER: [10:43:59] Good morning, Mr President, your Honours.
17 Situation in the Central African Republic II, in the case of The Prosecutor versus
18 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.
19 And for the record, we are in open session.
20 PRESIDING JUDGE SCHMITT: [10:44:14] Thank you.
21 I ask for the appearances of the parties. Mr Vanderpuye for the Prosecution first.
22 MR VANDERPUYE: [10:44:19] Good morning, Mr President. Good morning,
23 your Honours. Good morning, everyone.
24 Today the Prosecution is represented by Sylvie Wakchom to my left, Yassin Mostfa
25 and myself, Kweku Vanderpuye. Good morning.

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1 PRESIDING JUDGE SCHMITT: [10:44:29] Thank you.

2 Ms Rabesandratana for the Legal Representatives of the Victims.

3 MS RABESANDRATANA: [10:44:35](Interpretation) Good morning, everybody.

4 The representatives of the victims are represented, Paolina Massidda and

5 Elizabeth Rabesandratana, myself.

6 PRESIDING JUDGE SCHMITT: [10:44:52] Thank you.

7 Mr Suprun.

8 MR SUPRUN: [10:44:54] Good morning, Mr President, your Honours. The former

9 child soldiers are represented by myself Dmytro Suprun, counsel at the Office of

10 Public Counsel for Victims. Thank you.

11 PRESIDING JUDGE SCHMITT: [10:45:04] And then we turn to the Defence.

12 Ms Dimitri first.

13 MS DIMITRI: [10:45:08] Good morning, Mr President. Good morning,

14 your Honours. Good morning, everyone. Mr Yekatom, who is present in

15 the courtroom this morning, is represented by Mr Thomas Hannis,

16 Ms Sabine Bayssat, Ms Yousra Lamqaddam, Mr Florent Pages-Granier and myself,

17 Mylène Dimitri.

18 PRESIDING JUDGE SCHMITT: [10:45:24] Thank you.

19 And Mr Knoops, please.

20 MR KNOOPS: [10:45:28] Good morning, Mr President, your Honours, everyone in

21 the courtroom. The Defence team of Mr Ngaïssona is before you today with

22 Ms Marie-Hélène Proulx, Sara Pedroso, Barbara Szmatala, myself and Mr Ngaïssona.

23 Thank you.

24 PRESIDING JUDGE SCHMITT: [10:45:43] Thank you.

25 We will now start with the testimony of Witness 0884. The witness can be brought

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1 into the courtroom.

2 Mr Knoops.

3 MR KNOOPS: [10:45:58] Yes, Mr President, before the witness comes in, we ask
4 a minute of your time because we foreshadow in light of the 25 hours all teams need
5 today and next week for this witness, foreshadow a problem with the timing of the
6 examinations.

7 PRESIDING JUDGE SCHMITT: [10:46:21] May I?

8 MR KNOOPS: Yes, yeah.

9 PRESIDING JUDGE SCHMITT: [10:46:27] You know, with this foreshadowing, we
10 don't know what the future will bring and experience in these courtrooms shows that
11 sometimes the problems solve themselves. The Chamber is aware of that, we try to
12 accommodate, and there is no other remedy at this point in time than to simply start
13 and look how it goes. And I can only ask all the parties questioning that they focus
14 their questioning as much as possible so that we finish this witness before the recess,
15 which we have to do, frankly speaking.

16 So we have four days next week - with the exception of Wednesday because it's
17 a holiday - we have today and tomorrow, and simply -- what we can do, of course, is
18 we look how it goes today and tomorrow and then we can adjust, perhaps with
19 extended hours. And I'm absolutely confident that we make it, like always.

20 Today, I suggest, or the Chamber suggests that we have this session until 12 o'clock,
21 we have a shortened lunch break until 1 o'clock, then a one and a half hour normal
22 session until 2.30, a short coffee break until 3 o'clock, and then until 4 o'clock or, if
23 need be, a couple of minutes later, but not, not completely until 4.30 for certain
24 reasons. Okay?

25 But we are aware of the problem, Mr Knoops.

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1 So the witness can be brought in.

2 (The witness enters the courtroom)

3 PRESIDING JUDGE SCHMITT: [10:49:13] Mr Witness, good morning.

4 WITNESS: CAR-OTP-P-0884

5 (The witness speaks Sango)

6 THE WITNESS: [10:49:20](Overlapping speakers)

7 PRESIDING JUDGE SCHMITT: [10:49:22] Can you understand and hear me well?

8 I think so.

9 On behalf of the --

10 THE WITNESS: [10:49:34](Interpretation) Yes, I am hearing you five on five.

11 PRESIDING JUDGE SCHMITT: [10:49:39] On behalf of the Chamber I would like to

12 welcome you to the courtroom. You are called to testify to assist this Chamber in

13 the case of Mr Yekatom and Mr Ngaïssona.

14 I also note the presence of Ms Marie Louise Mbida, who has been appointed as your

15 legal adviser pursuant to Rule 74 of the Rules of Procedure and Evidence. She is

16 joining us remotely.

17 Welcome, Ms Mbida. Can you hear me well also?

18 MS MBIDA: [10:50:25](Interpretation) Yes, I can hear you very well.

19 PRESIDING JUDGE SCHMITT: [10:50:30] Thank you.

20 Mr Witness, whenever you think that you should and want to confer with your

21 counsel, please let us know. There might be questions put to you that might tend to

22 incriminate you, we don't know that yet. But in these cases you can answer

23 the question truthfully or you can refuse to answer them. And, of course, before you

24 do that, you can consult with your counsel for that purpose.

25 Do you understand that?

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1 THE WITNESS: [10:51:25](Interpretation) Yes, I have understood that.

2 PRESIDING JUDGE SCHMITT: [10:51:29] Mr Witness, there should be a card in
3 front of you with the solemn undertaking. Would you please be so kind to read this
4 card out aloud.

5 THE WITNESS: [10:51:46](Interpretation) I solemnly declare that I will speak
6 the truth, the whole truth and nothing but the truth.

7 PRESIDING JUDGE SCHMITT: [10:51:56] Thank you very much, Mr Witness.

8 (Microphone not activated)

9 So I repeat that. The microphone was not on, obviously.

10 Mr Witness, you are now sworn in. And as you have already confirmed, you will
11 tell us the truth. And it is an offence, according to the laws of this Court, if you
12 would not do so. I have to inform you about that. That's not a menace or
13 something, that is simply that I have to do that with every witness.

14 Mr Witness, there are protective measures put in place to ensure that your identity is
15 not revealed to the public. And these are: Face distortion, so that the public cannot
16 see your face during your testimony; voice distortion, this means that nobody can
17 identify you by your voice; and we use a pseudonym. That is the reason why I
18 address you with "Mr Witness", which seems to be a little bit unpolitely. Normally I
19 would address you with your real name.

20 Mr Witness, before we start with the questioning, a few practical matters. You are
21 aware that everything we say here in this courtroom is interpreted and
22 the interpretation in your case is going from -- starting from Sango, so this will take
23 even a little bit longer. So when you answer, please try to speak at a relatively slow
24 pace. And when you are asked, perhaps wait a couple of seconds until you start
25 with your answer.

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1 And actually, this applies to everyone who is questioning the next days, questioning
2 this witness in the next days. We have to be even more aware of the fact that
3 the interpreters have to follow. Until now I have the impression that it might work
4 quite well, so we are hopeful.

5 And I'm also informed that I got the free day next week wrong. It is obviously
6 the Tuesday and not the Wednesday. But I assume we would not have been here
7 then on the wrong day.

8 So, now, Mr Witness, we can start with your testimony. Thank you for your
9 indulgence.

10 And I give Mr Vanderpuye from the Prosecution the floor.

11 MR VANDERPUYE: [10:55:49] Thank you, Mr President. Good morning,
12 your Honours.

13 QUESTIONED BY MR VANDERPUYE:

14 Q. [10:55:55] Good morning to you, Mr Witness.

15 A. [10:56:03] (No interpretation)

16 Q. [10:56:03] I'm going to try to follow the transcript so that I don't overlap with
17 you as I'm posing questions to you.

18 Just a few preliminary matters before we get started.

19 First, let me reintroduce myself, I think we know each other by now. My name is
20 Kweku Vanderpuye and I represent the Prosecution. I'll be questioning you over
21 the next couple of days.

22 As Mr President has said, you are testifying with protective measures and so your
23 identity will not be made public. There may be certain areas of my examination
24 which might tend to reveal your identity, so if that is an issue, then let us know and
25 I can ask the president if it's appropriate to proceed in private session.

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1 I'll do my best to try to refrain from asking you questions that put you in that position
2 and I've tried to organise my examination in a way that we can proceed fairly
3 securely.

4 I also want to reassure you that if there is an inadvertence, that there are mechanisms
5 that are in place to ensure that there is -- the public record of your identity is not
6 disseminated.

7 That said, your testimony is important and it's important to try to do as much of it or
8 cover as much of it in public as we can. So that's what I'm going to try to do.

9 A couple of other points. The first is if there's a question that I ask you that you
10 would like me to clarify or restate, just let me know and I will do that, so that it's
11 important that we understand each other, and everyone understands, what you say
12 and what you're responding to.

13 All right, so that's a pretty long list. You're still with me.

14 What I'd like to do is to have -- to go into some biographical information and for that,
15 Mr President, I'd like to go into private session.

16 PRESIDING JUDGE SCHMITT: [10:58:55] Yes, obviously.

17 Private session.

18 (Private session at 10.59 a.m.)

19 THE COURT OFFICER: [10:59:10] We are in private session, Mr President.

20 PRESIDING JUDGE SCHMITT: [10:59:14] Thank you.

21 Mr Witness, that means that nobody outside this courtroom can hear what you are
22 going to say.

23 Mr Vanderpuye, please.

24 MR VANDERPUYE: [10:59:26] Thank you, Mr President.

25 Q. [10:59:27] Mr Witness, can you please state your name for the record.

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1 THE INTERPRETER: [10:59:50] The Sango booth did not hear the witness's reply.

2 PRESIDING JUDGE SCHMITT: [10:59:56] Could you please be so kind to repeat it.

3 The interpreters did not hear it -- did not hear you.

4 THE WITNESS: [11:00:13](No interpretation)

5 THE INTERPRETER: [11:00:19] Sango booth again has not heard the witness.

6 PRESIDING JUDGE SCHMITT: [11:00:27] So we have heard him, so this has to be
7 fixed, of course.

8 Mr Vanderpuye, do you have another --

9 MR VANDERPUYE: [11:00:33] Well, what I was going to do was pose the question
10 to him. In other words, is your name (Overlapping speakers)

11 PRESIDING JUDGE SCHMITT: [11:00:39] But, of course, the problem is that
12 the Sango booth does not hear anything so --

13 MR VANDERPUYE: [11:00:45] Oh, they can't hear anything? Oh, okay. I'm sorry.

14 PRESIDING JUDGE SCHMITT: [11:00:47] Obviously, obviously.

15 THE FRENCH INTERPRETER: The booth don't hear, Mr President. I'm sorry.
16 The booth do not hear the witness at all, none of the booth, French booth, English
17 booth and Sango booth. Sorry.

18 PRESIDING JUDGE SCHMITT: [11:00:57] So, yeah, this happens, frankly speaking,
19 and I'm -- sometimes I wonder why it doesn't happen more often with all these
20 technics. But, of course, since Mr Knoops has already addressed the fact that we are
21 under time pressure, this is not a promising start. But still, I'm optimistic.

22 Yes, please pose the name to the witness and then we can also -- because I think
23 it's -- we should not let him say his name the third time now.

24 MR VANDERPUYE: [11:01:36] Yes.

25 Q. [11:01:36] Is your name (Redacted) ?

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1 A. [11:01:47] Indeed it is.

2 PRESIDING JUDGE SCHMITT: Could --

3 MR VANDERPUYE:

4 Q. [11:01:53] Are you Central African?

5 PRESIDING JUDGE SCHMITT: [11:01:55] One moment. Question to

6 the interpreters: Did you hear that?

7 THE FRENCH INTERPRETER: Yes, now it works. Thank you, Mr President.

8 PRESIDING JUDGE SCHMITT: [11:02:02] Sango booth, did you -- everybody heard

9 it?

10 THE FRENCH INTERPRETER: Yes.

11 MR VANDERPUYE: [11:02:12]

12 Q. [11:02:12] What is your date of birth?

13 A. [11:02:20] I was born on (Redacted).

14 Q. [11:02:36] Are you a national of the Central African Republic?

15 A. [11:02:52] Yes, I am a citizen of the Republic of -- of the Central African

16 Republic.

17 Q. [11:03:04] Where were you born?

18 A. [11:03:13] I was born (Redacted).

19 Q. [11:03:18] What is your ethnicity?

20 PRESIDING JUDGE SCHMITT: [11:03:23] I would be interested, because this came

21 to my mind, I simply want to address it, shortly.

