

Trial Hearing  
WITNESS: CAR-OTP-P-0876

(Open Session)

ICC-01/14-01/18

1 International Criminal Court  
2 Trial Chamber V  
3 Situation: Central African Republic II  
4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard  
5 Ngaïssona - ICC-01/14-01/18  
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and Judge Chang-ho Chung  
7 Trial Hearing - Courtroom 1  
8 Thursday, 9 December 2021  
9 (The hearing starts in open session at 9.32 a.m.)  
10 THE COURT USHER: [9:32:28] All rise.  
11 The International Criminal Court is now in session.  
12 Please be seated.  
13 PRESIDING JUDGE SCHMITT: [9:32:36] Good morning everyone.  
14 Court officer, please call the case.  
15 THE COURT OFFICER: [9:32:41] Good morning, Mr President, your Honours.  
16 Situation in the Central African Republic II, in the case of The Prosecutor versus  
17 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.  
18 And for the record, we are in open session.  
19 PRESIDING JUDGE SCHMITT: [9:32:52] Thank you.  
20 I call for the appearances of the parties.  
21 Mr Leddy first for the Prosecution.  
22 MR LEDDY: [9:32:58] Good morning, Mr President, your Honours. Today the  
23 Office of the Prosecutor is represented by Kweku Vanderpuye, myself Nick Leddy,  
24 Pierre Belbenoit-Avich and Yassin Mostfa.  
25 PRESIDING JUDGE SCHMITT: [9:33:07] Thank you.

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1 I turn to the Representatives of the Victims, Ms Rabesandratana.

2 MS RABESANDRATANA: [9:33:15](Interpretation) Good morning, Mr President.

3 Good morning, your Honours. Good morning, the witness. Good morning,

4 everyone. The CLRV2 is represented today by Madam Anne Grabowski, Madam

5 Evelyne Ombeni and myself, Elisabeth Rabesandratana.

6 PRESIDING JUDGE SCHMITT: [9:33:34] Mr Suprun.

7 MR SUPRUN: [9:33:37] Good morning, Mr President, your Honours. The former

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

9 Public Counsel for Victims. Thank you.

10 PRESIDING JUDGE SCHMITT: [9:33:44] Thank you.

11 And for the Defence, Ms Dimitri first.

12 MS DIMITRI: [9:33:47] Good morning, Mr President. Good morning, your

13 Honours. Good morning everyone. Mr Yekatom, who's present in the courtroom

14 this morning, is represented by Mr Florent Pages-Granier, Mr Victor-Louis Lapointe

15 Saint-Pierre, Ms Laurence Hortas-Laberge and myself, Mylène Dimitri.

16 PRESIDING JUDGE SCHMITT: [9:34:03] Thank you.

17 Mr Knoops.

18 MR KNOOPS: [9:34:05] Good morning, Mr President, your Honours. Good

19 morning everyone in the courtroom. Today the Defence of Mr Ngaïssona is before

20 you with Ms Sara Pedroso, Mr Omissé Landry, who is following the proceedings

21 from Bangui, and myself. And the defendant is in the courtroom, Mr President.

22 PRESIDING JUDGE SCHMITT: [9:34:26] Thank you very much.

23 And also welcome and good morning to Mr Witness and to counsel Ms Cariolou.

24 Good morning.

25 The next question is also clear, do the victims' representatives want to put questions

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1 to this witness?

2 MS RABESANDRATANA: [9:34:45](Interpretation) Mr President, we have no  
3 questions.

4 PRESIDING JUDGE SCHMITT: [9:34:50] Mr Suprun.

5 MR SUPRUN: [9:34:52] I have no questions for this witness, Mr President. Thank  
6 you.

7 PRESIDING JUDGE SCHMITT: [9:34:56] Thank you.

8 Then it's time for the Defence of Mr Yekatom.

9 Ms Dimitri, you have the floor.

10 MS DIMITRI: [9:35:04] Thank you very much, Mr President. And I didn't have the  
11 opportunity to thank your Honours for yesterday, it was quite helpful for the  
12 preparation of the next witness.

13 PRESIDING JUDGE SCHMITT: [9:35:13] And actually also, you know, this is not  
14 my doing, also that we can react so quickly. This is the team that we have that is  
15 working behind the scenes, so to speak. So I also appreciate that a lot that, even  
16 when the Court proceedings, the hearings, are ongoing that organisational matters  
17 can be solved this way.

18 Please.

19 MS DIMITRI: [9:35:37] Thank you, Mr President.

20 WITNESS: CAR-OTP-P-0876 (On former oath)

21 (The witness speaks French)

22 QUESTIONED BY MS DIMITRI: (Interpretation)

23 Q. [9:35:44] Good morning, Mr Witness.

24 We met a few days ago and I will introduce myself. I am Mylène Dimitri, one of the  
25 lawyers for the Defence of Mr Yekatom. I will put questions to you in French and

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1 you will answer in French, so the first task that we need to do is to observe a pause to  
2 enable interpretation into English and Sango.

3 And as the Prosecutor said, we'll read the statement that you gave to the OTP before  
4 it is in evidence.

5 The first part of my questions will be meant for clarifications, without having you  
6 repeat all what you have already said.

7 I will go chronologically. I am aware of the number of meetings and exchanges that  
8 you had, but it is important to go about them chronologically. So we will go from  
9 one meeting to another, perhaps not asking you to give the substance, but just asking  
10 you to confirm the chronology.

11 The second part of my cross-examination will be to put you certain questions on  
12 videos or documents. I have an interpretation of them and I would like to confirm  
13 with you whether my interpretation is correct. Is that okay?

14 A. [9:37:23] Yes.

15 Q. [9:37:25] When you met with the Prosecutor at the time, you stated in your  
16 statements that when the people were under the tyranny of the Seleka they reacted.  
17 And this is tab 18 of the OTP file, CAR-OTP-2034-0463, page 4984.

18 You also talked about the violence against population by the Seleka and that made  
19 people to react in self-defence in villages and the neighbourhoods. I don't want you  
20 to react at this point, but this is just to tell you that this is the subject matter of my  
21 questions this morning, that is self-defence and the uprising of the people.

22 Are you with me?

23 (Speaks English) Mr President, for the next series of questions I'm going to use  
24 specific documents that could identify him, and I'm going on the content, so I would  
25 request a private session, please.

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1 PRESIDING JUDGE SCHMITT: [9:38:42] Yes. Thank you also for the explanation.

2 Private session.

3 (Private session at 9.38 a.m.)

4 THE COURT OFFICER: [9:38:49] We are in private session, Mr President.

5 MS DIMITRI: [9:39:07] (Interpretation)

6 Q. [9:39:09] During your testimony on Tuesday with the Prosecutor, page 27, you

7 stated that you had a few exchanges of emails with Madam (Redacted)

8 (Redacted) in one of the attached

9 versions of your emails, that is tab 57 of the OTP list, CAR-OTP-2084-1005, page 1006.

10 The document is on the screen.

11 And I would like to ask the court officer to scroll down to the bottom of the page.

12 The last paragraph. And then we will move on to the next page.

13 But of all, (Redacted), you said in this speech that the Seleka warlords -- just a

14 moment. It's the last paragraph. (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 And further on the speech you said: (Redacted)

19 (Redacted)

20 Now, am I to understand that you're referring here to the fact that the FACA have a

21 duty, a mission, to maintain order and security in the country, but at that time that the

22 Seleka was in power they could not carry out that duty?

23 A. [9:41:50] First of all, you have to talk about the primary mission of an army in a

24 country. The mission of an army is to defend the territory, to defend the institutions,

25 to defend the population if the population was subjected to any type of torture by

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1 people who are not authorised, even if it is the government torturing the people. I  
 2 stated in that preliminary or opening speech and -- at that time, and I would like to  
 3 point that out, I had no link with Seleka. I stated clearly that (Redacted)  
 4 (Redacted), I used that phrase  
 5 because the FACA said the coup d'état had already taken place and so they  
 6 spontaneously \*reported back to their respective camps and to their respective corps.  
 7 Unfortunately, some of them were abducted, tortured and murdered.  
 8 At one point it was not a good thing to be a soldier wearing a uniform. And I'm  
 9 talking also of gendarmes, police, the environmental police, and soldiers also. That  
 10 is why I said that.  
 11 Now, it is quite normal when I say that these trained soldiers trained using the public  
 12 budget and their mission was to defend the territory. They were forcibly set aside  
 13 and their mission was usurped by mercenaries, foreign mercenaries who arrived with  
 14 no basic training, they did not have any military ethics. And they used force and the  
 15 fact that they possessed weapons and controlled power. So as a result, the soldiers,  
 16 gendarmes -- they became the soldiers, police and gendarmes of the country without  
 17 any prior training. That is what motivated my speech.

18 Q. [9:44:55] Thank you. In that speech, look at the last paragraph on the screen,  
 19 you say -- you make an appeal to the responsibility and patriotism of the people. Do  
 20 you agree with me that the civilians have that moral responsibility and duty, and the  
 21 FACA even more so?

22 A. [9:45:30] Apart from the FACA and apart from the civilians, I am referring to  
 23 article 37 of the Universal Declaration of the right of -- Human Rights and the Rights  
 24 of the Citizens, which stipulates that when the government is tyrannising the people,  
 25 for that people and for part of the people resistance is the most normal of rights and

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1 the most legitimate of duties. In that vein, when the country and its entire people is  
2 subjected to tyranny by a government that usurped power, the army has the duty to  
3 defend the homeland, including the people.

4 It was not happening for the first time in the CAR. It also reminds us of by the  
5 appeal of de Gaulle during the Second World War. He mobilised the entire world to  
6 liberate France. He was a soldier and he appealed for the defence of the country.

7 Q. [9:47:07] Thank you, Mr (Redacted).

8 In another version of this speech, tab 65 of OTP list, CAR-OTP-2084-1084, which is in  
9 attachment of your exchanges with Madam (Redacted). It is 2084-1085. In this  
10 other version of the speech, you refer on several occasions on the occupation by a  
11 foreign -- a foreign army and foreign armed groups and warlords facilitating the  
12 settling of people in the country. (Redacted).

13 Now, am I to understand that you were not simply denouncing a simple coup d'état  
14 by the Seleka, but a threat on the sovereignty and the identity of the Central African  
15 people?

16 A. [09:48:23] (Overlapping speakers)

17 PRESIDING JUDGE SCHMITT: [9:48:27] Mr Witness, a little bit slower, please.

18 Please wait a couple of seconds before you start with your answer. The reason is  
19 you both speak French. Ms Dimitri has explained it to you so -- and, of course, it's  
20 absolutely natural that you wanted to immediately start with your answer, but please  
21 wait perhaps two or three seconds for the benefit of the interpreters. Thank you  
22 very much.

23 Please.

24 THE WITNESS: [9:48:55](Interpretation) I never condemned the coup d'état alone  
25 because the coup d'état of the Seleka was not the first in the history of the country.

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1 Practically ever since the time of independence, the country experienced a coup d'état  
 2 in '65, a coup d'état in '79, a coup d'état in '81, a coup d'état in 2003 and the last coup  
 3 d'état of the Seleka in 2013.

4 What I denounced was the barbarism that resulted from that coup d'état. And also  
 5 the *laissez-faire* of the authorities who took over power and who clearly were not in a  
 6 hurry to put an end to the carnage in the country. And also the judicial system of the  
 7 country which had to ensure the implementation of the social contract of living  
 8 together between the peoples. They did not open any enquiry within this context.

9 So overall, it is everything that involved the tyranny of the people committing  
 10 violence or terrorising people. That is what I denounced at that time.

11 MS DIMITRI: (Interpretation)

12 Q. [9:50:43] Thank you. I will continue on the content of that second speech.

13 I think we can continue in open session without entering into the specificities of the  
 14 exchanges with Madam (Redacted). But if you find that there is a problem, please  
 15 tell us and we'll go back to private session.

16 MS DIMITRI: [9:51:09] (Overlapping speakers) but just a warning to the court officer,  
 17 the speech can stay on the evidence channel, but not publicly broadcast.

18 PRESIDING JUDGE SCHMITT: [9:51:17] Can we go to public session? Yes.

19 MS DIMITRI: [9:51:21] Yes. Thank you, Mr President.

20 (Open session at 9.51 a.m.)

21 THE COURT OFFICER: [9:51:27] We are in open session, Mr President.

22 MS DIMITRI: [9:51:43](Interpretation)

23 Q. [9:51:45] Is it within that meaning, Mr Witness, that you also denounced the  
 24 major risk of the partition of the country or the split of the country because, as you  
 25 said, it was not simply a coup d'état but a complete change of the demography and



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1 the culture of the Central African Republic?

2 A. [9:52:10] It was not only in relation to this speech which denounced that.

3 When the head of the transitional government, the head of the Seleka, Mr Djotodia,  
4 made an official declaration stating that if the Christian Central Africans continued  
5 not to recognise his regime, he would demand the partition of the country. That is  
6 what he said.

7 Subsequently, one of his advisers, Mr Abakar Sabone of Chadian origin, and I would  
8 like to point that out, he said that if they continue like that, the country will be  
9 divided. So there was a risk that there would be two states on the Central African  
10 territory, and they already had a flag.

11 Q. [9:53:26] And when you say -- when you say that "our people are in danger of  
12 death and the innocent people are in danger," this situation of distress and danger of  
13 death, is it what prompted the people to resist and to create self-defence movements  
14 in the various villages?

15 A. [9:53:59] Obviously, that is what I said, that the Anti-Balaka movement was only  
16 the result of all the self-defence committees of each neighbourhood, each village and  
17 each provincial town whose populations were subjected to the tyranny of the Seleka.  
18 It was in relation to that that I was speaking.

19 Q. [9:54:37] And on page CAR-OTP-2084-1088 you say that there are 1.6 million  
20 Central Africans in danger of death. Do you agree with me that you did not make  
21 any distinction between the various ethnic groups and religions because the Seleka,  
22 when they came to a locality, they indiscriminately killed people, including  
23 self-defence groups defending themselves against the Seleka.

24 A. [9:55:21] In my approach, when I talk about Central Africans, I mean the entire  
25 nation with all its cultural, religious, political segments and others.

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1 Q. [9:55:42] You also stated that the acts of violence of Seleka were everywhere and  
2 that even over the radio there were reports of villages destroyed or set on fire which  
3 led to the Anti-Balaka. When you say "everywhere," am I to understand that ad hoc  
4 small groups were created in the villages everywhere in the Central African Republic?

