

Trial Hearing
WITNESS: CAR-OTP-P-1193

(Open Session)

ICC-01/14-01/18

1 International Criminal Court
2 Trial Chamber V
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard
5 Ngaïssona - ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and
7 Judge Chang-ho Chung
8 Trial Hearing - Courtroom 1
9 Monday, 2 May 2022
10 (The hearing starts in open session at 9.32 a.m.)
11 THE COURT USHER: [9:32:29] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:32:53] Good morning, everyone. Court officer,
15 please call the case.
16 THE COURT OFFICER: [9:32:58] Good morning, Mr President, your Honours.
17 Situation in the Central African Republic II, in the case of The Prosecutor versus
18 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.
19 And for the record, we are in open session.
20 PRESIDING JUDGE SCHMITT: [9:33:13] Thank you.
21 The appearance of the parties.
22 Mr Vanderpuye, first.
23 MR VANDERPUYE: [9:33:17] Good morning, Mr President. Good morning, your
24 Honours. Good morning, everyone. And good morning, witness.
25 Today, the Office of the Prosecutor is represented by Manochitra Prathaban, Yassin

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- 1 Mostfa, and myself, Kweku Vanderpuye. Good morning.
- 2 PRESIDING JUDGE SCHMITT: [9:33:35] Mr Narantsetseg.
- 3 MR NARANTSETSEG: [9:33:36] Good morning, Mr President, your Honours.
- 4 On behalf of the victims of other crimes, appearing today, Maître Yaré Fall and
- 5 Ms Mouhia Asso and myself, Orchlon Narantsetseg. Thank you.
- 6 PRESIDING JUDGE SCHMITT: [9:33:47] Thank you.
- 7 MS LAU: [9:33:48] Good morning, Mr President, your Honours. Good morning,
- 8 everyone in the courtroom.
- 9 Today, the former child soldiers are represented by myself, Fiona Lau,
- 10 associate legal officer at the Office of Public Counsel for Victims. Thank you.
- 11 PRESIDING JUDGE SCHMITT: [9:33:59] Thank you, Ms Lau.
- 12 Ms Dimitri next.
- 13 MS DIMITRI: [9:34:04] Good morning, Mr President. Good morning, your
- 14 Honours. Good morning everyone. Good morning, Mr Witness.
- 15 This morning, Mr Yekatom, who's present in the courtroom, is represented by
- 16 Laurence Hortas-Laberge, Ms Anta Guissé, Mr Victor-Louis Lapointe Saint-Pierre,
- 17 remotely I believe we have Maître Pabingui, and myself, Mylène Dimitri.
- 18 PRESIDING JUDGE SCHMITT: [9:34:27] Thank you.
- 19 And Ms Proulx.
- 20 MS PROULX: [9:34:32] Good morning, Mr President. Good morning, your
- 21 Honours. Good morning, everyone.
- 22 Mr Ngaïssona today is represented by Barbara Szmatala, Sara Pedroso, Camille
- 23 Stuckel. Maître Landry is following from the field. And, of course, our client,
- 24 Mr Ngaïssona, is present in the courtroom. Thank you.
- 25 PRESIDING JUDGE SCHMITT: [9:34:44] Thank you very much.

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1 And we also welcome to the courtroom Mr Witness. Good morning.

2 Do you hear and understand us well?

3 WITNESS: CAR-OTP-P-1193 (On former oath)

4 (The witness speaks French)

5 (The witness gives evidence via video link)

6 THE WITNESS: [9:34:59](Interpretation) Yes, I can hear you loud and clear.

7 PRESIDING JUDGE SCHMITT: [9:35:03] And, also, welcome to counsel of the

8 witness, Ms Bagaza Dini. Good morning, counsel.

9 It's now the turn of the Defence of Mr Yekatom. Ms Dimitri, you have the floor.

10 MS DIMITRI: [9:35:21] Thank you, Mr President.

11 QUESTIONED BY MS DIMITRI: (Interpretation)

12 Q. [9:35:26] Good morning, Mr Witness. I will introduce myself once again. We

13 met a few days ago. I'm Mylène Dimitri, one of the lawyers for the Defence of

14 Mr Yekatom.

15 Can you hear me well?

16 A. [9:35:45] Yes, I can hear you.

17 Q. [9:35:50] As you have noticed, contrary to the colleagues that have spoken

18 before me, I will speak to you directly in French. So the recommendation that I will

19 start by making to you would be to observe five seconds between my question and

20 your answer, because everything that I'm saying is, first of all, translated into English

21 and then into Sango, and then they have to translate your answers also.

22 Are you okay with that?

23 A. [9:36:28] Yes.

24 Q. [9:36:29] I will also try to stay in open session as much as possible. On the

25 other hand, you have protection measures. The public cannot see your face or

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1 recognise your voice. So I will be extremely careful when we are in public session so
2 as to talk about general issues that do not identify you. However, if you have the
3 slightest doubt when you are about to answer, if you think that answer is identifying,
4 please let me know and I will request the President to go into private session.

5 Are you with me?

6 A. [9:37:13] Yes, I'm with you.

7 Q. [9:37:18] I would like to give you a sort of a roadmap on the topics that we will
8 be dealing with. We will talk a little bit about the Anti-Balaka in general and the
9 Seleka regime, a few questions. Then we'll talk about intercommunity tensions, then
10 the media and the discredit made by the media, because this is something that you
11 are very interested in and you have expressed yourself about it. Then we are going
12 to talk about certain individuals in particular, and I will ask for clarifications. And
13 then we will backtrack a little bit to the coordination of 15 May and of June 2014.
14 Then I will talk with you about all the initiatives of reconciliation for peace and the
15 sensitisation initiatives that you carried out with Mr Yekatom.

16 Are you with me?

17 A. [9:38:22] Yes, very well.

18 PRESIDING JUDGE SCHMITT: [9:38:25] Thank you very much for telling the
19 witness the specificities when the person putting the questions to him speaks also
20 French, but please also speak a little bit slower. That would also help, I think, the
21 interpreters. They got everything, until now, but you are speaking really at a
22 relatively quick pace, so to speak. Thank you very much, Ms Dimitri.

23 MS DIMITRI: [9:38:53] Thank you, Mr President. I apologise to the interpreters.

24 Q. [9:39:02] And, lastly, Mr Witness, before starting with my questions, I know that
25 you stated that it was important for you not to talk about Christians and Muslims but

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1 to talk about peace. I understand. I'm perfectly in agreement with you. But
2 considering the trial and the charges against Mr Yekatom, I will be compelled to use
3 the terms "Christians and Muslims" in the course of your testimony, even though I
4 know that in your opinion they're all Central African nationals, but I will have to
5 make that distinction when I'm dealing with certain specific topics. Is that okay?

6 A. [9:39:49] Very well.

7 Q. [9:39:53] Before I start, I will give references, once and for all, of your statement.

8 When I will refer to your statement, I will use only the paragraph numbers. But for
9 the record, the -- the statement is CAR-OTP-2045-0048. That is the French version of
10 the statement. And the English version --

11 (Speaking English) Just a second, Mr President. I'm just looking for the English
12 version.

13 PRESIDING JUDGE SCHMITT: [9:40:39] I think we are fine with the French version.

14 MS DIMITRI: [9:40:42] Perfect. Thank you.

15 Q. [9:40:52](Interpretation) Now, my first questions is to sort of re-establish the
16 chronology with you. I'm not going to go into details because we are going to deal
17 with one event at a time, but my objective to is review the chronology so that later on
18 we can go into the details of all the events.

19 Are you with me?

20 A. [9:41:20] Yes.

21 Q. [9:41:21] I understood that on 5 December you were not aware of 5 December,
22 because, like everyone, you were surprised by it. And following the attack of
23 5 December, according to you, you talk about the lynching of Muslims which you
24 protected. That is around December, January. And after that, you communicated
25 with your colleague, whose name I will not mention in public -- in public session,

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1 and then you met with Mr Yekatom because you wanted to protect the population.

2 Then subsequently, there was the initiative for the reopening of the Muslim cemetery,

3 and then there was the idea for -- that Mr Wenezoui joined the group of the south, the

4 group of Mr Yekatom.

5 Is everything I've said correct so far?

6 A. [9:42:32] Yes, indeed, Madam.

7 Q. [9:42:42] Subsequently, I believe in March 2014, there was a request from the

8 prime minister's office to set up a military police with the elements of Mr Yekatom in

9 Bimbo. And on 15 May 2014, there was the ceremony at which Mr Wenezoui was

10 appointed national coordinator. And after that 15 May, there was pressure, amongst

11 others, from Madam Montaigne to have a merger between the north and south

12 groups. And then after that, there was a unified coordination of 20 June 2014, which

13 was followed by the Brazzaville forum in July 2014.

14 Is my chronology correct?

15 A. [9:43:40] In relation to the military police of March, I would like to ask you to

16 withdraw that part because it came after the setting up of the general coordination.

17 Q. [9:44:02] Very well. Then if I understand the chronology of events well, there

18 were incidents, and we're going to come back do that in detail. There was the

19 incident relating to a young man of Petevo, and Yekatom was accused of abducting

20 him. Then you and the Sangaris investigated the issue.

21 After that, there was the incident concerning Lieutenant Konzi. We are going to

22 come back to that also. And after Konzi, there was the Nairobi accords in which you

23 did not take part. And after the Nairobi accords, there was the mission to Boda, and

24 following that mission to Boda, there was the official registration of the elements of

25 Mr Yekatom in Sekia. I understand that the process of answering into contact with

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1 the MINUSCA took place before, but the official registration took place after the Boda
2 mission.

3 Is my chronology still correct?

4 A. [9:45:19] Yes, it is still correct.

5 Q. [9:45:28] Thank you very much. Now I would like to ask you two questions.

6 One question on an audio. I would like to ask the Presiding Judge to go to private
7 session for a single question before we return to open session so as not to identify
8 you.

9 PRESIDING JUDGE SCHMITT: [9:45:47] Private session.

10 (Private session at 9.46 a.m.)

11 THE COURT OFFICER: [9:46:00] We are in private session, Mr President.

12 MS DIMITRI: Thank you.

13 Q. [9:46:15](Interpretation) My colleague, Mr Knoops, representing Mr Ngaïssona,
14 played an audio on Friday. I would like to show you another excerpt dated
15 (Redacted)

16 (Redacted). For the record, it is 50

17 minutes, 27 seconds, but we will listen only to a short extract right now, and others
18 will come later on. You will listen to it, then we will go into the public session, and I
19 will put you questions on that.

20 And for the record, it is tab 1 of the Defence list. It is CAR-OTP-2042-4677. We will
21 listen from 5 minutes, 37 seconds to 6 minutes, 24 seconds. The translation is in tab 2
22 of the file, CAR-OTP-2122-8916 to 8920, lines 50 to 59 in the interpreter's folder.

23 There's also a transcript, tab 3 of the Defence list, and it is CAR-OTP-2122-8957.

24 If the interpreters can indicate when they're ready.

25 (Viewing of the video excerpt)

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1 THE INTERPRETER: [9:48:41](Interpretation of the video excerpt)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 MS DIMITRI: [9:49:58] Mr President, for the next series of questions, I think we can
14 go in public session. I'll just advise the witness to be careful, but ...

15 PRESIDING JUDGE SCHMITT: [9:50:04] Yeah, I know why we have been in private
16 session, so I assume you can conduct your examination in a way that we can stay in
17 open session.

18 Open session, then, please.

19 (Open session at 9.50 a.m.)

20 THE COURT OFFICER: [9:50:27] We are back in open session, Mr President.

21 MS DIMITRI: [9:50:32](Interpretation)

22 Q. [9:50:33] You have heard audio excerpt, and I would like to reassure you that
23 the members of the public did not listen to it.

24 I have general questions. Is it correct that in those few lines, you are explaining how
25 the Anti-Balaka was actually the people who rose up to chase out Seleka and Djotodia

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1 from power?

2 A. [9:51:06] Can I answer, counsel? Thank you.

3 As you know, it is an analysis, and this is an analysis that was done by everyone.

4 The country was not doing well because President Djotodia was surrounded by

5 mercenaries. They were listening to no one. They did not listen to anyone. And

6 what is the reason for that? It is because in 2003, President Bozizé had brought those

7 same people to take over power from the former president, Ange-Félix Patassé.

8 I do not know which agreement existed between President Bozizé and the

9 mercenaries at that time. I have no idea, but that is from where we carry out the

10 analysis. So they were just sent away like that. They were just repatriated, sent

11 back to where they had come from. They were not paid.

12 And now when President Djotodia was advancing, he was supported with the

13 same -- by the same mercenaries. They arrived power, they had weapons, and they

14 did not listen to anyone. So there was the pillaging of the country. They did not

15 even respect President Djotodia. All the media reported on that.

16 And if I talked about machetes, I'm not an advocate or supporter of machetes, but

17 what happened at the time is that the Anti-Balaka at the time were using machetes

18 against the Seleka. And it was at that point that it was the population -- and when

19 you look at it closely, it was Muslims and Christians. That's why I don't want to talk

20 about the community. I'm talking about Central Africans in general.

21 But since people have been mentioning these differences, we were altogether. The

22 Muslims were suffering, the Christians were suffering, and they rose up to say, "No."

23 That is what happened.

24 The government of the Seleka collapsed. Now the time had come for peace, to make

25 peace, because what people were looking for were to get rid of the Seleka government.

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1 They collapsed, and the population was expecting change, a return to peace to the
2 constitutional order. That is what I can tell you, counsel.

3 Q. [9:54:32] Thank you very much, Mr Witness. I do understand from your
4 statement that the Seleka turned against the civilian population, Christians and
5 Muslims, and I understand that it created a climate of fear in the country, and the
6 population rose up to say, "No."

7 Would I also be correct to say that the FACA, who were being hunted down by the
8 Seleka, did not have any other choice than to defend themselves, to try to recover
9 weapons from Seleka in order to try to protect themselves against the acts of violence
10 of the Seleka?

11 A. [9:55:26] May I, counsel? When the Seleka started advancing from the extreme
12 north towards Bangui, the FACA could not resist this nebulous entity known as the
13 Seleka. They were fighting while retreating, and they were losing ground.
14 When the Seleka took over Bangui, all the FACA were scattered all over. No FACA
15 could be seen. They had hidden in their places, or they had fled into exile. There
16 were no FACA around. The government at the time did not have any control over
17 those Seleka. That is when there were so many exactions.

18 I always talk about the press, and I would like to refer to a journalist known as
19 Mathieu Mabin, who was making reports and who even said that things were taking
20 a turn and becoming an intercommunity war between Christians and Muslims. And
21 it is at that point started changing.

22 If that journalist, Mathieu, had not said that it was an intercommunity war, I think the
23 Christians and the Muslims would have stayed together in order to fight against that
24 tragic situation.

25 Q. [9:57:31] Thank you. I would like to repeat my question because it was a bit

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1 more specific, and you did not quite answer.

2 Now, when the Seleka captured Bangui, you said the FACA dispersed or scattered
3 and there were too many exactions. And at one point, some FACA, such as Habib
4 Beina, Mr Yekatom, they rose up and said it is enough. My question was very
5 precise.

6 Am I correct to say that they did not have any choice than to defend themselves, to
7 try to recover as many weapons as they could from Seleka in order to protect
8 themselves and protect the population against the Seleka?

9 A. [9:58:21] Madam, I'm not a soldier, and at the time, I was not with them. It is
10 up to them to explain to you how they came about recovering these weapons from
11 Seleka and defending themselves.

12 I know that there was an uprising, and this uprising involved both soldiers and
13 civilians, but I do not know what they did to procure weapons in order to carry out
14 that uprising.

15 Q. [9:58:56] Thank you. Now, still talking about the Seleka, I have a few minor
16 questions, and then we will go to the intercommunity tensions.
17 I heard you say that the Seleka were mercenaries from foreign countries. Would I
18 equally be correct to say that several traders without any military background joined
19 the Seleka?