22 With every witness we ask for the ethnicity. Let me be blunt, why do we do that?

23 MR VANDERPUYE: [11:03:42] If I may, the reason why we do that is because some

24 of the testimony I think the Chamber has heard relates to -- in particular in this -- in

25 respect of the way the events transpired in this case, concerns certain attacks or

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1 certain predispositions taken by different groups in respect of ethnicity.

2 PRESIDING JUDGE SCHMITT: [11:04:09] Yeah, of course I -- yeah, yeah, that's not

3 my point. Of course I understand that. Yet we are now about -- we are now

4 investigating, so to speak, and speaking about the identity of this witness. What

5 you are talking about is the ethnicity not as part of identifying a person, but of

6 potentially having an impact on the evidence as such.

7 MR VANDERPUYE: [11:04:37] (Microphone not activated)

8 PRESIDING JUDGE SCHMITT: [11:04:37] So it could also be brought up.

9 MR VANDERPUYE: [11:04:40] (Microphone not activated)

10 PRESIDING JUDGE SCHMITT: [11:04:41] You see what I mean? So because

11 I'm -- I don't know what other participants and parties think about it, but -- I would

12 not say that I would not allow it, but I simply was interested and I thought that it is

13 with regard to the evidence. And I understand that, and there is truth in it, but, as I

14 said, you say -- if you ask any person here in this courtroom your name, your age,

15 where you're born, nationality, normally you would say, okay, that might be it for

16 identifying.

17 Okay, but continue. I'm fine with it at the moment, but perhaps you can think about

18 it and if there are any ideas about it. I think you understand my point, perhaps.

19 I don't know. Perhaps I'm too --

20 MR VANDERPUYE: [11:05:32] I agree with you completely. I think you're right.

21 The only issue here is because there's a lot more to follow that needs to be done in

22 private session, I thought it might be better (Overlapping speakers)

23 PRESIDING JUDGE SCHMITT: [11:05:42] No, no, I'm fine with it. I'm fine with it,

24 but I also thought it's good to address it at some point in time when we are in private

25 session because we have it with every witness.

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1 Perhaps we can think about it simply if we change a little bit practice here. There is

2 no -- I would not say it's an absolutely hugely important point, but just to flag it.

3 So excuse me for the long speech. So you may ask of course the ethnicity then now.

4 MR VANDERPUYE: [11:06:12] There's more. Thank you, Mr President.

5 Q. [11:06:14] Mr Witness - I'm not sure if he answered the question though - what is
6 your ethnicity?

7 A. [11:06:35] I am of (Redacted).

8 Q. [11:06:40] And from what region or prefecture does your family come from in
9 the Central African Republic?

10 A. [11:06:58] (Redacted).

11 Q. [11:07:02] What is your religion?

12 A. [11:07:14] I am (Redacted).

13 Q. [11:07:20] Can you tell the Chamber what your current occupation is?

14 A. [11:07:39] At the moment (Redacted).

15 Q. [11:07:55] How long have you been in that position?

16 A. [11:08:09] (Redacted).

17 Q. [11:08:16] Can you tell the Chamber briefly what it is you do in that position?

18 A. [11:08:37] My function is (Redacted).

19 Q. [11:08:46] And are you currently (Redacted) with colleagues who were also
20 members of the Anti-Balaka during the time that we're concerned with, that is
21 between 2013, 2014?

22 A. [11:09:17] No.

23 Q. [11:09:22] Can you tell the Chamber about your previous positions
24 (Redacted).

25 A. [11:09:48] You're asking me about the posts I had before or those

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1 (Redacted)?

2 Q. [11:10:10] Let me put it a different way. Did you hold the position as of the

3 (Redacted)?

4 A. [11:10:33] Yes. Yes, indeed, I was (Redacted)

5 (Redacted).

6 Q. [11:10:54] When did you hold that position?

7 A. [11:11:09] Was 2015, 2016.

8 Q. [11:11:16] By whom were you (Redacted) that position?

9 A. [11:11:33] That was (Redacted).

10 Q. [11:11:47] Did you hold any other (Redacted)

11 (Redacted)?

12 A. [11:12:08] Yes. I was (Redacted) --

13 THE INTERPRETER: [11:12:30] Apologies, I didn't get the name (Redacted).

14 MR VANDERPUYE: [11:12:37]

15 Q. [11:12:37] Could you please repeat your answer for the interpreter so that we
16 have it clear in the record?

17 A. [11:12:55] Yes, I said that (Redacted)

18 (Redacted), and that that was during the Bozizé government time and that was when

19 (Redacted).

20 Q. [11:13:33] How long were you in that position?

21 A. [11:13:58] (Redacted).

22 Q. [11:14:09] In the context of your position in (Redacted)

23 (Redacted), did you come to know, for example, Mr Ngaïssona?

24 A. [11:14:44] Yes. I did meet Mr Ngaïssona and (Redacted)

25 (Redacted), so I can say that I know him very well.

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1 Q. [11:15:12] I want to ask you a few questions about (Redacted)

2 (Redacted). Can you tell the Chamber about the (Redacted)

3 (Redacted)

4 A. [11:15:49] Yes, of course. (Redacted) in Brazzaville and

5 the aim was to achieve reconciliation so that there would be social cohesion, because

6 they were -- the Muslims and the Christians were killing each other at one point

7 and -- and no Christian could take the risk of going into a Muslim area and vice versa.

8 This was during the war between the Séléka and the Anti-Balaka. And that was

9 after -- that's why after the forum in Brazzaville in 2014, 2015 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted). These -- the project allowed people to work together to

13 make some money and that then enabled them to forget the traumatic time they'd

14 been through.

15 As you know, they -- that they are brothers, we live together and the war divided us,

16 and that's why (Redacted). And this was what allowed peace to return and elections

17 to be organised. So that's the sort of general aim of (Redacted).

18 (Redacted)

19 If you have any other questions relating to (Redacted), then I am here to explain it to

20 you. The idea behind it was to bring together Christians and Muslims and to give

21 them the opportunity to be reconciled. And I could say that there were both

22 Muslims and Christians in (Redacted).

23 That's really the basic outline of (Redacted).

24 Q. [11:18:44] Thank you for that explanation.

25 Can you tell the Chamber about (Redacted)?

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1 A. [11:19:10] This was (Redacted). How can I explain this?

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 Q. [11:20:34] And you were also a member of the Anti-Balaka and you had

9 different roles in the Anti-Balaka. One of your roles was as (Redacted)

10 (Redacted), is that -- is that right?

11 A. [11:21:02] That is correct. But I would like to say this to the Court, how

12 (Redacted). If the President would allow me to do so, I could explain how I came to

13 occupy this role.

14 PRESIDING JUDGE SCHMITT: [11:21:26] You have been asked. But perhaps if

15 you can try to put it in a concise way, then please continue. Okay.

16 THE WITNESS: [11:21:51](Interpretation) Yes. Well, these events started in

17 provincial towns. The Séléka committed atrocities on the Central African population

18 which forced the compatriots to spontaneously create a resistance. And when these

19 compatriots arrived in Bangui, you know, those who didn't speak French when they

20 came to Bangui, some went to Boy-Rabe and others went to Boeing. (Redacted)

21 (Redacted)

22 (Redacted). I knew some

23 of them from Bossangoa. And I said, well, these are young people that I've known

24 for a long time, (Redacted)

25 (Redacted), I -- they would have to behave with dignity and then I would continue

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1 (Redacted).

2 PRESIDING JUDGE SCHMITT: [11:23:50] Do you recall when this happened, when

3 (Redacted)?

4 THE WITNESS: [11:24:12](Interpretation) As I said earlier, (Redacted)

5 (Redacted).

6 PRESIDING JUDGE SCHMITT: [11:24:18] Thank you.

7 Mr Vanderpuye, please continue.

8 MR VANDERPUYE: [11:24:20] Thank you, Mr President.

9 Q. [11:24:25] Yes, just so we're clear, it's (Redacted), right?

10 A. [11:24:42] Yes, indeed, (Redacted).

11 Q. [11:24:47] And at some later point (Redacted)

12 (Redacted); is that right?

13 A. [11:25:09] Yes, but that was several months later. Several months

14 later -- (Overlapping speakers)

15 Q. (Overlapping speakers) That's fine. We'll come to that (Overlapping speakers)

16 A. [11:25:17] -- (Redacted).

17 Q. [11:25:32] You were at another point (Redacted) for

18 the Anti-Balaka; is that right?

19 A. [11:25:55] Yes, that is correct. That was the position (Redacted)

20 (Redacted) of the Anti-Balaka, to be specific.

21 Q. [11:26:09] Okay. And in that position you were (Redacted)?

22 A. [11:26:28] Yes, that's correct.

23 Q. [11:26:31] Just a couple of more questions on this and then we'll go to -- I'll ask

24 you some questions about your interview.

25 (Redacted)

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1 the Anti-Balaka, at Brazzaville; is that right?

2 A. [11:27:01] Yes, that is true. (Redacted) the Brazzaville forum which was
3 organised by President Denis Sassou Nguesso in his capacity as international
4 negotiator on the Central African crisis. He was also the president of the ECCAS.
5 And (Redacted) that forum with a bid to bring back peace to my country,
6 the Central African Republic.

7 Q. [11:27:42] And the Bangui forum in May 2015, (Redacted)?

8 A. [11:27:59] Yes, (Redacted) the Bangui forum in May 2015 (Redacted)
9 (Redacted)

10 Q. [11:28:19] I'd like to ask you some questions about your interview in
11 January 2018 and June 2018.

12 I think, Mr President, we can go to open session.

13 PRESIDING JUDGE SCHMITT: [11:28:34] Then we go to open session and you put
14 your questions then.

15 MR VANDERPUYE: [11:28:38] Yes. I just want to advise the witness to be mindful
16 of his responses. I'll try to be equally mindful of my questions.

17 PRESIDING JUDGE SCHMITT: [11:28:46] Exactly. I think the witness will get it.
18 Yeah.

19 (Open session at 11.28 a.m.)

20 THE COURT OFFICER: [11:28:57] We are back in open session, Mr President.

21 MR VANDERPUYE: [11:29:07]

22 Q. [11:29:08] Witness, do you recall meeting with members of the Office of the
23 Prosecutor in 2018, in January and in June?

24 A. [11:29:33] Yes, I remember.

25 Q. [11:29:39] And did you understand that the purpose of the meeting was to

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1 interview you concerning the situation in the Central African Republic, principally
2 the events that occurred between 2012 and 2014?

3 A. [11:30:13] Yes, I know that it is for those reasons that they met with me.

4 Q. [11:30:25] And in particular that meeting was -- or those meetings were in
5 respect of any knowledge you might have or information you acquired regarding
6 both the Séléka and the Anti-Balaka; is that fair?

7 A. [11:31:03] Yes, that is correct. I provided them with information both on
8 the Séléka and the Anti-Balaka.

9 Q. [11:31:19] And it was also with respect to your position and association with
10 the Anti-Balaka and the activities of others within the group; is that right?

11 A. [11:31:43] Yes, that is correct.

12 Q. [11:31:46] And among the members of the group were the accused,
13 Mr Ngaïssona, and also Mr Yekatom. You were asked about them as well; is that
14 right?

15 A. [11:32:14] Yes, that is true. I was questioned about those two people.

16 MR VANDERPUYE: [11:32:26] (Microphone not activated)

17 PRESIDING JUDGE SCHMITT: [11:32:30] Microphone, please, Mr Vanderpuye.

18 MR VANDERPUYE: [11:32:32] I'm sorry. Counsel doesn't appear to be on
19 the screen at this moment. I don't know if it's a connection issue, but I just thought I
20 would point it out.

21 PRESIDING JUDGE SCHMITT: [11:32:44] She's connected, but just the camera is off.
22 It happened before also so when -- if I'm not alerted somehow I simply -- you know,
23 when a day starts like today, some -- at some point in time when it works, we should
24 let it go and flow, so to speak.

25 Mr Vanderpuye.

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1 MR VANDERPUYE: [11:33:05] Thank you, Mr President.

2 Q. [11:33:08] During your interviews you were accompanied by a lawyer who
3 represented you; is that right?

4 A. [11:33:30] Yes, that is correct.

5 Q. [11:33:36] And your interviews were recorded; is that correct?

6 A. [11:33:51] Yes, that is true.

7 Q. [11:33:57] When you were interviewed you were informed, I take it, that it was
8 important for you to tell the truth and, and to tell what you know; is that right?

9 A. [11:34:27] Yes, that is what I was told.

10 PRESIDING JUDGE SCHMITT: [11:34:28] Ms Dimitri.

11 MS DIMITRI: [11:34:29] My apologies, Mr President, for breaking the flow. My
12 client would like to step out for a minute, please.

13 PRESIDING JUDGE SCHMITT: [11:34:35] No problem. This is of course possible.

14 MS DIMITRI: [11:34:38] Thank you very much.

15 PRESIDING JUDGE SCHMITT: [11:34:38] So we stay in the room, so he can take his
16 time, of course. So we wait.

17 (Mr Yekatom exits the courtroom)

18 (Pause in proceedings)

19 PRESIDING JUDGE SCHMITT: [11:35:38] And perhaps in the meantime I can say,
20 because it's not -- it's something technical, that it seems to work out now quite well
21 and also the -- the velocity of the interpretation is quite okay at the moment I think.