5 A. [9:56:18] It was not a secret at all. There was not a single part of the territory  
6 that was not subjected to the tyranny of the Seleka. Their activities happened  
7 throughout the entire territory to the point where one was wondering if people could  
8 continue living if Seleka continued like that, including the UN which was taking  
9 measures. France also made statements in this vein, appealing to the transitional  
10 authorities, that is Djotodia and Maître Tiangaye, to instill order in what was  
11 happening. And what prompted the Central Africans to react was if in your village  
12 they come and rape your mother, they rape your sister, your husband is killed, your  
13 son is killed because they made the mistake of being by the roadside at the wrong  
14 time, Seleka is passing by, they see them and open fire on them. And -- or,  
15 unfortunately, the self-defence groups which were armed only with machetes to  
16 secure their neighbourhoods against Seleka, because of that, entire villages were  
17 burned to the ground and people died. Those who did not have the luck to flee were  
18 killed. And I think that the international NGOs which were in the field at that time  
19 sufficiently documented these activities and those of us were more informed by the  
20 publications of the NGOs and the radio stations.

21 Q. [9:58:32] You anticipated my next question, the radio. If I understand correctly,  
22 the various Central African radio stations reported on a daily basis the massacres  
23 perpetrated by Seleka in the various regions. Did it also have the effect of  
24 reinforcing or increasing the uprising of the population against the Seleka?

25 A. [9:59:02] Not only the CAR radio stations, but also international stations,

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1 including RFI, Radio France Internationale, and this is the radio station that had more  
2 information on what was happening. And practically every day the acts of violence  
3 of the Seleka against the population, journalists, pastors, religious people, the civilian  
4 population and herdsmen, the Peuhl herdsmen, these were reported, the violence  
5 on -- against peasants and farmers. No one was spared in those killings. And this,  
6 first of all, contributed in pushing each segment of the population to organise  
7 themselves into a resistance known as self-defence. They received funding from no  
8 one, but the feeling of defence of their territory given to them by God and on which  
9 their ancestors lived prompted them to carry out an uprising against the tyranny of  
10 the Seleka.

11 PRESIDING JUDGE SCHMITT: [10:00:32] Mr Witness, may I kindly ask you to wait  
12 a little bit with your answers. So the interpreters do an excellent job, but it always  
13 takes, of course, a couple of seconds more to finish the interpretation of your -- of the  
14 question of Ms Dimitri. And when you start immediately, it is difficult for them to  
15 get the beginning of your answer. Thank you very much.

16 Ms Dimitri, please.

17 MS DIMITRI: [10:01:00] Thank you, Mr President.

18 Q. [10:01:02](Interpretation) I would like to clarify a point you mentioned. Well,  
19 your statement is -- your statements are in evidence, but I need you to clarify an  
20 important point for me, which was made when you met with the Prosecutor. Tab 1,  
21 CAR-OTP-2046-0249 at page 0258. You explained that small isolated Anti-Balaka  
22 groups exposed entire populations of villages to the danger of reprisals. I want you  
23 to clarify what you mean by reprisal. Do you mean by reprisal that you are referring  
24 to the Seleka who would carry out reprisals against the population of a village?

25 A. [10:02:10] Yes, indeed. This is what I have just said. When people organised

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1 themselves into self-defence committees in the villages, they would react. And it is  
2 at that point that there was some confusion between Muslims and Seleka. Some of  
3 the self-defence groups did not distinguish at all between who was a Muslim and  
4 who was a Seleka for the simple reason that most Seleka, 98 per cent of them, were  
5 Muslims.

6 So when they would attack a Muslim population and the Seleka became aware of it,  
7 they would go to a village but would not distinguish between the self-defence group  
8 and the population at large. Their *modus operandi* was simply to arrive and to shoot  
9 live bullets into the population as a reprisal for the action of the self-defence group.

10 Q. [10:03:53] You also explained and mentioned in your previous statement - and  
11 I'm referring here to the same tab, CAR-OTP-2046-0249 at page 0158 - that the balance  
12 of power on the ground was not equitable. At page 87, last Tuesday you also said  
13 that the Anti-Balaka could not match the Seleka.

14 Am I to understand, therefore, that you mean that the Seleka were way more better  
15 equipped than the Anti-Balaka and they were more heavily armed than the  
16 Anti-Balaka?

17 A. [10:04:49] The national army had been defeated and could not have weapons  
18 and was not able to defend the nation as it should. Most of the youth, both men and  
19 women, who were part of the self-defence groups were mostly civilians. And these  
20 civilians, most of the time, only had machetes and some rudimentary tools for their  
21 defence.

22 At the same time, all the armoury, the entire armoury of the Central African Republic,  
23 was in the hands of the Seleka. So clearly, the balance of power was not the same.  
24 They were indeed over-equipped as compared to the self-defence groups.

25 Q. [10:06:04] Thank you.

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1 During your recorded interview with the Prosecutor, the investigators asked you to  
2 elaborate on the structure of the Anti-Balaka, and your answer was that there was no  
3 structure. You then went on to say that this was a name that was adopted and  
4 everybody rallied under that banner. Tab 20, Prosecutor binder CAR-OTP-2046-0267  
5 at page 0283.

6 Once again, I need clarification from you. When you say "everybody", are you  
7 saying that all those who rose up against the Seleka were considered to be  
8 Anti-Balaka, independent of their official belonging to an Anti-Balaka group or not?  
9 Am I right and was that part of the confusion that was created to which you referred  
10 often, particularly last Tuesday at page 20?

11 A. [10:07:22] As I said, there are 5 million Central Africans. We have 263 dialects.  
12 We have 73 sub-prefectures, 16 prefectures. People were mobilised, or people  
13 mobilised themselves in each village. We have more than 4,200 villages. So people  
14 mobilised themselves in their villages, 4,800 villages.  
15 So when people were mobilised in their villages. In the Bagandou, in the southwest,  
16 those in Obo, for example, people would be mobilised, for example, in Grimari in the  
17 centre. They -- they went not able to know each other and therefore could not have  
18 had any kind of coordination or command chain as such.

19 But that is what I said. In any event, I've lost what -- what was the question again,  
20 please?

21 PRESIDING JUDGE SCHMITT: [10:08:52] (Overlapping speakers)

22 MS DIMITRI: [10:08:53] (Interpretation)

23 Q. [10:08:56] Do we then consider in such a context everyone to be an Anti-Balaka  
24 without distinction as to whether or not they belonged to an Anti-Balaka group and  
25 the effect of that being that it would contribute to the confusion?

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1 A. [10:09:23] Yes, indeed. What confused things even more is that when a  
2 self-defence committee in Bouca was able to tackle some Seleka, it took on the name  
3 Anti-Balaka. From that time on, the name Anti-Balaka became attached to Anti- -- to  
4 all self-defence groups.

5 Q. [10:10:08] So it is a name which spontaneously appeared after Bouca and which  
6 then became a label for everybody, is that correct?

7 A. [10:10:24] Yes, that is exactly correct.

8 Q. [10:10:28] Still about the name "Anti-Balaka", Mr Witness, you mentioned that  
9 name as being a name which historically became a mark of prestige, a name that  
10 everybody would adopt.

11 You mentioned this at tab 23, \*CAR-OTP-2046-0324 at page 0326, in your interview  
12 with the Prosecutor.

13 Should I understand that in the context where this name became a prestigious name,  
14 that a significant proportion of the non-Muslim civilian population, at least in 2013,  
15 self-proclaimed itself as Anti-Balaka because it was a noble mission at the time?

16 \* A. [10:11:27] All the Central Africans in villages and towns had been tyrannized,  
17 were Anti-Balakas, each to a different extent.

18 Q. [10:11:51] I'd like to show you a very short excerpt of a video filmed in Bangui in  
19 January 2014. This will be Defence tab 1, CAR-OTP -- CAR-D29-0008-0007. We will  
20 watch from 1:37 to 1:49.

21 For the interpreters, for your binder, it is tab 2, CAR-D29-0006-1090, from lines 19 to  
22 lines 22.

23 I will let you view the video and then I have a question for you.

24 THE COURT OFFICER: [10:12:46] The video will be played in evidence channel 2.

25 (Viewing of the video excerpt)

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1 THE INTERPRETER: [10:12:59](Interpretation of the video excerpt)

2 "But the Balaka who are they? We are the Balaka. The Balaka are the population,  
3 the population. That is it. If he resigns we will drop the Balaka. That's it."

4 PRESIDING JUDGE SCHMITT: [10:13:13] My I shortly. I have a correction for the  
5 transcript. It should be -- it was at least the ERN incorrectly transcribed. So it  
6 should be CAR-OTP-2046-0324.

7 Please, Ms Dimitri, your question.

8 MS DIMITRI: [10:13:31] Thank you, Mr President.

9 Q. [10:13:39] (Interpretation) You have seen the video.

10 Would it be correct to say that because of the prestige that went with the name

11 "Anti-Balaka" at some point the population self-proclaimed themselves - or at least

12 some members of the population proclaimed themselves - to be Anti-Balaka, as we

13 saw on the video where somebody said, "Who are the Balaka?" And then went on to

14 say, "the Balaka are the population"?

15 A. [10:14:14] That is exactly what I have said here.

16 Q. [10:14:21] Thank you.

17 We talked about the fact that before the self-defence groups took up the name

18 Anti-Balaka, they acted as isolated groups. You also mentioned this point with your

19 interview with the OTP at tab 20.

20 Am I to understand that up until 5 December, at least up until 5 December, the day of

21 the attack on Bangui, the groups were independent of each other?

22 A. [10:15:12] I actually think that the groups were independent of each other, and

23 the evidence of that is that there were two main groups, the one which I went to meet

24 on the other side and the other which was behind the airport. So the groups could

25 not have known themselves.

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1 PRESIDING JUDGE SCHMITT: [10:15:37] Again, a short correction for the transcript.

2 The video is CAR-D29-0008-0007.

3 MS DIMITRI: [10:15:51] Thank you, Mr President.

4 Q. [10:15:54] (Interpretation) During your meeting with the OTP, you specifically  
5 stated that the Anti-Balaka had several hundreds of ComZones and that as many  
6 movements as there were, there were as many ComZones, which is what you said at  
7 the following reference at page 326, CAR-OTP-2046-0324.

8 You -- you -- was it possible to know all of -- but you -- you may have said that it was  
9 not possible to know all of them.

10 But am I to understand that the ComZones had groups that could be nomadic and  
11 fluid and not very, very structured?

12 Do you understand what I'm trying to say?

13 A. [10:16:57] First of all, who or what is a ComZone? Like area commander, that  
14 is what ComZone stands for, area commander.

15 Now, each movement always has a leader and it is that leader who is designated as  
16 ComZone. They are indeed mobile, fluid and without structure. You see, they are  
17 afraid of reprisals or retaliation and they fear for their lives at the same time. So  
18 that's what would happen, because as many movements as there would be, so would  
19 there be many ComZones.

20 Q. [10:17:54] Thank you.

21 Still on that point, am I to understand that a ComZone would also not be able to  
22 know all the individuals who self-proclaimed themselves as Anti-Balaka or who are  
23 identified as Anti-Balaka within his zone?

24 A. [10:18:22] It would be an unrealistic claim, an illusion, to believe or think that a  
25 ComZone would know all other ComZones, even within his own jurisdiction or



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1 constituency.

2 Q. [10:18:46] Still regarding the lack of structure, you said something during your  
3 meeting with the OTP which is of interest to me at tab 28 of the OTP binder, and the  
4 reference for it is as follows: CAR-OTP- --

5 THE INTERPRETER: [10:19:07] The interpreters did not get the reference.

6 MS DIMITRI: [10:19:10] (Interpretation).

7 Q. [10:19:11] And you said, "I did not know that they were spokespersons, only  
8 later."

9 This lack of coordination, does it account for the fact that each structure did not  
10 necessarily have a spokesperson? Would you agree with me?

11 A. [10:19:32] I agree entirely.

12 PRESIDING JUDGE SCHMITT: [10:19:35] May I shortly. The interpreters did not  
13 get the reference, CAR-OTP whatever.

14 MS DIMITRI: [10:19:46] CAR-OTP-2046-0427 at page 0438.

15 PRESIDING JUDGE SCHMITT: [10:19:54] This suggests, Ms Dimitri, that you are  
16 also a little bit too quick, so perhaps slow down also a little bit. Thank you.

17 MS DIMITRI: [10:20:03] Apologies to the interpreters.

18 Q. [10:20:07] (Interpretation) I will now slightly change topics to talk about the  
19 objectives of the Anti-Balaka.

20 You mentioned twice -- and I want to remind you that you are in -- we are in open  
21 session. I will be cautious. I urge you to be cautious as well.

22 Twice you mentioned the fact that the Anti-Balaka were misled by two French officers  
23 in relation to the attack of 5 December. You said this on Tuesday at page 44,  
24 transcript 085.

25 I would like to show you an email exchange which should not be displayed to the

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1 public, and I would ask you to tell me whether this is what the emails refer to. The  
2 emails are in tab 3 of the Defence binder, CAR-OTP-2099-0265.

3 Kindly scroll down, please. There. Thank you.

4 If you look at the paragraph in the middle which starts with "Whereas" and which  
5 mentions a number of names of officers of the French army, the coup which was  
6 planned for 5 September was precipitated, and it is the following, "Richard, Antoine *et*  
7 Steve who were all of the French army who were then at the time resident at the  
8 M'Poko base."

9 A. [10:22:44] I believe that those are the names.

10 Q. [10:22:56] Going by the information available to you at the time, would it -- is it  
11 correct that they advised the Anti-Balaka leaders to advise at the same time, at the  
12 same moment precipitating the attack to 5 December in order to avoid being  
13 surprised by Seleka elements?

14 A. [10:23:21] I have no idea because I myself was surprised like everyone else.

15 Q. [10:23:28] From what you learnt, be it at that time or later on, is it correct to say  
16 that the French also advised the Anti-Balaka because the Anti-Balaka were  
17 disorganised and without proper structure?

18 A. [10:23:54] Advised them to structure themselves?

19 Q. [10:23:58] That is not the purpose of my question. I'll be more specific. I'm  
20 referring to the attack of 5 December.

21 When the French advised them to precipitate the attack, going by the information you  
22 received, did they do so because even on 4 December, before the attack, they were  
23 disorganised, they were not structured and there was no coordination? Is that the  
24 reason behind the intervention of the French officers?

25 A. [10:24:33] I am not able to answer that question because I was not privy to the

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1 secrets of the organisation.

2 Q. [10:24:51] Did you hear at any time whatsoever that the French also promised  
3 weapons to the Anti-Balaka? And I'm not here suggesting that the French handed  
4 weapons to the Anti-Balaka. That's not the purpose of my question.

5 But was there a promise that was made and it did not materialise with a view to  
6 encouraging them to be fearless as they attack Seleka positions in Bangui in spite of  
7 the fact that the Anti-Balaka lacked equipment?

8 A. [10:25:29] I did not have that information.

9 Q. [10:25:37] Still on the 5 December attack, I want to change topic somewhat  
10 because you don't have more information on the French.

11 Now, the purpose or objective of the attack of 5 December, would you agree with me  
12 that it was a military objective to dislodge Djotodia and his mercenaries?

13 A. [10:26:04] Absolutely.

14 Q. [10:26:13] In the email which was and still is on the screen, I would like to  
15 confirm with you that in the paragraph beginning with "Regarding planning of  
16 military actions", Captain Gilbert is Captain Gilbert Kamezalai indeed; is that correct?