20 A. [9:59:31] Yes, madam. The media also reported about that. The majority of
21 those former Seleka were Sudanese and Chadians. It does not mean that the Central
22 Africans were not there. They were there, both Muslims and Christians. The
23 traders, as you have just mentioned, were also members.

24 There was a businessman, a trader, at PK5 known as Bichara. Each person knew
25 him, everyone knew him, and he was a member of the Seleka, and everyone knows

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1 that.

2 Q. [10:00:22] And Bichara did not have any military training. He had been selling
3 shoes and old clothing before that; is that correct?

4 A. [10:00:37] Yes, indeed.

5 MS DIMITRI: [10:00:50] I'm too fast. I'm sorry.

6 PRESIDING JUDGE SCHMITT: [10:00:38] Please also wait a couple of seconds so
7 that the interpreters can catch up. Thank you very much.

8 MS DIMITRI: [10:00:50](Interpretation)

9 Q. [10:00:51] I have just been called to order. I have asked you to observe five
10 seconds, but I forget to observe five seconds myself. So I will repeat a little more
11 slowly.

12 Now, this trader who was selling secondhand clothes and shoes, who became a
13 self-proclaimed Seleka colonel, was he operating in Cattin and Kina?

14 A. [10:01:27] Before the arrival of Seleka in Bangui, this Mr Bichara was living in
15 the Kina neighbourhood, which is quite close to PK5. It is part of PK5. So PK5,
16 Cattin, Kina, Fatima, all those are neighbouring neighbourhoods that are close by.

17 Q. [10:02:05] And since you talked about PK5, in paragraph 32 of your statement,
18 you say that Chadians provided weapons to PK5.

19 As far as you know, based on what you heard, were those weapons also provided to
20 civilians in PK5?

21 A. [10:02:31] Well, counsel, PK5 is a civilian neighbourhood. It is not a military
22 base. It's not a military base.

23 Since the years * 1996, 1997, where mutiny started in the Central African Republic,
24 there was an inter-African mission known as MISAB, an inter-African mission which
25 is called MISAB. And in that mission, there was a Chadian contingent.

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1 History links the Central African Republic, who were Oubangui Chari, and was
2 linked to Chad, saying that it was linked in one way or another to Chad. The
3 Chadian contingent that arrived in the 1980s - I'm going back in history - there was
4 this civil war in Chad at that time, and the Chadians sought refuge in CAR. Those
5 Chadians, most of them became traders. And the MISAB mission with the Chadian
6 contingent at that time protected already then the Chadian nationals.
7 Secondly, when President Patassé was ousted by the Bozizé movement, there were
8 Chadians in the group. And it is then that the weapons entered PK5. Carry out
9 investigations. I'm not an investigator, but I try to carry out analysis. It's not a
10 military base, but people did have weapons. I don't -- this is how I'm trying to
11 explain it to you. They did have weapons.
12 During the Seleka, a large percentage of the Seleka who were in power lived in PK5.
13 And it is there that all Central Africans - Christians, Muslims - became -- said that PK5
14 became * a powder keg. That's all I have to say.

15 Q. [10:05:44] Thank you. I have a question. These Chadians who sought refuge
16 in CAR, these traders, after the civilian war in Chad, am I correct in saying that many
17 of them were former Habre soldiers?

18 A. [10:06:07] I can't confirm that a large part of them were civilians or not. But
19 they were people who in PK5, even small children -- because when there was
20 something going wrong, you heard shots in PK5. We, who were neighbourhoods
21 that were neighbouring PK5, they were concerned, and there was always noise
22 coming from PK5. But it wasn't necessarily a military base.

23 Q. [10:06:51] You talk a lot of about PK5. Do you know whether other markets in
24 Bangui also had received weapons? Did other markets receive weapons?

25 A. [10:07:11] It's hard to answer that question, counsel.

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1 Q. [10:07:15] Don't worry. If you don't know the answer, we'll move on to
2 something else.

3 A. [10:07:20] Okay.

4 Q. [10:07:28] We said that PK5 was a powder house and that former traders, like
5 Bichara, became Seleka. As far as you know, according to what you know, would
6 you say that the civilian Muslims -- and here, I'm sorry to use the term "Muslims and
7 Christians". We haven't got a choice. But would you say that civilian Muslims who
8 received those weapons, did they use those weapons against the population during
9 the time of the Seleka?

10 A. [10:08:05] PK5 was inaccessible, so I can't know what happened in PK5. The
11 people who were in PK5 were part of that, so I can't say what was going on.

12 Q. [10:08:33] Thank you. I'm going to change the topic but again on the Seleka.
13 Do you remember whether in PK9 section, Bimbo, Zila, was there a lot of exactions
14 committed by the Seleka, and after the events of 2013-2014, mass graves were
15 discovered in Zila, mass graves who had many victims killed by the Seleka? Is that
16 something you know anything about?

17 A. [10:09:14] I think that the media, the radio, said that in PK9 there was a pickup
18 who was trafficking to go into the hinterland. In this pickup, there was a parcel
19 where we discovered T-shirts, T-shirts with a logo of President Bozizé. And all the
20 people who were in this pickup were stopped by the Seleka elements who were in
21 PK9. They were led, we don't know where, they were killed, and the bodies were
22 thrown -- into the Bangui river, according to the information we had.

23 As a reference, I will give a journalist who was called Marco Palandri (phon), he was
24 part of those who were killed. His brother was the one who was killed in those
25 events.

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1 Now, I go back to the question of the mass grave. (Redacted)
2 (Redacted). The trucks of the international Red Cross, every day passed by in front
3 of my house, and that's something everybody saw. When they passed by, we had
4 the foul smell, the acrid smell with the bodies that were decomposing so that they
5 could bury them. So what you're referring to is that there were mass graves in the
6 area of Zila, and they were then dealt with by the international Red Cross. I think
7 that's something you can check up on.

8 Q. [10:11:40] Thank you for your answer. I'm now going to show you a document.
9 It's tab 49 of the Defence binder, CAR-OTP-2002-0371. I'd like to show you a passage,
10 0400. So that you understand the context, Mr Witness, this is a report on the
11 influence of Idriss Deby in Central Africa, and it was published on 5 March 2014. I
12 have a specific question as regards the Seleka.

13 I'm going to allow you some time to look at the question -- the report, and then I'll ask
14 you a question.

15 (Speaking English) If the court officer could scroll down a little bit. Thank you very
16 much.

17 (Interpretation) Can you see the document? It is written that, according, some
18 French soldiers, under anonymous cover, Chadian soldiers provided their FOMAC
19 armbands to the Seleka, allowing them to keep their weapons and continue to move
20 around.

21 Is this something which you noticed? Did you hear someone talk about that during
22 discussions, or did you hear it on the radio, namely, that the Chadian forces of
23 MISCA, of FOMAC, handed over their armbands to the Seleka, which created even
24 more confusion, clearly, and which increased the lack of confidence of the population
25 vis-à-vis the international forces?

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1 A. [10:13:53] Counsel, everybody was talking about that, but there was no evidence.
2 There was no evidence to the extent that the Chadian government would never say
3 that its contingent in CAR were putting armbands on to civilians, but this was the
4 question that was circulating throughout Bangui. Everybody was talking about it,
5 but it was never recognised.

6 MS DIMITRI: [10:14:38](Interpretation) Thank you. We can remove the document
7 from the screen.

8 Q. [10:14:40] Thank you for your answer, Mr Witness.

9 On Friday, you said there was no authority or control in the state, in the government.
10 That it simply didn't exist.

11 During your discussions with Mr Yekatom, never mind when it was or what any
12 member of its -- his team, did you ever notice that there was a lack of confidence,
13 vis-à-vis CEMAC, which would have strengthened the desire of Yekatom to make
14 sure that PK9 would remain secure and safe?

15 PRESIDING JUDGE SCHMITT: [10:15:32] Just a second, before you answer,
16 Mr Witness.

17 Mr Vanderpuye.

18 MR VANDERPUYE: [10:15:35] Thank you, Mr President.

19 I'm unclear, and maybe it's just me, as to what period of time we're talking about here.
20 The question seemed general.

21 PRESIDING JUDGE SCHMITT: [10:15:44] I also -- you're right, Mr Vanderpuye. I
22 would also appreciate if you could give us a little bit of a time frame so that we have
23 an idea how far we have to go back in time, so to speak.

24 MS DIMITRI: [10:16:00] To be honest, I was -- I was not putting a suggestion to him.
25 I was asking whether at any moment in time he had that discussion, and then I

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1 was -- if the answer is "yes", my intention is to, obviously, specify it and get a time
2 frame for my colleague.

3 PRESIDING JUDGE SCHMITT: [10:16:17] Okay. Them let's give it a try this way.

4 MS DIMITRI: [10:16:19] Thank you.

5 PRESIDING JUDGE SCHMITT: [10:16:20] And try to get from the general to the
6 specific.

7 MS DIMITRI: [10:16:22] Yes.

8 Q. [10:16:30](Interpretation) I'm going to repeat my question. You said there was
9 a lack of control in the state. You said everyone spoke about the fact that the soldiers
10 of FOMAC were Chadian and handed over their armbands, although this was
11 something Chad never admitted to.

12 So my question is as follows: At any point in time during your meetings with
13 Mr Yekatom, at any time, did he let you know that you didn't have confidence,
14 vis-à-vis, the international forces, in particular CEMAC, which strengthened his
15 desire to protect the PK9-Mbaïki axis?

16 A. [10:17:28] Counsel, madam --

17 Q. [10:17:32] Just a minute, Mr Witness. There's an objection. Just a minute.

18 PRESIDING JUDGE SCHMITT: [10:17:35] Mr Vanderpuye.

19 MR VANDERPUYE: [10:17:35] All right. Now I am clear, clearer with respect to
20 the time frame, but the suggestion that there was no state is in contradistinction to
21 what is being asked here, because in the time that the witness was with Mr Yekatom
22 in 2014, there was a transitional government in place. So I'm unclear again as to
23 what is the basis for the question that's being put to the witness in the context of
24 "there was no state in place" in meeting with Mr Yekatom, and so on and so forth.

25 PRESIDING JUDGE SCHMITT: [10:18:08] Ms Dimitri, can we split it up.

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1 MS DIMITRI: [10:18:12] We could. I'll split it up.

2 PRESIDING JUDGE SCHMITT: [10:18:17] Yeah, please.

3 MS DIMITRI: (Interpretation)

4 Q. [10:18:24] Well, we spoke of the absence of authority at the time of the Seleka.

5 We also said that the international forces, in particular, the Chadian force, handed
6 over their armbands to Seleka members. With -- given that contextual background,

7 at the moment when you met Mr Yekatom and you were discussing with him about

8 the desire to protect the population, at any moment in time during all your

9 discussions which you had with him, did you let you understand or know that he had

10 no confidence in the international forces, in particular CEMAC, and his desire to

11 make sure that the PK9- Mbaïki axis was made safe?

12 A. [10:19:42] Counsel, FOMAC, MISAB, all of them was a parole force. It was a

13 force that carried out patrols. But during these events, the population didn't have

14 any protection, because when a patrol passed, it just passes by, and then there's

15 nothing. And at PK9 level, Mr Rambo set himself up. He set himself up after,

16 behind the bridge. There was no state control at that place. The police, the

17 gendarmerie did not exist there. There were his troops that were present there. We

18 stayed there until we went to Brazzaville, and then the state authority resumed, and

19 they started to take position there.

20 So Mr Rambo had his elements near him. And I said to him, "Corporal chef, protect

21 the zone. Do not do anything that -- that information that we receive in the radio

22 from the other side, make sure that that doesn't happen here." That's what I said to

23 him. And during my stay, there were no exactions, apart from the information that

24 we received as regards the disappearance of that man. The information of his

25 military brothers * who stole the sheep and came there, he was faster and they shot

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1 him. According to the information about Konzi, that's all I can tell you. But I didn't
2 experience it myself. I didn't see it. This is the only way I can answer your
3 question.

4 Q. [10:22:06] Thank you for your answer. I'd like to clarify some points because it's
5 extremely important for the records. When you talk about your military brothers who
6 stole the sheep and slaughtered them, you said they wanted to come to beat Mr Yekatom.

7 *A. [10:22:27] According to the information I received - I was not personally
8 present - they came with the intention of killing Mr Rambo, and Mr Rambo was
9 quicker than they were, and he killed them. * That was the information that I
10 received. Mr Rambo himself is here; he can explain to you what happened, because I
11 wasn't there myself.

12 Q. [10:22:57] I'll come back a little later on the two other incidents, the young man
13 and Mr Konzi. What I'd like to do now is to change topics and talk about the
14 intercommunity tensions.

15 In the audio - you heard it a little earlier. I'm not going to play it again - you
16 explained how the Seleka turned against the civilian population, and you
17 explained -- you used a word which challenged me, and you said it created division
18 in the country. I would like you to explain in detail, because after that, I have a
19 series of questions.

20 When you talk about division, unfortunately, you talk about division between the
21 Christians and Muslims; is that correct?

22 A. [10:23:53] Yes. Because when the Seleka started their killings, the majority
23 were Muslims, and the interpretation who were -- that was that the Muslims were
24 killing the Christians, and that's why I said there was a division then.

25 Q. [10:24:16] And last Thursday you said there was a war. It's unfortunately, but

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1 there was a war between the Christians and Muslims. There was a moment of panic
2 as when there was all the gathering of the Muslims.

3 Am I to understand, and do you agree with me, that one of the consequences of this
4 division between Christians and Muslims, which was created in the country by the
5 Chadians, by the Seleka, one of the consequences was this movement of panic and the
6 mass departure of Muslims who were panicking and sought refuge in PK5, which
7 became a powder house, or went to Chad or neighbouring countries? Am I correct?

8 A. [10:25:13] Mathieu Mabin made his declaration and said, it's an intercommunity
9 war. It's at that moment. And Chad sent trucks to pick up the Chadian nationals,
10 and that was the moment of great panic, where people said, "It's true, it's true."
11 Because the trucks came, and they came with Muslims in the southern part of the
12 country.

13 Q. [10:25:52] And when you use the word "war between the Christians and the
14 Muslims", am I correct in saying that it took such a big wave that the two
15 communities attacked each other? But my question is very specific, the population.
16 When you talk about war between the Christians and Muslims, unfortunately, we had
17 to note that it was an intercommunity war where the two communities attacked each
18 other, the ones against the others.

19 A. [10:26:35] I'm not a soldier. I'm not a man of God. French is not my language.
20 So if I use words, please try and understand what I'm saying. It's just in order to
21 clarify to the Court. I don't know how to re-explain all the facts, but at least I'm
22 trying to pass on what I know.

23 Q. [10:27:04] Do you agree with me that the situation at that time, in
24 December 2013, January 2014, after the Bangui attack, the civilian situation was a
25 vicious circle, to the extent that a Christian attacked a Muslim, a Christian would

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1 lynch a Muslim, the Muslims in return would loot or attack a Christian? Do you
2 agree with this statement?

3 A. [10:27:37] I agree with you, counsel. From the moment when the Christians,
4 who were in PK5, when they went -- entered, they never came back. I'm talking
5 about the lynching of Muslims in Petevo. So I confirm what you are saying. It's a
6 fact. It's a fact.

7 Q. [10:28:07] I'd like to show you a video. It's a journalist who was in Bangui
8 who's taken a series of photos, and he comments on what he witnessed. I'm going to
9 show you the witness (sic), and then I have some questions I'll put to you. It is tab 30
10 of the Defence binder, CAR-D29-0008-0005. We're going to look at the video. For
11 the interpreters, it's -- it is 52, CAR-D29-0006-1172.

12 I ask you to look at the video, and then we'll have some questions.

13 (Viewing of the video excerpt)

14 MS DIMITRI: [10:29:42] Mr President, can I just have a moment, please.

15 PRESIDING JUDGE SCHMITT: [10:29:55] Of course.

16 MS DIMITRI: [10:30:05](Interpretation)

17 Q. [10:30:06] So you've seen the video. It suggests that the Christians are looting
18 the -- the Muslim shops. Am I correct in saying that in the hours following the
19 attack on Bangui, the Christians started to take over the Muslims in the hours that
20 followed the attack, because they were looted by the Seleka for months, and now they
21 in turn took their revenge on the Muslim civilians?