22 So we had this in another case there were more problems when it came from, from
23 Sango, so we are fine at the moment. And we should exploit this situation.

24 (Pause in proceedings)

25 (Mr Yekatom enters the courtroom)

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1 PRESIDING JUDGE SCHMITT: [11:36:43] Mr Vanderpuye, you may proceed.

2 MR VANDERPUYE: [11:36:52]

3 Q. [11:36:56] You were also asked during the course of the interview to try to be as
4 complete as you could and that would be -- that would include giving your
5 understanding of what the events were that were being enquired into. Was that
6 your understanding?

7 A. [11:37:38] Yes, that was my understanding of the discussions I had with
8 the investigators.

9 PRESIDING JUDGE SCHMITT: [11:37:49] That is, by the way, also the part of the
10 whole truth in -- when a witness is sworn in, what means the whole truth. Just
11 a remark by me.

12 MR VANDERPUYE: [11:38:00] Thank you, Mr President.

13 PRESIDING JUDGE SCHMITT: [11:38:01] And the witness is aware of that
14 obviously.

15 MR VANDERPUYE: [11:38:03] Yes, yes, yes. I'm referring to the interview,
16 which is --

17 PRESIDING JUDGE SCHMITT: [11:38:06] Yeah, yeah, yeah, yeah, but I thought it
18 was not bad to simply mention.

19 MR VANDERPUYE: [11:38:12] Yes, indeed. Thank you. Thank you,
20 Mr President.

21 Q. [11:38:14] Sir, I understand that you've had an opportunity to review
22 the transcripts of your previous interviews; is that right?

23 A. [11:38:43] Yes, I had the opportunity to reread my statements. I can confirm
24 that I reread my statements.

25 Q. [11:38:57] Thank you for that confirmation. They are quite long and I

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1 wondered, can you say, do they fairly and accurately reflect what you said in

2 the course of your interviews with Prosecution representatives back in 2018?

3 A. [11:39:38] Yes, I can confirm that what I read is mostly compliant, but I however

4 spotted a few errors and pointed them out. But globally speaking, they captured

5 what I said, apart from the small mistakes that I pointed out.

6 Q. [11:40:04] Okay. Well, thank you for that clarification. If you could

7 just -- I don't want to know necessarily what you pointed out, but who you pointed it

8 out to, that might be helpful to know.

9 A. [11:40:39] I simply jotted -- or, rather, I simply took notice of them for myself.

10 There were no major mistakes, apart from a few typos which I pointed out and added

11 to the statement which I was given.

12 PRESIDING JUDGE SCHMITT: [11:41:03] I think that we can (Overlapping

13 speakers)

14 MR VANDERPUYE: [11:41:05] Perfectly clear.

15 PRESIDING JUDGE SCHMITT: [11:41:06] -- stop --

16 MR VANDERPUYE: I appreciate that.

17 PRESIDING JUDGE SCHMITT: -- here with regard to this issue.

18 MR VANDERPUYE: [11:41:10]

19 Q. [11:41:12] If it came to it, would you have any objection to the Chamber

20 considering any part of your interviews as evidence in this case?

21 A. [11:41:47] Yes, I agree to my statement being entered into the case file as

22 evidence.

23 Q. All right.

24 PRESIDING JUDGE SCHMITT: [11:41:58] But we are --

25 MR VANDERPUYE: [11:42:00] I know.

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1 PRESIDING JUDGE SCHMITT: [11:42:01] Okay, you know. Okay, good.

2 MR VANDERPUYE: [11:42:04]

3 Q. [11:42:05] Did anybody in the course of your interviews give you any assurances
4 or promises in exchange for information by the Office of the Prosecutor? Did
5 anybody in the Office of the Prosecutor give you any promises or assurances in order
6 to get information from you?

7 A. [11:42:50] No, no, negative.

8 THE INTERPRETER: [11:42:55] And the witness speaks French.

9 THE WITNESS: [11:42:59](Interpretation) No, no one made any promises or
10 propositions to me.

11 MR VANDERPUYE: [11:43:06]

12 Q. [11:43:06] And does that relate to your testimony as well, separate from your
13 interviews, but your testimony here today in court?

14 A. [11:43:31] No, no promise at all.

15 Q. [11:43:39] And when you participated in your previous interviews, did anyone
16 pressure you to speak to OTP investigators or representatives of the Prosecution?

17 A. [11:44:12] I did not come under any pressure.

18 Q. [11:44:19] And with respect to your testimony here today are you here
19 voluntarily or are you here pursuant to a summons or a subpoena, a court order, or
20 are you here voluntarily?

21 A. [11:44:57] I came here voluntarily.

22 Q. [11:45:04] I'd like to ask you some questions going back to 2012 and
23 the circumstances prevailing in your country at that time and in particular in
24 the lead-up to the Séléka offensive which the Chamber has heard evidence began in
25 2012.

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1 At that particular time, that is at the beginning of 2012, did you have any idea,
2 understanding of what the situation was, the political situation was in the eastern part
3 of the Central African Republic?

4 A. [11:46:11] This is my understanding of the situation. These events occurred in
5 2012, but before 2012 we must look further back to 2006. I think this is proper to do.
6 And we are looking at Bokanga specifically, which is in the north. It is an area with
7 much oil, with much manganese and diamonds and all types of minerals in this area.
8 And that was -- I'm referring to the period under, under President Bozizé. This area
9 is mostly inhabited by Muslims, but most of the succeeding governments did not pay
10 attention to that area, they had no schools, the road network was not developed and
11 maintained, there were no hospitals.

12 Now, when poachers would now act and kill their cattle, governments will not react
13 and that's why they created a rebellion called UFDR, with the main purpose of
14 overthrowing Mr Bozizé and taking power over. Then a second rebellion, FDPC,
15 also birthed. And then there was a third rebellion, a rebel movement known as
16 the MLCJ. Then in 2008 the heads of states of ECCAS organised an inclusive
17 dialogue. And you may want to know that at the time the rebels were close to the
18 capital. It is at that time that the heads of state of the region decided to organise this
19 dialogue.

20 Some of the Séléka rebellion leaders joined the government. But the president was
21 not in agreement with the findings or the conclusions of the dialogue and then things
22 got disrupted because the conditions of the agreement were not respected.

23 Thereafter, they went back into the bush and in 2012 they created a rebel movement
24 known as Séléka.

25 How was Séléka born? In 2011, after the re-election of President Bozizé, some

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1 politicians denounced the re-election and went ahead to create the FARE, front for
2 the cancellation and the reorganisation of the elections. They created this
3 organisation and Martin Ziguéle was designated as the leader, including others such
4 as Maître Mboli-Goumba and other politicians whose names I have just mentioned,
5 who then went to -- in 2012 to meet with the leaders of Séléka.
6 At that time, so there were about six rebel movements already in place, those political
7 leaders told the rebels that it was impossible to overthrow Bozizé if they did not come
8 into a coalition to form an alliance to be known as Séléka. So they called them to
9 come together and that is how that alliance was created.
10 Then they went ahead to recruit mercenaries from Chad and from Sudan, as well as
11 from Darfur, and that swelled their numbers. They also included the former
12 *libérateurs*, namely those who had fought to bring Bozizé to power, and that is how
13 they started to march on Bangui, capturing Bossangoa, Bangassou and Bazizi (phon)
14 and Bambari, all of those areas fell to them.
15 Once they got to a certain level in that march in Bangui they ran into FOMAC soldiers
16 of the multinational force which included Chadians, Cameroonians and Congolese.
17 There was a general known as General Mokoko and I think the other name is
18 Akaga -- or the other general was known as Akaga, and the general decided that Sibut
19 will be a red line town and that the rebels would not cross that red line, otherwise
20 the international community will be humiliated. So the troops took up positions at
21 that red line and forced the rebels to stay in Sibut.
22 So, they decided that it -- in those circumstances it was better to revisit the terms of
23 the agreements of 2008 and that is how, in order to deal with that claim, the Libreville
24 forum was convened. And Ali Bongo was the leader of the ECCAS, the mediator.
25 And so they met in Libreville, Gabon and after signing the agreements there, they

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1 returned to Bangui.

2 One of the agreements of the -- of the Libreville agreement -- of the terms of the

3 Libreville agreement was that Tiangaye would be prime minister. It is in Libreville, I

4 must say, that people understood that it was Ziguele and Tiangaye who had created

5 or encouraged the Séléka to take power.

6 So when they came back, when they took -- when they came back --

7 Q. I'm going to --

8 THE INTERPRETER: [11:52:55] The Sango booth can no longer hear

9 the interpreter -- the witness, sorry. The Sango booth is no longer able to hear

10 the witness.

11 PRESIDING JUDGE SCHMITT: [11:53:06] But I think we had everything until it

12 stopped. So perhaps we continue with Mr Vanderpuye and hope --

13 MR VANDERPUYE: [11:53:15] Yeah.

14 PRESIDING JUDGE SCHMITT: [11:53:16] -- that the interpreters -- and you can give

15 us a sign, perhaps, interpreters, if you hear Mr Vanderpuye, hear me and, of course

16 very important, the witness.

17 MR VANDERPUYE: [11:53:29] Yes.

18 Q. [11:53:29] Now, first thank you very much for that, for that explanation. I

19 intend to go into those areas and maybe we can develop them a bit more so that we

20 can keep up.

21 PRESIDING JUDGE SCHMITT: [11:53:43] That -- at least the impression was that

22 this was quite concise and straightforward.

23 MR VANDERPUYE: [11:53:52] Yes, but the (Overlapping speakers)

24 PRESIDING JUDGE SCHMITT: [11:53:53] You might have more questions, but I

25 also encourage to let witnesses speak and then it might well be that some of the

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1 questions that any examiner in this courtroom has are not necessary anymore.

2 MR VANDERPUYE: [11:54:08] No, I agree, Mr President. It is just we have gone

3 from 2011 to 2014 and there's a whole lot in between. But not necessarily all --

4 PRESIDING JUDGE SCHMITT: Yeah, yeah, but --

5 MR VANDERPUYE: -- all -- all important, so --

6 PRESIDING JUDGE SCHMITT: [11:54:20] Yeah, yeah, that's clear. But the witness

7 also spoke about the development from 2006 which seemed to be quite interesting.

8 So please continue.

9 MR VANDERPUYE: [11:54:31]

10 Q. [11:54:31] I'm sorry, and I didn't mean to cut you off. I just think that there are

11 some areas that I want to go back to and I don't want to lose them before we

12 get -- before we explore them. So let me just take you back a bit.

13 You talked about the situation in the east of the country and the north of the country,

14 Vakaga prefecture, Haute Kotto, and you talked about the conditions that existed at

15 the time under Bozizé back in 2006 and so on.

16 Do you know whether the conditions -- and you said that this is one of the reasons

17 why the rebel groups formed in those areas and you named several of them. Do you

18 know, aside from the inclusive peace dialogue that took place in 2008, what other

19 efforts were made by the Bozizé government to address the concerns raised by those

20 rebel groups, at the time, if you know?

21 A. [11:56:00] What he did, which was positive, is to have accepted to have this

22 dialogue with the rebels in 2008, which was referred to as the inclusive dialogue, and

23 he even went as far as accepting that they join the government.

24 Later on, the idea was to respect the terms of the agreement, but this degenerated, I

25 must say, to the creation of another rebel movement. And I'm referring here to 2012.

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1 What I can say is that Bozizé may have had good intentions, but he did not respect
2 the agreements. He did not respect the terms of the agreements. The rebels
3 themselves did not respect the terms of the agreement and that led to the creation of
4 a new rebellion, a rebel movement in 2012 known as Séléka.
5 Now, I told you that it is those politicians whom I mentioned who were behind
6 the creation of this new rebel movement, Ziguélé, Tiangaye and Mbolli-Goumba.
7 Those are the ones who met with the rebels and told them that the rebels by
8 themselves cannot overthrow President Bozizé and then urged them to form
9 a coalition in order to achieve their aims. But when the rebels got to Sibut, they were
10 stopped by the international forces who drew a red line, and that's where they
11 stopped at.
12 Then, Bozizé accepted again the idea of a new dialogue which then took them to
13 Libreville. When they came back to Bangui from Libreville, it was decided that
14 Mr Tiangaye would be appointed prime minister. As I said a short while ago, my
15 elder brother, Ngaïssona, was there. And Mr Tiangaye was appointed by decree to
16 the position of prime minister. And Mr Djotodia was the vice prime minister and
17 minister of defence.
18 One month later these very politicians, the politicians whom I mentioned a short
19 while ago, went to talk with the rebels again and asked them to overthrow
20 the government. And so the rebels suddenly went back to Sibut and when some
21 ministers went to have discussions with them in Sibut, they were taken hostage and
22 this violated or breached the red line. And it is at that point that the rebels, with
23 the support of Chadian and Sudanese mercenaries, crossed the red line to overthrow
24 President Bozizé. And when they were arriving, the population acclaimed them,
25 they were clapping, because they thought that they had come to deliver the country.

