

Trial Hearing
WITNESS: CAR-OTP-P-2328

(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 Friday, 9 July 2021
10 (The hearing starts in open session at 9.32 a.m.)
11 THE COURT USHER: [9:32:55] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:33:16] Good morning, everyone.
15 Good morning, Mr Demafouth.
16 WITNESS: CAR-OTP-P-2328 (On former oath)
17 (The witness speaks French)
18 PRESIDING JUDGE SCHMITT: [9:33:32] Could the court officer please call the case.
19 THE COURT OFFICER: [9:33:36] Good morning, Mr President, your Honours.
20 The case the Prosecutor versus Alfred Yekatom and Patrice-Edouard Ngaïssona,
21 ICC-01/14-01/18.
22 And we're in open session.
23 PRESIDING JUDGE SCHMITT: [9:33:44] Thank you.
24 I ask for the appearances of the parties. The Prosecution first.
25 MR VANDERPUYE: [9:33:48] Good morning, Mr President, good morning,

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1 your Honours. Good morning, everyone. Today the Prosecution is represented by
2 Irina Galupa, to my left, Yassin Mostfa and myself, Kweku Vanderpuye.

3 PRESIDING JUDGE SCHMITT: [9:33:59] Thank you. I turn to the representatives
4 of the victims. Ms Massidda or Ms Rabesandratana.

5 MS RABESANDRATANA: [9:34:18](Interpretation) Good morning, Mr President.

6 Today for the representative of the victims of the other crimes we have Madam

7 Paolina Massidda, Mouhia Asso and myself, Elizabeth Rabesandratana.

8 MR SUPRUN: [9:34:34] (Microphone not activated) Apologies. Good morning,

9 Mr President, your Honours. The former child soldiers are represented by myself,

10 Dmytro Suprun, counsel at the Office of Public Counsel for Victims. Thank you.

11 PRESIDING JUDGE SCHMITT: [9:34:49] Thank you.

12 I turn to the Defence. I assume, perhaps, Mr Hannis today or Ms Dimitri. Who?

13 Ms Dimitri.

14 MS DIMITRI: [9:34:58] Good morning, Mr President, good morning, your Honours.

15 Good morning, everyone. Mr Yekatom, who's present in the courtroom, is

16 represented today by Mr Thomas Hannis, Dr Lena Casiez, Mr Gyo Suzuki, and

17 myself, Mylène Dimitri.

18 PRESIDING JUDGE SCHMITT: [9:35:11] Thank you. And now Mr Knoops.

19 MR KNOOPS: [9:35:13] Good morning, Mr President, members of the Chamber,

20 everyone in the courtroom, good morning. I am today assisted by Ms Chiara Giudici

21 and Phoebe Oyugi, and Mr Ngaïssona is present in the courtroom.

22 PRESIDING JUDGE SCHMITT: [9:35:25] Thank you. And I give, I assume,

23 Mr Hannis the floor, for the examination by the accused, Yekatom -- for the accused,

24 Yekatom.

25 MR HANNIS: [9:35:35] Good morning, Mr President, your Honours. Thank you.

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1 QUESTIONED BY MR HANNIS:

2 Q. [9:35:41] Good morning, Witness. It's been a long week. I'm hoping that we'll
3 finish early today. And, Mr Witness, I will try and phrase most of my questions in
4 a form that calls for a simple answer; sometimes yes, no, north, south, right, wrong.
5 So it won't take us too long, and I hope you can help me with that.

6 The first thing I want to start out with is your CV, your curriculum vitae, which is
7 annex number 2 -- I'm sorry. It's tab 3, CAR-OTP-2099-0232.

8 This was attached to your witness statement. And the question I have to start with is
9 that there seemed to be a gap in your CV timeline between 2002 and 2007. Where
10 were you during that time? Were you in France or in CAR or both?

11 A. [9:37:02] Thank you. I was in France. I was a lawyer at the Paris Bar.

12 Q. [9:37:10] Thank you. And between October 2002 and the elections in CAR in
13 2005, what were you doing? Were you still working in Paris?