22 A. [10:30:58] Counsel, that film, that video was shown on France 24. I saw it. I
23 was there, and I saw it, and I listened to the international radio. And I saw it on
24 France 24. So your question which asks me whether the Christians looted the

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1 Muslim shops is something I can confirm. That was common practice in Central
2 Africa.

3 When there was an incident, people started to do whatever they wanted to. You
4 yourself saw on the film that they came to loot the Muslim shops, and they had
5 machetes, but those Muslims didn't wound the people. Even though they had
6 machetes, didn't wound or harm people. So there was such a hatred that if an
7 individual enraged at that leave, then the excesses would not have happened.

8 Q. [10:32:24] Thank you. I will play to you another audio, and we will do that in
9 private session so as not to identify you. Then we come back to public session for a
10 few questions.

11 PRESIDING JUDGE SCHMITT: [10:32:45] Private session.

12 (Private session at 10.32 a.m.)

13 THE COURT OFFICER: [10:32:54] We're in private session, Mr President.

14 MS DIMITRI: [10:33:10](Interpretation)

15 Q. [10:33:10] We will play an audio. That is tab 4 of the Defence list,
16 CAR-OTP-2012-0409, from the 28 second to 44 seconds. The translation is tab 5,
17 CAR-D29-0006-1180, from lines 8 tow 11. In fact, it is a video.

18 (Viewing of the video excerpt)

19 THE INTERPRETER: [10:33:56](Interpretation of the video excerpt)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 MS DIMITRI: [10:34:29](Interpretation)

25 Q. [10:34:29] Did you see the video?

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1 A. [10:34:33] Yes.

2 MS DIMITRI: [10:34:33] If we could go back to public session for the questions. I'm
3 sorry to the interpreters.

4 PRESIDING JUDGE SCHMITT: [10:34:38] Nothing is lost. Nothing essential is lost,
5 I think.

6 Open session.

7 (Open session at 10.34 a.m.)

8 THE COURT OFFICER: [10:34:56] We are back in open session, Mr President.

9 MS DIMITRI: [10:35:01](Interpretation)

10 Q. [10:35:02] Now, this is a video clip that was made or given shortly after the
11 ceremony of 5 May, and in that video, you indicated that Muslims and Christians
12 should get closer to each other because the media are discrediting us, that we are
13 killing each other.

14 My question is as follows: Would you agree with me that this violence between
15 these two communities had taken on such dimensions that it was very important for
16 you, the south group, to raise awareness publicly over the airwaves of the
17 population?

18 A. [10:35:53] The statement that I made, well, the attacks were not on the south side.

19 But what I heard, what came over the radio was that (Redacted)

20 (Redacted). There was a debate. It was not the sort of debate in

21 which you say this person is stronger and this one is weaker, but it was a message of
22 peace. I had committed myself as a man of peace, and so we talked about peace.

23 And when we say the media was discrediting people, it is because people listen to the
24 media quite a lot throughout the world. If the media carries out good propaganda,
25 that reduces tensions. But if the media, for example, in the thousand hills, say just

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1 about anything that push people to carry out certain acts, the situation becomes
2 unmanageable. (Redacted)

3 (Redacted)

4 Q. [10:37:27] Thank you. Now, I would like to talk about this awareness raising
5 exercise that you carried out so as to inform the various members of the general
6 public.

7 Am I correct to say that the video we have watched is just an example of several
8 initiatives that you did on behalf of the south group, that is, appealed to the
9 population to come closer to each other?

10 A. [10:38:00] Yes. In each environment that I found myself, I was talking only
11 about peace and reconciliation. And even with the international community, when
12 we had meetings, I never stopped talking about peace, because the community had
13 the ability to put pressure on people so as to lead to the restoration of peace.

14 Q. [10:38:27] And amongst those awareness-raising initiatives -- and we are in
15 public session, so I'm not going to mention the role that you played in the south
16 group. Is it correct that it was necessary to encourage, sensitise, and repeat to the
17 Christian populations to accept the return of the Muslims?

18 A. [10:38:57] Yes. These are things that went hand in hand. And even if we look
19 at history, the first religion that came to our country was Islam. Christianity came
20 after, but Christianity was accompanied by resources, and then they conquered a
21 good part of the territory. But the first or real religion was Islam. So you cannot
22 say that Christians and Muslims are not brothers.

23 If you look at the Bible, we are one. And today -- what we were starting as an
24 initiative, today the Muslims and Christians are together. A Christian going -- a
25 Muslim going to where Christians are in the south, it is well protected; just as the

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1 Christian going to the north where Muslims are mainly based is equally well

2 protected.

3 Q. [10:40:17] Thank you. We are going to talk about the discredit of the media,
4 the false rumours of the media.

5 My first question is: Is it correct to say that during those awareness-raising exercises
6 with the general public or in the radio and television, were you telling the members of
7 the population mainly that if they continue to follow the wrong information of the
8 media, there would be a risk of them not being able to come out of that bad situation?

9 A. [10:40:58] Yes, indeed, Madam. The message had to be clear. We had to
10 speak the truth. The media, particularly the print media, is usually going after
11 money. And the audio -- well, if they're not careful -- everyone says, "I listen to the
12 radio. I listen to the radio." And that takes a different turn.

13 Q. [10:41:36] Thank you. We are in fact going to talk about that in a more specific
14 manner.

15 Would you agree with me that the media discredited people to the point of
16 broadcasting false rumours over the airwaves and which had the effect of terrifying
17 Muslims?

18 A. [10:42:00] Please, can you put the question in a simpler form.

19 Q. [10:42:09] I will give you precise examples, but I have a general question, first of
20 all.

21 Do you agree with me that the media discredited individuals, in particular? Not
22 only did the media discredit Christians and Muslims, generally speaking, by talking
23 about a religious war, but they were also circulating wrong and false information
24 about individuals, saying that this person has done this and this other person has
25 done that, and the effect was to terrify Muslims. After this, I'll give you certain

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1 examples.

2 PRESIDING JUDGE SCHMITT: [10:43:01] I think it's -- it's so general. Start with
3 the examples. And if, from the examples, there are -- there are possible conclusions,
4 we will draw them or not in the end.

5 It's -- frankly speaking, it's too obscure for the witness. How can he answer to that.

6 You have obviously specifics, and please put them to him.

7 MS DIMITRI: [10:43:46](Interpretation)

8 Q. [10:43:46] I will give you an example of a media house that reported information
9 about Mr Yekatom, information that I consider as false, and I will ask for your
10 comments on that. Are you agreed with me?

11 A. [10:44:05] Yes.

12 Q. [10:44:07] I will show you a document, tab 27 of the Defence list,
13 CAR-OTP-2075-1516.

14 You have an article on the screen in front of you.

15 (Speaking English) So if you could zoom out so we could see the entirety of the first
16 article. A bit more. A bit more. Yeah. Thank you very much.

17 (Interpretation) You have an article before you dated 6 November 2014. And just to
18 give you the context, this was after the Brazzaville accords, after the Brazzaville
19 forum. This article alleges that in October 2014, that is, a few weeks before, several
20 weeks after the Brazzaville forum, Mr Yekatom had attacked the PK9 gendarmerie to
21 release his so-called brother who was detained, and that during that attack,
22 Mr Yekatom is supposed to have suffered an incurable handicap and that he is
23 missing a leg. Obviously, it is false because Mr Yekatom never lost his leg.
24 So my first question is: Do you agree with me that this article is one example,
25 amongst others, of false rumours circulated by the media against Mr Yekatom?

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1 PRESIDING JUDGE SCHMITT: [10:46:11] Mr Vanderpuye, I know what you are
2 taking issue with, one example.

3 MR VANDERPUYE: [10:46:17] No, not entirely. The issue here is that the article
4 puts forth several facts.

5 PRESIDING JUDGE SCHMITT: [10:46:23] Yes, you're right.

6 MR VANDERPUYE: [10:46:28] And she's identified one in particular, which is fine,
7 but the question was put to the whole of the article.

8 PRESIDING JUDGE SCHMITT: [10:46:33] So I agree with you.

9 Ms Dimitri, you split it up, you split it further.

10 MS DIMITRI: [10:46:37] I was going there. I was going to the first indicia, and then
11 I --

12 PRESIDING JUDGE SCHMITT: [10:46:42] There are different informations in this
13 article. One is the --

14 MS DIMITRI: [10:46:48] The leg, yes.

15 PRESIDING JUDGE SCHMITT: [10:46:49] The leg. I think we don't have to discuss
16 this further, the leg.

17 The second is the issue with the gendarmerie.

18 MS DIMITRI: [10:46:55] Yes.

19 PRESIDING JUDGE SCHMITT: [10:46:56] I think we can continue from there.

20 MS DIMITRI: [10:46:57] Yes.

21 PRESIDING JUDGE SCHMITT: [10:46:58] Okay.

22 MS DIMITRI: [10:47:10](Interpretation)

23 Q. [10:47:10] Do you agree with me -- and we are talking here about October 2014.

24 There was an incident - and we will talk about it during your testimony - that is, an

25 accident relating to Mr Yekatom and the gendarmerie in June 2014. But, yeah, I'm

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1 talking to you about October 2014.

2 Do you agree with me that, apart from the fact that this article refers to the false

3 missing leg of Mr Yekatom, what they say, that on 30 October 2014, or the end of

4 October 2014, Mr Yekatom is supposed to have attacked the PK9 gendarmerie, tried

5 to release his brother who was detained there? Do you agree with me that this

6 information is equally false?

7 I will have another question after that.

8 A. [10:48:19] Thank you, counsel. The question of infirmity is false, because

9 Mr Yekatom is there with you and he has both his legs.

10 Now, regarding the attack of the gendarmerie, how many attacks were carried out

11 against the gendarmerie? Maybe you can assist me there. And if you do, I may be

12 able to recollect something.

13 Q. [10:48:52] I think this is a -- I think that we don't agree with the OTP on -- we

14 think that there was only one attack in June 2014. Now I'm telling you about an

15 attack -- or, rather, an article published after Brazzaville, and it is alleged that Mr

16 Yekatom attacked the gendarmerie, and they released all the prisoners, including his

17 brother who was in that prison, and that the entire attack was carried out with heavy

18 weapons. That is apart from the fact that he was actually infirm or handicapped,

19 allegedly.

20 So do you agree with me that this article is incorrect? They are claiming an attack

21 using heavy weapons by Mr Yekatom in October 2014, during which he released all

22 the prisoners.

23 A. [10:50:07] Counsel, I undertook before this Court to speak the truth and only the

24 truth. I know that Rambo attacked the gendarmerie with heavy weapons. I do not

25 know the period, but Sangaris called me to say that Mr Rambo attacked the

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1 gendarmerie and he took away weapons. That is it what Sangaris told me. I
2 contacted Mr Rambo.
3 Now, there was the association known as MOUDA, which was also present. We
4 called chief caporal Rambo. He showed us where he was, and we went and found
5 him, and he handed over us the weapons that he had retrieved at the gendarmerie.
6 The colleague, Colonel Didier, who was the number one of the Sangaris, was waiting
7 for the results of our mission that had been given to us. So we went. There were
8 people everywhere in Bangui town. So we came with the weapons alongside the
9 MOUDA association. And the director general of the gendarmerie, Colonel Guy
10 Damango, was there. The minister of the interior, may he rest in peace, General
11 Langawousi (phon), was also there. And a few Sangaris elements gave back those
12 weapons. That is what I know. But there were no shots using heavy weaponry.
13 (Redacted), not far from PK9, and I did not hear any heavy weapons fire.
14 But I was called to be told that Rambo had attacked the gendarmerie and he had
15 taken away weapons. Sangaris called me, and we went and retrieved -- and gave
16 those weapons over to the gendarmerie.

17 PRESIDING JUDGE SCHMITT: [10:52:48] What you could -- what you could
18 perhaps do is try to orientate the witness in time, so to speak. I think it might be
19 worth it.

20 MS DIMITRI: [10:53:00] Yes, yes. I was going there.

21 PRESIDING JUDGE SCHMITT: [10:53:02] Okay. Good.

22 MS DIMITRI: [10:53:02] Exactly. Thank you, Mr President.

23 Q. [10:53:06](Interpretation) Mr Witness, I know precisely what you are referring to,
24 but it is important for me to situate it in time.

25 The incident to which you refer, would I be correct to say that this happened

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1 immediately after the merger between the north and the south, and prior to the

2 Brazzaville forum? And this was in June 2014. Are you referring to that?

3 A. [10:53:39] Yes, this was after the merger, because Ngaïssona also called me to
4 tell me about that situation.

5 Q. [10:53:53] And am I equally correct to say that this happened before the
6 Brazzaville forum?

7 A. [10:54:02] It was after.

8 Q. [10:54:04] After?

9 A. [10:54:05] Yes, after. The event that I have just talked about with you
10 happened after the Brazzaville forum.

11 Q. [10:54:17] Am I correct to say that there was a single incident, as far as you
12 know, and that there was no release of all prisoners by Mr Yekatom, including his
13 brother? The event happened the way that you have described it.

14 A. [10:54:50] I'm sorry. The brigade commander at the time was there. I think
15 you have to cross-check that with him. I cannot go up to that level and give you
16 such information.

17 PRESIDING JUDGE SCHMITT: [10:55:11] I think you can or I think you would have
18 to move on. And also, it is also clear for everyone here in the courtroom that
19 newspaper articles do not portray common knowledge, and they are also not final
20 judgments. So I think you can continue from there.

21 Do you start with a completely new issue and point?

22 MS DIMITRI: [10:55:36] I was still on the subject. I was going give another
23 example of -- regarding Mr Yekatom, but I don't mind if your Honour want to break
24 now. It's a new subject.

25 PRESIDING JUDGE SCHMITT: [10:55:48] Are you on time, so to speak, on

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1 schedule?

2 MS DIMITRI: [10:55:54] Unfortunately not. And I'm trying to slow down. I don't
3 know why I have the feeling -- maybe because the questions are long and the answers
4 are long, so I have the feeling I'm -- I have to wait even more for interpretation to give
5 them a chance - and it's no criticism - it's just to give them a chance to interpret. But
6 at some point, pretty soon, actually, I will reach subjects where -- that will require less
7 comments, I must say.

8 PRESIDING JUDGE SCHMITT: [10:56:30] I also have to say that I understand your
9 line of questioning, but your introductions to the questions have been quite long.
10 Sometimes it's necessary, but perhaps sometimes you can focus a little bit more on
11 what you're asking. It's always behind the idea that we have to finish the witness on
12 Wednesday, and I think we can do that. I'm still quite optimistic.
13 So we'll have then the coffee break until 11.30.

14 THE COURT USHER: [10:57:03] All rise.

15 (Recess taken at 10.57 a.m.)

16 (Upon resuming in open session at 11.31 a.m.)

17 THE COURT USHER: [11:31:11] All rise.

18 Please be seated.

19 PRESIDING JUDGE SCHMITT: [11:31:36] Ms Dimitri, you still have the floor.

20 MS DIMITRI: [11:31:41] Thank you, Mr President.

21 Q. [11:31:45] (Interpretation) Mr Witness, may we continue?

22 A. [11:31:50] Yes, Counsel.

23 Q. [11:31:53] We talked about this particular article, which I introduced you to. I
24 have another, which I'm not going to show you on the screen, but relates -- it's not an
25 article, it's a report. It's a report that takes up part of the article saying that Yekatom

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1 had lost a limb, and it indicates that in October 2014 - so still after the Brazzaville

2 forum - and, I suppose, about the -- the dismantling of the checkpoints in 2014,

3 Mr Yekatom supervised killings of civilians in Mbaïki.

4 I know you're not with Mr Yekatom 24 hours out of every 24, but would you agree

5 with me that you never heard anything said about this? Of killings of civilians in

6 Mbaïki in October 2014, three months after the Brazzaville forum, and that these

7 killings were supervised by Yekatom?