17 A. [10:26:50] Yes. He was indeed the only captain on that side.

18 Q. [10:27:05] We see right next to that another name, Basile. Is that  
19 Basile Mbomon, alias Mike?

20 A. [10:27:20] Correct.

21 Q. [10:27:21] We also see the name Jean-Marie. Would that be reference to  
22 Jean-Marie Kengoa?

23 A. [10:27:32] Exactly.

24 Q. [10:27:39] Thank you.

25 Now I would like you to watch a video, and this still deals with the objectives of the

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1 Anti-Balaka. It's at tab 4, Defence, CAR-OTP-2023-1757. The transcription is at  
2 tab 5 of the Defence binder, CAR-OTP-2122-7375. And according to the metadata of  
3 the Prosecutor, this is an interview of 11 March 2014.

4 MS DIMITRI: [10:28:43] I'm sorry, Mr President. I think we need to go in private  
5 session just -- just for two questions.

6 PRESIDING JUDGE SCHMITT: [10:28:48] Okay. Then we go to private session.  
7 (Private session at 10.28 a.m.)

8 THE COURT OFFICER: [10:28:54] We are in private session, Mr President.

9 MS DIMITRI: [10:29:10] (Interpretation)

10 Q. [10:29:12] This is an interview of 11 March 2014. And to put you in the context  
11 before we watch the video, (Redacted)

12 (Redacted). Please watch the video and then I'll have a question for you.

13 (Viewing of the video excerpt)

14 THE INTERPRETER: [10:30:01](Interpretation of the video excerpt)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 MS DIMITRI: [10:32:59] (Interpretation)

20 Q. [10:33:00] I have a few questions. This is a video of 11 March 2014, referring to  
21 the past and the present also. When you say that the Anti-Balaka is a resistance  
22 movement with the simple objective of saying no to the Seleka and to the pressure on  
23 the nation, that was the primary objective of the Anti-Balaka. Do you agree with  
24 me?

25 A. [10:33:36] Yes, I totally agree.

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1 Q. [10:33:40] Thank you.

2 When you talk about the desire to put an end to the excesses of the Anti-Balaka, am I  
3 to understand that in that interview you are explaining the excesses through the  
4 infiltrations that affected the movement after 5 December, as well as the confusion  
5 created by people who proclaimed themselves as the Anti-Balaka, or certain  
6 self-defence groups, creating confusion between Muslims and Selekas?

7 A. [10:34:29] Yes, of course. Considering that the Seleka were no longer there,  
8 many people self-proclaimed themselves as Anti-Balaka leaders. Some of them said  
9 that on 11 December they went and saw the head of state, Djotodia, and told him that  
10 they were the ones who were the leaders of the Anti-Balaka and that all the  
11 discussions on behalf of the Anti-Balaka should go through them. And after the  
12 departure of Djotodia, many, many people capitalised, took advantage of the  
13 situation, and this is what hardened the conduct of certain Anti-Balaka in the field.

14 Q. [10:35:31] Thank you.

15 We will go back to open session, but I want to understand with you something. I am  
16 talking about the organisation of the Anti-Balaka, their structure, and I'm referring  
17 generally to (Redacted), but I will ask you general  
18 questions.

19 Later on during the day I will talk about your specific (Redacted),  
20 (Redacted). But you have to be cautious because we are moving to open  
21 session now.

22 PRESIDING JUDGE SCHMITT: [10:36:16] Open session.

23 (Open session at 10.36 a.m.)

24 THE COURT OFFICER: [10:36:24] We are back in open session, Mr President.

25 MS DIMITRI: [10:36:32] Thank you.

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1 Q. [10:36:34] (Interpretation) The groups that you met with in November, would it  
2 be correct to say that they had travelled several hundred kilometres to go to Bangui  
3 and that during their trip to Bangui they had to beg food and to beg cassava in the  
4 villages that they passed through? They almost had no food with them. They  
5 did -- they made do with what they had and begged from the population. Do you  
6 agree with that?

7 A. [10:37:15] I totally agree.

8 Q. [10:37:19] And the groups to which you spoke and which had travelled several  
9 hundred kilometres, is it correct that they used paths through the bushes so as to go  
10 to Bangui, they avoided the main roads?

11 A. [10:37:45] Already at that time, for anyone taking the main road was to commit  
12 suicide. Either in Bangui, and even worse still in the remote areas of the country  
13 where there were no international organisations or journalists to monitor the situation.  
14 And this number, even 10, 15 or 20 people at the time who were travelling, they could  
15 only take the paths that they knew through the forest to reach Bangui. They could  
16 not travel through the main roads.

17 Q. [10:38:38] During your meetings with the various groups in September 2013 up  
18 to December 2013, do you agree with me that you were able to observe that some of  
19 them were barefooted or were wearing sandals with torn clothes and no change of  
20 clothes?

21 A. [10:39:09] Many of them were badly dressed, badly taken care of, and it could be  
22 seen that they were unable to feed well also.

23 Q. [10:39:30] The specific group that you met with in November, I will not give the  
24 name because we are in open session, you talked about it on Tuesday, transcription 85,  
25 page 42. You indicated that some of them had only machetes and others had

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1 nothing at all. Do you agree with me that several of them had only sticks and

2 *coupe-coupes*?

3 A. [10:40:13] There were more sticks and machetes but there were also weapons.

4 Q. [10:40:20] But when you say there were more of machetes and sticks, this means

5 that the majority were machetes and sticks and the minority had weapons, artisanal

6 weapons; is that what I should understand?

7 A. [10:40:41] That is precisely what I meant to say.

8 Q. [10:40:49] Thank you.

9 Do you agree with me that the groups which attacked the Seleka on 5 December,

10 some of them are supposed to have used pots to make noise and intimidate Seleka

11 because they had no resources or other means?

12 A. [10:41:09] I have no idea because these events surprised me. I was far away

13 from the location so I cannot give you an answer whether they used pots. Only

14 those who were close by or who were involved can answer that question.

15 Q. [10:41:35] No problem.

16 The various groups that you met with, did you observe that it was difficult to contact

17 certain groups or individuals because it was not everyone amongst them that had a

18 mobile phone?

19 A. [10:42:01] Already even today, at a time of relative peace in the country and

20 with the economic level of people, not everyone has a phone. What more of that

21 specific period. Not everyone could have had a telephone because of the lack of

22 financial means.

23 Q. [10:42:35] During your meetings with the various groups, did you observe or

24 hear that some people who were members of the groups that you met with, and who

25 had arrived in the environs of Bangui for some weeks, were threatening to go back to



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1 their villages because they did not have enough ammunition, enough clothes, enough  
2 food?

3 A. [10:43:13] Yes, but not that specific group.

4 Q. [10:43:24] Now let us move to something else. I will talk about the weapons of  
5 the Seleka. I will show you an email that the Prosecutor showed you last Tuesday,  
6 but it should not be displayed to the public. It is tab 64 of the OTP list,  
7 CAR-OTP-2084-1046. We talked about it last Tuesday, page 22 of transcript  
8 number 085.

9 And you are referring - I will ask the court officer to scroll down because I'm  
10 interested only in one paragraph - the paragraph beginning with "I am informing  
11 you". Reference is made to the fact that the Muslims were distributing PAs amongst  
12 themselves in the central mosque. My question is simple: This distribution of  
13 weapons by the Seleka to Muslim civilians in the mosque or elsewhere, was this a  
14 frequent practice of the Seleka?

15 A. [10:45:05] Up till today it is their practice.

16 Q. [10:45:15] In the email on the screen there is also a reference to the distribution  
17 of machetes at the PK13 market. To your knowledge, Mr Witness, and in light of the  
18 information that you had at the time, did the Muslim traders in the Bangui markets  
19 receive weapons from Seleka or joined the Seleka prior to December 2013?

20 A. [10:45:47] It is an open secret. First of all, PK13 is the cattle market and the  
21 majority of people there were Muslims selling cows. And when Seleka entered  
22 Bangui, some of those cattle sellers became colonels of Seleka. So this distribution of  
23 machetes at PK13 was known to everyone, including the radio stations, which talked  
24 about it. So this was not something hidden.

25 Q. [10:46:31] And the other markets in Bangui, Boeing market, PK5 market, were

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1 weapons also distributed to Muslim traders or did the Muslim traders in these  
2 markets join the Seleka, as far as you know?

3 A. [10:46:55] During that period I was not aware of the distribution of weapons or  
4 the presence of Seleka in the Boeing market. I had no information about that. I  
5 also did not have any information about the distribution of weapons in the other  
6 markets by the Seleka. But specifically in the Combattant neighbourhood, in the  
7 8th arrondissement of Bangui, people heard about it in the night. The Seleka went  
8 into the bushes and shot at anyone who was unfortunate enough to be passing by  
9 there.

10 PK5 is naturally the stronghold from which the majority of those Seleka colonels and  
11 generals came from. Naturally there were weapons there and everyone was talking  
12 about it in Bangui town.

13 Q. [10:48:21] During your testimony on Tuesday you talked about Seleka that  
14 looted people -- armouries in the Central African Republic and you also talked about  
15 it yesterday. It is transcript 85, pages 89 and 90 of Tuesday's transcript.

16 To your knowledge, after the arrival of Seleka in Bangui in March 2013, did many of  
17 those weapons in the armouries looted by the Seleka, did those weapons find  
18 themselves in the arms of -- in the hands of Muslim civilians, traders or not?

19 A. [10:49:15] It is clear, these weapons found themselves in the hands of people  
20 who were unprepared to use them. That is why they used them in a chaotic and  
21 tyrannical manner.

22 Q. [10:49:37] A short while ago you talked about the PK5 market which, as you  
23 said, was a stronghold of the Seleka. To your knowledge, in November,  
24 December 2013, was PK5 a location where there were many Selekas and Muslim  
25 civilians who were armed as well as combatants?

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1 A. [10:50:13] I should simply say that PK5 was the portion of the territory of the  
2 capital which was prohibited entry to anyone who was a non-Muslim.

3 Q. [10:50:35] At one point, you said during your interview with the OTP - and I'm  
4 changing topics here - you said that after the attack of the Seleka on Boy-Rabe there  
5 was carnage in Boeing. It is tab 24, CAR-OTP-2046-0346. Can you elaborate a little  
6 bit on that, tell us what happened and at what time?

7 A. [10:51:16] I think it was in Boy-Rabe, not in Boeing. Because Boy-Rabe is not  
8 near Boeing. They took over power on the 24th, and as early as the 27th there was a  
9 punitive expedition in the Boy-Rabe neighbourhood quite simply because they were  
10 suspecting them of still being faithful to the fallen president Francois Bozize and also  
11 because many Central African soldiers, particularly those of the presidential guard,  
12 were living in that neighbourhood.

13 Q. [10:52:14] I will try to refresh your memory. I think I know what we are  
14 talking about. There was in fact carnage in Boy-Rabe between the 20th and  
15 27th August 2013. And according to the information, after that carnage, the Seleka  
16 also attacked the Boeing neighbourhood to the point where when Prime Minister  
17 Tiangaye made a speech before the UN, he denounced the carnage in Boy-Rabe and  
18 the carnage in Boeing. Does that refresh your memory?

19 A. [10:53:05] That refreshes my memory because a short while ago I was talking  
20 about the first carnage which took place on 27 March, 27, 28 March 2013 in Boy-Rabe.  
21 That is three, four days after the fall of Bozize. And indeed in the month of August  
22 I was not in Bangui. It was the press that recounted it. It was not only in Boeing,  
23 but Combattant, Damara, all those neighbourhoods that had remained faithful to  
24 Bozize, or the neighbourhoods in which the majority of people from Bozize's region  
25 were living.

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1 Q. [10:54:09] Would you also include the neighbourhoods that are majority Gbaya?

2 A. [10:54:28] Considering that Bozize is Gbaya and I have just told you that all  
3 those who came from Bozize's region necessarily included the Gbaya who were even  
4 more targeted because they were systematically suspected of belonging to the KNK  
5 movement, that is the political party, KNK, of Bozize. They were systematically  
6 suspected of belonging to COCORA and members of COCOE (phon) and so because  
7 of that, they were targeted.

8 Q. [10:55:27] And if we come back to the carnage of Boeing in August 2013 by the  
9 Seleka, do you know or did you hear, during exchanges or otherwise, how did the  
10 population of Boeing react in the face of that Seleka carnage and in relation to the  
11 Muslim civilians? And I'm talking about the population of Boeing.

12 A. [10:56:04] An \*disarmed population, the first reaction was to invade the \*Bangui  
13 M'Poko airport so as to \*seek shelter with the international \*communities there. So  
14 as I have said, people observed this, people remained \*for several months on the  
15 runway of the M'Poko airport in order to have security.

16 Q. [10:56:39] Did the civilian population of Boeing, after that carnage and given  
17 that part of the population was compelled to leave and take refuge at the airport, did  
18 the civilian population of Boeing become angry against Seleka, against the Muslims,  
19 to your knowledge?

20 A. [10:57:20] I was not in Bangui, but this is a natural feeling, the reaction to a  
21 violent type of behaviour. And I cannot tell you anything further because I did not  
22 have the information.

23 Q. [10:57:44] Do you know Boeing and Cattin sufficiently well to tell me at what  
24 location the Seleka bases were located, as far as you know? I'm not talking about  
25 formal bases. I know that sometimes the Seleka had their bases in a house, in a

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1 neighbourhood with their men and their weapons. So my question is, do you  
2 sufficiently know Boeing and Cattin to know the locations of the Seleka bases?

3 A. [10:58:22] First of all, I do not know Boeing or Cattin very well. The first time  
4 that I set foot in Boeing was when I went to meet with them. And I took the same  
5 itinerary that was indicated to me. I do not have any further information.

6 PRESIDING JUDGE SCHMITT: [10:58:54] Do you think we could have the break  
7 now?

8 MS DIMITRI: [10:58:58] I have one more question before changing subject. With  
9 your leave, I'd like --

10 PRESIDING JUDGE SCHMITT: [10:59:03] Of course, yeah.

11 MS DIMITRI: [10:59:05] Thank you.

12 Q. [10:59:09](Interpretation) During your interview with the Prosecutor, we are in  
13 open session, so I will not mention the date, but you talked about an arrest one day  
14 opposite a Seleka base. And it is tab 32 of the OTP list, CAR-OTP-2046-0530,  
15 page 0559.

16 Do you know what I am referring to or you need more context? You talked about  
17 the fact that you were arrested by the Seleka opposite a base. I'm not giving you the  
18 date of your arrest. All I want you to tell me is whether you can tell me the name of  
19 that base or the commander of the base or the location of the base.

20 A. [11:00:17] I do not know the name of the commander of that base, but it is the  
21 former navy base, the former naval base.