14 A. [9:37:29] Yes. I left Bangui, I left the Central African Republic in
15 December 2002, I believe. I arrived France and I re-registered in the Bar in 2003,
16 right up to 2009.

17 Q. [9:38:00] And am I correct that in 2005 you were a presidential candidate in CAR,
18 right?

19 A. [9:38:13] Yes.

20 Q. [9:38:14] Although, you were still living in France at the time, right?

21 A. [9:38:25] Yes.

22 Q. [9:38:26] Thank you. And, as I understand, you got 5 per cent of the vote in
23 that election, correct?

24 A. [9:38:37] Yes, approximately.

25 Q. [9:38:39] And after that what did you do for the next three

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1 years, 2005, 2006, 2007, before returning to CAR?

2 A. [9:38:56] I stayed in Paris.

3 Q. [9:39:01] You ran for president a second time in 2011, correct?

4 A. [9:39:11] Yes.

5 Q. [9:39:14] And that second time you got about 3 per cent, correct?

6 A. [9:39:22] Yes.

7 Q. [9:39:32] I next want to ask you about tab 2 on our list, it's CAR-OTP-2099

8 through 0165 -- 0165. This is your statement to the Prosecution. You explained to

9 the Office of the Prosecutor that you received reports from the Presidency intelligence

10 office and that service produced reports with information from the police and

11 the gendarmerie and you said, quote, "It must be said that much of the information

12 these services gave were often not accurate after checking."

13 Is that accurate, what I just said?

14 A. [9:40:44] Yes.

15 Q. [9:40:46] Okay. And yesterday, transcript T-047, at page 7, you spoke on this

16 topic and said, quote:

17 "... the intelligence services did not function well because the instruments [or tools]

18 that make it possible to collect information, police and gendarmerie, were not

19 functioning well ... so we relied a bit more on the population."

20 Is that right?

21 A. [9:41:29] Yes. I think I elaborated a bit. There were intelligence structures in

22 the police and the gendarmerie, if you allow me, please.

23 Q. [9:41:47] Well, no. Let me stop you, please.

24 I have a follow-up question and maybe you can deal with it there.

25 First question is, when you say, relying "a bit more on the population", did you mean

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1 private citizens as informants?

2 A. [9:42:15] I think maybe you didn't quite follow the statement. We relied on
3 the population, the village chiefs, the neighbourhood chiefs and mayors. There were
4 also other state services, for example, in animal -- animal husbandry we could receive
5 information from that ministry about the Peulhs and other people. So all those
6 services could provide information to our own unit.

7 Q. [9:43:07] I understand. You had a wide range of sources, including, I assume,
8 from the wildlife agents you could get information about Séléka poaching elephants,
9 correct?

10 A. [9:43:31] Yes, that is quite correct. And I can add that we were not alone --

11 Q. [9:43:40] I'm sorry -- I'm sorry, Witness. Please, I'm not asking you to add.
12 You've answered my question.

13 Your Honour --

14 PRESIDING JUDGE SCHMITT: [9:43:47] Yeah, but -- yeah, yeah, yeah, yeah, yeah.
15 But I'm -- this question was not of a nature that I would say you would have to
16 elaborate on it, normally. But you are questioning the sources of the witnesses and if
17 the witness wants to add something to that, I think it's important to know that. It is
18 also important to know, for example, for everyone in the courtroom and for
19 the Chamber, the information -- if the information the witness provided us with, how
20 he perhaps cross-checked that or which information -- so this would be, of course,
21 also interesting. I think we should allow the witness to -- to tell us something about
22 it.

23 Mr Vanderpuye.

24 MR VANDERPUYE: [9:44:29] Yes, Mr President. The only thing I wanted to add is
25 that it appears that only part of his question was translated to the witness, and so

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1 the witness is responding to the Séléka part of the question even though I could see
2 that it was a -- you know (Overlapping speakers)

3 PRESIDING JUDGE SCHMITT: [9:44:43] Even more then, even more under these
4 auspices, I think.

5 So, Mr Witness, we stopped you midway, so to speak. Please tell us what you
6 wanted to tell us.

7 THE WITNESS: [9:45:06](Interpretation) I wanted to say that during that period
8 the intelligence about armed groups could also come from the international forces in
9 the CAR and which had bases throughout the national territory. At the national
10 level, also, we could receive information or intelligence.