8 A. [11:33:03] Never. This is misinformation.

9 PRESIDING JUDGE SCHMITT: [11:33:10] Could you provide us with a reference,
10 please.

11 MS DIMITRI: [11:33:12] Of course, Mr President. It's CAR-OTP-2074-3252. I will
12 double-check after the break because I remember it's a lengthy report, and now I have
13 doubts whether I gave you the specific page or the first page of the document, so
14 just to make sure you can trace it.

15 PRESIDING JUDGE SCHMITT: [11:33:39] Everything what makes our life easier is
16 appreciated.

17 MS DIMITRI: [11:33:43] It's my goal.

18 Q. [11:33:51] (Interpretation) Final question on the media and then I'll change
19 subjects.

20 Do you agree with me, because we've just seen two examples of misinformation sent
21 by the media, do you agree that part of the problem was that if in one media
22 transmitted -- broadcast something, the others collected the information and spread it
23 as well. So if the information is false, unfortunately it is taken up by other media in
24 CAR at that time -- not everyone, but by some of them?

25 A. [11:34:30] It's a professional mistake. In CAR, as you've just said, they sort of

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1 copy and paste. They do not respect any code of conduct. Copy and paste has not
2 really cross-checked the original source.

3 Q. [11:35:05] Thank you for your answer. I would like to talk about Lobaye a little.

4 Last week, you said unfortunately one of the problems at that time was that if a
5 Christian rose up, you said it was an Anti-Balaka, and if it was a Muslim, you
6 immediately said it was a Seleka. Am I correct in saying that in a zone like Lobaye,
7 there were individuals, bandits, the black sheep, who committed crimes and
8 unfortunately if it were the Christians, you'd say, "Ah, this is an Anti-Balaka of
9 Mr Yekatom."

10 Was this a serious problem which occurred in Lobaye? I'm not sure you've
11 understood my question.

12 A. [11:36:03] I understand your question, Madam Counsel, I understand it. It's
13 an -- in CAR, completely, when a Christian did something, you said it was a Balaka.
14 When it was a Muslim, you said it was a Seleka.

15 But specifically in Lobaye, I don't have that information. I don't have that
16 information.

17 Q. [11:36:43] And paragraph 73 of your statement you said bandits belonged to no
18 group when they just committed crimes. According to what you know, were there
19 bandits in Lobaye who committed crimes but who did not belong to the Yekatom
20 group?

21 A. [11:37:14] Let me see this paragraph that you're talking about. If it's there that I
22 said it is the bandits who were doing this, I was alluding to that. They would talk
23 about that on the radio, but if you have to blame, then investigations have to be
24 carried out to determine, and since investigations weren't carried out, then
25 people -- no one said, "No, it's me who's done this." No one is going to say that.

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1 Q. [11:38:02] Do you agree with me, according to what you know, that in Lobaye
2 there could have been at the time in 2014, Anti-Balaka groups or Anti-Balaka who
3 were not under Yekatom, but came from Yaloke, Nola or from the Boali route.
4 Is that something you're aware of?

5 A. [11:38:29] No, I don't know anything about that. I don't know that. I only had
6 contacts with the caporal-chef in PK9. The elements that were with him, those are
7 the ones I know. They were in PK9 in the Pissmiss surroundings.
8 Those who were in Sekia, that's the ones I know that were with Rambo. But some
9 that -- who came from other parts, that is something -- perhaps they came and -- but I
10 don't have that information.

11 Q. [11:39:03] Thank you. I now want to look at a document with you, which you
12 handed over to the Prosecution, which is annex E. Because you handed it over to the
13 Prosecution, I would like the Prosecution not to -- the court officer not to show it to
14 the public. It's tab 9 of the Prosecution binder, CAR-OTP-2039-0031 and I'd like to
15 draw your attention to page 0038.

16 Can you see the document? Can you go down a bit in the document, please. Go
17 further, further down until you see bass Boeing -- "BASE BOEING 2", sorry.

18 A point of clarification. On this page it says, "BASE BOEING 2". This is a
19 document which you handed over to the Prosecution. Am I to understand that the
20 elements that you see on this page, just like the ComZone under "BASE BOEING 2"
21 are elements that are based in Boeing?

22 Is that how we're to understand the document?

23 A. [11:40:39] Madam, thank you. This is document, which the caporal-chef
24 Rambo handed to me, I don't know. I don't know. He gave me a list of civilian
25 Anti-Balaka, military Anti-Balaka, which I gave to the Prosecution. And for the DDR,

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1 which Mr Hervé Hesse facilitated, there were names of ComZones who were also on
2 that list. So if this document is that of the DDR or that which Mr Yekatom gave of
3 his elements, so please help me make the distinction.

4 Q. [11:41:38] I understand completely. I'll try and help you. If we could show
5 the first page to the witness. Last week, you identified the list of military, the list of
6 civilians, which Mr Yekatom gave you. Now, this document is another document,
7 which wasn't presented to you last week and, as far as I know, wasn't given to you by
8 Mr Yekatom.

9 The first page of the document is before you. Does that refresh your memory?

10 A. [11:42:17] I see, "BASE SOS LEBENE Thierry", so that it's not Mr Yekatom who
11 gave this document. This is a document that came from the coordination. Lebene
12 Thierry is called 12 Puissance. He's not an element of Rambo. "BASE FOUH Abou
13 Alex" is northern areas. So it's not part of his elements. So it's a list that is
14 produced in the coordination, and there's the chief of operations who know the
15 ComZones and this list is produced on that base. So on that base, we had these
16 people, and it gives you the names of the people who were in that particular base
17 vis-à-vis MINUSCA.

18 So it's in that light that this document was generated.

19 Q. [11:43:24] Thank you. I go back to my question. If we go back to my question
20 and look at the locations, am I correct in saying that in this list on page 0038, and I'd
21 like you to look at that, and the page 0038, you see "BASE BOEING 2" with a list of
22 names.

23 And then on page 0045, at the bottom of the page, at the bottom of the page, 0045, you
24 see "BASE AEROPORT".

25 Am I correct that this list is not only identifying the elements, but also refers to bases

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1 in Boeing with a certain number of elements in those bases, Base Boeing 2, Base

2 Aérport, which are situated in Boeing?

3 Is my understanding correct in that?

4 A. [11:44:40] Yes, that's the name of the bases and their specific locations.

5 Q. [11:44:48] Thank you. I'd like to draw your attention to a name which is on the

6 list, page 0041. If we can go down a bit so we can -- so we can see *535 and 539.

7 So in 535, you see "Guiyegba Amos". Guiyegba. I'm going to make your memory

8 work. In 539, you see Gilbert "Kamezouläi".

9 My first question is about Kamezolaï. Do you agree with me that it is not Captain

10 Kamezolaï here, because as a soldier his name should appear on the list of soldiers

11 who received a ranking, and this is a list of civilians.

12 So this is not Captain Kamezolaï that appears here because this is a list of civilians.

13 Is my understanding of this list correct?

14 A. [11:46:03] I don't know. I know Captain Kamezolaï. I know -- I'm not -- I

15 don't know anything more than that. Perhaps ask caporal-chef Rambo. If it's a

16 captain, then he wouldn't be on this list, but I don't know him. I wasn't there at that

17 time. And also the other members I don't know.

18 PRESIDING JUDGE SCHMITT: [11:46:28] Mr Witness, do you happen to know if

19 the -- Kamezolaï, the Captain Kamezolaï's name was "Gilbert"?

20 THE WITNESS: [11:46:43](Interpretation) I don't know his first name. I don't know

21 his first name.

22 PRESIDING JUDGE SCHMITT: [11:46:46] Was worth a try, perhaps, Ms Dimitri.

23 MS DIMITRI: [11:46:49] Thank you, Mr President.

24 Q. [11:46:52] (Interpretation) And Guiyegba, which is on 535, do you agree with me

25 that this is the brother of Mamadou Bonaventure Guiyegba, who became -- just to

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1 refresh your memory, who became Mamadou Bonaventure? He was commissaire
2 and auditor in the unified coordination of June 2014?

3 A. [11:47:37] I know a Felicite.

4 Q. [11:47:42] I'm speaking about him.

5 A. [11:47:43] I know Felicite, but if it's his brother, I don't know.

6 PRESIDING JUDGE SCHMITT: [11:47:50] Please move on, the witness does not
7 know the person.

8 MS DIMITRI: [11:48:00](Interpretation)

9 Q. [11:48:01] I'm going to show you another document, it's tab 10 of the
10 Prosecution binder, CAR-OTP-2039-0050. Please, not to be shown show the public.
11 Do you recognise this document, Mr Witness? I assure you your name is in the
12 document, but the public cannot see the document. I have some questions to ask
13 you about this.

14 MS DIMITRI: [11:48:54] Could we zoom out so he could see the entire page,
15 please.

16 MS DIMITRI: [11:48:07](Interpretation)

17 Q. [11:49:07] Well, you have the document on the screen. Am I correct in saying
18 that at the bottom of the page, all the areas that are indicated, *Boeing Deux* -- Boeing 1,
19 airport, are in the sector of Boeing?

20 A. [11:49:35] Could you zoom up a bit so I can read it properly.

21 Q. [11:49:40] No worry.

22 Can you perhaps zoom in at the bottom of the page.

23 A. [11:50:04] Are you speaking about Boeing; is that correct?

24 Q. [11:50:07] Yes.

25 A. [11:50:12] I think that the document says it all. They say that this is being

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1 confirmed. This is where the registrations were made with the MINUSCA. It was
2 in Ngoulanga, Bimbo. We were in the centre. See, if I see (unclear), I think these
3 are the people who came from Ngoulanga to -- just like in the case of Sekia, it was a
4 school. When you were in Sekia, there's a crossing, a T-junction, and, in front of that,
5 there's a school. So in Boeing, it says location still to be defined. So Boeing 2, it says
6 that has to be defined.

7 So they were looking for a location so that the demobilisation could take place. So
8 that was something to do with MINUSCA.

9 Q. [11:51:24] Thank you. I have a question on the following page, you see
10 Combattant, the neighbourhood, with the name of some individuals. Do you agree
11 with me, according to your knowledge, that Yekatom never had a base in that area?

12 A. [11:51:46] Combattant is an eighth arrondissement. I said that this is a list
13 where we asked the ComZones to produce it for the DDR process, which should take
14 place with MINUSCA; so each ComZone produced a list. Yekatom, I don't know
15 what happened in Combattant, in Begoua. I don't know the seventh arrondissement,
16 I don't know what happened in those areas.

17 Q. [11:52:18] You can withdraw the document. I'm going to change subjects again.
18 I'm going to talk about Captain Kamezolaï, but I'd like some clarifications.

19 Last Friday, you mentioned that Captain Kamezolaï, who was a chief of staff, said
20 that the prime minister's house wanted the Rambo group to have police to hunt down
21 wrongdoers.

22 I have a question. When you say the prime minister, are you referring to Prime
23 Minister Nzapayeke?

24 A. [11:53:06] That is correct, Counsel. Kamezolaï and also Rambo, who was in the
25 hall can bear witness to that. He came to the Pissmiss residence, called us, and when

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1 the prime minister arrived, he said we need -- he presented us with an envelope of 1
2 million to finance this. And we set this up. We set up a team, which had to arrest
3 bandits in Fatima and take them to the gendarmerie.

4 Q. [11:53:47] Thank you. And when you said that Kamezolaï was a relation with
5 Nzapayeke, is that what I'm to understand?

6 A. [11:53:58] Yes, of course. I'm talking about who was in control in the room.

7 Q. [11:54:12] And am I correct, if you know, if you can remember, that mission
8 order was issued by the minister of Defence with the aim of making Mbaïki and PK9
9 safe?

10 A. [11:54:33] Could you explain that more simply to me.

11 Q. [11:54:38] Am I correct that within the framework of this initiative by the prime
12 minister's office, a mission order, a collective mission order issued by the ministry of
13 Defence was signed by the minister of Defence precisely to identify the soldiers who
14 were deployed in order to hunt down bandits. Do you know -- do you remember?
15 Or does it not mean anything to you?

16 A. [11:55:16] It doesn't say much to me.

17 Q. [11:55:26] I'm going to continue talking about Kamezolaï, but with four
18 questions, I'm going to go into private session with the permission of the Judges so
19 that you're not identified.

20 PRESIDING JUDGE SCHMITT: [11:55:36] Private session.

21 (Private session at 11.55 a.m.)

22 THE COURT OFFICER: [11:55:50] We are in private session, Mr President.

23 MS DIMITRI: [11:55:53] Thank you.

24 And Mr President, before I forget, I can confirm that the ERN I gave you was the
25 correct one.

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1 MS DIMITRI: [11:56:02] (Interpretation)

2 Q. [11:56:02] I'm going to ask you to listen to an audio from 9 July 2014, it is tab 55
3 of the Defence binder, *CAR-OTP-2042-4613, 17 -- 17:27 to 19 minutes. This is tab 56
4 for the interpreters, CAR-D29-0006-1181.

5 MS DIMITRI: [11:56:51] Mr President, just for the record, the audio is extremely long.
6 It's I think 50-something minutes. So what we did is we only transcribed and
7 translated for the interpreters the extract, which is CAR-D29-0006-1181, so the
8 transcript is obviously incomplete, but I'm just going to play that bit for the witness.
9 Thank you.

10 MS DIMITRI: [11:57:24] (Interpretation)

11 Q. [11:57:24] So please listen carefully. You are speaking on this audio and then
12 afterwards, I'll put some questions to you.

13 (Viewing of the video excerpt)

14 THE INTERPRETER: [11:57:33] (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 MS DIMITRI: [11:59:19] (Interpretation)

12 Q. [11:59:19] Did you hear the audio? I assure you once again that the public has
13 not heard the audio.

14 Do you remember the list of names with bad spelling, which associates people with
15 the FACA rebellion or rebels?

16 A. [11:59:38] Madam, it is an audio who was on the wave -- airwaves and that's
17 why I was saying what I did. (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 Q. [12:01:06] (Redacted)

3 (Redacted)

4 A. [12:01:24] Yes, (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 PRESIDING JUDGE SCHMITT: [12:01:54] May I shortly because we have to correct

10 for the English transcript an ERN number. It should be CAR-OTP-2042-4613. Yeah.

11 MS DIMITRI: [12:02:06] Thank you, Mr President.

12 Q. [12:02:12] (Interpretation) Am I correct to say - because you have just said that

13 even (Redacted)

14 (Redacted)

15 (Redacted)

16 A. [12:02:41] (Redacted)

17 (Redacted)

18 Q. [12:02:55] Thank you. Last question in private session before we go back to

19 open session, and I'm moving on to another topic. On Friday, you mentioned the

20 (Redacted)

21 (Redacted)

22 Do you agree with me?

23 A. [12:03:30] Yes, I agree.

24 Q. [12:03:32] Do you agree with me that he was not an element of Mr Yekatom?

25 A. [12:03:38] Yes, this is someone we came to know when there was a merger of the

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1 Anti-Balaka. He was not an element of Mr Yekatom.

2 PRESIDING JUDGE SCHMITT: [12:03:52] Open session.

3 (Open session at 12.04 p.m.)

4 THE COURT OFFICER: [12:04:06] We are back in open session, Mr President.

5 MS DIMITRI: [12:04:14] (Interpretation)

6 Q. [12:04:14] Mr Witness, I would like to tell you to be cautious because we are
7 back in open session, so if there is a possible identifying answer, you have to take the
8 necessary precautions.

9 My next question is also a very brief subject. I suppose you know Aristide Beina,
10 one of the brothers of Vivien Beina. Am I correct to say that to your knowledge, he
11 was never a ComZone in Bossangoa?

12 A. [12:04:50] When I went to meet Caporal-chef Rambo and I came to know those
13 who were closest to him, the elements who were with him, never travelled outside of
14 the zone in which they were. Mr Aristide Beina, ever since I came to know him,
15 never went to Bossangoa. That is why we were together during that period.
16 So this is information that I do not really know, so I cannot take it into consideration
17 at my personal level because I did not see it.