22 MS DIMITRI: [11:00:30] I'm ready for the break, Mr President.

23 PRESIDING JUDGE SCHMITT: [11:00:34] Thank you. We, too. So break  
24 until 11.30.

25 THE COURT USHER: [11:00:39] All rise.

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1 (Recess taken at 11.00 a.m.)

2 (Upon resuming in open session at 11.30 a.m.)

3 THE COURT USHER: [11:30:07] All rise.

4 Please be seated.

5 PRESIDING JUDGE SCHMITT: [11:30:32] Ms Dimitri, you still have the floor.

6 MS DIMITRI: [11:30:39] Thank you, Mr President.

7 Q. [11:30:50] (Interpretation) Good morning again.

8 Last question on the Seleka bases. In your statement, maybe there's a small

9 transcription error, and I want to take advantage of your presence here to correct it.

10 In your statement, when you talked about the attack of 5 December by the

11 Anti-Balaka, you explained that they had attacked different Seleka bases. Then you

12 talked about the Seleka base opposite the national assembly called Sapeurs-Pompiers.

13 You said that there were Sudanese Seleka at that base and you mentioned one Moussa

14 Ousman by name. That is tab 22, CAR-OTP-2046-0295.

15 And my question is very simple. I think Ousman must be a transcription error. It

16 must be the Moussa Assimeh base who was in charge of the Seleka base

17 Sapeurs-Pompiers which is opposite the national assembly?

18 A. [11:32:12] That is exactly correct.

19 Q. [11:32:22] Thank you.

20 For the record, it's OTP binder, the tab from the OTP binder tab 22.

21 Now I'll broach another topic with you, intercommunity tensions. Not Anti-Balaka,

22 not Seleka, but simply intercommunity tensions.

23 In your interview with the OTP at tab 32 of the OTP binder, CAR-OTP-2046-0530 at

24 page 0551, you mentioned an incident involving a taxi driver, a Muslim who had

25 been found dead in the Anti-Balaka sector, but everybody knew that the body had

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1 been transported or moved to the Anti-Balaka side. And I'm summarising, basically,  
2 what you said.

3 Then you went on to explain that it was a montage in order to increase clashes  
4 between the two communities. Now, when you say "two communities", am I to  
5 understand that you are speaking about Muslims and non-Muslims?

6 A. [11:33:58] It was a motorbike taxi driver whose body had been found on the  
7 base in the sector where there were a lot more non-Muslims. However, at that time  
8 everybody knew that late at night any motor taxi driver, whether Muslim or not,  
9 would not dare to enter that zone by themselves. So it could have been a  
10 non-Muslim taxi -- motor taxi driver who would be in PK5 late at night. So, going  
11 by what the press was reporting, the dead body found at that time did not show any  
12 traces of fighting on the ground or in the surroundings. And that's how everybody  
13 deducted that the body had been moved there in order to provoke a reaction from the  
14 non-Muslims, obviously, and from Muslims.

15 You see, once the Muslims would learn that one of theirs had been found dead in the  
16 Anti-Balaka camp, they would, as usual, proceed to reprisals and then the situation  
17 will be escalated. So it was a montage indeed. An investigation was opened, it is  
18 still open to this day, and the idea had been proposed that the telephone information  
19 of this person should be studied in order to find out how that person ended up being  
20 at that location based on his last phone call.

21 Q. [11:36:06] Thank you.

22 You agree with me that this is not an isolated case. There were, and you must have  
23 heard of several similar stories at the time, either from newspapers, by colleagues or  
24 from friends, stories about any such fabrications or montage which had as an intent to  
25 escalate or provoke intercommunity tension?

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1 A. [11:36:40] It wasn't an isolated case. Even today when you analyse the  
2 situation in the Central African Republic, whenever we are getting close to a decisive  
3 period in the life of the country, there is always a recurrence of crisis and killings. So  
4 it's not an isolated case. This has always been the case. Unfortunately, nobody has  
5 seriously looked into these repetitive coincidences.

6 Q. [11:37:21] You talked about the fact that these types of montage or fabrications  
7 also provoke or elicit reprisals from one community or the other, and in this case  
8 reprisals from the Muslims because one of theirs was dead and was found in a  
9 non-Muslim camp. Now, this type of fabrication or montage which happened at the  
10 time, was the consequence that at the time it increased fear, fear of Muslims  
11 who -- which then would contribution to the desire to live because from time to  
12 time -- do you follow me, Witness?

13 THE INTERPRETER: [11:38:15] Mr President, the interpreters did not follow  
14 counsel.

15 PRESIDING JUDGE SCHMITT: [11:38:18] Ms Dimitri, could you please repeat the  
16 last portion of your question. Which was quite a long one, by the way.

17 MS DIMITRI: [11:38:29] My apologies. I tend to enter into discussion rather than --

18 PRESIDING JUDGE SCHMITT: [11:38:34] Exactly, but everybody here in the  
19 courtroom every once in a while has this tendency, so. But I simply flag it. And  
20 also, you know this is -- you know that, of course, and everybody knows that the  
21 longer the question the more difficult for the witness is to answer. Or, if they are  
22 compound questions, you give the witness a chance to choose which part of the  
23 question he or she wants to answer.

24 Please, Ms Dimitri.

25 MS DIMITRI: [11:39:02] Well noted, Mr President. Thank you.



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1 Q. [11:39:05] (Interpretation) Those types of incidents, do they have as a  
2 consequence in addition to reprisals, to increase fear of Muslims or fear in Muslims?

3 A. [11:39:24] It increases fear in both camps and each camp becomes cautious  
4 vis-à-vis the other.

5 Q. [11:39:46] I would like to show you a video. In your statement with the OTP,  
6 you indicated that you had heard hate speech by civilians on radio. You mentioned  
7 that at tab 30, CAR-OTP-2046-0473 at page 0482. And I'll show you a video which  
8 I believe dovetails with what you said at the time.

9 The video is about one minute long. Tab 6 of Defence binder, CAR-D29-0008-0009.

10 And the transcript, for interpreters, is at tab 7, Defence tab 7, CAR-D29-0006-1169.

11 I'll ask you to take a look at the video and tell me whether it corresponds with what  
12 you referred to, namely, hate speech by civilians on the radio.

13 (Viewing of the video excerpt)

14 THE INTERPRETER: [11:41:38](Interpretation of the video excerpt)

15 "See them, see them, what are you seeing?

16 It's a Seleka soldier, a Muslim. They have abandoned their uniforms and are now in  
17 civilian attire. They do -- they do that to massacre the civilian population. That is  
18 how we surprised them, and we crushed them, that's it and that's right."

19 MS DIMITRI: [11:42:11] (Interpretation)

20 Q. [11:42:15] Is that the type of speech you were referring to, or words you were  
21 referring to? There were some that harsher, some were less harsh, but you have seen  
22 the video.

23 A. [11:42:38] There were so many, but I was referring more to a statement that was  
24 made by a non-Muslim Central African on Radio France Internationale when he said  
25 the -- "Allah Akbar, we don't want any more of them in this country." That is what

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1 I was referring to.

2 Q. [11:43:10] That type of hate speech from civilians on radio or on TV, would you  
3 agree with me that it contributed in instilling fear in Muslims and therefore  
4 generating their desire to leave the country?

5 A. [11:43:31] Enormously. Much more it is the IOM that provoked their desire to  
6 leave the country, and we need to take note of this. When the Chadian soldiers  
7 started to return, as required by the United Nations, some Chadians in the Central  
8 African Republic also took advantage of that to return. And that was towards the  
9 end of Seleka and the fall. After the swearing in of Madam samba, the government  
10 was instituted, but shortly thereafter the IOM, in what could be referred as unruly  
11 personal initiatives, started to transfer Muslim inhabitants from Bangui to the  
12 hinterland or to Chad.

13 In doing so, they didn't take any security precautions or measures for these persons  
14 who were not Seleka but who were mostly women and children who were unarmed,  
15 and so they needed to be put in safety. But mindful of the circumstances at the time,  
16 those measures were not taken. And under these circumstances, some unemployed  
17 thieves and thugs would go and wait for them, knowing that they were leaving with  
18 their property, TVs and property, they would go and wait for them in the forests and  
19 take back everything from them.

20 That was the problem. If the IOM had not provoked this massive transfer, then there  
21 would not have been this automatic desire of self-protection which led Muslims to  
22 barricade themselves at PK5. If that had not been case, these things that happened,  
23 such as massive movements of Central Africans to foreign countries, would have  
24 unfolded differently.

25 Q. [11:46:38] I just want to confirm this with you. I believe that you said the

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1 following to the OTP at tab 33 of their binder, CAR-OTP-2046-0562 at page 0564.  
2 I just want to confirm from you what we are talking about when you mention 400 to  
3 500 trucks which were able to convey up to 80 persons who were transported to Chad  
4 or elsewhere.

5 A. [11:47:30] That is correct. But I was talking about trucks for cattle, which is  
6 what was used to transport Muslims to Chad and to the hinterland to -- from Bangui,  
7 rather, to the hinterland and to Chad.

8 Q. [11:47:52] You also discussed with the OTP about an incident at tab 31 of the  
9 OTP binder, 2046-5000 at page 0528. You talked of an incident, and I give you the  
10 context where some young Muslims were to travel, but they were afraid to come out,  
11 and so you had to go to PK5 and you had to specify that, as soon as Muslims got to  
12 the airport and were seen to be Muslims, they were lynched.

13 Once again, I'm referring to intercommunity tension here. Are we to understand  
14 that this climate that was created by civilian population against the Muslims also  
15 contributed to their fear and their departure?

16 A. [11:49:01] Very much. It contributed very much.

17 Q. With the Prosecutor -- (Speaks English) Just a minute, Mr President. I just  
18 want to reassure you my questions are long because I'm putting him back in the  
19 subject of his statement. I don't want him to -- so -- because I'm looking at my series  
20 of questions and they're quite long, but I'm summarising what he said and asking a  
21 specific question.

22 PRESIDING JUDGE SCHMITT: [11:49:46] I understand that you want to put him  
23 into context, and this is sometimes needed. But I think when the last time a couple  
24 minutes ago we addressed the issue, the question could have been shortened a little  
25 bit. But in general, and I understand what you're doing, and this is of course

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1 absolutely acceptable if, at the end of such a long introduction, there comes a concrete  
2 question.

3 MS DIMITRI: [11:50:10] That's my -- thank you, Mr President.

4 Q. [11:50:16] (Interpretation) During your interview with the OTP at tab 29 of the  
5 OTP binder, CAR-OTP-2046-0455 at page 05 -- 0465, you testified or you stated in  
6 relation to Muslim victims that once a Muslim was seen somewhere in a non-Muslim  
7 area, I assume, he would be killed. And this was not only Anti-Balaka. There was  
8 confusion. We did no longer know whether such and such a person who did the act  
9 was an Anti-Balaka genuinely or simply someone who wanted to settle scores.

10 I have a few follow-up questions on this part of your statement.

11 When you say that there is confusion and it is no longer clear who is responsible for  
12 the action and whether or not it is still -- it is a matter of settlement of scores, would  
13 you agree with me that many civilians at the time were doing these things?

14 A. [11:51:38] It happened practically everywhere, throughout the territory. But  
15 the reverse was also such that when the Seleka came to power, Christians were also  
16 tracked down, lynched in the same manner. And it happened in both camps, not  
17 specifically only in relation to the non-Anti-Balaka. It was the entire population. So  
18 it was not only specifically about Seleka. It was the entire population.

19 PRESIDING JUDGE SCHMITT: [11:52:09] Mr Witness, may I kindly remind you  
20 really to pause a little bit before you answer so that the interpreters can follow.  
21 Thank you very much.

22 MS DIMITRI: [11:52:28] (Interpretation)

23 Q. [11:52:30] Thank you. I will help you by also breaking a little bit between your  
24 answer and my question.

25 Now, what you have described, am I to understand that the non-Muslims civilian

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1 population attacked Muslims principally for two reasons: Either they mistook them  
2 for Seleka and consider that they helped Seleka in what became a carnage at the time  
3 or they are settling scores. Would you agree with that?

4 A. [11:53:03] The two proposals are correct. There was confusion because anyone  
5 who appeared to be -- well, you know, among ourselves, we recognised \*anyone who  
6 merely had the morphology of a Muslim. Anyone who appeared to be a Muslim by  
7 their looks went through a certain zone and may come -- was very likely to be  
8 attacked, and vice versa.

9 Equally, where people lived in the same neighbourhood or arrondissement and they  
10 had lived there for decades, they knew each other because they had cohabited for a  
11 long time and would know whether one was Muslim or Christian. So as the Seleka  
12 came in, the one who was your neighbour shows up with a weapon and robs you,  
13 terrorises you. And once you are able to identify such an individual, there would be  
14 settlement of scores. So it was not necessarily the Seleka or the Anti-Balakas who  
15 did these things.

16 Furthermore, when a Muslim, as a Muslim you have lived in a zone or a  
17 neighbourhood for a long time and then the Anti-Balaka arrived, you were able to  
18 recognise your neighbour who would come towards you to hurt you, and so you flee.  
19 And if one day you run into him in an area which is pro-Muslim, you immediately  
20 settle scores. It's not about Seleka.

21 \* So that is the kind of confusion that reigned at the time between the Seleka, Muslims,  
22 Anti-Balakas, non-Muslims.

23 Q. [11:55:20] Thank you. But beyond all that, would you agree with me that  
24 individuals also took advantage of the conflict to settle personal scores, trade issues,  
25 problems between neighbours, and so on and so forth?

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1 A. [11:55:37] Yes, absolutely. There was a lot of recuperation. And I have talked  
2 about it. People took advantage of the situation to settle old outstanding personal  
3 scores. And this cannot be excluded.

4 Q. [11:55:57] My last question on this topic. Now in the midst of all this chaos that  
5 you have described and which you experienced personally, would you agree with me  
6 that it is difficult for the media to identify the author of an action that has been  
7 reported, namely, to know whether they were Anti-Balaka or just an ordinary citizen?

8 A. [11:56:26] We were in a state of chaos. The media would only be able to  
9 identify where a direct eyewitness narrates that they saw such and such an individual  
10 do such and such a thing. Otherwise, if TV cameras are able to capture a number of  
11 images, then it is possible to identify the persons. But generally speaking, it is  
12 difficult to know who specifically did what action when everything is camouflaged as  
13 it were. And in the case of a body which is discovered, you wouldn't know who did  
14 what. Sometimes an individual is lynched by a mass of people and you can't know  
15 who did what.

16 Q. [11:57:31] When a mass of people lynches somebody, this is captured on TV,  
17 and you would understand that sometimes the journalist is able to mistakenly  
18 identify the mass of people as being Anti-Balaka; is that correct?

19 A. [11:57:53] Yes, exactly. Especially if a name is known, as soon as the name is  
20 non-Muslim, the -- the incident is ascribed to the Anti-Balaka.

21 Q. [11:58:14] Thank you very much.

22 I'm going to now have to change topics, but we will move into private session.

23 (Speaks English) Mr President, if I could have a private session for my next subjects.