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1 But two days after taking power, their behaviour did not have any shadow of
2 a deliverance at all. They started to track down the Gbayas, because the Gbayas are
3 of the same ethnic group as Bozizé. They started killing civilians, killing soldiers
4 and torturing people, tying them up, raping people, women, entering private
5 properties and committing all types of violent actions. So they were more violent
6 against the Protestant and Catholic Churches. So people began to feel that this
7 conflict was taking on a religious and ethnic turn. Djotodia was unable to control
8 them. The -- the rebels even went as far as taking some Muslims as hostages. They
9 started to exert all types of excesses, as I was telling you, and Mr Djotodia had no
10 control over them at all. And their numbers had increased exceedingly.
11 Now, even the Séléka, who are Central African citizens, it is true that those -- some of
12 them were not very involved in these abuses. It is mostly the foreigners who were
13 there who hurt the people of the Central African Republic.
14 At that time, the army was no longer in place. All soldiers had deserted, there were
15 no soldiers in the military bases, there was no police force, there were no gendarmes.
16 And whether one was Séléka or from whichever group, one had to flee in order to be
17 safe. And that is how soldiers began to withdraw. And you see, in the meantime,
18 my senior brother, Ngaïssona, by happenstance was on mission, I think in Brazzaville,
19 when -- as for Yekatom he had fled to the other side in Zongo. But I remained. I
20 remained.

21 PRESIDING JUDGE SCHMITT: [12:01:50] (Microphone not activated)

22 THE WITNESS: [12:01:51] (Interpretation) Mr President, what did you say? I can't
23 hear you.

24 PRESIDING JUDGE SCHMITT: [12:01:53] You are right, I did not have my
25 microphone on. I have to apologise.

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1 So I think this was a wrap-up of a lot of information. And since we have a shortened
2 lunch break, I think we should stop here and we continue after the lunch break, which
3 goes until 1 o'clock, with the examination of the witness.

4 THE COURT USHER: [12:02:14] All rise.

5 (Recess taken at 12.02 p.m.)

6 (Upon resuming in open session at 1.03 p.m.)

7 THE COURT USHER: [13:03:24] All rise.

8 Please be seated.

9 PRESIDING JUDGE SCHMITT: [13:03:40] Good afternoon.

10 Mr Vanderpuye, you have the floor.

11 MR VANDERPUYE: [13:03:48] Thank you, Mr President.

12 Good afternoon, your Honours.

13 Q. [13:03:52] Good afternoon, Witness.

14 I'd like to come back to a few things that you, you mentioned a little bit earlier.

15 You talked about how there was a -- I think you referred to it as a global peace
16 agreement, but a comprehensive peace agreement I think is how we've used that term
17 in these proceedings, in 2008, which you said neither Bozizé nor the rebel groups
18 respected.

19 And regarding that, are you aware of what the terms of that agreement -- what
20 the terms of that agreement were at the time?

21 A. [13:05:12] I think that it was the comprehensive peace agreement, we call it an
22 inclusive agreement, indeed. Neither Bozizé nor the rebel groups respected
23 the terms of the agreement. It was a question of disarming all the elements of
24 the armed groups and this did not happen on -- with regard the armed groups, they
25 were asked to contain their men and to ensure that there were no crimes committed

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1 further. And they did not do that. So they did not keep to the agreements and this
2 is what led to a further crisis.

3 Q. [13:06:05] And what about Bozizé end of that -- Bozizé's end of that agreement?
4 What was he supposed to do in respect of that agreement, to your understanding?

5 A. [13:06:34] He was supposed to, under the agreement, ensure the money for
6 the disarmament and the containment of the rebels, but the rebel -- the rebels hadn't
7 yet formed the Séléka group, the coalition, they asked for schools to be built and in
8 their prefecture was there. But they didn't keep to the engagements, so the rebels,
9 instead of keeping or containing their soldiers, they did not and the soldiers
10 continued to commit crimes against the civilian population. So on both sides
11 the two parties did not respect the agreements at all, so the -- the agreement simply
12 didn't work.

13 In 2012 they set up the Séléka coalition to chase out Bozizé and they used the pretext
14 of the fact that the accord -- the agreements had not been respected and that was what
15 led to the creation of the Séléka.

16 Q. [13:08:06] All right. You mentioned the democratic opposition or political
17 opposition and you used the term "the FARE". To my understanding that is
18 the *Front pour l'Annulation et la Reprises des Élections*. Do I have that right?

19 Hang on one second. Is the counsel connected?

20 Okay.

21 A. [13:09:07](No interpretation)

22 Q. [13:09:17] I'm sorry, Witness, I did not hear an interpretation of what you just
23 said. So I'm sorry, I'll ask you to repeat it.

24 A. [13:09:39] I didn't hear the question. I've only just got sound back.

25 Q. [13:09:48] Okay. My question was you had referred to the FARE earlier in your

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1 testimony and I said my understanding of it was that it stood for the *Front pour*

2 *l'Annulation et la Reprises des Élections*.

3 So I want to know first is that correct; is that your understanding as well?

4 A. [13:10:19] Yes, that is correct. The *Front de l'Annulation et de la Reprises des*

5 *Élections* or another version was the *Front de l'Annulation et la Réorganisations des*

6 *Élections*, so reorganisation of elections.

7 Q. [13:10:39] And this was a group that was, let's say, established or organised in

8 relation to the 2011 election of President Bozizé; is that right? To contest it or

9 challenge it.

10 A. [13:11:08] Yes, indeed.

11 Q. [13:11:10] And you're aware of what the circumstances are concerning

12 the elections that led this group to challenge them?

13 A. [13:11:51] According to what all Central Africans said, Bozizé tricked -- cheated

14 at the elections and that's why he was declared elected after the first round. And

15 that's why it was a matter of reorganising these elections. That was the origin of -- of

16 this.

17 Q. [13:12:21] With respect to the conduct of those elections, did you become aware

18 that they had been criticised even -- even outside the Central African Republic as

19 having been conducted in a fraudulent manner?

20 A. [13:13:05] Yes, indeed. A lot of people felt that these were fraudulent elections.

21 But as to requesting the reorganisation of the elections, that was not sufficient reason

22 to set up this rebel coalition. I'm talking here about the members of the groups and

23 members of the FARE. This wasn't really necessary to organise something like that.

24 Q. [13:13:53] All right. I think I follow your -- your train of thought. At the time

25 you weren't a party to any of the discussions concerning these elections or the group

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1 personally, were you? And when I say "the group", I mean the FARE, the political
2 opposition to Bozizé's governance.

3 A. [13:14:30] No, no. At that time I was not involved in politics. (Redacted)
4 (Redacted), and that was in 2011.

5 PRESIDING JUDGE SCHMITT: [13:14:58] I think we simply have to accept that
6 there are some noises.

7 MR VANDERPUYE: [13:15:03] I just wasn't sure if maybe somebody was speaking
8 or ...

9 PRESIDING JUDGE SCHMITT: [13:15:07] No, no, not somebody speaking. It's
10 some not defined noise, so to speak.

11 MR VANDERPUYE: [13:15:15]

12 Q. [13:15:15] And indeed you were not a party to the negotiations leading to
13 the comprehensive peace agreement or the inclusive political dialogue in 2008 either;
14 is that -- that's fair to say, right?

15 A. [13:15:48] No, no, I did not take part in this dialogue or in the negotiations.

16 Q. [13:15:59] Yeah, that's fine. I just wanted to clarify that what you're talking
17 about in respect of the agreement is something that was in circulation where you
18 were at the time; is that right?

19 A. [13:16:37] This agreement took place in public, everybody was aware of it.

20 I was not the only one to know about it. Everybody knew about the agreement.

21 Q. [13:16:55] All right, so that was 2008. Now, in 2012, after the elections had been
22 challenged, earlier in 2011 is when the armed groups eventually coalesced to form
23 the Séléka; that's right?

24 A. [13:17:34] Yes, that's correct.

25 Q. [13:17:40] So the Séléka was formed almost four years or about four years after

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1 the inclusive political dialogue took place and the comprehensive agreement was
2 signed?

3 A. [13:18:17] Yes, that is correct.

4 Q. [13:18:21] And to your understanding and what was in circulation at that time,
5 within those four years there was back and forth between those groups and
6 the government in terms of how to implement that agreement?

7 A. [13:19:08] In 2012, after the creation of the Séléka collect -- coalition, they got
8 together so that they could advance to Sibut, as I explained to you earlier. Then they
9 were stopped by the international forces, who asked them not to cross the red line.

10 And at the time, a meeting was organised between the Séléka rebels and the Bozizé
11 government. They went to Libreville to try and come up with a new agreement.

12 They took the terms from the previous agreement and put them in the new agreement.

13 And as a condition, Bozizé should take Tiangaye as prime minister and Djotodia

14 as -- by -- prime minister and defence minister at the same time. So there

15 was -- the posts were set out as those that should be taken up. When they got back,

16 he took Tiangaye as prime minister and Djotodia for the minister of defence, and then

17 another minister was engaged or appointed to monitor Djotodia.

18 The -- he didn't put much effort into respecting the other points of the agreement and

19 the Séléka didn't do so either. They took their actions on the basis of the fact that he

20 was not respecting the terms, but they took their members in the government, they

21 were taken hostage in -- when they were in Damara. So there was a reorganisation

22 to carry out a further offensive and the point was that nothing was

23 done -- the FOMAC didn't stop Séléka crossing the red line and removing Bozizé

24 from power.

25 So then everybody fled. There were soldiers being killed, civilians too, women who

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1 were being raped. So they were pillaging the houses and all the prefectures of the
2 Central African Republic were taken over by the Séléka and being run by members of
3 the Séléka and the population became like animals. They were subjected to the most
4 degrading of treatment.

5 Q. [13:22:24] Let me take you back to 2012. When the Séléka took Ndélé on
6 10 December in 2012, what was the reaction of the Bozizé government in Bangui at
7 that time?

8 A. [13:22:54] I don't know. I can't say anything in reply to that question.

9 Q. [13:23:05] Do you know if any measures were taken by the government to stop
10 the advance, at that time, when the Séléka took Ndélé?

11 A. [13:23:33] I don't know. What I can say is that at the time, there was arbitrary
12 arrests, people were being arrested as being complicit, example of Djonon Aba, there
13 were people being arrested at the time. But because I wasn't part of the government,
14 I was not really aware of what was going on. However, I did hear information here
15 and there, nevertheless.

16 Q. [13:24:14] In terms of the people being arrested, where did you hear that this
17 was occurring?

18 A. [13:24:43] I don't recall.

19 Q. [13:24:46] Did you hear of -- well, let me ask it this way: Have you ever heard
20 of a group called COCORA?

21 A. [13:25:06] Yes. I'm Central African so I would be expected to know this. I
22 have heard talk of this group.

23 Q. [13:25:21] And what have you heard about the group? Do you know who led
24 it?

25 A. [13:25:42] Levy Yakete was the president of this group. Yakete, he was

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1 the only one running this group. It's the only person I've heard of. But

2 unfortunately he is no longer with us.

3 Q. [13:26:05] Do you know what the group was doing at the end of 2012 and into
4 the beginning of 2013?

5 A. [13:26:37] They were organising demonstrations against the Séléka.

6 Q. [13:26:45] Do you know where the group was situated?

7 A. [13:27:04] That couldn't have been at Bangui, because -- that could only have
8 been at Bangui because that's where Yakete was and all the demonstrations took place
9 in Bangui.

10 Q. [13:27:21] And was Levy Yakete linked to Bozizé or the KNK party?

11 A. [13:27:48] Indeed, he was from the KNK and he was responsible for missions
12 with the ministry of youth and sport, but he was constantly with Bozizé.

13 Q. [13:28:14] Did you hear that COCORA was carrying out or erecting roadblocks,
14 for instance, in Bangui in this period?

15 A. [13:28:44] Indeed, they did.

16 Q. [13:28:47] Did you hear what they were doing at these checkpoints or
17 roadblocks during that period?

18 A. [13:29:14] They searched people coming in from the provinces and if they found
19 knives or other bladed weapons, they took them to the gendarmerie, and they also
20 systematically searched all the vehicles that were passing through.

21 Q. [13:29:39] Did you hear that they were engaged in stops and searches and
22 detentions of people they suspected of being associated with the Séléka?

23 A. [13:30:13] When it comes to arrests, I think they arrested some people, but I was
24 not there and I can only say that it is true that they arrested all those who suspected of
25 being -- of belonging to the Séléka. That's what they did.

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1 Q. [13:30:42] And who would those people be? The Chamber has heard evidence
2 of the Runga and Muslims, generally speaking, as being assimilated with the Séléka.
3 But what is your knowledge about that?

4 A. [13:31:23] Yes, indeed, some Muslims were accused or suspected of belonging to
5 Séléka. Whereas at that time there were other Muslims who were in power and who
6 were working in collaboration with President Bozizé.

7 Q. [13:31:47] And did you hear any -- anything with regard to how they were
8 armed, if they were armed, if they were provided with weapons or had weapons?
9 That is within the -- within the context of COCORA and its operations.