18 Q. [12:05:40] Thank you. I'll move on to something else once again. I would like
19 to talk about the zones of Mr Yekatom and Basile Mbomon. I don't know whether
20 you remember during your meeting with the OTP in 2016, you used a map to
21 delineate the zone of Mr Mbomon and that of Mr Yekatom. It is tab 5 of the OTP list,
22 CAR-OTP-2039-0018. I simply want a few clarifications from you.

23 Am I correct to say that when, in paragraph 34 of your statement, you say that
24 Yekatom and his men were positioned after the PK9 bridge, so it means if I leave
25 Bangui to go towards Mbaïki, towards Lobaye, I would cross the PK9 bridge. And

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1 Pissmiss, if I'm not mistaken, is to my left and it was from there that you would see

2 Yekatom and his men.

3 Is that what you meant by after the PK9 bridge?

4 A. [12:07:13] Yes, indeed, Counsel.

5 Q. [12:07:26] Thank you for your answer. And so Mr Mbomon's men were

6 positioned just before the PK9 bridge, that is, after the Bimbo area, but before PK9?

7 A. [12:07:44] Yes, Counsel.

8 Q. [12:07:52] Thank you, Mr Witness.

9 Do you agree with me that in your discussions with the members of the population

10 living in that sector or even journalists, is it correct that it is difficult if you don't know

11 a particular individual to distinguish between an element of Mr Yekatom and an

12 element of Mr Basile Mbomon because there are no distinctive signs and the two men

13 were -- they had zones close to each other? I don't know whether you understand

14 my question.

15 A. [12:08:54] What precisely do you want me to say? Please explain your

16 question.

17 Q. [12:09:08] If I, a Central African civilian, I'm going towards PK9, just by looking

18 at people, I cannot make a distinction and say, This is Mr Mbomon's elements and this

19 is Mr Yekatom's elements. There are no distinctive signs whether they're soldiers or

20 civilians. So that you cannot say this one belongs to Mbomon and this one belongs

21 to Yekatom, whereas they were in neighbouring areas.

22 A. [12:09:43] Yes, it was difficult to know the difference because the -- Rambo's

23 men were on the other shore, but they also came and circulated around PK9. Mr

24 Mbomon's people occupied generally the Gambi area, so they were a bit further

25 inside. So it was difficult to know who is who.

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1 Q. [12:10:22] Thank you for your answer.

2 MS DIMITRI: [12:10:25] Mr President, with your leave, could I have just a few
3 minutes with the aim of removing a dozen of questions.

4 PRESIDING JUDGE SCHMITT: [12:10:29] Well, of course you get time for this
5 purpose.

6 (Pause in proceedings)

7 MS DIMITRI: [12:11:04] Thank you, Mr President.

8 Q. [12:11:05] (Interpretation) I would like to talk about another individual, you
9 mentioned him or her a little earlier, Felicite Guiyegba Mamadou Bonaventure. You
10 talked about that in paragraphs *53 and 54 in your statement.

11 Am I correct to say that before the unified coordination, he was under the command
12 of Basile Mbomon and not Mr Yekatom?

13 A. [12:11:40] He was with the sergeant, Basile Mbomon. At that time, Mbomon
14 was a sergeant, so they were together. He was not under the command of
15 Mr Yekatom.

16 PRESIDING JUDGE SCHMITT: [12:11:53] Mr Vanderpuye.

17 MR VANDERPUYE: [12:11:55] Thank you, Mr President. I just wondered if we
18 could get a time frame once again.

19 PRESIDING JUDGE SCHMITT: [12:11:59] Indeed. Actually I also would've
20 addressed -- if you hadn't, I would have addressed it too, because that might be of
21 importance, obviously.

22 MS DIMITRI: [12:12:15] I believe I did, because I said before the unified
23 coordination, so before June 2014 and then -- but I'll specify. I'll specify.

24 PRESIDING JUDGE SCHMITT: [12:12:24] No, just give it another try. If this
25 understanding was correct. Yeah, perhaps. And if it can be even more specific,

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1 even the better, but that might be difficult perhaps.

2 MS DIMITRI: [12:12:46](Interpretation)

3 Q. [12:12:47] Just to be a little bit more precise, Mr Witness, before the unified
4 coordination - and I'll be even more specific - before the preparation of the lists of
5 civilians and soldiers with the MINUSCA, I'm sorry to repeat myself,

6 am I correct to say that Felicite Guiyegba Mamadou was not under caporal-chef
7 Rambo, but he was in the group of Sergeant Basile Mbomon?

8 A. [12:13:35] Yes, that is correct. He was never with Caporal-chef Rombhot. He
9 was with Basile Mbomon.

10 Q. [12:13:48] Thank you very much.

11 PRESIDING JUDGE SCHMITT: [12:13:49] Mr Vanderpuye.

12 MR VANDERPUYE: [12:13:51] I think what I was referring to was the witness's
13 testimony, if can I get this to stop just one second. Maybe I'm mistaken, but I read it
14 as -- and this is at page 53, line 17 down, there's a suggestion that Mr Mbomon was
15 not under the command of Mr Yekatom, and that's the time frame that I'm referring to
16 because I understood that the witness's evidence was he didn't actually encounter
17 Mr Yekatom until sometime in May-ish of 2014.

18 So I don't know if he's referring to a period before that or from that period forward is
19 what I mean.

20 PRESIDING JUDGE SCHMITT: [12:14:39] Could you give the exact paragraph,
21 perhaps. I have here 53 in front of me, but which paragraph?

22 MR VANDERPUYE: [12:14:47] No, I'm referring to the page number.

23 PRESIDING JUDGE SCHMITT: [12:14:50] Oh, the page number. Okay.

24 MR VANDERPUYE: [12:14:51] Transcript page 53, looks like it's line 17 and
25 something, but --

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1 PRESIDING JUDGE SCHMITT: [12:14:57] So, Mr Witness, perhaps you follow our
2 conversation now or discussion, so to speak. Are you referring to a time frame
3 before May 2014?

4 THE WITNESS: [12:15:19](Interpretation) Mr President, your Honours, members of
5 the jury, when I arrived, I never saw Mr Felicite with Rambo, and in the staff that was
6 with Rambo, we never talked about Mr Felicite. Felicite was, in fact, the henchman
7 of Basile Mbomon. So you cannot -- can even bring him here and he cannot refuse
8 what I'm saying. He was never close to Rombhot during that period, but when they
9 met, they could discuss and have a conversation, but he was not an element of Mr
10 Rombhot.

11 PRESIDING JUDGE SCHMITT: [12:16:11] I think we have to take it as that, and then
12 we have to put it - again, like always - together with the other evidence and then try
13 to figure out about what time period the witness is talking.
14 Ms Dimitri.

15 MS DIMITRI: [12:16:28] Yes, Mr President, and just for the record, I was very clear
16 with the chronology this morning where I established when the Muslim were lynched,
17 December, January, when he met Mr Yekatom, and then the cemetery and so on and
18 so on, until Mr Witness rejoins the group. And then the 15 May coordination, and I
19 think the witness was very clear during his direct examination that May stands for
20 when he joined the Anti-Balaka, and June is when he joined the unified Anti-Balaka,
21 but that he met Mr Yekatom prior to that, which is why, with my chronology this
22 morning, I was very clear when this happened and then -- and then after -- after the
23 Muslim were lynched in December, January, "You approached Mr Yekatom", and
24 then there was -- which -- which corresponds as well to the fact that Wenezoui joined
25 them after the cemetery incident, way before the May 2014 coordination.

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1 With that in mind, I'll change now the subject and address a different one.

2 MS DIMITRI: [12:17:46] (Interpretation)

3 Q. [12:17:46] I will talk about another individual that you knew who unfortunately
4 is today deceased, Habib Beina, because you were responsible for the list of elements
5 for disarmament, that is, put the groups in contact with MINUSCA.

6 To your knowledge - and that is in accordance with the information that you
7 received - am I correct to say that Mr Yekatom had a single deputy called Habib who
8 died in a road accident and that person is known as Habib Beina?

9 A. [12:18:41] Yes, Counsel, when I was with them, his deputy was Habib Beina,
10 may his soul rest in peace.

11 Q. [12:18:54] Thank you very much, but my question was a little bit more precise.
12 Based on everything that you know about Mr Yekatom's group, whether it is DDR
13 lists, your discussions with him, and with your discussions with other members of the
14 group, am I correct that there is only one person who meets three specificities, who is
15 called Habib, he was his deputy and he died in an accident. There is only a single
16 person who meets that description.

17 PRESIDING JUDGE SCHMITT: [12:19:34] Wait a second, Mr Witness, before you
18 answer.

19 Mr Vanderpuye.

20 MR VANDERPUYE: [12:19:37] Mr President, I'm not sure that there's a basis on
21 which to found the question to the witness of that nature. The witness said I think
22 on his direct examination quite clearly that he was not aware of even the number of
23 elements that Mr Yekatom had. And so to put a question to say that there's only one
24 person by such and such a name is an impossible question because the witness simply
25 doesn't even know how many (Overlapping speakers) how many people were in the

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1 group, let alone what their names were.

2 PRESIDING JUDGE SCHMITT: [12:20:05] Well, but the three informations
3 combined are very specific. So he might know if a person with that name has -- has
4 died later on and was a deputy, and he has clearly said that from the time he was
5 together - and we know when that was - with Mr Yekatom, from then on, he can tell
6 us that this is -- this is clear. So I don't --

7 MR VANDERPUYE: [12:20:33] As a deputy there's no problem.

8 PRESIDING JUDGE SCHMITT: [12:20:35] I don't see why we can't -- why we
9 can't -- because if it was only about the name, but Ms Dimitri has put three different
10 informations together.

11 MR VANDERPUYE: [12:20:45] That's fine, if it's -- if the deputy is involved in this,
12 it's not a problem, but if it's an individual by that name, then I would object and that's
13 what I understood she was asking.

14 PRESIDING JUDGE SCHMITT: [12:20:52] Okay.

15 MR VANDERPUYE: [12:20:53] Sorry.

16 MS DIMITRI: [12:20:54] Mr President, if I may. Because I'm going to narrow it
17 down as well, we're moving to deputies, so just to anticipate the objection. This
18 witness had a very specific role in demobilisation with lists, which is, in answer to my
19 learned colleague, the foundation for my question.

20 PRESIDING JUDGE SCHMITT: [12:21:15] So now I think --

21 MS DIMITRI: [12:21:18] I'll --

22 PRESIDING JUDGE SCHMITT: [12:21:19] -- definitely, I have forgotten the question,
23 but probably also the witness. So please, very shortly, which -- which three, let's say,
24 informations with regard to the person you want to ask him about are to be
25 considered? Please, shortly please.

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1 MS DIMITRI: [12:21:41] (Interpretation)

2 Q. [12:21:41] Let me repeat my question. Do you agree with me based on your
3 knowledge, whether it was during your interactions with Mr Yekatom or the
4 registration of elements for the DDR, to your knowledge, Mr Yekatom had one single
5 deputy called Habib, who died in an accident. There was no one else who met those
6 three criteria, the road accident?

7 A. [12:22:18] Everyone knew that it was Habib Beina who was the deputy of Mr
8 Rambo.

9 Q. [12:22:25] I'll put to you another very precise question, and listen carefully.
10 Do you agree with me that to your knowledge, because you regularly visited
11 Mr Yekatom's base -- bases, as you have talked about, do you agree that there was
12 only a single -- one single individual known as Habib who was close to Mr Yekatom
13 and who died in a road accident? There were no other individuals who died in 2014
14 in an accident who was very close to Mr Yekatom?

15 A. [12:23:06] The name Habib Beina is the only one who was close to Caporal-chef
16 Rambo, and who died in a road accident on the Mbaïki road.

17 Q. [12:23:22] Thank you very much. I will talk about another individual called
18 Gonda. You mentioned him in paragraph 68 of your statement, Gonda de Pissa, and
19 you said that he was one of the people close to Mr Yekatom.
20 Do you agree with me that the Gonda de Pissa that you mentioned is still alive to this
21 day?

22 A. [12:23:51] Yes, Counsel. Mr Gonda was at Pissa and he's still alive. Maybe he
23 died, but I did not hear the information, but I have never heard that he died, so I will
24 say he's alive.

25 Q. [12:24:14] Thank you. And to your knowledge, did you know another Gonda

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1 in Mr Yekatom's group or was this the only one that you knew?

2 A. [12:24:27] It is the only Gonda that I knew who was based in Pissa,

3 *70 kilometres away from Bangui.

4 Q. [12:24:57] Thank you. Once again I will move on to something else.

5 PRESIDING JUDGE SCHMITT: [12:25:02] Mr Witness, do you want to address the

6 Court, please? You may speak.

7 THE WITNESS: [12:25:14](Interpretation) I simply want to ask permission from the

8 Court to go and ease myself, to urinate. At least five minutes.

9 PRESIDING JUDGE SCHMITT: [12:25:19] Of course, take your time.

10 THE WITNESS: [12:25:24](Interpretation) Thank you.

11 PRESIDING JUDGE SCHMITT: [12:25:28] Well, I think we can stay here in the room

12 until he comes back.

13 Are there any scheduling issues that we could address to fill the void, so to speak?

14 MS DIMITRI: [12:25:40] I think Mr Vanderpuye has quite a few for the next block.

15 PRESIDING JUDGE SCHMITT: [12:25:46] No, but I'm talking, Mr Vanderpuye, we

16 have only five minutes, yeah? So it might be too long.

17 MR VANDERPUYE: [12:25:56] No, I'm still working on it and trying to sort out the

18 next block. There's some information that we're trying to track down a couple of

19 people.

20 PRESIDING JUDGE SCHMITT: [12:26:05] I know, and we know how difficult it is.

21 So you see --

22 MR VANDERPUYE: [12:26:08] As soon as I have something, I'll bring it to the Court'

23 attention.

24 PRESIDING JUDGE SCHMITT: [12:26:12] Yeah, yeah, you know, I do not want to

25 say we only want to hear positive news, but of course we appreciate them more than

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1 the negative ones in that regard. Thank you.

2 I can address something, because on Friday, we have, for reasons that have to do with
3 the Judges, we have to finish at three o'clock. So on Wednesday then, we will have
4 to talk about how we -- how we proceed. We need to finish the witness who starts
5 on Thursday, Friday, so there are different options. We can have extended hours on
6 Thursday already, what would perhaps be a good idea. And we can shorten, for
7 example, lunch break on Friday, and perhaps start a little bit earlier.

8 But I just wanted to inform you that we have to finish with this witness, let's say
9 shortly before three o'clock on Friday, so that you're informed. And you can
10 perhaps also think about what you think is -- for you and your examination is the best
11 feasible option. So we need to get one hour somewhere on Thursday and Friday.
12 So Ms Dimitri, you can proceed.

13 MS DIMITRI: [12:27:55] Thank you, Mr President.

14 MS DIMITRI: [12:28:03] (Interpretation)

15 Q. [12:28:04] Mr Witness, once again, I'm going to change topics and I would like to
16 talk about the initiatives for reconciliation, for peace by yourself, by Mr Yekatom, by
17 his group. For certain of those initiatives, the answer could simply be yes or no. I
18 just want you to confirm or clarify certain things that you have already talked about
19 in your statement.

20 Are you with me?

21 A. [12:28:41] Yes, indeed, Counsel.

22 Q. [12:28:44] My first question can be answered with a yes or a no. In paragraph
23 36 of your statement, you mentioned the fact that Sebastien Wenezoui had come to
24 see you to have your support, to open the road leading to the Muslim cemetery. You
25 said: Sebastien Wenezoui came to see us.

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1 When you use the word "us", you're referring to the south group.