24 Thank you.

25 PRESIDING JUDGE SCHMITT: [11:58:23] Yeah. We go to -- excuse me. I was too

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1 fast now.

2 We go to private session.

3 (Private session at 11.58 a.m.)

4 THE COURT OFFICER: [11:58:34] We are in private session, Mr President.

5 MS DIMITRI: [11:58:38] Thank you.

6 Q. [11:58:42] (Interpretation) Before I ask you the next question, Mr (Redacted),

7 I would like to introduce to you my topic so that you can follow me.

8 In your statements to the OTP, you provided details on the various meetings you had

9 with (Redacted), phone calls, (Redacted), (Redacted), (Redacted),

10 and so on and so forth. My objective is to take these meetings together

11 chronologically, and I think I succeeded in establishing a chronology. I would like to

12 ask you some specific questions so that you can confirm the locations and the dates at

13 which these meetings took place.

14 So on many of the questions, the questions will be very specific and we don't need

15 you to give us the details on your conversation with (Redacted). I just want some

16 specific details from you, as you will see.

17 If I have understood correctly, I will give you the first iteration of the chronology and

18 you will tell me whether I am correct.

19 You first of all met with (Redacted). That's

20 (Redacted). And then after that, you received a call from (Redacted)

21 and then a call from (Redacted), and then a call from (Redacted), who did not

22 (Redacted). After that, you wanted to (Redacted)

23 (Redacted)

24 (Redacted)

25 Have I understood the chronology well?

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1 A. [12:01:16] Yes, that is the correct chronology.

2 Q. [12:01:26] Have I also understood correctly that you never succeeded in

3 (Redacted)

4 (Redacted)?

5 A. [12:01:43] (Redacted)

6 (Redacted)

7 Q. [12:01:56] Thank you.

8 I will show you a document that the Prosecutor showed you last week. You made a

9 comment and I would like to draw your attention to another part of that same

10 document that is of interest to me. It is tab 8 of the Defence list,

11 CAR-OTP-2030-0280.

12 The Prosecutor showed you this document last week, page -- pages 81, 82 of the

13 transcript. You rejected it.

14 If you can scroll down a little bit.

15 You said that (Redacted)

16 (Redacted).

17 Now, if we go up to the top, there is a name of "Lin Banekipa". So do you agree with

18 me that (Redacted)?

19 A. [12:03:21] In any case, it is here that I saw that document. There is nowhere in

20 any document that I know that Lin Banoukepa's name (Redacted)

21 (Redacted). No.

22 Q. [12:03:45] Last question on this document. Do you agree with me that this

23 structure that we see on the screen, it never was crystallised and it never became

24 operational?

25 A. [12:04:04] I do not even know the ins and outs of this document. I don't know



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1 whether this document is genuine or not. In any case, I have never seen it before,  
2 except here.

3 Q. [12:04:26] Thank you.

4 PRESIDING JUDGE SCHMITT: [12:04:30] May I?

5 MS DIMITRI: [12:04:31] Sorry, yes.

6 PRESIDING JUDGE SCHMITT: [12:04:32] May I, shortly? Perhaps, just I give it a  
7 try.

8 Mr Witness, you see it now for the first time -- for the second time, excuse me. Did  
9 you have a chance to think about how this document, this draft, if you will, could  
10 have come into place, who could have put it together? Do you have -- have you  
11 thought about it? Any ideas?

12 THE WITNESS: [12:05:02](Interpretation) Absolutely no idea because it is only here  
13 that I see this document.

14 PRESIDING JUDGE SCHMITT: [12:05:11] Thank you.

15 Ms Dimitri.

16 MS DIMITRI: [12:05:13] Thank you, Mr President.

17 Q. [12:05:17] (Interpretation) I will now go on to your conversations with  
18 (Redacted). What I understood from your exchanges, the main objective was  
19 the same, the departure of Djotodia, but the approach was different and the method  
20 to achieve the objective was different; is that correct?

21 A. [12:05:53] Yes, that is correct.

22 Q. [12:05:55] I would like to refer to your statement to the OTP for one point only  
23 regarding your conversations with (Redacted). It is tab 17 of the OTP list,  
24 CAR-OTP-2042-4966, page 4996.

25 Did I understand correctly, Mr (Redacted), that the reason why you had several

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1 conversations with (Redacted) is because the conversations and -- because the  
2 conversations were so long because you wanted to (Redacted)  
3 (Redacted), and it took several minutes and even hours because  
4 you wanted to (Redacted)? Did I understand you correctly?

5 A. [12:07:05] Yes, absolutely.

6 Q. [12:07:11] And do you agree with me that at no time during all your  
7 conversations with (Redacted) did you discuss a plan of attack, the planning of  
8 an attack, an attack against Muslim civilians?

9 A. [12:07:36] \*If the approach was to avoid attacking Muslim civilians and  
10 populations, how could I have tried to convince someone that I was trying to  
11 (Redacted)? So it was \*not  
12 to organise an attack against Muslim civilians.

13 Q. [12:08:13] Thank you.  
14 Still in your statement to the OTP, this time tab 20 of the OTP list,  
15 CAR-OTP-2046-0249, page 0260. Once again, you refer to your conversation with  
16 (Redacted) and to what he said. He's supposed to have said that, (Redacted)  
17 (Redacted)  
18 (Redacted)

19 If I understand you correctly - and I think you said that Tuesday - (Redacted)  
20 warned you against (Redacted)  
21 (Redacted)

22 A. [12:09:29] He said more.  
23 For your information, I have already (Redacted)  
24 (Redacted). That is what he told me.

25 Q. [12:09:55] And for the record, Mr (Redacted), the defence attaché of the French

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1 embassy was Colonel Dépit; is that correct?

2 A. [12:10:09] That is correct.

3 Q. [12:10:12] So (Redacted)?

4 A. [12:10:30] To talk about knowing the elements, I cannot say. But to be aware of  
5 why they were fighting, I would say, yes, (Redacted).

6 Q. [12:10:54] I understand that (Redacted) warned you for having  
7 (Redacted) and that you should not do that  
8 again, and that, subsequently, (Redacted) did not reproach you for  
9 (Redacted). Is that true?

10 A. [12:11:18] (Redacted)  
11 (Redacted)

12 Q. [12:11:38] Thank you.

13 I will now move to your meetings with the group of (Redacted).

14 You referred to it in tab 26 of the OTP list. That is CAR-OTP-2046-0380, page 0394.

15 You mention that subject there.

16 A few clarifications once again.

17 When you met for the first time with (Redacted), is it correct that he was  
18 with lieutenant (Redacted)?

19 A. [12:12:35] That is correct. They were together.

20 Q. [12:12:37] In response to a question from the Prosecutor last Tuesday, you stated  
21 in pages 8, 9 of transcript 085 that (Redacted)  
22 (Redacted). So it would be incorrect to  
23 say that, in the course of your meetings with the (Redacted) in  
24 (Redacted), you would have (Redacted).

25 A. [12:13:22] (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 Q. [12:16:10] We are going to revisit this later. But what you have just said, when  
20 you (Redacted)?

21 A. [12:16:29] Everyone agreed.

22 Q. [12:16:36] And during your meetings with the (Redacted), do you  
23 remember an individual called (Redacted)?

24 A. [12:16:54] Maybe you are not pronouncing the name correctly. But it doesn't  
25 ring a bell, (Redacted) (phon).

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1 Q. [12:17:09] Maybe I am mispronouncing the name.

2 PRESIDING JUDGE SCHMITT: [12:17:31] Perhaps you can spell it. And when the  
3 witness sees how it's written, so to speak. Or what can we do in that respect, if you  
4 think it is really misspelled?

5 MS DIMITRI: [12:17:45] I'll give it a try. I'll give it a try.

6 PRESIDING JUDGE SCHMITT: [12:17:50] I have little bit a suspicion that -- that he  
7 simply does not know the person, but nevertheless you can give it a try.

8 MS DIMITRI: [12:17:56](Interpretation)

9 Q. [12:17:57] I will repeat it and then I spell the name, (Redacted)  
10 (Redacted) is (Redacted) --

11 THE INTERPRETER: [12:18:15] If counsel can spell again.

12 THE WITNESS: [12:18:23](Interpretation) It is pronounced (Redacted), but  
13 I do not know the name.

14 MS DIMITRI: [12:18:30] (Overlapping speakers)

15 PRESIDING JUDGE SCHMITT: [12:18:31] So at least we have spelled it now  
16 correctly, but still the witness does not know the person.

17 MS DIMITRI: [12:18:44](Interpretation)

18 Q. [12:18:45] I understand that you don't know him, but I will continue with a  
19 series of questions because I need confirmation from you. He's supposed to have  
20 been the (Redacted)  
21 (Redacted). Is that correct or  
22 not?

23 A. [12:19:14] (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 PRESIDING JUDGE SCHMITT: [12:21:09] Ms Dimitri, since the witness does not

10 know the person, any further question what this person might have had, what kind of

11 function the person might have had or what he has done seems to be unnecessary.

12 MS DIMITRI: [12:21:24] Thank you, Mr President.

13 Q. [12:21:37](Interpretation) I just want to clarify a few things because it is

14 important. (Redacted) is (Redacted)?

15 A. [12:21:46] Yes, *l'adjutant-chef* (Redacted).

16 Q. [12:21:51] And you also mentioned (Redacted). Is it (Redacted)?

17 A. [12:21:57] Yes, (Redacted).

18 PRESIDING JUDGE SCHMITT: [12:22:01] Ms Dimitri --

19 MS DIMITRI: I'm going too fast.

20 PRESIDING JUDGE SCHMITT: [12:21:58] Please slow down. Please slow down.

21 Because now it's really -- it's extremely difficult to follow. Thank you.

22 MS DIMITRI: [12:22:06] I'm sorry. Do you want me to repeat the names or are they

23 captured in the record?

24 PRESIDING JUDGE SCHMITT: [12:22:13] I think interpreter, like in a miracle has

25 captured it, but -- but it was obviously very difficult, I think.

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1 I think you can continue.

2 MS DIMITRI: [12:22:26](Interpretation)

3 Q. [12:22:27] You talked about a pastor. Is it (Redacted)?

4 A. [12:22:36] Yes, precisely, it is (Redacted).

5 Q. [12:22:55] Now let us go back to your first meetings with the (Redacted)

6 (Redacted). Not in (Redacted), but the first meetings.

7 Based on a document from the OTP, you are supposed to have wanted to know

8 during your first meetings with that group whether (Redacted)

9 (Redacted)

10 (Redacted). I do not believe that it is

11 consistent with your approach, but I need your confirmation. Is that correct or not?

12 A. [12:23:42] First of all, (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 Q. [12:24:56] Thank you. Did you at any point suggest to (Redacted)'s group

21 to (Redacted)?

22 A. [12:25:24] How is it possible for me as a civilian to go and ask (Redacted)

23 (Redacted)? Otherwise, I would have proposed to

24 subscribe to (Redacted). I would not have instead been

25 (Redacted). And after meeting with (Redacted)

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1 (Redacted), I would have also suggested how to have weapons and attack, but I never  
2 did that. I always talked about the possibility of (Redacted)  
3 (Redacted)  
4 (Redacted).

5 Q. [12:26:37] Thank you. Now I would like to talk about your first contacts with  
6 (Redacted). And once again, let me summarise what you told the OTP in  
7 your interview, so I want some clarifications.

8 During your recorded interview, and this is tab 20 of the OTP list,  
9 CAR-OTP-2046-0249, page 0262, you indicated that after your discussions with the  
10 (Redacted)  
11 (Redacted)  
12 (Redacted)  
13 (Redacted)

14 A. [12:27:52] Precisely.

15 Q. [12:27:58] Another clarification, Mr (Redacted). Still during your interview  
16 with the OTP, this time tab 27 of their list, and that is CAR-OTP-2046-0407 on  
17 page 0417, you stated on two occasions in your statement, in fact, that after  
18 (Redacted), and I quote you, (Redacted)  
19 (Redacted)  
20 End of quote.

21 Am I to understand from that statement that you already had an indication from  
22 (Redacted)  
23 (Redacted)?

24 A. [12:29:18] Let me come back to the last sentence. (Redacted)  
25 (Redacted)



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- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 (Redacted)
- 21 (Redacted)
- 22 (Redacted)
- 23 (Redacted)
- 24 Q. [12:33:40] If I understand clearly, (Redacted)
- 25 (Redacted)

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1 (Redacted)?

2 A. [12:34:04] Yes, that is correct.

3 Q. [12:34:13] Now, regarding that meeting I refer you -- or I'm going to quote you  
4 from tab 27, CAR-OTP-2046-0407 at page 0422, you say the following: "The level of  
5 discussions or debate was not the same as with (Redacted)." You go on to say:

6 "This group defended the position whereby Seleka should not come and attack or  
7 aggress people here."

8 Would you agree with me that (Redacted),  
9 you understood that Mr Yekatom's group's objective and Mr Yekatom's objective was  
10 very different from (Redacted) group's objective?

11 A. [12:35:14] (Redacted). When I left the airport and I go past  
12 Ngremangou's Anti-Balaka's group and I go on to the area of Yekatom's Anti-Balaka,  
13 there was life. The markets were open, children were playing about, and everything  
14 was normal, in great contrast from the area that I had left from Combattant to the  
15 airport up to that level.

16 So I had the impression as I went forward, that I was mistaken as to the location.

17 The person who reassured me is the one who was sent to take me there. And as we  
18 were going there on foot, I believed that this person would also not be mistaken.

19 So we got there and I saw everybody at a veranda. They came. We sat down. I  
20 started (Redacted) and then they explained to

21 me that they were there to defend the population that was present and that they were  
22 not there to attack people unnecessarily.

23 But they said also that they are -- things were not going well with their other brothers  
24 on the other side because they were always in conflict. Those were the words that  
25 were spoken on that day. I did not tell them that (Redacted)

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1 (Redacted).

2 (Redacted)

3 (Redacted)

4 Q. [12:37:34] Thank you.

5 I'll show you a video where we see Mr Yekatom. It's a video of 7 December 2013.

6 Please watch the video, and I'll have a few questions for you. And I think what

7 Mr Yekatom's says corresponds to what you have just described. Tab 9,

8 CAR-OTP-2065-0396. And for the interpreters, in your binder, it's tab 10,

9 CAR-OTP-2122-2284.

10 Mr President, the video runs from 02:21 and it -- the duration there is 2:21 and date is

11 7 December 2013, according to the metadata.

12 (Viewing of the video excerpt)

13 THE INTERPRETER: [12:38:38](Interpretation of the video excerpt)

14 "We can't go out. We must pass go here. Let's pass through here. If we pass that

15 way, it's not good. Too -- too long, too long, too long. So can you explain to us who

16 you are.