10 A. [13:32:20] No, at that time I did not see any weapons. They indeed had some
11 arrows, bows, but those who had weapons were the soldiers, the FACA soldiers.

12 Q. [13:32:42] All right. And what about just -- when I mean weapons or arms, I'm
13 talking of things like knives and machetes and not necessarily light weapons like
14 machine guns and things like that. Did you hear anything about members of
15 COCORA being in possession of weapons like knives and machetes?

16 A. [13:33:28] Yes, they had some knives and machetes, but they did not have
17 weapons. So they were a lot more operational around the evenings, around 5 p.m.,
18 when those checkpoints came up.

19 Q. [13:34:01] How long did this operation continue? And I mention that my
20 understanding is that it began in -- in December of 2012, but how long did it continue,
21 to your knowledge?

22 A. [13:34:37] I haven't understood your question. Are you referring to the Séléka
23 coalition or to -- to COCORA? Please kindly repeat your question.

24 Q. [13:34:50] Yes, I can repeat it. And thanks for asking me to clarify it.
25 I'm talking about COCORA and I wanted to have your understanding of how long

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1 they were operating these checkpoints and searching people and so on.

2 A. [13:35:30] Well, about three months. The Séléka came in in March, and

3 thereafter the group dissolved, it no longer existed.

4 Q. [13:35:48] Okay. And do you know for those three months how it is the group

5 was supported? I mean, it must take some resources to put people out on the street,

6 to man roadblocks and search people and so on. Do you know how they were

7 supported or supplied?

8 A. [13:36:27] Well, I am not very used to Yakete and I don't know where he got his

9 support from. What I know simply is that he was related to Bozizé, he was his

10 *chargé de mission*, and whether it is Bozizé who gave him money, I don't know.

11 However, as a Central African, I know that it is Yakete who was the boss of

12 COCORA.

13 Q. [13:36:57] Okay. And I think you said earlier that he was the only boss of

14 COCORA; is that right, to your knowledge?

15 A. [13:37:22] Yes, he was the only boss of COCORA and this was public

16 knowledge.

17 Q. [13:37:34] What kind of people made up COCORA? What kind of -- you know,

18 what kind of people comprised its elements? Are these soldiers, students, youth?

19 Are you aware of that?

20 A. [13:38:07] He alone would have been able to tell of the composition of his group.

21 But I think there was a significant number of people who would attend a number of

22 demonstrations, but I am not able to say who they are related with specifically.

23 Q. [13:38:36] Okay. Did you ever hear of a group called COAC?

24 A. [13:39:04] No, I don't -- I don't know. Is it not the same name? Is it not

25 COAC -- COAC and COCORA, are they not one and the same? I don't think so.

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1 Q. [13:39:17] They're not quite the same, but they're close enough. COAC stands
2 for *Comité d'organisation des actions citoyennes*.

3 Let me ask you about someone named Steve Yambete, have you heard that name
4 before?

5 A. [13:39:46] No, I'm not aware of this. At that time it was COCORA that was
6 well known. I did not hear mention of the other group.

7 PRESIDING JUDGE SCHMITT: [13:40:04] I think then it does not make sense to
8 dwell into that a lot if the witness already says he is not aware of the group. Of
9 course you might ask him certain names. But he has not answered yet if he knows
10 the name, but you can refer to that. But to the group, I think, and to specificities of
11 the group, I think it doesn't make sense.

12 MR VANDERPUYE: [13:40:23] I agree. I'm just going to ask him about the name.

13 Q. [13:40:28] I don't know if you answered, I didn't see that you answered my
14 question about Steve Yambete, but do you -- have you heard that name before? Are
15 you familiar with it?

16 A. [13:40:56] Yes, I know Steve Yambete.

17 Q. [13:41:02] How do you know Steve Yambete, by the way, in what context?

18 A. [13:41:24] He is a soldier, a lieutenant in the army. And in addition to that, he
19 was *chargé de mission* or in charge of youth.

20 Q. [13:41:39] Okay. And he was *chargé de mission* in charge of youth at what point
21 in time, to your knowledge?

22 A. [13:41:59] That was during the crisis.

23 Q. [13:42:04] Let me be more specific, was he *chargé de mission* in charge of youth at
24 the time that Mr Ngaïssona was the minister of youth?

25 A. [13:42:32] Yes, I think so. It was when Ngaïssona was minister for youth and

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1 sport, but he had been appointed well before Mr Ngaïssona's appointment.

2 Q. [13:42:49] And when would that be? And by whom?

3 A. [13:43:08] I don't remember the day, but I know that he was appointed by
4 Bozizé.

5 Q. [13:43:14] Do you know when Mr Ngaïssona was appointed a minister of youth?
6 And by whom?

7 A. [13:43:44] Ngaïssona was appointed after the Libreville dialogue and he was
8 appointed by Bozizé, but I don't know the specific date. But it was after
9 the Libreville dialogue, probably in February. I don't remember
10 the name -- the month, rather. But Ngaïssona did not spend much time in

11 government. In fact, he was not in government for more than a month and a half.

12 Q. [13:44:21] Yeah, that sounds about right. Okay.

13 Now you mentioned, with respect to the nomination of Steve Yambete -- just for
14 the Chamber's edification, you'll find evidence of that at CAR-OTP-2113-0664. It's
15 not on my list of evidence because I don't intend to use it with the witness, but just for
16 the Chamber's edification.

17 You were aware of the talks that took place in Libreville, you've mentioned them
18 a couple of times already today. And you indicated that part of those negotiations
19 included the agreements that had been -- or revival, let's say, of the agreements that
20 had been made back in 2008. And, as a result of that, Bozizé was obligated to create
21 a unity government, to appoint Mr Tiangaye, to make certain reforms and so on and
22 so forth. Is that -- is that your understanding of what transpired in Libreville, first of
23 all?

24 A. [13:46:07] Yes, it was in 2012, not in 2008.

25 Q. [13:46:14] Okay. All right.

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1 And is it your understanding that Bozizé was, pursuant to the agreement in Libreville,
2 allowed to stay on until the end of his term in 2016 and not to run for office after that
3 as one of the conditions of that agreement?

4 A. [13:47:09] Yes, that is it, that is one of the points on which there was agreement
5 in Libreville.

6 Q. [13:47:17] And I think you said at a later point after the agreement was made
7 that Bozizé did not live up to that -- to the agreement, nor did the Séléka live up to
8 that agreement. Is that fair?

9 A. [13:47:51] Yes, that is correct.

10 Q. [13:47:55] Are you aware of a speech that Bozizé gave on 15 March to
11 commemorate his 10 years at the head of the Central African Republic in Bangui at
12 the stadium?

13 A. [13:48:35] Yes, I followed that speech, but I no longer remember its content.

14 Q. [13:48:44] And do you know if during the course of that - and maybe you
15 remember, maybe you don't, and that's fine - but do you know if during the course of
16 that speech General Bozizé suggested that he might indeed run for office in 2016?

17 A. [13:49:24] Yes, I remember that. That is what he indeed said. He tilted his
18 speech in that direction and that is what created tension. And that is why I told you
19 a short while ago that the agreement was not upheld or respected.

20 Q. [13:49:52] I want to just ask you a few questions concerning the -- well, first let
21 me -- I'm sorry, let me go back. I want to ask you a few questions concerning that
22 speech as well. Do you remember if General Bozizé addressed the circumstances,
23 the conditions facing the population in Ouaka, Basse-Kotto, Haute Kotto,
24 Bamingui-Bangoran and Vakaga? Do you remember if he talked about
25 the circumstances facing the population there?

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1 A. [13:50:54] Yes, indeed he talked about the difficult living conditions and
2 circumstances of those people.

3 Q. [13:51:08] And do you remember him saying that those populations *sont dans la*
4 *souffrance* in particular?

5 A. [13:51:42] We were all following the speech, because those areas had been
6 occupied by Séléka and they were committing excesses on everybody, women,
7 children, and people were fleeing in all directions. So in a single word, one could
8 say that, yes, the population in that area was suffering.

9 Q. [13:52:06] And they were suffering at the hands of the Séléka, as you -- as you
10 say. But they were also suffering before there was a Séléka, as you say; is that right?

11 A. [13:52:37] Before the Séléka arrived, their suffering was because of poverty and
12 lack of food, they had trouble finding food. But when Séléka came, they contributed
13 to further deepening their misery. That's what I can say.

14 Q. [13:53:03] Okay. And with respect to the populations in the east and in
15 the north which were predominantly Muslim populations in the Central African
16 Republic, those populations were in -- were suffering at the hands of the Séléka; is
17 that how I understand what you're saying?

18 A. [13:53:43] All the zones mentioned were occupied by Séléka and Muslims used
19 to live there. But they did not commit any abuses against Muslims. The difficult
20 living circumstances were in relation to schools and hospitals and infrastructure.
21 But what I can tell you is that the entire east sector, Birao, Bria and the areas
22 mentioned, were inhabited by Muslims, particularly the Runga and the Goula. But
23 among themselves they did not hurt each other. But when you came to the sectors
24 that were inhabited by Christians, it is indeed in those areas that more excesses were
25 committed.

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1 Q. [13:54:35] All right. Well, thank you very much for clarifying that.

2 By the way, have you -- have you been to those prefectures? Have you spent time
3 there in let's say, Vakaga and Birao, for example?

4 A. [13:55:04] No, never, not even once. But I went to Bossangoa, Berbérati,
5 Bossembélé, and other areas as well as.

6 Q. [13:55:21] Okay. So you've not been to the east, Vakaga, Birao,
7 Bamingui-Bangoran, where there is Ndélé, Haute Kotto, where there's Ouadda,
8 Ouanda-Djallé, you've not been there? Ouaka, have you been there?

9 A. [13:55:52] No, never. Bossangoa, I went there (Redacted)
10 (Redacted).

11 Q. [13:56:09] Okay. Now you've mentioned the Séléka approaching, you've
12 mentioned the red line that was drawn and the -- and the crossing of the red line and
13 the taking of Bangui, and the coup that took place on 24 March 2013.
14 You mentioned something interesting earlier today and you said the people
15 applauded when the Séléka came, came into Bangui. Is that something you
16 saw yourself or something that you heard about?

17 A. [13:57:10] Yes, I was in Bangui at the time, specifically at the 4th arrondissement
18 at Marabena. We ran out and we saw these things. The people in Boeing and PK5
19 were all clapping and acclaiming them because they believed that those people had
20 come, they had come to save the people. But unfortunately, shortly thereafter, they
21 started to commit acts of violence and then immediately the population started to
22 criticise them. You see, they started to take things away from people forcibly. That
23 is how shortly thereafter the population began to denounce their actions.

24 Q. [13:58:13] But if I understand you correctly, what you were saying was that on
25 the way to Bangui in these eastern prefectures, the Séléka had been committing

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1 crimes all throughout, all the way from Birao right down to Damara, Sibut and then
2 Damara, committing all these crimes. So I'm -- I'm wondering why it is that people
3 were applauding them when they came to Bangui notwithstanding that they had
4 committed all these abuses against civilians on the way down. Do you have any
5 insight you can share with us about that, why that would be the case?

6 A. [13:59:23] Well, we must recognise that at a certain point in time Bozizé lost it
7 when it comes to governance. That is why most people of the opposition rallied
8 the population to rise against him because he surrounded himself only with people
9 from his own ethnic group, so there was nepotism, he only employed the Gbaya
10 people. And when the Séléka came in he was no longer able to do that. He was no
11 longer able to use only people of the same -- of the same ethnic group as himself.
12 But all what he did was within the city, limited to the city, and so when they arrived,
13 those who were willing to join the movement would be taken on and anybody who
14 objected would be killed.
15 So the others were saying that Bozizé had kept everything to himself, he was eating
16 everything by himself, along with his family members and close relatives, and that
17 the same thing had happened under Kolingba's regime, saying that Kolingba had
18 been a bad leader. And it is only after he left power, even those who said that he
19 was a bad leader, again turned against Patassé to say exactly the same thing. And
20 then after Patassé left, they now turned and said exactly the same thing against Bozizé
21 whom they accused of using only people from his ethnic group and working only
22 with his family. And that is how, when the Séléka arrived, they started to kill, to kill
23 people as well. And then people began to regret that Bozizé had left.
24 So all those who have been presidents have tended to collaborate only with members
25 of their families and so, when the Séléka arrived, the other ethnic groups acclaimed

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1 them. That is what I can say.

2 Q. [14:01:57] I think I follow you now.

3 So this is something that seems to be recurring as a -- almost you can describe it as
4 a pattern with respect to the governance of the country, in your opinion?

5 A. [14:02:22] Yes, absolutely, absolutely, that's what's happened. That happened
6 with other presidents, that happened as well. They say that people have to go.
7 These are the same people who shout in favour of another rebellion. And it's been
8 like that for 30 years, in fact, and that's one of the reasons behind the crisis in
9 the Central African Republic. And also there's a certain marginalisation of some
10 people, Vakaga and others. I'm a Christian, that's not why I'm saying there's
11 a problem, but they are -- there is a problem because the Muslims in Vakaga, Birao,
12 Ndélé, there are problems to have a structure, that the children don't go to school.
13 And the government can't intervene. When there's a problem like that,
14 the government just lets them get on with it, so there is a problem in terms of
15 education.