2 Do you agree with me?

3 A. [12:29:24] Yes.

4 Q. [12:29:26] Thank you for your answer.

5 Second question. Is it correct that you discussed that initiative of reopening the

6 Muslim cemetery with Mr Beina and Yekatom and that all of you supported Mr

7 Wenezoui for the opening of that cemetery?

8 A. [12:29:54] Mr Wenezoui raised the issue in front of everyone.

9 Q. [12:29:58] And all of you supported him?

10 A. [12:30:03] Yes, yes.

11 Q. [12:30:16] And is it correct, that is, if you know, that the Muslim cemetery had

12 been blocked by the Boeing population in the aftermath of incidents during which

13 Seleka shot at the civilian population when they were going to the cemetery to bury

14 dead bodies. Is that something that you know?

15 A. [12:30:43] After the crisis of the 5 December, the Muslims could no

16 longer -- could no longer go to the cemetery to bury people. So there was no way to

17 pass. They buried their relatives at PK5. So negotiations had to take place and that

18 is why Mr Wenezoui came up with that initiative to consult and reopen the road so

19 that the Muslims could go and bury their relatives in all freedom.

20 Q. [12:20:52] Thank you.

21 MS DIMITRI: [12:31:27] Mr President, can I have another -- again, another moment,

22 I'm aiming at cutting down.

23 PRESIDING JUDGE SCHMITT: [12:31:30] Of course, take your time.

24 MS DIMITRI: [12:32:02] Thank you.

25 Q. [12:32:04] (Interpretation) I'm now going to talk about 15 May ceremony. I'm

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1 going to show you a video in private session and then I'll have some -- question.

2 You spoke about the ceremony of 15 May at length and I have some specific questions

3 on the purpose of the meeting on 15 May.

4 Can you follow what I'm saying?

5 A. [12:32:38] Very well.

6 Q. [12:32:39] So if we could move into private session so that we can show the

7 video and then I'll ask my questions in open session.

8 PRESIDING JUDGE SCHMITT: [12:32:46] Private session.

9 (Private session at 12.32 p.m.)

10 THE COURT OFFICER: [12:32:58] We are in private session, Mr President.

11 Q. I'm going to show you a video. Please listen carefully what is said because you

12 can't hear it very clearly and then I have some questions. So it's tab 7 of the Defence

13 binder, CAR-OTP-2084-1303, one minute to one minute 42. The transcription is tab 8,

14 CAR-OTP-2122-2362, line 18 to 23.

15 Just to explain the context to you. It's another extract of (Redacted), so

16 I'm asking to you listen to what the question says and then I'll have some questions to

17 put to you.

18 (Viewing of the video excerpt)

19 THE INTERPRETER: [12:34:12] (Interpretation of the video excerpt) (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 PRESIDING JUDGE SCHMITT: [12:35:10] Can we discuss the questions in open

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1 session?

2 Yeah, open session.

3 (Open session at 12.35 p.m.)

4 THE COURT OFFICER: [12:35:30] We are back in open session, Mr President.

5 MS DIMITRI: [12:35:32] (Interpretation)

6 Q. [12:35:33] You heard the individual who talked on the video. I have the
7 impression that when he was thanking his colleague, Rambo, and Captain Kamezolaï,
8 you don't hear very clearly, but you think that he's thanking for the reconciliation.

9 My question is as follows. Am I correct in saying that the ceremony of 15 May, the
10 objective was to nominate Wenezoui as general coordinator, but its aim was also to
11 have an initiative of reconciliation and * awareness for the social cohesion. So to
12 speak to different individuals who had men to ensure that there would be awareness
13 and reconciliation?

14 A. [12:36:26] Yes, that's the -- you saw that gentleman. If you investigate
15 him -- he's the soldier, it's true. But he wanted to do the same thing. He said -- he
16 talked about reconciliation, he talked about peace. So our objective was to have
17 coordination, it's true. It came from Wenezoui himself because before that, we didn't
18 have an office. He came to us. He talked about coordination and he -- Yagouzou
19 should be there, but he passed away. And then Wenezoui said the objective was to
20 open up the road to the cemetery and to make people -- awareness, and to work
21 towards peace and reconciliation.

22 That is what happened during that period, so that we could live together, have social
23 cohesion.

24 Q. [12:37:55] Am I to understand that Mr Yekatom, because this gentleman
25 thanked the initiative of Mr Kamezolaï and Yekatom and his colleague to having

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1 organised this, am I to understand that he was making his group more sensitive to the
2 idea of peace and reconciliation, but he also tried to give an example to other
3 ComZones. Do you agree with that?

4 A. [12:38:18] In our sector we talked about peace. The other ComZones which
5 you're referring to, which ones are they?

6 A. [12:38:28] When you see -- or those that you see in the ceremony of 15 May, so
7 Yekatom calls out for peace and reconciliation to the other ComZones who were
8 present during the ceremony of the 15 May.

9 A. [12:38:43] Yes, that is the message that was passed on; so everybody should go
10 back to their area and pass on that message.

11 Q. [12:39:01] Thank you. I'm going to show you another extract of the ceremony.
12 This time I think -- I think for -- to be safe, we'll be in private session and then go back
13 into the open session for the questions.

14 PRESIDING JUDGE SCHMITT: [12:39:17] Private session.

15 (Private session at 12.39 p.m.)

16 THE COURT OFFICER: [12:39:33] We are in private session, Mr President.

17 MS DIMITRI: [12:39:37] Thank you.

18 Q. [12:39:38] (Interpretation) That's tab 9 of the Defence binder,
19 CAR-OTP-2084-1347. 2.7 minutes. The transcript is tab 10 of the Defence binder for
20 the interpreters, CAR-D29-1175. This time I'd like to draw your attention to the
21 individuals that you see and not necessarily the words that are spoken.

22 (Viewing of the video excerpt)

23 THE INTERPRETER: [12:40:19] (Interpretation of the video excerpt) (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 PRESIDING JUDGE SCHMITT: [12:41:34] Back to open session? Yeah, open
4 session.

5 (Open session at 12.41 p.m.)

6 THE COURT OFFICER: [12:41:48] We are back in open session, Mr President.

7 PRESIDING JUDGE SCHMITT: [12:41:53] And just for the transcript, the correct
8 ERN for the transcription is CAR-D29-0006-1175.

9 MS DIMITRI: [12:42:06] Thank you, Mr President.

10 Q. [12:42:09] (Interpretation) My question is as follows: You saw the ceremony,
11 the people who got up. Am I correct in saying that there were representatives of the
12 government, representatives of Sangaris and NGOs during this ceremony?

13 A. [12:42:35] Counsel, there were NGOs, MOUDA -- MOUDA, Pareto, but the
14 government wasn't represented. It was the former minister, Bara. But he wasn't
15 part of the government then. I don't remember, but Minister Bara, if he came, I don't
16 think he was part of the government at that moment. I don't think so. And a lot of
17 the people who you saw were people who Mr Wenezoui invited. There were also
18 some Muslims. The Sangaris were also present. The Sangaris were there, so it was
19 an extended group that approved.

20 Q. [12:43:34] Am I correct in saying that one of the reasons that all these elements
21 were invited, the Sangaris, the NGOs, Pareto, MOUDA, was because that group,
22 during the ceremony of the 15 of May, wanted to pass on a message as well by saying,
23 "We want to work together with the different attendees. We want to cooperate with
24 the Sangaris. We invite the Muslims to seek reconciliation with the Christians."
25 Was this a way of passing on this message?

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1 A. [12:44:13] Absolutely. That was the main point. It was for social cohesion.

2 Q. [12:44:26] And am I correct in saying that this group, during the ceremony,
3 wanted to express, "Because we diabolised the Anti-Balaka" - they wanted to show
4 that they weren't enemies of the Muslim community? "The Muslims are not our
5 enemies."

6 A. [12:44:51] Yes, they're not our enemies, but to say that President Bozizé -- even
7 caporal-chef will say to you that they didn't have the support of General Bozizé. We
8 didn't know them.

9 Q. [12:45:31] At length, you spoke about the pressure of Minister Montaigne to
10 have a sole coordination, a single coordination and, finally, there was a coordination
11 which you called the "unified coordination" of 20 June.

12 Am I correct in saying that the aim was that there would be a single representative, so
13 that solutions could be found and to bring peace in the country, because the country
14 in some ways was very difficult to govern. The government wanted a sole
15 Anti-Balaka representative for dialogue purposes. Is that a correct understanding of
16 the reason why Minister Montaigne wanted a single coordination?

17 A. [12:46:36] Yes, I think that's the correct understanding. Minister Montaigne
18 pushed the coordination to become unified for that purpose.

19 Q. [12:46:54] I'm going to show you an article. We won't do it in public. It's an
20 article where you quote -- and I think this is a little bit what you're saying, namely,
21 that the objective was to discuss with the authorities in CAR to work together with
22 the Central African authorities.

23 It is tab 2 of the Prosecution binder, CAR-OTP-2001-4867.

24 This is not to be shown to the public, please.

25 PRESIDING JUDGE SCHMITT: [12:47:26] If what the article says as a quote is in line

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1 with what the witness already said, isn't it enough if you refer to the article?

2 MS DIMITRI: [12:47:35] I think it is, and I think I could move on to another question.

3 PRESIDING JUDGE SCHMITT: [12:47:38] Yeah.

4 MS DIMITRI: [12:47:38] I was just wondering if -- but it's indeed in line with what
5 he had just said, so we can --

6 PRESIDING JUDGE SCHMITT: [12:47:44] So then please move on.

7 MS DIMITRI: [12:47:55] If I could have just one moment, Mr President, because I'm
8 aiming at perhaps with what he just said, eliminating another tab.

9 PRESIDING JUDGE SCHMITT: [12:48:02] Yes.

10 MS DIMITRI: [12:48:03] Thank you.

11 (Pause in proceedings)

12 MS DIMITRI: [12:48:42] If we could go back in closed session for one question, I'm
13 going to have him listen to an audio, please, Mr President.

14 PRESIDING JUDGE SCHMITT: [12:48:50] Yes, private session, shortly.

15 (Private session at 12.49 p.m.)

16 THE COURT OFFICER: [12:49:05] We are in private session, Mr President.

17 MS DIMITRI: [12:49:11] (Interpretation)

18 Q. [12:49:12] I'm going to get you to listen to another extract of a radio interview
19 which you gave and I will have one question about that. It's tab 1 of the Defence
20 binder, CAR-OTP-2042-4677. We're going to listen 40.5 to 40:16 seconds for the
21 interpreters. It's tab 2 of your binder, CAR-OTP-2122-8916, line 464 up to 477.

22 MS DIMITRI: [12:50:21] (No interpretation)... okay, *merci*.

23 PRESIDING JUDGE SCHMITT: [12:50:22] We have it from this side, which you can't
24 see, but I have seen it.

25 MS DIMITRI: [12:50:26] (Overlapping microphones)

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1 PRESIDING JUDGE SCHMITT: [12:50:28] Yeah, but there is obviously

2 communication --

3 MS DIMITRI: [12:50:30] Yes, indeed. Thank you.

4 PRESIDING JUDGE SCHMITT: [12:50:31] Good.

5 (Viewing of the video excerpt)

6 THE INTERPRETER: [12:50:33] (Interpretation of the video excerpt) (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 MS DIMITRI: [12:52:31](Interpretation)

24 Q. [12:52:31] Did you hear the audio? I'm going to ask you questions, but this will

25 be done in open session.

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1 PRESIDING JUDGE SCHMITT: [12:52:38] Where -- we go to open session, I mean.

2 MS DIMITRI: [12:52:39] I'm sorry for the -- but I'm trying to --

3 PRESIDING JUDGE SCHMITT: [12:52:41] No, no, no. It's -- you know we are
4 rarely in private session in comparison.

5 (Open session at 12.52 p.m.)

6 THE COURT OFFICER: [12:52:58] We are back in open session, Mr President.

7 MS DIMITRI: [12:53:02] (Interpretation)

8 Q. [12:53:02] You heard the audio, do you agree with me -- I have some specific
9 questions, which you can say with yes or no. You are referring to the ceremony of
10 15 May in this audio?

11 A. [12:53:17] Yes, Counsel. I'm referring to that -- to that in the audio because Mr
12 Wenezoui, the general coordinator, controlled the ComZones and since he was with
13 us, *he was in a position to help the Coordination to be in contact with the ComZones
14 of zones as and when necessary.

15 For example, the town of Bangui, when there was an incident in the
16 eighth arrondissement, the Sangaris -- or the Spanish called me -- or the international
17 community called me, and I asked, "What is happening there?"

18 That's a little bit what happened. If a -- for example, also if an NGO phoned me.

19 Q. [12:54:20] Am I correct in saying that in this interview we indicated that before
20 15 May, the Anti-Balaka worked in a dispersed way. There was no structure. They
21 were not organised and, therefore, the aim of * the southern group, as you said, was
22 to work towards reconciliation, but also to bring the ComZones together so that there
23 would be an ideology of communication and reconciliation.

24 A. [12:54:56] Yes, Madam.

25 Q. [12:55:16] You spoke about pressures of Minister Montaigne on you. I would

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- 1 like to show you another video. Unfortunately, we're going to have to go into
2 private session for this. We'll look at the video and then I have some questions.
3 PRESIDING JUDGE SCHMITT: [12:55:37] How long is it?
4 MS DIMITRI: [12:55:44] It's three minutes, but the witness appears on the video and
5 I have questions --
6 PRESIDING JUDGE SCHMITT: [12:55:47] Yeah, (overlapping speakers) --
7 MS DIMITRI: [12:55:47] -- I'm sorry.
8 PRESIDING JUDGE SCHMITT: [12:55:48] -- so what we could do is we can watch
9 the video now and then have a lunch break and you ask your questions or we make
10 the -- we have the lunch break now and afterwards, the video and -- plus questions.
11 MS DIMITRI: [12:56:01] Then I'll prefer to do the video after the lunch break so
12 he -- because I'll have specific questions on the content.
13 PRESIDING JUDGE SCHMITT: [12:56:08] Yes, I thought so.
14 MS DIMITRI: [12:56:10] Thank you.
15 PRESIDING JUDGE SCHMITT: [12:56:10] Then let's have the lunch break now until
16 2.30.
17 THE COURT USHER: [12:56:13] All rise.
18 (Recess taken at 12.56 p.m.)
19 (Upon resuming in open session at 2.32 p.m.)
20 THE COURT USHER: [14:32:27] All rise. Please be seated.
21 PRESIDING JUDGE SCHMITT: [14:32:49] Good afternoon, everyone. Good
22 afternoon, Mr Witness.
23 Ms Dimitri, you have the floor.
24 MS DIMITRI: [14:32:53] Thank you, Mr President.

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1 Q. [14:32:59] (Interpretation) Good afternoon, Mr Witness. I'd like to show you
2 some video footage. We'll be showing it to you in private session and then I'll have
3 some questions for you.

4 (Private session at 2.33 p.m.)

5 THE COURT OFFICER: [14:33:29] We are in private session, Mr President.

6 MS DIMITRI: [14:33:46](Interpretation)

7 Q. [14:33:47] I'll be playing the footage. This is tab 33 *of the Defence binder,
8 CAR-OTP-2023-1990. It's three minutes' long. Well, in actual fact, it's a bit longer
9 than that, but we'll be looking at the third minute. The transcript is at tab 34, for the
10 interpreters, CAR-OTP-2122-9420, lines 1 to 38.

11 And, Mr Witness, let me reassure you, we're in private session so please focus on the
12 19th section -- second, I think we see you sitting beside Mr Yekatom. I'll let you
13 watch the video footage and then (Redacted)

14 (Redacted). Then after that, I'll ask you some questions about the
15 video footage.

16 Just to give you some background. (Redacted)

17 (Redacted)

18 (Redacted). Do you follow me?