11 PRESIDING JUDGE SCHMITT: [9:45:33] Okay.

12 Mr Hannis, please continue.

13 MR HANNIS: [9:45:36] Thank you, Mr President.

14 Q. [9:45:43] Witness, I next have a question for you about your missions to Boda in
15 2014. If I understand correctly, those were done with or through, if my
16 interpretation is correct, the administrative task force of the government; is that
17 correct?

18 A. [9:46:16] I think I need to clarify something here. As from 2013, there was no
19 longer any administration as such in Boda town, so the purpose of my mission was to
20 restore public administration in Boda. *And considering that it was difficult to put the
21 entire administration in place at the same time, we proposed what was referred to as
22 an administrative task force, that is a group of public servants representing
23 the administrations. They would occupy a single building where all those services
24 would be lodged and they would assist the entire population. That was the task
25 force and I was responsible for setting it up and organising it on the ground.

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1 Q. [9:47:36] Thank you. And am I correct that your first mission to Boda was in
2 August of 2014, right?

3 A. [9:47:54] I no longer remember the precise date.

4 Q. [9:47:56] And I want to talk a little bit about some of your sources of information
5 and some individuals. You mentioned one person who gave you information
6 (Redacted).

7 A. [9:48:44] Are we talking about Boda or another area?

8 Q. [9:48:51] No, I --

9 PRESIDING JUDGE SCHMITT: [9:48:52] I think in general. You mean in general,
10 no, or not?

11 MR HANNIS: [9:48:55] No, this was about a particular individual (Overlapping
12 speakers) just whether --

13 PRESIDING JUDGE SCHMITT: [9:48:59] Yeah, yeah.

14 MR HANNIS: [9:49:00] But let me go back to Boda for a second.

15 PRESIDING JUDGE SCHMITT: [9:49:02] Mr Vanderpuye.

16 MR VANDERPUYE: [9:49:05] I'm just wondering whether we should proceed in
17 private session. I don't know whether this -- whether this individual is around or
18 protected or unprotected.

19 PRESIDING JUDGE SCHMITT: [9:49:18] Let's go to private session.

20 (Private session at 9.49 a.m.)

21 THE COURT OFFICER: [9:49:34] We are in private session, Mr President.

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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23 (Open session at 9.56 a.m.)

24 THE COURT OFFICER: [9:56:20] We are in open session, Mr President.

25 MR HANNIS: [9:56:24] Thank you.

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1 Q. [9:56:26] Mr Witness, I have to go back to one more question about Boda and
2 when you first went there.

3 Could you tell us how many weeks or months after Samba-Panza took office as
4 the president, how long after that, approximately, was it before your first visit to Boda?
5 From what I can see, it appears to be at least four or five months after you started
6 your position in February of (Microphone not activated).

7 A. [9:57:09] I do not remember the precise date or the precise period.

8 Q. [9:57:17] If I suggest to you that from the information I've seen it was in August,
9 would you disagree?

10 A. [9:57:32] I have just repeated to you that I do not remember the precise date.
11 You have asked me this question three times and I have given you the same answer.

12 Q. [9:57:46] Well, I tried to modify the question a little bit to help you, but I guess it
13 didn't work. I will go on now, Mr Witness, I want to ask you about some attacks
14 that occurred in a couple of locations in CAR. Did you know about attacks in Boali
15 in 2013?

16 A. [9:58:33] Which attacks are you referring to? If you are more specific with your
17 questions, I will also give you precise answers. You are talking about attacks in
18 Boali. In 2013 the number of attacks on the Boali road, well, we did not monitor all
19 the attacks. By whom? The Anti-Balaka? The Séléka? You are talking about
20 attacks on Boali. How do you expect me to answer?