16 And then at Bangui, well, when there's a matter of putting them in prison, Birao,
17 when there are experts on the medical field, then this all carries on. And then there
18 was finally a revolt and people say "We are Central Africans, we are in our country,"
19 and that's what encourages them.

20 And then there was the coalescence into this coalition of the Séléka in 2012. And I
21 must say, as we speak today, the same thing is happening again. People are not in
22 favour of Touadéra and tomorrow they'll be not in favour of somebody else.

23 So this is really the origin behind the severe crisis in Central African Republic. Some
24 time ago Muslims and Christians said we must work together. And I told you, I
25 traded at KM5 and that's how I funded my studies. There are inter-religious

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1 marriages, we are cousins.

2 Things only got bad when it came to the Séléka, who brought in the Chadians and

3 the Sudanese mercenaries. But the Séléka, who are from Central African Republic

4 themselves, they brought them in but they didn't have the means to pay them and

5 therefore these mercenaries took things into their own hands and started committing

6 these offences. They started killing people, putting them in bags, throwing them in

7 the river. You could see that every morning. They were teaching them -- they were

8 treating them like animals. And that's what's behind the war in the Central African

9 Republic.

10 Q. [14:06:05] That's a very helpful clarification.

11 And with respect to the commission of crimes associated with the Séléka, you

12 mention that, yeah, they were committed by people who weren't necessarily getting

13 paid. I think that's what I understood. And as a result of that, they committed

14 crimes against the civilian population. Is that the gist of it?

15 A. [14:06:56] Yes, yes. The Chadian and Sudanese mercenaries who were enlisted

16 by the Séléka, those were the ones committing the offences against the Central African

17 population and then that had repercussions and that's why these offences were

18 committed. They weren't all that numerous really in terms -- but the more -- most

19 cruel people involved in all this were the mercenaries.

20 Q. [14:07:32] Among the victims of those crimes were also Muslims; isn't that true?

21 A. [14:07:54] Yes, yes. When the mercenaries were not paid, there was

22 racketeering with the Muslims as well. So there were Muslims who were also

23 victims of these crimes. Yes. It was not just Christians, there were Muslims who

24 were victims too.

25 Q. [14:08:17] And part of the reason for that -- well, let me ask: Is part of the

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1 reason for that because they weren't very well controlled?

2 A. [14:08:45] Yes, absolutely, absolutely. They were not controlled, they weren't
3 contained, they weren't controlled, they weren't paid. And there were a lot of them.
4 And there wasn't a day that they didn't arrive from Chad or Sudan. We didn't know
5 where they came from, but there were 20 vehicles arriving every day and they took
6 over almost all the prefectures of the Central African Republic. And Djotodia did
7 not have the means to control them. He didn't have the means to pay them. And it
8 was complete confusion, law of the jungle, survival of the fittest.

9 Q. [14:09:33] Let me ask, in those circumstances, in those circumstances, in your
10 view, it would seem to me to be likely that you would have civilian casualties and
11 civilian victims of criminality by an armed group. Does that make sense to you?

12 A. [14:10:36] The victims were civilians, women, and also the police, the gendarme,
13 soldiers, and if they met a soldier, then they took him and tortured him. Almost
14 everybody was a victim, including civil servants. We were victims too.

15 Q. [14:11:10] And that was a result of the perpetrators not being controlled or paid,
16 in your opinion? Or do I have that wrong?

17 A. [14:11:42] (No interpretation)

18 PRESIDING JUDGE SCHMITT: [14:11:43] I didn't hear a translation.

19 MR VANDERPUYE: [14:11:46] Nor did -- I don't --

20 Q. [14:11:49] Can you hear me right now?

21 A. [14:11:54] Yes, I can hear you.

22 Yes, at that time they were not controlled. They just walked around with their
23 weapons wherever they felt like it. They were everywhere. And the mercenaries
24 were not being paid. And around KM5 there were former soldiers from
25 Hissène Habré's time who had been sent away by Idriss Déby, and when they met

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1 them they gave themselves ranks. Even civilians who have never been in the army
2 declared themselves to be a general, took a vehicle. And perhaps I can give you an
3 example.
4 My -- it's not because Ngaïssona is my big brother that I am going to take his side all
5 the time, but there was a depot which was about the same size as this court, but they
6 pillaged it completely for days at a time. That was not just one person involved. At
7 this time Ngaïssona was in Brazzaville, but his arsenal, his depot was completely
8 emptied. It took them days to empty it there was so much there. And nobody tried
9 to stop them. And you can see that these crimes were not aimed solely at
10 individuals but at civil servants and at all sorts.

11 PRESIDING JUDGE SCHMITT: Ms Dimitri.

12 MR VANDERPUYE: [14:13:53] I think it can -- I think it --

13 PRESIDING JUDGE SCHMITT: [14:13:55] Just a second, Mr Vanderpuye.

14 Ms Dimitri.

15 MR VANDERPUYE: [14:13:58] Oh, sorry.

16 MS DIMITRI: [14:14:00] Apologies for the interruption. My client would like to
17 step out for a minute again. I'm sorry.

18 PRESIDING JUDGE SCHMITT: [14:14:06] No problem.

19 MS DIMITRI: Thank you so much.

20 PRESIDING JUDGE SCHMITT: We can do that, yes. We stay here. We wait.

21 (Mr Yekatom exits the courtroom)

22 (Pause in proceedings)

23 (Mr Yekatom enters the courtroom)

24 PRESIDING JUDGE SCHMITT: [14:15:37] Please proceed, Mr Vanderpuye.

25 MR VANDERPUYE: [14:15:40] Thank you, Mr President.

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1 Q. [14:15:44] Yeah, I wanted to show you a document, it's at tab 55. I don't think it
2 should be broadcast, for the moment. Let me give the ERN number. I have it as
3 CAR-OTP-2079-0065.

4 Okay.

5 PRESIDING JUDGE SCHMITT: [14:16:55] It's not -- not on the screen yet, I think.
6 I think now we are there.

7 MR VANDERPUYE: [14:17:11] Maybe we could just zoom out so he can -- well,
8 that's fine. As long as you can page down so he can see what it is.

9 All right. If we go down to the page and we can see -- okay, all the way down. All
10 right.

11 Q. [14:17:45] First, do you recognise the signature on that -- on that page?

12 Okay. That's your --

13 A. [14:17:57] Yes. (No interpretation)

14 Q. [14:18:14] -- signature, right?

15 A. [14:18:14] (No interpretation)

16 Q. [14:18:15] I'd like to show you ERN page ending 066.

17 Just so I can show you what -- what it refers to. And it refers to (Redacted)

18 (Redacted).

19 And now I'd like to show you what I wanted to ask you about and that's at ERN
20 page ending 0068, and we'll look at the second paragraph on that page. Under this
21 introduction general, general introduction, it says:

22 "In 2003, the ex-president François Bozizé took power by the same manner" as
23 referring to - it's referring to Djotodia, the same manner as Djotodia, "but in the two
24 cases the absence of control over elements" and then in parenthesis it says "(*ex*
25 *libérateurs ou* [or] *Séléka*) carried out abuses on the civilian population."

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1 So I wanted to ask you about that. (Redacted). First of all, (Redacted)

2 (Redacted)?

3 A. [14:20:20] Yes, (Redacted). It was in January. And given that

4 the Christian population, the Christian community and the Muslim community were

5 killing each other, (Redacted) with

6 the aim of helping us to attenuate suffering in the country.

7 Q. [14:20:54] (Overlapping speakers) see the bottom of the page there's a receipt

8 stamp, it appears, of 7 -- of 17 March 2014. But that's not the point of my question.

9 The point of my question has to do with the second paragraph, as I showed you

10 before, where you're talking about, in the case of Bozizé, and in the case of Djotodia,

11 with the absence of control over their elements. And in French it says "*a conduit aux*

12 *exactions sur la population civile.*"

13 So my question is -- my question is what did you mean by this?

14 A. [14:22:15] I wanted to say that in 2003 Bozizé arrived at the head of the country

15 supported by a rebellion which we called the liberators. And he did the same thing,

16 they had -- there was no control over them, so they also committed crimes against

17 Christians and Muslims. And among these liberators there were also Sudanese and

18 Chadian mercenaries. So at the same -- it was the -- at the time it was the same,

19 Bozizé didn't have control, he did -- wasn't able to pay them and therefore they

20 started attacking people and starting looting.

21 So in 2012, when the Séléka were forming, these same liberators who supported

22 Bozizé, these same liberators set about forming a new rebellion and it -- when they

23 came back, it was the same people who put Djotodia at the head of the country. And

24 that's why I said that this happened. The lack of control. These rebels killed people,

25 these same people, in 2012. (Redacted) to achieve this as

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1 they were acting as mediators.

2 However, (Redacted) so I was

3 not able to put this into practice. That's what I encompassed in these lines.

4 In 2018 I gave this document to the investigators and that's the date that's at the

5 bottom. But the document dates from 2014 in March when we started to distribute it

6 to the various organisations.

7 Q. [14:25:00] (Overlapping speakers) just one point I wanted to clarify was, with

8 respect to the *exactions*, the abuses against the population, which you took notice of

9 concerning Bozizé's claim to power through the coup in 2003, that was something that

10 was well known, I take it, in the country and certainly in the area where you are in

11 Bangui, or not?

12 A. [14:25:46] Yes, this was public knowledge, everybody knew that Bozizé --

13 Q. (Overlapping speakers)

14 A. -- had arrived as part of a *coup d'état*.

15 Q. [14:26:04] (Overlapping speakers) I'm talking about are crimes against the

16 civilian population associated with that coup and his taking of power in that manner.

17 Was that well known?

18 A. [14:26:38] (Overlapping speakers) after taking power in 2003, they behaved in

19 the same way as in 2013. The same liberators hit people, confiscated their

20 belongings, so people could not offer any opposition to this. They behaved like

21 liberators. So there were the same processes. I was a student at the time and I'm

22 the same ethnic group as Bozizé, but it doesn't necessarily mean that I'm with him.

23 But the same liberators returned as the Séléka, in fact, and the majority of these Séléka

24 were the same as the liberators of Bozizé at the time.

25 Q. [14:27:42] In your view - you mention here the absence of control over

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1 the elements - what do you think should have been done with respect to exercising
2 control over those elements?

3 A. [14:28:33] Under these circumstances, what had -- should have been done was to
4 disarm these troops. This should have been done forcefully. And also contain
5 them. They should have been put together, fed and waiting for the DDR process,
6 the disarmament, demobilisation, reconciliation process to take place. So that's what
7 should have happened in 2003, but that was not the case. And so these elements
8 found themselves roaming around and exacting payment from the goods of the
9 population, and anybody who demanded to get their belongings back was just killed
10 systematically.

11 And later it happened the same way, it was the same liberators who returned. And
12 he had received money to look after these men, but that did not happen and that's
13 why the Séléka behaved in the same way as the liberators at the time and, in fact, they
14 were even worse in their behaviour than the -- the previous. That's what Bozizé
15 should have done, they should have contained them and disarmed them forcefully.

16 Q. [14:30:20] (Overlapping speakers)

17 PRESIDING JUDGE SCHMITT: [14:30:21] I think, Mr Vanderpuye, we allow
18 ourselves a short break. Is this a problem if -- or do you have a question that has to
19 necessarily be put before the short coffee break? So that at least we allow us that.
20 So we have a break until 3 o'clock.

21 THE COURT USHER: [14:30:38] All rise.

22 (Recess taken at 2.30 p.m.)

23 (Upon resuming in open session at 3.00 p.m.)

24 THE COURT USHER: [15:00:31] All rise.

25 Please be seated.

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1 PRESIDING JUDGE SCHMITT: [15:00:56] Mr Vanderpuye, you still have the floor.

2 And, as I said, this will be a shorter session until 4 o'clock, meaning one hour.

3 Please proceed.

4 MR VANDERPUYE: [15:01:06] Thank you very much, Mr President.

5 Q. [15:01:08] Good afternoon, Witness.

6 If we could just for a moment put tab 55 back on the screen in front of him,

7 it's - a moment - CAR-OTP-2079-0065. Yeah. And the page we were on indeed is

8 there, it's 0068.

9 Just before we go to the next area, I just wanted to go down this page.

10 It's not being broadcast, right? Okay.

11 Yeah, just to the bottom of the page. I just wanted you to take a look at these

12 telephone numbers down there and I wanted you to confirm that they -- that they are

13 yours; is that right?

14 A. [15:02:14] (No interpretation)

15 Q. [15:02:15] All right. I heard you, but I didn't get the translation.

16 I don't see it in the record.

17 Let me repeat the question.

18 I just wanted to see if you could confirm that these telephone numbers are yours.

19 And I think you said one is yours; is that right?

20 A. [15:02:57] The two are indeed my numbers.

21 Q. [15:03:01] Okay. All right. Well, thank you for that clarification.

22 I'd like to go to a different area, if I could at this point. Different subject matter is

23 what I mean.