19 A. [14:35:18] Yes.

20 Q. [14:35:18] Very well. So please watch the video with us and then I'll put a
21 number of questions to you.

22 (Viewing of the video excerpt)

23 THE INTERPRETER: [14:35:32] (Interpretation of the video excerpt) Site translation,
24 line five:

25 (Redacted)

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WITNESS: CAR-OTP-P-1193

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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 (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 End of site translation, line 38.
- 11 PRESIDING JUDGE SCHMITT: [14:39:46] Thank you.
- 12 Just shortly for the ERN of the movie -- the video of course, not movie, is
- 13 CAR-OTP-2023-1990.
- 14 Questions in open session?
- 15 MS DIMITRI: [14:39:59] Maybe the first one in --
- 16 PRESIDING JUDGE SCHMITT: [14:40:00] Good. Okay.
- 17 MS DIMITRI: [14:40:01] -- thank you, in closed session and then public.
- 18 MS DIMITRI: [14:40:08] (Interpretation)
- 19 Q. [14:40:10] So you watched the footage, (Redacted)
- 20 (Redacted)?
- 21 Were you seated beside him?
- 22 A. [14:40:26] Yes, Counsel.
- 23 Q. [14:40:29] Thank you. Now, for my next questions I'll be asking the Presiding
- 24 Judge if we could go into open session.
- 25 PRESIDING JUDGE SCHMITT: [14:40:36] Open session.

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1 (Open session at 2.40 p.m.)

2 THE COURT OFFICER: [14:40:50] We are in open session, Mr President.

3 MS DIMITRI: [14:40:55] Thank you.

4 Q. [14:40:56] (Interpretation) Am I correct to say, Mr Witness, that one of the
5 objectives of this meeting was to cooperate with the government, with the
6 international forces? *Since we saw the Sangaris forces, the minister of reconciliation
7 mentioned the EUFOR, well, so to cooperate with all these partners so it would be
8 possible to find solutions that would end the crisis and restore peace?

9 A. [14:41:22] Yes, Counsel.

10 Q. [14:41:29] Am I correct to say that during this meeting the participants were
11 asked to suggest various solutions to partners and governments so as to quickly make
12 the country governable and bring peace back to the country.

13 A. [14:41:55] The people spoke one after another. You have the recording.

14 Q. [14:42:03] Now, during your testimony, you provided lengthy explanations
15 about the unified coordination of June 2014 between the north and the south. My
16 objective -- well, I don't really want to hark back to that because you were very clear.
17 You joined the unified coordination with Mr Ngaïssona as general coordinator just
18 only in June 2014. I do have one objective, which is to elicit a number of specific
19 dates for certain documents and video footage. So I'd like to show you one
20 particular element, and if you could just confirm that you were there, present at the
21 official ceremony where the unified group under Mr Ngaïssona was presented with
22 Mr Wenezoui as the deputy. This is tab 50 in the binder, CAR-OTP-0023-2227.

23 And the transcript is at tab 51, CAR-OTP- -- D29- -- CAR-D29-0006-0985.

24 Mr Witness, if you could just watch the footage and confirm that this was the official
25 ceremony or the official announcement of the unified coordination.

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1 (Viewing of the video excerpt)

2 THE INTERPRETER: [14:44:25] (Interpretation of the video excerpt) Site

3 translation:

4 "UNIDENTIFIED REPORTER: Many people came to take part in the ceremony to

5 present the new office of the Anti-Balaka movement. The ceremony began with the

6 national anthem of rebirth, followed by prayers said by spiritual counsellor Faustin

7 Konifere.

8 The new Anti-Balaka office is being coordinated by Mr Patrice-Edouard Ngaïssona

9 and the assistant -- and his assistant or deputy, rather, is Sebastien Wenezoui. In his

10 speech, the National Coordinator of the Anti-Balaka, Mr Ngaïssona, stated that the

11 young people of the Central African Republic had mobilised and informed

12 Anti-Balaka groups to fight against the massacre of the population. It was no longer

13 time for hostility, for hold-ups or for looting, he added. According to it Anna Kété

14 Samba-Panza, president of the Moda Association, which means all united for peace,

15 the objective was reconciliation and mediation between the daughters and the sons of

16 the country."

17 End of site translation.

18 MS DIMITRI: [14:46:04] (Interpretation)

19 Q. [14:46:04] Now, was this the ceremony at which the announcement was made

20 that the northern group and the southern group would have but one coordination?

21 A. [14:46:17] Yes, the video was shot --

22 THE INTERPRETER: [14:46:19] Inaudible.

23 THE WITNESS: [14:46:19](Interpretation) -- and it was the daughter of the

24 transitional President, Ms Samba-Panza was present. There was Ms Andara, along

25 with GRC, which was an NGO for mediation, so that is the photograph that was

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1 taken. I do confirm that.

2 MS DIMITRI: [14:46:52] (Interpretation)

3 Q. [14:46:53] Now, I've understood that this was in June 2014, but I just would like

4 to ask you to confirm one point. A Prosecution witness, Jacob Mokpem Bionli,

5 stated - and I reassure you, I mentioned his name just now because he testified in

6 open court - Mr Jacob said that Mr Yekatom was part of the National Coordination

7 under Ngaïssona, since even if Ngaïssona --

8 THE INTERPRETER: [14:47:30] Correction --

9 MS DIMITRI: [14:47:31] (Interpretation)

10 Q. [14:47:31] -- Mr Yekatom didn't often take part in the meetings, he would send

11 two people from his group who would represent him and report back to him about

12 the decisions taken. The two members were you and another person, who I won't

13 mention, since we're in open court.

14 So my question is this. Would you agree with me that when you went to these

15 meetings, these coordination meetings of Mr Ngaïssona, and -- was this after June?

16 As of June 2014, not before that particular point in time?

17 A. [14:48:16] If I recall correctly, Corporal Rambo was part of the coordination.

18 He wasn't -- he didn't do the coordination. As you said, we are in open court, so it's

19 not a good idea to give names. We were involved in the movement, yes, and

20 everything that coordination said, well, it was our duty to go back and give a report.

21 But Mr --

22 THE INTERPRETER: [14:48:53] Inaudible.

23 THE WITNESS: [14:48:54] (Interpretation) -- he was not a full-fledged member of

24 that group, if I recall correctly.

25 MS DIMITRI: [14:49:07] Mr President, if we could go to closed session, I'm just going

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1 to specify what he means.

2 PRESIDING JUDGE SCHMITT: [14:49:13] Yes.

3 MS DIMITRI: [14:48:54] Thank you.

4 PRESIDING JUDGE SCHMITT: [14:48:54] Private session.

5 (Private session at 2.49 p.m.)

6 THE COURT OFFICER: [14:49:32] We are in private session, Mr President.

7 MS DIMITRI: [14:49:36] (Interpretation)

8 Q. [14:49:37] We're in private session, so we can speak more freely. Now, you

9 said that (Redacted)

10 (Redacted). Now --

11 A. [14:49:58] Yes.

12 Q. [14:49:58] -- I just want to be a bit more specific. Am I correct to say that what

13 Mr -- what was referred to, namely, (Redacted)

14 (Redacted)

15 (Redacted)

16 So are we talking about June 2014 and the period thereafter, not before? That is what

17 I'm driving at.

18 A. [14:50:32] Yes. (Redacted)

19 (Redacted). I can't give his name in open court. As you mentioned, we have to

20 protect ourselves. But I was with him. (Redacted)

21 (Redacted). You would have to go back and

22 give a report of what had happened at the meeting. So that's how things were done.

23 Q. [14:51:17] Thank you very much for that clarification. One last question about

24 this particular topic. All the documents from the Prosecution that describe the

25 National Coordination office with a -- Mr Ngaïssona at the head as National

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1 Coordination, and these documents (Redacted) , and there are
2 several such documents, I'm trying to save some time. Some of these documents are
3 unclear. The dates are not clear, but would you agree that that these documents
4 (Redacted), show Mr Wenezoui as the deputy coordinator, Mr Romaric and Mr Beina,
5 these are all documents that must bear a date of June 2014 or thereafter?

6 Do you understand the thrust of my question?

7 A. [14:52:29] The documents with (Redacted), that may be true or (Overlapping
8 speakers)

9 MS DIMITRI: [14:52:43] Mr President, I was trying to save time by avoiding to
10 show the documents. Some of them are duplicate, some of them we don't see clearly
11 the date. You'll recall that I have done this exercise with the previous witness.
12 I could either put them on the record just by simply naming the ERN and move on or
13 show them to the witness. I'm in your hands.

14 PRESIDING JUDGE SCHMITT: [14:53:03] Mr Vanderpuye, do you have any
15 objections to giving the ERNs, let's say, so that --

16 MR VANDERPUYE: [14:53:08] No, I mean, if counsel's referring to the document
17 concerning the unified coordination, that's not an issue and ...

18 PRESIDING JUDGE SCHMITT: [14:53:15] I also thought so, actually. But perhaps
19 it is a good idea to give the ERNs for the transcript, yeah.

20 MS DIMITRI: [14:53:22] Thank you. I'll give the ERN indeed because one of them
21 has a metadata of January 2014, which is why. So I'm talking about

22 CAR-OTP-2039-0019. Then we have CAR-OTP-2069-3560. CAR-OTP-2124-1214.
23 CAR-OTP-2059-0024 and CAR-OTP-2101-3611 at page 3613.

24 MR VANDERPUYE: [14:54:24] If I could just ask one -- one question. All of these
25 references referring to a document that's entitled, "COMPOSITION DE BUREAU DE

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1 LA COORDINATION NATIONALE", is that right? They're various copies of it, but

2 I think it's the same -- the title is the same for all of them.

3 MS DIMITRI: [14:54:46] Yes, but the title is not the same for all. Some of them are

4 "COMPOSITION DU BUREAU DE LA COORDINATION NATIONALE" and some

5 of them are "ORGANIGRAMME DU BUREAU DE COORDINATION".

6 MR VANDERPUYE: [14:54:55] Yes, yes, that's (Overlapping speakers)

7 PRESIDING JUDGE SCHMITT: [14:54:55] But that's essentially the same, I think.

8 Yeah. Yeah.

9 Back to open session?

10 MS DIMITRI: [14:55:08] That's what I was looking at. I believe the answer is yes.

11 PRESIDING JUDGE SCHMITT: [14:55:12] Well, then --

12 MS DIMITRI: [14:55:13] Yes.

13 PRESIDING JUDGE SCHMITT: [14:55:13] -- back to open session.

14 MS DIMITRI: [14:55:14] Thank you, Mr President.

15 (Open session at 2.55 p.m.)

16 THE COURT OFFICER: [14:55:29] We are back in open session, Mr President.

17 MS DIMITRI: [14:55:37] (Interpretation)

18 Q. [14:55:38] Mr Witness, just to make sure you're on the same page as the rest of

19 us, we finished with the Anti-Balaka and the unified coordination. Now, I'd like to

20 focus on Mr Yekatom and his group.

21 At paragraph 33 of your statement, the statement that you signed, you said that there

22 were some Muslims in Mr Yekatom's group. Am I correct to say that there were also

23 some Yakoma, some Mbaka people, some Peuhls, some Mbatl, some Ali, some

24 Nzakara and Hausa people, and that his group was very mixed.

25 A. [14:56:28] Counsel, in our part of the world, in the Central African Republic, our

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1 constitution prohibits mention being made of ethnicity, but despite that, that is not
2 always respected. The persons who are very easy to recognise are the Muslims
3 because they will have a Muslim name, each person will have his profile. In
4 Rambo's group, there was a Muslim person by the name of Alkanto (phon). He was
5 a Muslim. Alkanto was his name. Rambo can give his name, or where he went and
6 you can check with headquarters because he was a soldier in the group. All the
7 other ethnicities, well, I can't recognise who is whom, but there were different ethnic
8 groups, yes.

9 Q. [14:57:47] Thank you for your answer. Now, during the questioning by my
10 learned friend by the OTP, you mentioned Bossongo, and I'd like to show some
11 footage now and I'll be putting some questions to you.

12 This is tab 37 in the Defence binder, CAR-OTP-2107-1191 and this is 2 minutes and 13
13 seconds' long and we'll watch from the beginning to timestamp 1:28. And now for
14 the ...

15 This is lines 1 to 23 at tab 38. CAR-OTP- -- 0006-0933.

16 If the Sango interpreters could let us know when the colleague is ready.

17 THE INTERPRETER: [14:59:16] The French booth interpreter is ready to interpret.

18 (Viewing of the video excerpt)

19 "[BARNABY PHILLIPS:] The road southwest from Bangui, through a lawless
20 countryside. Our first stop is a roadblock by men who say they're the national army,
21 defending the country against the Muslim-led Seleka rebels and the ousted president.

22 ALFRED ROMBHOT: (Interpretation) We've no problems with the Muslims. They
23 are our brothers. We've lived with them for a long time. We only have a problem
24 with Djotodia and his mercenaries.

25 [BARNABY PHILLIPS:] Next we come to the village of Bossongo Café, where we are

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1 surrounded by an agitated crowd.

2 We're meeting a great variety of armed groups along the road. Some are relatively

3 well armed, but these people are essentially vigilantes, village self-protection groups.

4 They say that they are guarding their community against Seleka soldiers who are only

5 some 15 kilometres along the road.

6 We notice that many houses in the village are destroyed. It seems that the Muslim

7 population has been driven out.

8 Then we see that the villagers are demolishing the mosque. It's one shocking

9 moment in one small village. But all over this country in recent weeks mobs of

10 people have destroyed mosques and churches."

11 PRESIDING JUDGE SCHMITT: [15:00:57] Perhaps it escaped my attention, but do

12 you know when this footage was taken?

13 MS DIMITRI: [15:01:04] Maybe, according to the metadata, 21st January 2014.

14 PRESIDING JUDGE SCHMITT: [15:01:11] Could be, yes, okay. Yes.

15 MS DIMITRI: [15:01:17] (Interpretation)

16 Q. [15:01:17] I have a few questions on the video that we have just seen. I suppose

17 you recognise Mr Yekatom when he said that Muslims were their brothers and they

18 did not have any problems with Muslims, but only with Djotodia and his

19 mercenaries.

20 Does that correspond to the statements Mr Yekatom was making while with you or

21 that you heard about at the time?

22 A. [15:01:48] Let me come back to the video because sometimes when you start the

23 video, I do not hear very well and then later, I would realise it was him. At one

24 point, I heard what I thought was Bossangoa, but later on, I realised it was Bossongo.

25 In January, I was not there, but the statement that Mr Rambo said at the beginning of

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1 the video, that is what he has always said, that Muslims are not our enemies, they're
2 our brothers. And I confirm that. That is what he has always said. And I'm
3 saying in his presence, even though I'm not physically there with you, but I'm part of
4 this court for the time being --

5 Q. [15:02:53] (Overlapping speakers)

6 THE INTERPRETER: [15:02:53] -- completion --

7 THE WITNESS: [15:02:53](Interpretation) -- and he is listening to what I'm saying.

8 MS DIMITRI: [15:02:55](Interpretation)

9 Q. [15:02:56] Now I understood from the journalist that he -- when he was in
10 Bossongo, the villagers were demolishing the mosques. We saw the people
11 demolishing the mosque and celebrating. I know that you were listening a lot to the
12 radio and the television, and you were moving about.
13 Now to your knowledge, in the Lobaye, were several mosques destroyed by angry
14 villagers?

15 A. [15:03:44] The Bossongo mosque was, in fact, destroyed. I went to Mbaïki and I
16 also realised that the mosque had been destroyed, so the radio and the television were
17 not lying. This was true. These were things that were happening in the villagers
18 and in the towns. There, you saw the population, and angry population, so these
19 were not lies. All of us saw that. Now, you have to determine, the people who
20 were there, were they Rambo's men? Who did they belong to? Was he acting with
21 them? On behalf of whom were they acting? We do not know. So you have to
22 investigate to find out who ordered them or incited them to go and commit those
23 crimes.

24 Q. [15:04:40] Thank you. And still talking about the villagers, the population, at
25 paragraph 64 of your statement to the *OTP in 2016, you said the population of the

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1 Lobaye was against the Muslims, in reference to the population of the Lobaye.

2 Please help me understand. Can you explain what you mean by that? And I am

3 not talking about the Anti-Balaka. I am talking about the population.