21 Q. [9:59:09] Fair enough.

22 PRESIDING JUDGE SCHMITT: [9:59:10] Yeah, but this is also an answer. I think
23 we can take it from the answer that there were multiple attacks from different
24 factions.

25 MR HANNIS: [9:59:21] Yes.

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1 PRESIDING JUDGE SCHMITT: [9:59:22] Perhaps I misunderstood it, but I at least
2 understood this way. And if you want to refer to a concrete one, perhaps you can be
3 more specific.

4 MR HANNIS: [9:59:36] Yes, I do. I will somehow you something now, Mr Witness.
5 If we could go to tab 38, this is CAR-OTP-2100-3494. These are some Facebook
6 conversations. And if we could go to page 3618, which is on 13 November 2013.
7 And these are some messages between a Salomon Kobo and Rod Larry
8 Martial Gallaut.

9 Q. [10:00:18] Can you see that on your screen now, Mr Witness?

10 A. [10:00:26] Yes.

11 Q. [10:00:27] Okay.

12 I'll read part of it for the record, your Honour.

13 Salomon Kobo says, quote:

14 "ok! prince has just told me that -- told me Demafouth has just sent more than 200
15 very well armed men in the locality of Boali".

16 Mr Gallaut responds, "Demafouth? They now lead the army?"

17 Kobo replies, "No, an armed group, that's his" (Overlapping speakers) sorry.

18 PRESIDING JUDGE SCHMITT: [10:00:58] (Overlapping speakers)

19 THE WITNESS: [10:00:59](Interpretation) I cannot see that part.

20 PRESIDING JUDGE SCHMITT: [10:01:01] We have to -- patience, Mr Demafouth.

21 We will scroll it down and then you can see it and you can follow it.

22 So please continue, Mr Hannis, from "*Demafouth? Ils dirige maintenant l'armée?*"

23 MR HANNIS: [10:01:20]

24 Q. [10:01:21] Yes. This is -- Mr Gallaut says, "Demafouth? They now lead
25 the army?"

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1 Mr Kobo says, "No, an armed group, that's his business".

2 Mr Gallaut says, "shit, so I see they are in the neighbourhood of Boali?"

3 And Kobo says, "Yes".

4 That appears to refer to you, Mr Demafouth. Did you send an armed group to attack
5 Boali in 2013?

6 A. [10:02:06] Not at all. Absolutely not.

7 Q. [10:02:10] (Microphone not activated)

8 A. [10:02:15] I am even wondering whether I was in the CAR at that time, whether
9 I was not on mission abroad on behalf of the government. Probably in neighbouring
10 countries or to Addis Ababa, during that period. And you will also notice that
11 during that period no international force mentioned the presence of groups or units
12 belonging to Mr Jean-Jacques Demafouth in the Central African Republic.

13 Q. [10:02:56] All right. Next I want to ask you about Paoua and a conversation,
14 tab 48, CAR-OTP-2099-8825, and specifically at pages 8834 and 8835. This is from
15 13 August 2013.

16 This is a conversation between a man named Lamaka and it confirms the attack in
17 Paoua and an ambush in Bozoum as something that was
18 responsible -- the responsible parties were APRD and Demafouth. What do you say
19 about that?

20 PRESIDING JUDGE SCHMITT: [10:03:58] He needs time to read it, I think.

21 Perhaps you can do it in this -- indeed this way. It's a little bit quicker.

22 Mr Demafouth can read it in the original language in French, so I think that's quicker.
23 Please, Mr Demafouth.

24 THE WITNESS: [10:04:24](Interpretation) The APRD was dissolved since 2012, so
25 Demafouth did not have any men. He was not even leading an armed group at that

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1 time. And I really appeal to you, come back to the document. I would like to show
2 you something. The document begins with "it appears that", so we have to be really
3 serious. If something begins with "it appears", "it seems", "it is possible that", we
4 really have to be serious about that.