24 At a certain point after the Séléka arrived in Bangui, sometime after, I'm given to

25 understand that you left Bangui; is that right?

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1 A. [15:03:52] Yes, they started committing crimes. I fled and sought refuge
2 abroad.

3 Q. [15:04:04] Were you concerned that you were -- you would be among the people
4 that the Séléka was targeting?

5 A. [15:04:30] Yes, indeed.

6 Q. [15:04:35] And would that be because of your ethnicity? Or for other reasons?

7 A. [15:05:03] Yes, that is correct. When they arrived, initially they were attacking
8 the Gbaya. Subsequently, they started committing crimes against other ethnic
9 groups.

10 Q. [15:05:24] And did you become aware of information that you were in fact being
11 sought or targeted?

12 A. [15:05:57] Yes, they arrived in -- in my home with more than 21 vehicles, in my
13 family home. Fortunately, I was not home -- I was in the house, but I hid somewhere
14 and they couldn't find me. After they left, I moved out of the house to spend
15 the night elsewhere.

16 Q. [15:06:28] How long did you remain in Bangui before you -- you took flight or
17 refuge elsewhere?

18 A. [15:06:54] I spent two or three months in Bangui. I no longer remember
19 precisely, but I did not spend more than three months in Bangui.

20 Q. [15:07:07] Without mentioning where you worked, did you -- did you continue
21 to work during that period of time?

22 A. [15:07:31] No, it was not possible for me to go to work. Anybody who took
23 the risk to go to work was immediately attacked. I couldn't take that risk.

24 Q. [15:07:46] And were you continuing to receive a salary notwithstanding that you
25 weren't going to work?

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1 A. [15:08:08] Yes, I continued receiving my salary, but they had no control over
2 what was happening. What preoccupied them was stealing. I sent people with
3 cheques to go and fetch my salary.

4 Q. [15:08:34] And is that how you supported yourself in that -- in that period, those
5 few months that you remained in Bangui?

6 A. [15:08:53] Yes, that is how I lived.

7 Q. [15:08:59] When you left Bangui, where did you go?

8 A. [15:09:16] When I left Bangui I went to Cameroon.

9 Q. [15:09:23] Did you go to Cameroon together with your family or alone?

10 A. [15:09:43] I went alone.

11 Q. [15:09:49] Was your -- was your flight to Cameroon not -- your fleeing to
12 Cameroon, was that something that was planned or improvised?

13 A. [15:10:24] It was difficult. There was no one. Many people had already fled.
14 Even Ngaïssona and others were already in Cameroon. And Rambo was also on
15 the other side of the river. No personality could stay inside the town. The only
16 secure place was outside, particularly Cameroon. And that -- if that was not possible,
17 others crossed the river.

18 Q. [15:11:00] And when you talk about crossing the river, first of all, do you mean
19 the Oubangui River in the direction of the DRC?

20 A. [15:11:22] I am not talking about myself. It was Alfred Yekatom who crossed
21 the river. On the other hand, I went to Cameroon. Even Ngaïssona himself was in
22 Cameroon. So Yekatom was on the other side of the river in the DRC.

23 Q. [15:11:44] Do you know where in the DRC Mr Yekatom went or was?

24 A. [15:12:11] He was in Zongo.

25 Q. [15:12:15] Okay. And you mentioned Mr Ngaïssona was in Cameroon. Do

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1 you know where in Cameroon Mr Ngaïssona was?

2 A. [15:12:41] He was in Yaoundé. When we fled and we arrived Douala,

3 (Redacted) and he had come with a few soldiers.

4 (Redacted) at the Lumière hotel and we were told that Ngaïssona had been

5 there and he had just left. These people took me to Yaoundé.

6 When we arrived Yaoundé (Redacted) in the residence of Mr Ngaïssona. He

7 was there with his family, that is, his wife and children. (Redacted)

8 (Redacted). It was in Yaoundé. I no longer

9 remember the name of the neighbourhood, but I think it must have been the Bastos
10 neighbourhood.

11 Q. [15:13:55] We'll get back to that in a second, but is there any particular reason
12 why you went to Cameroon as opposed to DRC? To Yaoundé instead of Zongo?

13 A. [15:14:23] Well, you have to know that to go to Zongo you have to cross
14 the entire town. And during that time you could be arrested, attacked and killed.
15 So, since I was in the M'Poko area, the airport was not far from me, and the region
16 was under the security of the French soldiers. No Séléka soldiers could -- came there.
17 So it was the foreign soldiers who assured security there. So I was in the airport
18 sector and the Séléka could not come there.

19 I used a laissez-passer to go to Cameroon. It is true that Zongo is not far away from
20 the town, but if I had taken the risk to go there, I would have been caught and killed
21 by those people.

22 As you know, Rambo is a soldier and when things started getting bad he succeeded in
23 crossing over to Zongo. There he was identified and arrested. Then after that he
24 was released and then he sought refugee status. I did not have the opportunity to
25 cross into Zongo and (Redacted)

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1 (Redacted).

2 Q. [15:16:02] When you left Bangui to go to Cameroon, did you have the intention
3 to bring your family with you?

4 A. [15:16:35] Yes, initially I had that intention to take my family with me.
5 However, I did not have any money. I was waiting for the payment of salaries in
6 order to bring them over. I used my salary to pay a single one-way ticket to
7 Cameroon.

8 Q. [15:16:59] So maybe it's my understanding is not correct, but your ticket was
9 a one-way ticket to -- to Cameroon? Or it was a round-trip ticket?

10 A. [15:17:21] No. It was a one-way ticket.

11 Q. [15:17:32] How did you sort out the security of your family before you left if you
12 had that opportunity?

13 A. [15:18:02] But I did not have any choice. I really did not have any choice at all.
14 (Redacted) my wife sought refuge with her children

15 in her father's house. As you know, during crisis women can frequently be spared,
16 but not men. If they had been able to catch me, they would have been without pity.

17 Q. [15:18:41] All right.

18 PRESIDING JUDGE SCHMITT: [15:18:43] I think you can move on. And perhaps
19 move a little bit closer to the expected testimony with regard specifically to this case.

20 MR VANDERPUYE: [15:18:55] I'm sorry, I can't -- I'm listening in the French,
21 I'm sorry.

22 PRESIDING JUDGE SCHMITT: [15:18:59] So I suggested that you can move on.

23 MR VANDERPUYE: [15:19:02] Oh, yeah.

24 PRESIDING JUDGE SCHMITT: [15:19:03] And come closer to the evidence that
25 might be important specifically in this case.

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1 MR VANDERPUYE: [15:19:10] Thank you, Mr President. I understand.

2 Q. [15:19:23] When you arrived in Cameroon, where did -- first of all, where did
3 you arrive in Cameroon? Was it in Douala?

4 A. [15:19:44] Yes, I first of all landed in Douala.

5 Q. [15:19:49] How long were you in Douala before you went to Yaoundé?

6 A. [15:20:04] No, I did not spend much time in Douala. I stayed at the Lumière
7 hotel and a compatriot (Redacted) came and fetched me. We took the bus and
8 travelled to Yaoundé.

9 Q. [15:20:30] Now, I think you said earlier that when you went to Yaoundé you
10 spent the night over at Ngaïssona's place.

11 A. [15:20:56] (Redacted)

12 (Redacted)

13 Q. [15:21:23] How long would that have been then, all together?

14 A. [15:21:43] I do not remember exactly, (Redacted)

15 (Redacted). The situation was more difficult in Cameroon than in

16 the Central African Republic. I was fortunate enough (Redacted)

17 (Redacted), but it was difficult, since

18 Ngaïssona was not frequently there. He travelled frequently for his football matters,
19 so we lived in the residence with his soldiers.

20 Q. [15:22:32] In the period of time that you were there, how often would you say
21 that you were in the company of Mr Ngaïssona or you saw him in the place where
22 you were staying?

23 A. [15:23:06] I saw him from far away. Ngaïssona was always travelling. He
24 was the Central African football association, so he was still in office and he was
25 travelling quite a lot. He had a term of office of five years. This means he was

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1 always travelling for his footballing activities. I never stayed with him for any

2 length of time to converse for any amount of time.

3 Q. [15:23:43] (Redacted)

4 (Redacted)

5 A. [15:24:03] (Redacted)

6 Q. [15:24:11] (Redacted)

7 (Redacted)

8 A. [15:24:33] (Redacted).

9 MR VANDERPUYE: [15:24:40] I'd like to go into private session because I'd like to
10 ask some questions about the --

11 PRESIDING JUDGE SCHMITT: I understand.

12 MR VANDERPUYE: -- soldiers.

13 PRESIDING JUDGE SCHMITT: [15:24:48] We go into private session.

14 (Private session at 3.25 p.m.)

15 THE COURT OFFICER: [15:25:05] We are in private session, Mr President.

16 MR VANDERPUYE: [15:25:12] Thank you.

17 Q. [15:25:13] I wanted to ask you some questions about the people that you were in
18 contact with, including these militaries that you referred to. You mentioned
19 someone by the name (Redacted).

20 A. [15:25:39] No, (Redacted) is not a soldier, he's not a military.

21 Q. [15:25:46] (Overlapping speakers) he's somebody that you mentioned as having
22 been in Cameroon just a few moments ago.

23 A. [15:26:01] Yes, he was in Cameroon even before I arrived. Upon my arrival,
24 since I did not know the town (Redacted)

25 (Redacted). And once I arrived

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1 Yaoundé, people showed me Ngaïssona's house and I was able to find it.

2 Q. [15:26:36] (Redacted) was somebody you knew before, obviously, is someone
3 that you -- and I take it he was expecting you to arrive when you did?

4 A. [15:27:06] Yes, we had known each other since Bangui. He was one of
5 the compatriots who fled the war to take refuge in Cameroon.

6 Q. [15:27:24] And did (Redacted) have any relationship to the KNK political party
7 of President Bozizé?

8 A. [15:27:47] Yes, he was a member of François Bozizé's KNK party.

9 Q. [15:27:56] And do you know what capacity he -- he -- in what capacity he was
10 a member of the KNK, what he did?

11 A. [15:28:22] I really do not know his precise role in that party, but I know that he
12 was a member of that party.

13 Q. [15:28:31] Did you hear that he was involved with *la jeunesse du parti* KNK?

14 A. [15:28:59] Yes, I heard that, but I did not personally verify that information.

15 Q. [15:29:07] Can I ask, do you know somebody by the name of (Redacted)
16 (Redacted)?

17 A. [15:29:28] Yes, there are many people known as (Redacted), but I do not know
18 specifically one whose first name is (Redacted).

19 Q. [15:29:50] You were in contact with (Redacted), I
20 assume?

21 A. [15:30:08] Yes, I was in contact with him ever since Bangui. He was one of the
22 refugees there also. So, because of patriotism, as a countryman he came and fetched
23 me at the airport.

24 Q. [15:30:33] (Overlapping speakers) the idea come (Redacted)
25 (Redacted), was that improvised or was that planned already in advance?

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1 A. [15:31:06] Well, I did not know anyone in Yaoundé. Ngaïssona (Redacted)
2 (Redacted), ever since Bangui, I had heard before my arrival that he was living at the
3 Lumière hotel, but when I arrived there, I looked for him, but I did not see him. He
4 was a senior person in the neighbourhood that I had known for a long time in Bangui.
5 So when I did not see him in Yaoundé -- in Douala, I went to Yaoundé and I was able
6 to find him. So that is how (Redacted).

7 As you know, most of the Central Africans who had sought refuge in Cameroon were
8 living with their fellow countrymen. (Redacted)

9 (Redacted)

10 (Redacted)

11 Q. [15:32:20] (Overlapping speakers) expecting you at all?

12 PRESIDING JUDGE SCHMITT: [15:32:21] Mr Vanderpuye, please wait until
13 the interpreter has finished because then we don't -- otherwise we don't get your full
14 question. So please.

15 It's now okay, but please repeat the question, we didn't get it in full.

16 MR VANDERPUYE: [15:32:44] I'm sorry, Mr President.

17 Q. [15:32:51] I think I had asked you that then it was the case that Mr Ngaïssona
18 wasn't expecting you at all; is that what I should understand from what you're
19 testifying?

20 A. [15:33:13] No, he wasn't expecting me.

21 Q. [15:33:22] And he wasn't living in Douala when you arrived, I guess?

22 A. [15:33:39] At the beginning I did not know exactly where he lived. All I knew
23 was that he was at Hôtel Lumière, but then I learned that he had rented a house for
24 his family in Yaoundé. And you know that we were all fleeing as well and what we
25 were looking for was a place of refuge. Later on some people told us that his house

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1 was at a particular location and one of the soldiers knew the location of the house and

2 (Redacted)

3 (Redacted)

4 Q. [15:34:23] All right. We are in private session so I want to ask you who that

5 soldier is and who the other militaries (Redacted)

6 (Redacted). So why don't you tell us who this soldier is that you're

7 referring to.