4 A. [15:05:19] *If I said in my analysis that the population was against the actions of

5 the Seleka, the proof is that when there was an uprising, those who were victims

6 became angry. They were angry. And as you see there, these were acts of reprisals.

7 People started doing all sorts of things. They were no longer under control. They

8 did not listen to anybody. That is what I said. That is why I say that the population

9 was against. It is the analysis that I have been doing. The facts are there before us.

10 Those who came in and sowed disorder later left, while the Muslims who did not

11 cause any trouble, but stayed, behind paid the price.

12 Q. [15:06:05] Thank you. There is another sentence in your statement in which

13 you say that the population was against the Muslims, but Rombhot tell -- or, rather,

14 told people that they had to accept them upon their return.

15 Now, am I to understand that you and Mr Yekatom Rambo had tried to calm down

16 the anger of the population of Lobaye, that is to convince the people of that area to

17 accept the Muslims?

18 A. [15:06:48] Yes, in regard to that, when we went there, we tried to discuss about

19 that to accept the Muslims back, but the people were opposed to that and that is why

20 Rambo was saying that this is -- these are your brothers, you have to accept them.

21 And that -- that is the language that we spoke because the CAR belongs to everyone.

22 PRESIDING JUDGE SCHMITT: [15:07:17] Mr Vanderpuye.

23 MR VANDERPUYE: [15:07:19] Sorry to interrupt, Mr President. Again, I was

24 wondering if we could have a time frame with respect to this particular proposition.

25 PRESIDING JUDGE SCHMITT: [15:07:31] Ms Dimitri.

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1 MS DIMITRI: [15:07:34] I can try, but it was part of the statement and I didn't have a
2 clear --

3 PRESIDING JUDGE SCHMITT: [15:07:39] I think Mr Vanderpuye, we will have to
4 figure it out from -- from the context of the statement. And I have an idea, actually,
5 which I don't share. No, I could also share it. I think it's -- I think we are
6 still -- we are speaking about May, June 2014, I would say. And also I think I can
7 remind the parties that the witness has made it clear on several occasions that with
8 exact dates, he has difficulties. And he also does not like very much - that is, at least
9 my impression - to make some sort of guess or assessment or nearing. I think we
10 had this several times.

11 Ms Dimitri.

12 MS DIMITRI: [15:08:41] Thank you, Mr President.

13 Q. [15:08:45] (Interpretation) In paragraph 67 of your statement, you mentioned
14 that Mr Yekatom took Muslims to the MISCA so that they should be placed in a
15 secure place in Bangui. Should I understand that these Muslims that he took to
16 MISCA, they were being threatened by the population?

17 A. [15:09:26] May I, Counsel?

18 Q. [15:09:29] Yes, go ahead?

19 A. [15:09:32] This is something that happened before my arrival. During the
20 conversations, we were talking about that and Mr Rambo, who is present, said that he
21 handed over the Muslims to the MISCA with a -- a signed document acknowledging
22 that. So those Muslims went there.

23 Now, what I know, also, is that after the unification of the coordinations, there were
24 some Peuhls coming from Lobaye to Bangui and they were threatened around PK9,
25 and it was Rambo who took them and -- took them to a secure area.

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1 So I was not there and it was Rombhot who explained it to me. So what is being said
2 is there's also the possibility to investigate about that and confirm it.

3 MS DIMITRI: [15:10:51] I'm sorry if I'm slow sometimes, Mr President. I tried to
4 look at the English transcript, but I think it's much slower than the English
5 interpreter.

6 PRESIDING JUDGE SCHMITT: [15:11:00] You are not slow. I think sometimes it's
7 also good for the interpreters if they can - a little bit - respire. So it's fine, it's
8 absolutely okay.

9 MS DIMITRI: [15:11:14] Thank you.

10 Q. [15:11:15] (Interpretation) Do you also remember that Mr Yekatom went to the
11 bush and fetched gendarmes or policemen so that they should resume their duties?
12 Is this something that you heard about?

13 A. [15:11:37] No, I didn't hear about that.

14 Q. [15:11:42] We have a few witnesses who talked to us about a meeting that took
15 place in the Sainte Jeanne d'Arc church of Mbaïki. You have just talked about
16 Mbaïki.

17 Now do you remember any meeting held at the Sainte Jeanne d'Arc church, Mbaïki,
18 organised at the initiative of Mr Yekatom? There was Monsignor Rino, Sangaris,
19 and, amongst others, the imam of Mbaïki, and some representatives of the Muslim
20 community and the purpose of that meeting was to organise the free movement of
21 people to -- on the Mbaïki road.

22 Did you hear about that?

23 THE INTERPRETER: [15:12:39] And the answer, the witness said:

24 THE WITNESS: [15:12:46](Interpretation) I was not with them at that time.

25 MS DIMITRI: [15:12:51](Interpretation)

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1 Q. [15:12:51] You have talked about the Peuhls that Mr Yekatom protected, and
2 you talk about that in paragraph 67. You talked about a Peuhl family coming from
3 Lobaye and that a crowd was about to lynch them.

4 Once again, when you talk about a "crowd", are you referring to civilians, the
5 population?

6 A. [15:13:17] Yes, the Peuhls that I talked about, even during the solemn
7 declaration after the creation of the PCUD, the Peuhls, protected by Colonel Rombhot,
8 took -- the Peuhl who had been protected, took part in the meeting at the Ledger
9 Hotel, the ceremony there. He was filmed and everyone saw that. Regarding the
10 Peuhl family coming back from the Lobaye, based on the information, during that
11 time, the Peuhls arrived PK9 and the population wanted to attack them, because the
12 population was nervous at that time and anything could happen at any moment, and
13 that is when Rombhot happened upon them. People respected Rambo and he led
14 the Peuhls and took them away.

15 So he talks about -- people talk about that at PK9, they can talk about it and confirm it.

16 Q. [15:14:47] In paragraph 67 of your statement, you refer to an individual called
17 Saoudia Dodo. I don't know whether I can jog your memory, but I want to confirm,
18 was he the one who was the spokesperson of the Muslim community?

19 A. [15:15:19] I do not know the precise role he was playing, but (Redacted)
20 I do not know the role he played in the Muslim community. But he also, he
21 was detained or stopped in the Lobaye at a roadblock. He had a large sum of money
22 with him, and the Anti-Balaka elements, if I'm not mistaken, they took that money
23 and it was Rambo who recovered that money to hand back over to Saoudia Dodo.

24 (Redacted)

25 (Redacted). But you can call him and he can confirm that. (Redacted)

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1 (Redacted)

2 Q. [15:16:23] I'm going to show you a photograph to try and jog your memory.

3 Do you know a certain Obougna Sariratou who was also called "Hadja"? A Muslim
4 woman who stayed in PK5 and who came and settled in Bimbo?

5 I will show you a photograph, tab 15, CAR-D29-0010-0011.

6 Do you recognise her?

7 A. [15:17:24] The photograph is not yet displayed. I haven't seen it yet. Yes.

8 Q. [15:17:40] The photo can be taken down, please.

9 Do you remember that she also was said to have been threatened by the population
10 when she went towards PK9 and that she called Mr Alfred Yekatom to protect her?

11 A. [15:18:07] She was very regular or frequent in PK9. I don't know whether she
12 was threatened at one point or the other, but she was frequently there.

13 Q. [15:18:19] Do you remember that she regularly contacted Mr Yekatom so that he
14 should help certain Muslims to go and seek refuge in PK5, because they felt more
15 secure at PK5?

16 A. [15:18:41] Who consulted Rambo?

17 Q. [15:18:43] Hadja. I'll repeat my question. You said she was quite regular in
18 PK9. Do you remember that Hadja regularly contacted Mr Yekatom so that he
19 should help to bring Muslims to take refuge in PK5 because those Muslims felt
20 threatened by the population?

21 A. [15:19:06] I do not know about that point, but she was regular, she met regularly
22 with Mr Rambo. I don't know what happened between them when I was not there.

23 Q. [15:19:35] I will now come back to Boda, and, out of an abundance of caution, I
24 would like to ask the Presiding Judge to go to private session, please.

25 PRESIDING JUDGE SCHMITT: [15:19:49] Private session.

Trial Hearing

(Private Session)

ICC-01/14-01/18

WITNESS: CAR-OTP-P-1193

1 (Private session at 3.20 p.m.)

2 THE COURT OFFICER: [15:20:02] We are in private session, Mr President.

3 MS DIMITRI: [15:20:12] (Interpretation)

4 Q. [15:20:12] You mentioned a (Redacted)

5 (Redacted)

6 (Redacted) is not a reproach, but I think you made an error regarding

7 the date. You hesitated between the 13 -- 2013 and 2015, I think you said that a few

8 days ago.

9 I will show you a document, tab 7 of the OTP list. This is a document that you gave

10 yourself to the OTP during your meeting in 2016. It is CAR-OTP-2039-0020.

11 (Redacted), but I

12 will draw your attention to page 0022. You can see there's a stamp on the right, and

13 it is written: Seen upon return by the (Redacted)

14 A. [15:22:14] Yes, it is for that reason that I have been telling you all the time that it

15 is difficult to give precise dates. The facts are there, but to really remember the dates

16 is difficult. This document was during the mission -- the meeting that made it

17 possible for us to go to (Redacted). And I was saying that this document had to be

18 stamped at every gendarmerie stop, and that document is there because the

19 gendarmes had it. So -- but if you ask me to give you a precise date, it would be

20 very difficult because there is the date that we went and then the return date. And

21 I'm the one who gave that document.

22 Q. [15:23:21] Thank you very much. I reassure you we are certainly not

23 reproaching you about dates. We perfectly understand it. I simply wanted to say

24 that we were -- this was not in 2016. I understood that (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CAR-OTP-P-1193

(Private Session)

ICC-01/14-01/18

1 (Redacted)

2 So do you agree with me that this mission that (Redacted)

3 (Redacted)?

4 A. [15:24:07] No, (Redacted). The list on that document,

5 these are the people who were part of the mission. (Redacted) went to other

6 missions, then he can explain to you which missions and the people with whom he

7 was.

8 MS DIMITRI: [15:24:35] Mr President, I think we can go back to public -- to open

9 session.

10 PRESIDING JUDGE SCHMITT: [15:24:37] Yeah, open session.

11 (Open session at 3.24 p.m.)

12 THE COURT OFFICER: [15:24:51] We are back in open session, Mr President.

13 MS DIMITRI: [15:24:57] (Interpretation)

14 Q. [15:24:58] I would like to talk about Mr Konzi, Lieutenant Konzi. I know that it

15 is very difficult to have a precise date, but I'm going to try to assist you to, at least,

16 narrow it down to a month.

17 Now, when you talked about Sergeant Konzi, you said on Thursday that there was

18 this -- you referred to the spokesperson Igor Lamaka, do you remember that?

19 A. [15:25:42] Yes.

20 Q. [15:25:43] Now, to help you to at least give us a month, would I be correct to say

21 that this was in October 2014 because Igor Lamaka became the spokesperson of the

22 Anti-Balaka in replacement of Emotion Namsio who had been arrested in

23 September 2014.

24 So does that help you locate the month of the Konzi incident?

25 A. [15:26:16] It is difficult. It is really, really, difficult what you're asking.

Trial Hearing

(Open Session)

ICC-01/14-01/18

WITNESS: CAR-OTP-P-1193

1 Q. [15:26:28] But when Igor Lamaka was there, given that he was there, he was
2 there in his capacity as the spokesperson of the Anti-Balaka.

3 Do we agree?

4 A. [15:26:39] Yes, he was the spokesperson of the movement.

5 Q. [15:26:43] Now, let me ask you a specific question about Konzi. Am I correct to
6 say that at the time of this incident, he was living in France. He had applied for
7 asylum because of the suspicion involving him in a *coup d'état*, and he had gone to the
8 Central African Republic clandestinely through Cameroon.

9 Is that correct?

10 A. [15:27:20] This is someone that I do not know. I do not have any precise
11 information about him. It is when he was arrested that I got to know his file, his
12 background. I passed through the Spanish contingent and I went and took -- I got
13 into contact with the ICRC.

14 So I do not know him, I do not have any information about him.

15 Q. [15:27:59] Based on what you heard, that is when you came to know about the
16 Konzi incident or file, if you know, did he have a French political asylum card, which
17 would forbid him to travel to the CAR?

18 A. [15:28:20] I am telling you, I do not know anything about that. He's not in my
19 circle of acquaintances. I do not know him.

20 Q. [15:28:34] Based on what you know, is it correct that he was arrested at PK9 and
21 not at Petevo?

22 A. [15:28:47] It was at PK9, and PK9 is in Bimbo. The Bimbo commune. Petevo
23 is in Bangui, the sixth arrondissement of Bangui.

24 MS DIMITRI: [15:29:16] Maybe for this question, in closed session, Mr President.

25 PRESIDING JUDGE SCHMITT: [15:29:22] Private session.

Trial Hearing
WITNESS: CAR-OTP-P-1193

(Private Session)

ICC-01/14-01/18

1 (Private session at 3.29 p.m.)

2 THE COURT OFFICER: [15:29:40] We are in private session, Mr President.

3 MS DIMITRI: [15:29:48] (Interpretation)

4 Q. [15:29:49] Since you were a (Redacted)

5 (Redacted)

6 (Redacted), was he present with you or not? That is the

7 (Redacted)?

8 A. [15:30:15] (Redacted)

9 (Redacted)? I do not know. (Redacted)

10 (Redacted). We arrived. (Redacted)

11 (Redacted)

12 (Redacted)

13 Q. [15:31:10] Is it correct that (Redacted)

14 (Redacted)?

15 A. [15:31:26] That is to say -- well, (Redacted), I haven't understood.

16 Q. [15:31:40] When you went to the meeting of (Redacted)

17 (Redacted). That was later?

18 A. [15:31:56] He had (Redacted)

19 (Redacted)

20 (Redacted)

21 So I was never there. It was only when I received instructions, (Redacted)

22 (Redacted) and I went. (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted). That was my entire involvement.

Trial Hearing
WITNESS: CAR-OTP-P-1193

(Private Session)

ICC-01/14-01/18

1 Q. [15:33:22] Do you remember whether (Redacted)

2 (Redacted)?

3 A. [15:33:31] (Redacted)

4 (Redacted)

5 (Redacted)

6 Q. [15:34:00] Thank you.

7 MS DIMITRI: [15:34:04] Mr President, I have a proposal: I tried to -- you know,

8 the advantage of asking long questions and making big introductions at the

9 beginning is that the witness gave also long answers. So I'm try -- I tried at the lunch

10 break to cut down a lot. I managed. But now, I reached a part where -- because I

11 couldn't do everything during the lunch break, I am extremely confident that I'll

12 finish at the first session -- during the first session tomorrow morning, if we -- if we

13 break now. It's impossible for me to finish at four today --

14 PRESIDING JUDGE SCHMITT: [15:34:36] Okay, then --

15 MS DIMITRI: [15:34:36] -- but I'll finish tomorrow morning.

16 PRESIDING JUDGE SCHMITT: [15:34:38] Let's say Wednesday.

17 MS DIMITRI: [15:34:40] Yes, sorry, yes.

18 PRESIDING JUDGE SCHMITT: [15:34:43] Let's say Wednesday. But actually, to

19 end on perhaps a humour -- a humorous note, another Chamber of this Court

20 during one of these holidays that were the special court holidays went to Courtroom

21 3 and we're the only ones there, the judges were there. So I want -- I want you to

22 avoid that. So we do it exactly this way, we make the break now, we conclude for

23 today, and we continue on Wednesday - I have to think - 9.30.

24 Thank you very much, Mr Witness, you have heard it. We continue -- we finish for

25 today and we continue on Wednesday, 9.30, and we will be done quickly with your

Trial Hearing

(Private Session)

ICC-01/14-01/18

WITNESS: CAR-OTP-P-1193

- 1 examination.
- 2 Thank you very much again.
- 3 THE COURT USHER: [15:35:39] All rise.
- 4 (The hearing ends in private session at 3.35 p.m.)