5 PRESIDING JUDGE SCHMITT: [10:05:07] But, Mr Demafouth, you -- as a lawyer,
6 you understand that counsel for the Defence is going to put this to you if your name
7 appears here, and we talked about that yesterday. You can provide the Chamber
8 and the parties and participants with your point of view, but it's, I think, normal and
9 perfectly clear that counsel will put this to you.

10 Do you know these individuals that are talking about you here?

11 THE WITNESS: [10:05:42](Interpretation) No, I seen the name Berenger Ludovic
12 Igor Lamaka. Yes, that is somebody in Bangui who's very active in Facebook. It's
13 one of the deputies of Mr Ngaïssona. I think he was a member of the coordination
14 team of Anti-Balaka of Mr Ngaïssona. And I can also tell you, Mr President, that
15 during this period APRD no longer existed.

16 PRESIDING JUDGE SCHMITT: [10:06:09] Yeah, you said that already. And what
17 about the last conversation? I forgot to ask you because I think this might be
18 interesting. This -- what was his name? Rod Martial Gallaut. You might have
19 talked about him yesterday, but you know him?

20 THE WITNESS: [10:06:25](Interpretation) Not at all, Mr President.

21 PRESIDING JUDGE SCHMITT: [10:06:27] Excuse me, Mr Hannis, for
22 interfering -- not interfering, interrupting a bit. Please continue.

23 MR HANNIS: [10:06:35] I don't consider it interference, your Honour.

24 Q. [10:06:40] Mr Witness, one last attack I want to ask you about at the moment.

25 This is tab 37, CAR-OTP-2101-3413, and go to page 3417. This is an article from

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1 a publication called - and pardon my French - *L'Hirondelle*, dated 6 June 2014. And if
2 we could go to the bottom half, it's the article on that part of the page. Yes. Can
3 you see that now, Witness?

4 PRESIDING JUDGE SCHMITT: [10:07:27] And it's from 6 June 2014. That's always
5 important, I think, to ...

6 MR HANNIS: [10:07:33] I thought I said that, your Honour, but thank you.

7 PRESIDING JUDGE SCHMITT: [10:07:36] Then it's my fault. It has escaped my
8 attention. Apologies.

9 MR HANNIS: [10:07:40] No. And I'll read what I have as an English translation
10 and you can tell me if it's correct.

11 Q. [10:07:48] *"Yesterday during the daytime, the chairman of the MDREC, Joseph
12 Bendounga, Jean-Serge Bokassa and Jean-Jacques Demafouth were summoned by the
13 general prosecutor for questioning. For the first two individuals the summons was
14 related to their role in the people's demonstration of the day of May 30, but for
15 Demafouth, it was much more related to his alleged involvement in the events of
16 Fatima."

17 Did you know about this?

18 A. [10:08:38] *Not at all. I discovered this now. As I said, Mr President, to answer
19 this article, I was never detained, nor -- as far as I know, nor Mr Bokassa, nor
20 Bendounga who is actually deputy in the National Assembly. So if Mr Bengounga
21 was condemned, convicted for this case, he would never have become
22 a representative, a deputy. And myself, I was never summoned by police and I've
23 never been subject of prosecution in this particular case. I am discovering this now
24 and I assure you that during that time I was a counsellor and I remained as such. If
25 I was guilty or prosecuted, I would have been forced to resign from my job.

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1 Q. [10:09:48] Well, my question wasn't whether you were guilty or not. It was just
2 whether you had been summoned by the general prosecutor. And I guess you're
3 telling me you were not aware that the general Prosecutor had summoned you --

4 PRESIDING JUDGE SCHMITT: [10:10:03](Overlapping speakers) Indeed, indeed.
5 That's absolutely justified.

6 Were you summoned or not, like it is in this --

7 THE WITNESS: [10:10:11](Interpretation) No.

8 PRESIDING JUDGE SCHMITT: [10:10:11] Please continue, Mr Hannis.

9 MR HANNIS: [10:10:13] Thank you.

10 Q. We'll talk about another question of whether you were summoned or not. But,
11 Mr Demafouth, you've told us about your work and your various positions you've
12 held, I think, during your interview with Defence counsel Ms Dimitri and
13 Mr Robinson, my predecessor. You spoke of yourself as an intelligence agent.
14 You've also told us how many sources of information you had. It seems hard to
15 imagine that you would not be aware if the general Prosecutor had issued a summons
16 for you. Would you agree with me about that?