8 A. [15:34:51] The soldiers (Redacted)

9 (Redacted)

10 (Redacted). There were two of

11 them.

12 Q. [15:35:16] Let's take each of them in turn, then. With respect to (Redacted), is

13 this somebody that you knew already before you went to Cameroon?

14 A. [15:35:38] We knew each other very well from Bangui.

15 Q. [15:35:42] And obviously he was a military, as you've described him. Do you

16 know what his relationship was to President Bozizé in the context of his military

17 service?

18 A. [15:36:10] (Redacted) too had taken part in

19 the fighting at Damara. He was one of the loyalist soldiers who were chased away

20 by Séléka at the red line. He fled as a -- he was able to flee as other soldiers had fled

21 as well.

22 Q. [15:36:46] Did you ever hear that he was a former (Redacted)

23 (Redacted)?

24 A. [15:37:09] Yes, he was one of the liberators, that is the men who had brought

25 Bozizé to power in 2003. He then was later deployed (Redacted), but

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1 (Redacted),

2 (Redacted) and then shortly thereafter, the Séléka intervened to drive them out of
3 power.

4 Q. [15:37:47] Do you know what (Redacted) was doing in Cameroon before you
5 arrived? Did you discuss that with him at any point?

6 A. [15:38:17] When he left I was in Bangui. And I know why he left. When they
7 fled, they went by the PK9 road. You know that he (Redacted)

8 (Redacted). So when Séléka took power, he

9 fled, passing by Bola (phon), and there was a rebel there known as

10 Abdoulaye Miskine who is the one who (Redacted). They

11 almost killed him but for the fact that he was able (Redacted)

12 himself. So they took his vehicle and gave him a car that was in a poor state. And

13 then he was made (Redacted) who

14 became his -- his chief. And they all returned to Bangui.

15 Then, when they started committing the abuses, he wasn't happy with that and he

16 told them, he told them that he did not agree with what they were doing and that it

17 was not proper for them to commit those abuses. He also began to (Redacted)

18 (Redacted). When they found out that he was doing that, they tried to arrest him.

19 Then he fled to the camp where the French were, there were some 400 refugees there,

20 or so, and it is from there that he took the flight abroad.

21 So when I arrived there I met him and there was also (Redacted) who was

22 there. And we all (Redacted)

23 (Redacted). But we did not succeed to see him, Mr Ngaïssona, because, you

24 know, he was always on the road. He was a man who travelled a lot and I did not

25 have an opportunity to see him.

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1 Q. [15:41:09] All right. I just want to make sure that what I'm seeing in

2 the transcript reflects what you said.

3 Did you -- are you saying that you never saw Mr Ngaïssona when you (Redacted)

4 (Redacted) for three weeks in Yaoundé? You never saw him there?

5 A. [15:41:43] I never saw him. I told you that when I arrived on the first day at

6 Hôtel Lumière he had already left. Then the fellow countrymen who were there

7 (Redacted) I was not able to

8 see him. I was only in the company (Redacted).

9 Q. [15:42:15] Who told you it was (Redacted), if you never saw him? Did you

10 know (Redacted) before you went to Yaoundé?

11 A. [15:42:40] I already told you that I am (Redacted). It is true that

12 he is not (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted). And you want

17 to know that when you are abroad, when you are abroad, you -- you tend to look for

18 your fellow countrymen. Therefore, it is not that we had come to some kind of

19 agreement before (Redacted)

20 Q. [15:43:46] Okay.

21 PRESIDING JUDGE SCHMITT: [15:43:47] Mr Vanderpuye, if you think there you

22 would want to refresh the memory of the witness.

23 MR VANDERPUYE: [15:43:55] No.

24 PRESIDING JUDGE SCHMITT: [15:43:56] No, okay. Okay. I'm just suggesting.

25 MR VANDERPUYE: [15:44:00] (Overlapping speakers)

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1 PRESIDING JUDGE SCHMITT: [15:44:00] In case if you think he might have
2 perhaps once have seen Mr Ngaïssona, then you could put it to the witness. It might,
3 it might not be of the utmost importance, but I simply wanted to flag it to you.

4 MR VANDERPUYE: [15:44:19] Thank you, Mr President. I may come to that, but --

5 PRESIDING JUDGE SCHMITT: Okay. Good.

6 MR VANDERPUYE: -- I just wanted to --

7 PRESIDING JUDGE SCHMITT: [15:44:24] Yeah, yeah, yeah.

8 MR VANDERPUYE: [15:44:24] Yeah, I just wanted to ask a bit about (Redacted).

9 PRESIDING JUDGE SCHMITT: [15:44:28] Okay. Good.

10 MR VANDERPUYE: [15:44:30]

11 Q. [15:44:30] You mentioned (Redacted). We have some evidence in the record
12 that he also goes by the name of (Redacted). Are you aware of that?

13 A. [15:44:53] Yes, those names belong to one and the same person, (Redacted), yes.

14 Q. [15:44:58] And did you know him before you went to Cameroon?

15 A. [15:45:16] Yes, I knew him before. And like I said earlier, he was one of
16 Bozizé's *libérateurs*, those who brought him to power. So I know him very well.

17 Q. [15:45:32] And were you aware that he was a former (Redacted)
18 (Redacted)?

19 A. [15:45:54] Yes, I know that he was a former (Redacted).

20 Q. [15:46:08] And did he travel with you from Douala to Yaoundé, or was he
21 already in Yaoundé when you arrive at Ngaïssona's place?

22 A. [15:46:40] No, he was (Redacted). And when the rebels
23 attacked Bossangoa, (Redacted)
24 (Redacted).

25 He had fled even before the rebels took power in Bangui. He was in Cameroon way

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1 ahead of that.

2 Q. [15:47:21] All right. Thank you for that clarification.

3 So, what I want to know is whether he was staying at Ngaïssona's place before you

4 (Redacted). Do you -- maybe you don't know, but do you

5 know?

6 A. [15:47:54] Yes, when I arrived (Redacted). He was never at the

7 same location because he travelled regularly between Yaoundé and Douala. He was

8 very well known to Central Africans in Douala where he was frequently (Redacted).

9 And in Douala he was at (Redacted)

10 (Redacted). So he was not always at the same location. He was often

11 travelling.

12 Q. [15:48:46] Earlier when you describe that (Redacted) and

13 there were two militaries that stayed there, these are the two you're referring to,

14 (Redacted)? Or are we talking about some other people?

15 A. [15:49:16] It is those two people I am talking about, indeed.

16 Q. [15:49:21] Two of those military were with you throughout the time that (Redacted)

17 (Redacted) while you were in Yaoundé, do I have that right? They were living there

18 with you?

19 A. [15:49:49] Yes, that is correct. We were living in the same house.

20 Q. [15:49:56] Also (Redacted) was living in that same house with you, do I have

21 that right?

22 No? Okay.

23 Was there (Overlapping speakers) --

24 A. [15:50:12] No. No.

25 Q. [15:50:19] (Overlapping speakers) -- anyone else living in the house with you

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1 and those two militaries (Redacted), and him to the extent that he might be living
2 there?

3 A. [15:50:47] No, there were no other persons.

4 Q. [15:50:52] I want to ask you about a few other people that you may have seen
5 while you were in Yaoundé.

6 Do you know someone by the name of David Gbanga.

7 A. [15:51:20] Yes, I know him. He was the general director of CAR television.

8 Q. [15:51:33] All right. Did you see him when you were in Yaoundé during
9 the period of time that you were there?

10 A. [15:51:49] Yes, (Redacted), we greeted each other and then went our separate
11 ways.

12 Q. [15:52:02] Do you know what his relationship was to General Bozizé or the KNK
13 party?

14 A. [15:52:24] No, I have no -- no idea. All I know is that he was the general
15 director of TV.

16 Q. [15:52:36] All right. Did you see Joachim Kokaté when you were in Yaoundé?

17 A. [15:53:04] No, I did not meet him, but I heard that he was in Yaoundé, although
18 I did not personally meet him physically.

19 Q. [15:53:16] All right. What about Levy Yakete, did you see him while you were
20 in Yaoundé?

21 A. [15:53:44] No, I did not meet him, but I know that he used to live in Yaoundé
22 (Redacted). When I was there, I heard, I believe, that it was said that he went either
23 to Benin or to the country of -- to some country where his wife was living. But I
24 never got a chance to meet him.

25 Q. [15:54:18] Are you familiar with the former ambassador, Central African

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1 ambassador to Cameroon, Louis Oguere Ngaikoumon?

2 A. [15:54:50] Yes, I know him. He was the secretary-general of the KNK party.

3 But I was not very close to him.

4 Q. [15:55:02] Did you see him when you were in Yaoundé?

5 A. [15:55:15] No, I did not meet him in Yaoundé.

6 Q. [15:55:27] Bernard Mokom, do you know that name?

7 A. [15:55:39] I know Bernard Mokom.

8 Q. [15:55:43] Same question, did you see him while you were in Yaoundé?

9 A. [15:55:57] Yes, we met. We greeted each other and then we went our separate
10 ways.

11 Q. [15:56:07] How long had you known him? Oh, sorry.

12 A. [15:56:08] We met on the road and we greeted each other.

13 Q. [15:56:14] How long had you known him before you saw him in Yaoundé?

14 A. [15:56:35] (No interpretation) (Overlapping speakers)

15 Q. [15:56:36] How long did you know Bernard Mokom before you saw him in
16 Yaoundé?

17 A. [15:56:56] I had known him, he was the *sous-préfet* of Gamboula.

18 Q. [15:57:08] How long did you -- how long had you known him before you saw
19 him in Yaoundé?

20 A. [15:57:35] I had known him from the time he was a *sous-préfet* of Gamboula,
21 Gamboula.

22 Q. [15:57:47] All right. So that's some years, then.

23 A. [15:57:58] Yes. When (Redacted), he served as a *sous-préfet* and both of us were
24 (Redacted).

25 Q. [15:58:14] Do you remember the circumstances under which you met him on

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1 the street there in Yaoundé today, or not?

2 A. [15:58:49] On that day, I was on my way to the embassy to collect my refugee
3 card. (Redacted). We greeted each
4 other, he asked how things were for me and I said things were very difficult, and
5 that's as far as we went.

6 Q. [15:59:18] Okay. And with respect to Mr Ngaïssona, I think you said that you
7 never saw him when you went to Yaoundé; is that -- is that your recollection?

8 A. [15:59:48] I said that when I was in Yaoundé I saw him from afar at
9 Hôtel Lumière. We didn't greet each other, we didn't meet each other physically.

10 Q. [16:00:04] Well, if I could maybe help refresh your recollection from your
11 interview, maybe -- maybe -- or maybe not, it's at tab 41, CAR-OTP-2072-0654. If we
12 look at page 1660, maybe that will help sort this out a bit. But it's not that important
13 anyway, but at lines 188 through 194 you were put that question specifically about
14 whether Ngaïssona was present at his house (Redacted). And
15 the question is -- well, if we go up a bit:

16 "Do you remember who he met in the house?

17 The answer is: "Only his wife." Rather, the interpreter says "Only his wife."

18 The interviewer says: "His wife, ... with Mr Ngaïssona or he wasn't present?"

19 Question.

20 And then the interpreter asked the question: "[...] avec M. Ngaïssona ou Ngaïssona
21 n'était pas présent?"

22 And your answer is (No interpretation), (Speaks English) "The wife was present and
23 Ngaïssona was present as well."

24 Does that help refresh your recollection or is that just -- that doesn't -- that doesn't
25 work?

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1 A. [16:02:11] Yes, I do remember that I said that Ngaïssona was present and
2 the wife was present as well. But in their house, it is their house. But when I
3 arrived, Ngaïssona was no longer there. My answer simply was to the effect that it
4 was Ngaïssona's house, the house in which he lived with his wife. But when I
5 arrived there, Ngaïssona was no longer there. We saw each other at Hôtel Lumière
6 like that, although I didn't go close to him, and then he left. We saw ourselves from
7 a distance.

8 Q. [16:03:03] Okay.

9 MR VANDERPUYE: Mr President, it's time, I think.

10 PRESIDING JUDGE SCHMITT: [16:03:05] I think that that's a good time. And it
11 seems to have been a -- simply a language issue.

12 MR VANDERPUYE: [16:03:10] It could be.

13 PRESIDING JUDGE SCHMITT: [16:03:12] No, no, I think it -- it could -- yeah, could
14 be. Let's not be too, too definite here.

15 So we conclude the hearing for today, Mr Witness.

16 I think we are still in private session. Yeah, so we go to open session shortly.

17 (Open session at 4.03 p.m.)

18 THE COURT OFFICER: [16:03:44] We are back in open session, Mr President.

19 PRESIDING JUDGE SCHMITT: [16:03:47] Thank you.

20 So I repeat, this concludes the hearing for today. Thank you very much, Mr Witness.

21 Have a good rest and we reconvene tomorrow at 9.30.

22 THE COURT USHER: [16:03:58] All rise.

23 (The hearing ends in open session at 4.03 p.m.)