17 I am Corporal Chef Rombhot Alfred.

18 OK.

19 I am of the *Garde Republicaine* provincial battalion.

20 Are you FACA.

21 Yes, I am FACA.

22 So can you confirm that the attack of two days ago was led by former FACA?

23 Yes, it's true. Everywhere there are FACA. Because since the Seleka came in, they

24 drove out the FACA. They don't want to work with the FACA. But we want better.

25 We want to liberate the Central African people. That is why the FACA are organised

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- 1 into *la Révolution des Forces armées centrafricains pour le peuple*. We are here for the
- 2 people, to liberate the people. When are you -- are you going to take out other
- 3 actions?
- 4 No. Our problem is to organise, and so the FACA have to come back. If they don't
- 5 want the FACA back, then we will go all the way to the end.
- 6 How many of you in your -- in your base?
- 7 On my base, I have 500 -- 1,500 and others elsewhere. There are people everywhere.
- 8 Where do you get your ammunitions?
- 9 Well, you see, we are soldiers, *hein*.
- 10 Did you keep them from before?
- 11 We are soldiers. I start action ... Well, in relation to the small Seleka bases which we
- 12 attack. So our ammunitions ... Well, all from Seleka.
- 13 So you recover ammunitions from the Seleka bases?
- 14 Yes, yes, that is it.
- 15 And why are the Anti-Balaka always often confused with the FACA?
- 16 Well, we are not Anti-Balaka. Well, you see us here. There's no one here with a
- 17 machete. We are FACA. We are organised. How did you see us? We
- 18 have -- when you came? Well, we are soldiers. We are -- we are all -- we all have
- 19 *matricules* -- numbers. We are not Anti-Balaka.
- 20 Do you have contact with Francois Bozize.
- 21 No. We have no contact with Bozize. We are Central African revolutionary forces,
- 22 but if we had any contact with Bozize, we would have more equipment than this.
- 23 We would have more materiel than this.
- 24 Mm? Mm?
- 25 Thank you."

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- 1 PRESIDING JUDGE SCHMITT: [12:41:08] So the correct ERN of the video is
- 2 CAR-OTP-2065-0396.
- 3 Please, Ms Dimitri.
- 4 MS DIMITRI: [12:41:20] Thank you, Mr President.
- 5 Q. [12:41:23] (Interpretation) Mr (Redacted), you -- you watched the video and you saw
- 6 Mr -- or you heard Mr Yekatom express the objective, namely, to liberate the people. He
- 7 says that they are not Anti-Balaka and he gives a specific name to his group.
- 8 Does that correspond to the conversations and discussions that you had with him and
- 9 his group during your meetings?
- 10 A. [12:41:54] First of all, at that date I did not know them. But here, he expresses
- 11 exactly what I thought, namely, what all Central Africans thought. The Seleka were
- 12 attacking the FACA. They wanted to eliminate all the FACA. They didn't want to
- 13 have any more soldiers across the country and so they organised themselves that
- 14 way.
- 15 When I met with them they did not refer to this video, but the arrangements were
- 16 such that (Redacted)
- 17 (Redacted). So, as you noted, somewhere he said, "Let's avoid getting out of the
- 18 town in order not to frighten the civilians." That's what I -- I heard right from the
- 19 beginning of the video. I was not aware either of the *révolution de militaire*.
- 20 When I went towards them, they were, for me, Anti-Balaka who had retreated to a
- 21 location behind the airport.
- 22 Q. [12:43:23] You're correct. Right at the very beginning of the video we hear
- 23 Mr Yekatom saying, "Let's go through this place this way in order to get to the village
- 24 so that we should not frighten the population." I think that's what he's --
- 25 A. [12:43:41] That is correct.

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1 Q. [12:43:42] Does that correspond to what you also noticed when you met the  
2 group for the first time? And you -- and you testified that when you arrived, you  
3 felt that there was life and his group did not want to frighten the civilian population.

4 A. [12:43:58] Well, to begin with, his group did not show a demonstration of power  
5 in order to frighten or scare me. What I found was leaders in civilian attire. We  
6 had discussions. I think on that day they cooked, and I think it was Yekatom himself  
7 who cooked. And we shared a meal together, and that was extremely reassuring for  
8 me.

9 Q. [12:44:38] Mr Yekatom states that the Seleka chased the FACA. They don't  
10 want to work with the FACA. They don't want the FACA to come back.  
11 Would you agree with me that Mr Yekatom is denouncing, in the same way as you  
12 did in your speeches, the fact that the Seleka chased down, abduct and torture  
13 the -- are being tortured by the Seleka and the conventional forces are usurped by the  
14 Seleka?

15 A. [12:45:20] Yes, that is normal. As he speaks, he speaks as a soldier. Yekatom  
16 speaks as a soldier. When a soldier learns that a brother in arms has been killed  
17 simply because they are a soldier, should that soldier not resist and organise himself?  
18 Well, today there is a trial. Well, if we go to the Central African Republic during that  
19 period, one had to be there to experience the kind of things that the mind cannot fully  
20 grasp, desolation, death everywhere. Each family lost somebody. People died  
21 because they were soldiers, because they had committed the crime of signing up in  
22 the army. They had committed the crime of signing up in the gendarmerie. They  
23 had committed the crime of signing up in the police or in the customs department or  
24 simply because they had found a military uniform and military attires or military  
25 gear in their house or maybe simply because they were on roadblocks that had been

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1 erected everywhere and people would be undressed to see whether they have any  
2 marks of rangers on their feet, and if anybody had such marks they would be killed  
3 because they are taken to be soldiers.  
4 In that context, resistance has all its meaning. In that context, I believe that all  
5 people of goodwill must understand that a people under those circumstances has the  
6 right to resist. If, for example, today the goal is to break the spirit of resistance and,  
7 if possible, other hidden or visible forces were to instigate mass crimes for their  
8 interests, or what have you, then a message is being conveyed to the people, namely,  
9 that if you resist, then we will prosecute you.  
10 You see, at that time resistance had its full meaning. Even I myself who was not a  
11 soldier wanted Djotodia to leave using my own means, namely, dialogue. Calling  
12 on the international community, which had supported Djotodia while he was in  
13 power. I put before them the consequences of their mistakes, but they didn't want to  
14 pay attention. And this continues to this very day.  
15 And people are still dying because of the peace and reconciliation agreement in the  
16 Central African Republic which was signed in Khartoum in February 20 -- I think two  
17 years ago. That's when it was signed. But that agreement, that agreement made it  
18 possible for the carnage of many Central Africans to occur. Crimes on priests,  
19 churches being burnt down, and everybody knows what was happening.  
20 Today, the same international community is telling the Central African people that  
21 although the agreement was completely misplaced and out of place, they still insist  
22 that the only solution is the APPR, whereas all the parties are still in conflict. Well,  
23 what matters is to look to that agreement for peace and reconciliation in the Central  
24 African Republic.  
25 Q. [12:49:44] Thank you, Mr (Redacted).

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- 1 I want to talk about your first meeting with Mr Yekatom's group before
- 2 (Redacted). At the time of the video, Mr Yekatom says that
- 3 "We have no contact with Bozize, otherwise we would have had more materiel."
- 4 Does that also correspond with what you observed during your first meeting, namely,
- 5 that Mr Yekatom's group did not have contact with Francois Bozize?
- 6 A. [12:50:31] I asked the question and the answer was "We are not fighting for
- 7 Bozize. We are fighting to defend our population." It is (Redacted) who
- 8 gave me that answer.
- 9 And Lieutenant Yekatom added that it is Bozize who got us into this situation. This
- 10 is what was said at our first meeting.
- 11 PRESIDING JUDGE SCHMITT: [12:51:16] Ms Dimitri, I wonder if we could go to
- 12 open session?
- 13 MS DIMITRI: [12:51:23] The problem is I keep going back on these meetings.
- 14 I would love -- I would love to go --
- 15 PRESIDING JUDGE SCHMITT: [12:51:32] If you don't -- if you don't mention the
- 16 dates of the meetings, the encounters. If you feel more comfortable, and you have
- 17 thought about it obviously, before, so we can keep it as it is.
- 18 MS DIMITRI: [12:51:43] To be honest, Mr President, I would love to go back in
- 19 public session. My understanding, the Prosecution can correct me if I'm wrong, and
- 20 the witness as well, is that because (Redacted)
- 21 (Redacted). That's my --
- 22 PRESIDING JUDGE SCHMITT: [12:51:59] I'm convinced. Yeah, you have
- 23 convinced me already. So please continue in private session.
- 24 MS DIMITRI: [12:52:05] Thank you, Mr President.
- 25 Q. [12:52:09] (Interpretation) Still during your first meeting with Mr Yekatom,



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1 (Redacted) and their elements, would you agree with me that one of the differences  
2 you observed is also that this group was not created by people who all belonged to  
3 the same ethnic group?

4 A. [12:52:33] That was obvious. (Redacted)

5 (Redacted), that is when each of them

6 introduced themselves: I am of this ethnic group and I am of that ethnic group.

7 And so I even was able to recognise one of them, who had been in my neighbourhood

8 whom I had known from my childhood, and he too was not from Bozize's ethnic

9 group.

10 So they came from several ethnic groups. People who had fled various

11 neighbourhoods and sought refuge there, according to what I understood.

12 Q. [12:53:31] During that first meeting, I seek clarification again on what you told

13 the Prosecutor at tab 27 of their binder, CAR-OTP-2046-0407 at page 0422, where you

14 said that during the discussions, and I quote you, (Redacted)

15 (Redacted)

16 (Redacted)

17 Now, when you say (Redacted), were you referring to the (Redacted)

18 (Redacted); is that correct?

19 A. [12:54:31] That is correct.

20 Q. [12:54:34] If I follow the unfolding of the events properly, it is following that

21 invitation that there would be a second meeting in (Redacted) at which

22 (Redacted) would be present?

23 A. [12:54:52] It was following (Redacted)

24 (Redacted)

25 Q. [12:55:09] Was it at that time, and I'm referring here to tab 27, same reference as

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1 the previous, was it at that time that about (Redacted) of you met in (Redacted)?

2 A. [12:55:26] About (Redacted) of us in (Redacted).

3 Q. [12:55:36] During that second meeting which brought together about (Redacted)  
4 of you in (Redacted), was Sebastien Wenezoui present?

5 A. [12:55:53] I did not know him. And in all what we did, I never saw the name of  
6 Sebastien Wenezoui.

7 Q. [12:56:03] Do you remember an individual called Jules Yamodo, alias Rombhot,  
8 who allegedly was the deputy of Captain Ngremangou and was active in Boeing  
9 neighbourhood. If I remember correctly, he was a warrant officer, *adjudant*.

10 A. [12:56:31] What's the name again?

11 Q. [12:56:33] Jules Yamodo, alias Rambo?

12 A. [12:56:38] There were many people, but I only remember the (Redacted)  
13 (Redacted)  
14 (Redacted)

15 Q. [12:56:53] Still during that meeting in (Redacted), did -- was (Redacted)  
16 (Redacted) present, and was (Redacted) also present, as well as (Redacted)?

17 A. [12:57:13] That is correct. Those were the people who, because they were  
18 soldiers and officers, were going to (Redacted)  
19 (Redacted)

20 Q. [12:57:39] Was (Redacted) present at the second meeting?

21 A. [12:57:48] (Redacted) was there. He was the (Redacted)  
22 (Redacted).

23 Q. [12:58:02] I want to show you an excerpt from your statement to the OTP,  
24 because I'm a little bit confused and I want you to help me to clarify at tab 28 of their  
25 binder CAR-OTP-2046-0427 at page 0442.

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1 Please zoom in to line 540. Thank you.

2 This is what is written, "they themselves were surprised."

3 Please, I'll give you some time to read it, but what I want to know is who was  
4 surprised and why were they surprised?

5 A. [12:59:19] By what is said at line 537.

6 PRESIDING JUDGE SCHMITT: [12:59:31] Okay. That is a clear answer.

7 And we have 1 o'clock and I think we will have the lunch break until 2.30, unless  
8 Ms Cariolou has objection to that.

9 MS CARIOLOU: [12:59:41] Mr President, no objection to that. I just wanted to  
10 basically express the concern that an identifying question was put to the witness last  
11 Tuesday. A request for redaction of the transcript has already been made and I will  
12 be very grateful -- as the Chamber is already aware, there are concerns as to the  
13 witness's safety and I would be very grateful of that question is redacted. I believe  
14 that was on page 84 of the transcript. Thank you very much.

15 PRESIDING JUDGE SCHMITT: [13:00:06] You understand that I at the moment  
16 cannot follow that, but I think we have taken note of it, and if there is any need to  
17 redacted it, it will be done. Thank you.

18 We have lunch break until 2.30.

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

20 (Recess taken at 1.00 p.m.)

21 (Upon resuming in open session at 2.30 p.m.)

22 THE COURT USHER: [14:30:58] All rise.

23 Please be seated.

24 PRESIDING JUDGE SCHMITT: [14:31:21] Good afternoon. And not surprisingly,

25 Ms Dimitri is standing. You have still the floor.

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1 MS DIMITRI: [14:31:29] Thank you, Mr President.

2 Are we in public session, Mr President? Yes.

3 PRESIDING JUDGE SCHMITT: [14:31:43] I think we are, yes.

4 MS DIMITRI: [14:31:44] Then unfortunately, I'll have to ask your permission to go  
5 back in private session.

6 PRESIDING JUDGE SCHMITT: [14:31:51] Yes. Then we do that.

7 Private session.

8 (Private session at 2.31 p.m.)

9 THE COURT OFFICER: [14:31:59] We are in private session, Mr President.

10 MS DIMITRI: [14:32:06] (Interpretation)

11 Q. [14:32:10] Good day, Mr (Redacted). Again on the chronology of events, am I  
12 correct in saying -- and just to refresh your memory, we \*were about (Redacted)  
13 persons in a (Redacted) in (Redacted), and you have (Redacted) present, (Redacted),  
14 (Redacted), (Redacted) are present.

15 Am I correct in saying that at that moment, there was (Redacted)

16 (Redacted)

17 (Redacted).

18 A. [14:32:50] Yes. On that day, there was (Redacted)

19 (Redacted).

20 Q. [14:33:02] And am I correct that the next day -- just for the record, tab 23 of the  
21 OTP binder, CAR-OTP-2046-0324, page 0336.

22 Have I understood correctly that the next day after (Redacted)

23 (Redacted)?

24 A. [14:33:53] Yes, the next day he (Redacted)

25 (Redacted)

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- 1 Q. [14:34:07] I want to clarify another aspect of your statement. Tab 28 of the OTP  
2 binder, CAR-OTP-2046-0427, page 0430, am I correct in that when (Redacted)  
3 (Redacted)  
4 (Redacted)  
5 (Redacted)  
6 (Redacted)  
7 (Redacted)  
8 (Redacted)  
9 (Redacted)  
10 (Redacted)  
11 (Redacted)  
12 (Redacted)  
13 (Redacted)  
14 (Redacted)  
15 (Redacted)  
16 (Redacted)  
17 (Redacted)  
18 (Redacted)  
19 (Redacted)  
20 (Redacted)  
21 (Redacted)  
22 (Redacted)  
23 (Redacted)  
24 (Redacted)  
25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 Q. [14:38:43] Thank you.

13 And I'd like to clarify your position.

14 You were going to be (Redacted)

15 (Redacted)

16 A. [14:38:58] (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 Q. [14:41:05] For the records, when you met the OTP, you spoke about these

9 demands. This is tab 28 of OTP binder, CAR-OTP-2046-0427, page 0434, and also

10 tab 20, CAR-OTP-2046-0249, page 0263.

11 Am I correct in thinking that (Redacted)

12 (Redacted)

13 (Redacted)

14 A. [14:42:03] (Redacted)

15 (Redacted)

16 (Redacted)

17 Q. [14:42:30] (Redacted)

18 (Redacted)

19 A. [14:42:43] (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 Q. [14:43:23] Thank you.

24 And we're going to talk about (Redacted) a little later. But before going there, am I

25 correct in thinking that you had -- between the moment when you met the Kamezolai,

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1 Yekatom group and the moment when you left for (Redacted), am I correct in  
2 thinking you were going to see them again? You were going to see the Kamezolai,  
3 Yekatom group again, and you took with you (Redacted)  
4 (Redacted)?

5 A. [14:44:06] Indeed. (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 Q. [14:46:27] I just want to clarify a point in your statement which wasn't very  
23 clear.

24 Am I correct in saying that you brought with you (Redacted)

25 (Redacted)



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1 A. [14:47:17] (Redacted)

2 (Redacted)

3 (Redacted)

4 Q. [14:47:49] We're going to speak of (Redacted) a little later, but between the first  
5 time you met the group, Kamezolai, Yekatom, (Redacted) until your (Redacted)  
6 (Redacted), will you go to base in (Redacted) on several occasions to speak for the  
7 (Redacted) until your (Redacted) and also to visit (Redacted)?

8 Am I correct?

9 A. [14:48:32] Correct. Everything happened there. So it was up to me to go  
10 there.

11 Q. [14:48:41] During your meetings with Captain Kamezolai, Yekatom, (Redacted)  
12 (Redacted), during your various meetings with them, was there ever a question, do  
13 you agree with me, of killing the FACA who did not participate in the resistance?  
14 There was never any discussion of that, am I correct?

15 A. [14:49:09] It's today that I am learning this for the first time from you. There  
16 was never any question to kill anyone. If not, (Redacted)  
17 (Redacted)  
18 (Redacted)

19 Q. [14:49:38] During the meetings with the Kamezolai, Yekatom (Redacted) group,  
20 did a (Redacted)  
21 (Redacted)  
22 (Redacted)  
23 (Redacted)

24 A. [14:50:07] Perhaps the military soldiers spoke amongst themselves, but when I  
25 came there, I was more concerned with the (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 Q. [14:51:06] Let's go into private session because I think there (Redacted)

6 (Redacted).

7 So after the demands, after the visit of (Redacted)

8 you went to (Redacted) in (Redacted) during which (Redacted)

9 (Redacted); is that correct?

10 A. [14:51:37] That's exactly after the final contact when we looked at (Redacted)

11 (Redacted)

12 (Redacted). And upon my return, things happened

13 very fast.

14 Q. [14:52:05] For the records, you made reference to tab 28 of the OTP binder,

15 CAR-OTP-2046-0427, page 0436. Could you confirm that during the (Redacted)

16 (Redacted) it is correct that you (Redacted)

17 (Redacted)?

18 A. [14:52:50] (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 (Redacted)
- 21 (Redacted)
- 22 (Redacted)
- 23 Q. [14:56:19] Thank you.
- 24 I'm going to show you a document. I understand that you (Redacted)
- 25 (Redacted)

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1 (Redacted). I'm going to show you a document. Can you confirm, yes or no,  
2 whether you've seen this document before? It is tab 11 of the Defence binder,  
3 CAR-OTP-2124-0516. To give you a bit of context, I think that when looking at this  
4 document it was prepared before the (Redacted). It's the minutes and I  
5 also -- I think you didn't participate in this meeting, nor did you participate in the  
6 drafting of this document.

7 Can you confirm this, please.

8 A. [14:57:27] I am discovering the document now.

9 Q. [14:57:44] Thank you, Mr (Redacted).

10 Again, turning to (Redacted) again, I understand that you're surprised that  
11 somebody phones you. I think, if I'm not mistaken, it was Mr (Redacted). You go  
12 to (Redacted). Did you present a report when you were there?

13 A. [14:58:10] As I just said, it was a call. (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 Q. [14:59:07] You're going to find my question strange, but \*you will understand  
20 why I just want you to confirm certain points.

21 If someone affirms that in the \*(Redacted) you had with you the (Redacted)

22 (Redacted)

23 (Redacted) as well, is that correct or incorrect?

24 A. [14:59:38] It's purely incorrect because when we had meetings in (Redacted), I  
25 also had to go the same way, so (Redacted)

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1 (Redacted)

2 (Redacted)

3 Q. [15:00:20] You're coming back from (Redacted) and am I correct the next  
4 event - and we're going to speak about this in detail - am I correct in saying that the  
5 next event was the (Redacted)

6 (Redacted), if I'm not mistaken,

7 when the President Alexandre Nguendet was in power on a provisional basis?

8 A. [15:00:52] Let's just stay in (Redacted) for a moment. (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 Q. [15:03:53] So I was right earlier when I said that in (Redacted), you went to  
8 (Redacted)?

9 A. [15:04:07] That is correct.

10 Q. [15:04:10] Then you returned from (Redacted).

11 Am I right to say that we now proceed to your (Redacted)  
12 (Redacted)?

13 A. [15:04:30] Yes.

14 Q. [15:04:35] Last week you talked about it at page 71 of transcript 085. "Last  
15 week," did I say? No, it was last Tuesday.

16 Now, I simply want to show you the document again on which I have some questions  
17 for you. Tab 12 Defence documents, CAR-OTP-2063-0075.

18 I'm waiting for the document to be displayed.

19 Mr (Redacted), did I understand well that you are the one who drafted this document  
20 before your (Redacted) and that on the day of its

21 (Redacted)

22 (Redacted)?

23 A. [15:06:23] Yes, that is correct.

24 Q. [15:06:32] I would like to clarify a point you made to the Prosecutor at the time  
25 at tab 20. But let's keep the document on the screen. CAR-OTP-2046-0249, at page

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1 0264, tab 20 of the OTP binder.

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 Q. [15:08:28] Another clarification, Mr (Redacted), at page 72 of the transcript of  
17 Tuesday. I understand that there were (Redacted)

18 (Redacted); is that correct?

19 Is it correct that you (Redacted)

20 (Redacted)?

21 A. [15:08:53] On that day, (Redacted)

22 (Redacted)

23 Q. [15:09:04] Another clarification, Mr (Redacted). At tab 20 of the OTP binder,  
24 CAR-OTP-2046-0249, at page 0265, you say: (Redacted)

25 (Redacted)

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1 A. [15:09:41] (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 Q. [15:10:26] You anticipated my next question, Mr (Redacted).

7 At tab 23 of the Prosecutor's binder, CAR-OTP-2046-0324, at page 0336, 0337, would it

8 also be correct to say that when you say that it is a splinter, a small group, a minority

9 that (Redacted), and that the minority you are referring to is the (Redacted),

10 (Redacted)?

11 A. [15:11:00] Obviously. Comparatively, when you look at the other group, there

12 were -- they were in an (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 Q. [15:11:47] A last question on the document which you prepared before your

17 (Redacted). Would it be correct to say that the content of

18 the document, the content of your oral presentation, that -- (Redacted)

19 (Redacted)?

20 A. [15:12:14] As you said, it was an oral delivery. It wasn't a written statement.

21 So right from the beginning, indeed, they knew the direction in which I wanted to go,

22 what I was saying, and they adhered to it because it had already been their point of

23 view.

24 After my statement at the (Redacted)

25 (Redacted)



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1 Q. [15:13:00] Would it be correct to say that part of your -- in part of your (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 A. [15:13:31] In any event, no to \*the return to power of Bozize by force, no to

7 usurpation of power by any means other than the will of the people. So that was it.

8 You see, we were already dealing with the departure of Bozize. We had the

9 confusion that arose and in which the Seleka had come in. The CND was set up, a

10 government had been set up, institutions were in place, but then problem did not go

11 away. The Central African Republic had not been extirpated at the root. So we

12 needed national consensus wherein all Central Africans would agree, sitting around a

13 table, to deal with the root causes of that problem and to define a new contract of

14 peaceful cohabitation so that we could move forward.

15 (Redacted)

16 (Redacted)

17 (Redacted) But at that point in time, returning

18 to the constitutional order, namely, reinstating Bozize in the position he had lost and

19 reinstating the dissolved national assembly after the coup d'état, those, to my mind,

20 were not solutions that were likely to bring back peace. (Redacted)

21 (Redacted)

22 Q. [15:15:21] Thank you, Mr (Redacted).

23 I will show you a page, an excerpt of a publication which you posted on your

24 Facebook wall in which you make comments about some parts of your statement in

25 (Redacted). I'm referring to tab 13, Defence binder,

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1 CAR-D29-0016-0051.

2 You say that your statement at the (Redacted) had the goal of  
3 liberating the Central African people and that you had no need to intervene because  
4 the Anti-Balaka was a nebulous structure without a strategy.

5 Are you in agreement with me that here you are talking about part of the (Redacted)  
6 (Redacted) on (Redacted)?

7 A. [15:16:56] In -- in -- in this excerpt, you would find excerpts of the speeches -- the  
8 speech which I delivered which was oral. So yes, those excerpts are contained  
9 herein.

10 Q. [15:17:11] When you say "nebulous structure," what do you mean? Do you  
11 mean that at the time of the delivery of your speech your -- the movement was  
12 entirely divided, fractured, and made up of a multiplicity of splinter groups?

13 A. [15:17:34] There was no Anti-Balaka movement in place. There were  
14 self-defence movements which took on the name "Anti-Balaka." And there was no  
15 command chain or link or decision-making link between those various movements  
16 once -- one and the other. That's why I said the structure was nebulous. It was not  
17 possible to determine who was Anti-Balaka and who was not.

18 Q. [15:18:09] Thank you, Mr (Redacted).

19 Would I be correct to think that after (Redacted) -- and if my chronological  
20 order is correct, it is at that time that you or Madam Samba-Panza would be elected,  
21 and then (Redacted)

22 (Redacted) at which, once again, and if I've understood you correctly,  
23 where (Redacted),  
24 (Redacted). Is it -- is that correct?

25 A. [15:19:06] That is correct. It was after that intervention that Madam

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1 Samba-Panza will be elected, and then (Redacted). That is

2 how the (Redacted).

3 Q. [15:19:32] Once again, did (Redacted), if I'm allowed to say so, the (Redacted),

4 (Redacted)

5 (Redacted)?

6 A. [15:19:48] Exactly, because at that time, they were -- they were already being

7 perceived negatively because (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 Q. [15:20:24] I will show you the attendance list which the Prosecutor showed you

12 on Tuesday at page 74, 75 of the transcript, and the list of presence is at tab 14 of the

13 Defence binder, CAR-OTP-2087-9027.

14 Court officer, please just make sure that the signature at the bottom of the page is not

15 displayed, please.

16 PRESIDING JUDGE SCHMITT: [15:21:41] There seems to be a small problem. We

17 have to wait a second.

18 MS DIMITRI: [15:22:31] (Interpretation)

19 Q. [15:22:32] Mr (Redacted), we see the attendance list on the screen.

20 Is it correct to say that this (Redacted)at (Redacted)

21 (Redacted), that that was (Redacted)

22 (Redacted)?

23 A. [15:22:56] That is correct. It was after (Redacted). And yesterday I saw the date I think

24 at the bottom, (Redacted). And I said it couldn't have been on the (Redacted)th.

25 It was after the (Redacted) after the election, so it must have been beyond

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1 or after the (Redacted)th, ordinarily.

2 Q. [15:23:24] If I understood well, just before that meeting, you spoke to the Office  
3 of the Prosecutor and said that you and Mr Ngaïssona had been driven by (Redacted)  
4 (Redacted) to (Redacted). And this is in tab 29, CAR-OTP-2046-0455 at page 0469,  
5 tab 29 of the OTP binder.

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 Q. [15:26:29] But the coordination -- I will show you, Mr (Redacted). It is at tab 15  
24 of the Defence binder, CAR-OTP-2001-3372.

25 I am waiting for the document to be displayed on the screen.

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- 1 Is it possible to show the witness the entire document so that he can see the names  
2 and the text.
- 3 Mr (Redacted), I put it to you that this is the coordination that was set up (Redacted)  
4 (Redacted) and it lasted only two hours, going by your testimony last week at page 73.  
5 Would that be correct?
- 6 A. [15:27:41] Yes, it is exactly that coordination which lasted only for two hours.
- 7 Q. [15:27:47] Mr (Redacted), for the record, (Redacted)  
8 (Redacted); is that  
9 correct?
- 10 A. [15:28:03] Yes, that is correct.
- 11 Q. [15:28:10] To clarify what you said to the OTP at tab 31, CAR-OTP-2046-0500 at  
12 page 0503, you said that this -- or you didn't have the document at the time. The  
13 Prosecutor had not shown you the document at the time, if I remember correctly.  
14 You said this unique coordination lasted only one day and did not have much impact.  
15 So are we talking about this very same coordination which lasted only for two hours?
- 16 A. [15:28:52] Yes, we are talking exactly about that coordination.
- 17 Q. [15:29:04] Still on that coordination, Mr (Redacted), would you agree with  
18 me -- it - it might be obvious to you, but sometimes we need to confirm things - this  
19 coordination that appears on this document never saw the day -- or the light of day.  
20 It never took root.
- 21 A. [15:29:21] That coordination only saw the light of day (Redacted), and its  
22 lifespan ended (Redacted).
- 23 Q. [15:29:40] A few days after (Redacted)  
24 (Redacted) on (Redacted) -- and I'll show you an article, a press article in that  
25 regard, which is at tab 16, Defence binder CAR-OTP-2029-0629 at page 0631.

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1 Please scroll down.

2 And here you say: (Redacted)

3 What -- the (Redacted)

4 (Redacted)?

5 A. [15:30:47] (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 Q. [15:31:25] I'm going to now ask you to listen to an audio which is an interview

10 before the former minister, Sebastien Wenezoui. And the Prosecution -- March 2014.

11 It is 34 in the OTP binder, CAR-OTP-2076-0825. We're going to listen to about one

12 minute, 1:5 to 2:9. The transcript is 37, CAR-OTP-2122-7403, line 20 to 30.

13 I'm going to let you listen to the audio and then have some questions afterwards.

14 (Playing of the audio excerpt)

15 THE INTERPRETER: [15:32:39](Interpretation of the video excerpt)

16 "... we arrived to the town, and then since we didn't have any politic *responsable*, we

17 looked at all the -- all the elements in Boeing, Boy-Rabe, and so on, and we decided

18 that Ngaïssona would be our political coordinator. But Mr Kokate, we didn't

19 recognise him in the beginning, but when everybody arrived in Bangui, you'll see

20 there were many, many groups, some who were here, were there, and it is at that time

21 that the head of state wanted one or two groups that came to see her. So we wanted

22 to have a group. And it is at that level that we agreed with Kokate, Bara, and they

23 created one bureau and they appointed Ngaïssona as the general coordinator so that

24 he could represent that in their work. That's how it worked."

25 MS DIMITRI: [15:33:32] (Interpretation)

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1 Q. [15:33:33] You heard Mr Wenezoui there when he says the head of state advised  
2 that we have a group so we have a single bureau. It is at that level that there was an  
3 agreement with Mr Kokate, Ngaïssona, Bara, they created a group and they elected  
4 Ngaïssona.

5 Was Mr Wenezoui, according to you, was he part of the coordination group that  
6 lasted only two hours?

7 A. [15:34:13] Obviously he's referring to this coordination, but where (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 Q. [15:35:03] Thank you. I'm going to now show you another document.

14 This is tab 17 of the OTP binder, CAR-OTP-2084-0049. It's a document dated

15 14 February 2014. It is signed on the last page, on the penultimate page, on

16 17 February 2014.

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 A. [15:36:28] From the day Mr Ngaïssona denounced the final attempt of  
21 coordination, of a single coordination, there was no coordination. There was no  
22 coordination. And that statement is something I'm discovering now \*that they  
23 signed.

24 Q. [15:37:02] In my chronology, Mr (Redacted), if I've understood correct, you are  
25 going to be (Redacted) on end of (Redacted), and two months later you

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- 1 (Redacted) or -- and you said that during this  
2 meeting a document was signed by (Redacted). Do you remember that?  
3 A. [15:37:34] I remember that very well.  
4 Q. [15:37:36] I'm going to show you a document, Mr (Redacted). It is tab 18,  
5 CAR-OTP-2035-0061. It is tab 18 of the Defence binder.  
6 It's (Redacted). (Redacted)  
7 (Redacted). Does this correspond to the document which you referred to when you  
8 had an interview with the OTP? Tab 21 of the OTP binder, CAR-OTP-2046-0267,  
9 page 0278.  
10 A. [15:38:50] You can see that on this document there is the (Redacted)  
11 (Redacted). So it is this document I am referring to.  
12 Q. [15:39:05] Thank you, Mr (Redacted).  
13 And just for confirmation, which might seem quite obvious to you, this document is  
14 not signed by Mr Yekatom on that particular date in (Redacted). Do you agree with  
15 me that, according to your statements, according to the documents you received, that  
16 Mr Yekatom was not part of the coordination of Mr Ngaïssona?  
17 A. [15:39:31] Just now I spoke about my astonishment. When I received this  
18 correspondence, I saw the name of (Redacted), and  
19 here today signs this document. I talked about my surprise before. I was referring  
20 to this when I expressed my surprise. But you don't find the signature of Yekatom,  
21 nor of Kamezolai. (Redacted)  
22 (Redacted).  
23 Q. [15:40:23] Thank you, Mr (Redacted).  
24 I'm now going to speak about the (Redacted). It was I think that you  
25 learned that there is a ceremony in (Redacted)



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1 (Redacted). Unfortunately, we have to remain in  
2 private session because we're going to talk about your speech.  
3 The Prosecutor on Tuesday showed you two videos where you held your speeches.  
4 And there was in particular (Redacted) and you  
5 indicated - and this is not a question, I just want to give you a bit of background - you  
6 explained you want to see the extract where you (Redacted).  
7 We're going to look at this extract together, but first I want to talk about some  
8 questions, one of the videos you haven't seen, and there are two others which the  
9 Prosecution showed you. So we're going to see one after the other and then I have a  
10 series of questions on specific points not addressed by the Prosecution.  
11 Do you understand what I'm saying?  
12 A. [15:41:50] I do.  
13 Q. [15:41:58] Can I have the first video, which is 19 of the Defence binder,  
14 CAR-OTP-2044-4009. Is it still in your memory?  
15 THE INTERPRETER: Sorry, the reference is 2084-1319.  
16 MS DIMITRI: (Interpretation)  
17 Q. [15:42:26] Do you remember that or do you -- is it still in your memory so that  
18 we don't have to show it again?  
19 A. [15:42:29] I think this is a speech that I held, so we can go directly to the  
20 questions.  
21 Q. [15:42:43] Thank you, Mr (Redacted).  
22 For the minutes, for the records, before I ask you a question, the transcript is 20 of the  
23 Defence binder, CAR-OTP-2107-1577.  
24 So in this first part of the speech you explained to the group in front of you that the  
25 group at that time had the name (Redacted)

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1 (Redacted).

2 So do you agree with me that when you made that speech on (Redacted), it wasn't on  
3 that day that the name (Redacted)? It was  
4 there from the very beginning and it tended to disappear on (Redacted).

5 A. [15:43:51] The name Anti-Balaka of south was known (Redacted)  
6 (Redacted). Everybody understood that finally there were two groups.  
7 That's how the journalists dubbed it the Anti-Balaka of the south and the Anti-Balaka  
8 of the north.

9 Q. [15:44:19] And so that it's clear, because in the -- this case we've heard of the  
10 Anti-Balaka of the south, that's the Kamezolari, Yekatom, Mbomon group?

11 A. [15:44:32] That is correct.

12 Q. [15:44:39] And in the first extract which you saw last Tuesday, you describe a  
13 case where the Anti-Balaka of the south were of the *pacifique* tendency, so from the  
14 outset, (Redacted), you describe them as the  
15 peaceful or *pacifique* Anti-Balaka?

16 A. [15:45:04] If that group did not exist, then (Redacted)  
17 (Redacted)

18 (Redacted)

19 Q. [15:45:24] In this speech of the (Redacted) you say (Redacted)  
20 (Redacted) This is line 12, "... (Redacted)

21 (Redacted)

22 (Redacted)

23 Mr (Redacted), was it necessary for the people to stand up and to create a resistance  
24 as a form of armed self-defence group to stop the carnage and abuse that was taking  
25 place?

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1 A. [15:46:12] I answer simply by saying this, Maxime -- *dulce et decorum est pro*  
2 *patria mori*. In French -- or in English it's, "'sweet and happy die for your fatherland".  
3 It was necessary given \*what we were experiencing. We must be prepared to die for  
4 others, to save others. We have to mobilise ourselves to find a solution to get out of  
5 the crisis. Today, the people live a little better, better than if we had not taken any  
6 steps.

7 Q. [15:46:59] Thank you, Mr (Redacted).

8 When you say - same footage - furthermore -- line 6. (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 A. [15:47:38] When I talk about the international community here, I am not  
15 necessarily referring to the Sangaris. I'm talking about the United Nations, the  
16 African Union, the European Union and the special representatives of the head officer  
17 of Mr Nguesso.

18 Q. [15:48:05] And if you exclude the Sangaris, do you agree with me that we talked  
19 about the visit of (Redacted)

20 (Redacted)

21 A. [15:48:30] (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 Q. [15:49:12] Again on the speech, I want to make an aside by showing you a press  
2 release of (Redacted). This is tab 47 (sic) of the Defence binder, CAR-OTP-2001-3811,  
3 page 3817. I'm going to read you this extract, Mr (Redacted). It is tab 47 (sic) of the  
4 Defence binder.

5 It's an article who talks about the Yekatom, Kamezolari group and it says: (Speaks  
6 English) "It seems to enjoy warm relations with French Special Forces and several  
7 observers believe their cooperation dates from the start of *Opération Sangaris*. These  
8 Anti-Balaka want to be part of the future DDR and became relatively moderate as  
9 soon as Djotodia had quit: they reconciled with Gula near PK9 and avoided  
10 indiscriminate violence."

11 (Interpretation) This refers to the two groups, the one of Yekatom and the one of  
12 Kamezolari. My question is as follows: Is this something -- (Redacted)  
13 (Redacted)  
14 is this something which you heard at the time that already at that time there was  
15 relations and cooperation with the Sangaris?

16 A. [15:51:13] You know, from the outset, the international community didn't  
17 (Redacted). Simply because the international community only had a reading of the  
18 Anti-Balaka as regards the exactions that took place. Because of (Redacted)  
19 (Redacted) time and time again, and because they noticed that the behaviour of the  
20 Anti-Balaka of this zone differed from the other Anti-Balaka, it's then that the  
21 international community understood. And as regards contacts between the  
22 Anti-Balaka or the Rambo Kamezolari team and the Sangaris elements, I think it was a  
23 military discussion or between soldiers. (Redacted)  
24 (Redacted) I'm not so aware of this.

25 Q. [15:52:30] Thank you, Mr (Redacted).

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1 I'm now going to show you the video, which you probably remember but didn't see  
2 on Tuesday. It was taken during the same ceremony, but some minutes later. It's  
3 tab 21 of the Defence binder, CAR-OTP-2084-1323. For the interpreters, the  
4 transcript is 22, tab 22, CAR-OTP-2107 (sic). This is a video which is -- I'm going to  
5 let you -- it's about 5 minutes, 13 seconds. I'm going to let you look at it and then I  
6 have some specific questions I'll put to you.

7 (Viewing of the video excerpt)

8 THE INTERPRETER: [15:53:36] (Interpretation of the video excerpt)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Pursuant to the Trial Chamber V's Initial Directions, ICC-01/14-01/18-631, dated 26 August 2020, the public reclassified and lesser redacted version of this transcript is filed in the case.

Trial Hearing

(Private Session)

ICC-01/14-01/18

WITNESS: CAR-OTP-P-0876

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 PRESIDING JUDGE SCHMITT: [15:58:55] The ERN for this item is 2107-1580.

9 MS DIMITRI: [15:59:06] Thank you, Mr President.

10 PRESIDING JUDGE SCHMITT: [15:59:10] When I read these things out, I'm being  
11 informed that something is not correct on the record, so I don't verify it myself. So I  
12 simply trust my people and they are 99.99 per cent correct.

13 MS DIMITRI: [15:59:32](Interpretation)

14 Q. [15:59:34] In this footage, you lay out the initial objective of the Anti-Balaka  
15 movement. Do you agree with me when you say this is a noble mission, a resistance  
16 movement created by youth who wanted to put end of the tyranny of the Seleka, a  
17 movement whose objective was the return of normalcy and national cohesion so that  
18 we could live together and have peaceful coexistence, was that the objectives of the  
19 Anti-Balaka in the beginning?

20 A. [16:00:11] That was the objective of the Anti-Balaka.

21 Q. [16:00:23] Thank you, Mr (Redacted).

22 You also speak in that footage of (Redacted)

23 (Redacted)

24 (Redacted)

25 A. [16:00:53] (Redacted)

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1 Q. [16:01:06] Mr (Redacted)

2 (Redacted)?

3 A. [16:01:17] Yes, they were. By the way, I was sitting next to (Redacted), if I'm  
4 not mistaken.

5 Q. [16:01:33] I think you may have made a small mistake in your statement and  
6 that can happen. I'm referring to tab 32 of OTP binder, CAR-OTP-2046-0530 at page  
7 0545. I'm not blaming you. Our memories are not always correct, but you said that  
8 Mr (Redacted) and Mr (Redacted) were not present at that meeting. Can you  
9 confirm that Mr (Redacted) and Mr (Redacted) were indeed present at that meeting?

10 THE INTERPRETER: [16:02:17] Overlapping.

11 THE WITNESS: [16:02:19](Interpretation) Yes, they were there.

12 MS DIMITRI: [16:02:21](Interpretation)

13 Q. [16:02:21] In this excerpt, you also talked about the fact that the Anti-Balaka will  
14 not be strong enough in front -- or against the Seleka, and that without the  
15 intervention of international groups, the Anti-Balaka and FACA cannot stand up to  
16 the Seleka. So you agree with me that the FACA and the Anti-Balaka at the time did  
17 not have weapons; is that correct?

18 A. [16:02:48] The FACA had their weapons which had been in the armouries but  
19 which were now with the Seleka. So they could not measure up to the Seleka. So  
20 Anti-Balaka and FACA together were not able to stand the Seleka. So it's the  
21 MINUSCA and Sangaris together which were able to overcome the Seleka, not the  
22 Anti-Balaka. (Redacted)

23 (Redacted)

24 (Redacted)

25 Q. [16:03:54] In this excerpt, you also refer to the fact that, and I quote you, (Redacted)



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1 (Redacted) And when you say that, are you referring to the (Redacted)

2 (Redacted)?

3 A. [16:04:11] I'm referring to all the meetings that I had with the (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 Q. [16:05:22] Now, in that excerpt, you also refer to fighting or the struggle of

13 (Redacted)

14 (Redacted), as you mentioned in your statement.

15 A. [16:05:50] (Redacted)

16 (Redacted)

17 (Redacted)

18 Q. [16:06:12] In this excerpt, you say that a (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 A. [16:06:58] At that time I was talking about (Redacted)

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1 (Redacted). So I had experience, and I did not want the same thing to repeat itself.

2 But, unfortunately, that is what happened.

3 PRESIDING JUDGE SCHMITT: [16:07:18] Ms Dimitri, I think -- of course, it makes  
4 sense to ask the questions that are related to the video we have seen. But,  
5 nevertheless, I would like to inquire, are there many further questions?

6 MS DIMITRI: [16:07:30] There are two left on that -- on that excerpt.

7 PRESIDING JUDGE SCHMITT: [16:07:34] Okay. Then we ask them.

8 MS DIMITRI: [16:07:36] Thank you, Mr President.

9 PRESIDING JUDGE SCHMITT: [16:07:38] And answer them, and then we finish.

10 MS DIMITRI: [16:07:41] Thank you, Mr President.

11 Q. [16:07:43] (Interpretation) In this excerpt, (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 A. [16:08:07] Yes, confirmed, definitely. Because it was the same even after we  
16 came from (Redacted) and thereafter; there were two different visions at play here.

17 Q. [16:08:19] Mr (Redacted), when you look back today, would you agree with me  
18 that that split, (Redacted)

19 (Redacted)

20 A. [16:08:38] With hindsight, I can say that he knew much more than he was telling  
21 me.

22 Q. [16:08:47] Thank you very much, Mr (Redacted). We will stop here today, and  
23 we will continue tomorrow with the third excerpt.

24 PRESIDING JUDGE SCHMITT: [16:08:55] Thank you very much, indeed. We do it  
25 this way.

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WITNESS: CAR-OTP-P-0876

- 1 So we conclude the hearing for today.
- 2 Thank you, Mr Witness, and we meet again together tomorrow morning at 9.30.
- 3 THE COURT USHER: [16:09:11] All rise.
- 4 (The hearing ends in private session at 4.09 p.m.)