17 A. [10:11:12] *But I think you're a lawyer like myself. You know the rules of the game
18 very well; you know the procedure that is used to arrest someone. What the press writes,
19 we professionals know the difference between what is written by somebody who might
20 say anything on individuals, because Mr Bokassa is a former minister and a candidate for
21 the presidency as well. *Mr Bendounga equally. So these are personalities and if they'd
22 been summoned or even asked to a hearing, then this would have been passed on by
23 more authoritative organs than the ones that you're showing me here.
24 But since you're talking about my hearing before you, before the counsel some time
25 ago, there is an audio recording of that interview which I accepted. I did it in good

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1 faith with the Defence. Because I repeat once again, I have no particular problem
2 with the accused and I came here to provide information on facts during the period in
3 question.

4 So I am really doing this voluntarily and in good faith to explain to the Chamber what
5 happened.

6 PRESIDING JUDGE SCHMITT: [10:12:51] Thank you.

7 MR HANNIS: [10:12:54]

8 Q. [10:12:57] Yes, Mr Witness, I do have a couple of questions for you related to
9 that interview with my lead counsel and Mr Robinson.

10 You said during that interview that you were an intelligence officer. And at
11 page 40 -- transcript, page 94 of that document, you also said:

12 "When I was the minister counsellor in charge of DDR and RSS I was not directly
13 responsible for the intelligence services, but I was working with a colleague who was
14 responsible for that service and we shared information every day."

15 Do you remember saying that?

16 A. [10:13:59] (No interpretation)

17 Q. [10:14:02] Okay. So I understand you did a lot of work in the intelligence area,
18 but you were never the head of intelligence in CAR, were you?

19 A. [10:14:37] Sir, yesterday I tried to explain in my (Overlapping speakers)

20 Q. [10:14:45] I'm sorry, that's just a simple question. Were you ever the head of
21 intelligence services in CAR, yes or no?

22 A. [10:14:54] Yes, I -- I did head the intelligence service.

23 Q. [10:14:59] And can you tell me when that was, from what period?

24 A. [10:15:08]*Listen, I was responsible for the national -- centre for research and
25 investigations in the Central African Republic from 1995 until 1998. And this centre

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1 of research and intelligence - you understand the heading - carried out intelligence
2 and also collecting from very sources.

3 And after that, within the framework of intelligence, I became minister of defence and
4 there, there was a central section for intelligence who was under my supervision and
5 who provided me with information - so I was responsible - which allowed me to get
6 information for intelligence and collect information from them throughout
7 the country.

8 Q. [10:16:30] Maybe I misheard, Witness. I thought you said you were head of
9 that through 2018. I thought you left CAR in 2016; am I correct?

10 A. [10:16:47](Overlapping speakers)

11 MR VANDERPUYE: [10:16:48](Overlapping speakers) I was just saying that it's
12 a translation issue. I think he said 1998 and it came in at 2018.

13 PRESIDING JUDGE SCHMITT: [10:16:56] Yeah, yeah. And in the French transcript
14 we have 1995 until 1998, so -- but the translation was different. So there is not an
15 issue here I think.

16 MR HANNIS: [10:17:04] My apologies, Witness, I think we both have suffered
17 occasionally from mistranslation.

18 Q. [10:17:25] And, Witness, what you just told us I did not see in your written CV,
19 so that's why I was asking the question.

20 Now, the colleague you talked about who was head of the service at that time when
21 you were counsellor in charge of DDR and RSS, who was that? Can you tell me his
22 name or her name?

23 A. [10:17:59] I can't remember. It might have been the commissariat of the police.

24 *If you look at.... if you ask the President of the Republic in Bangui during that period,
25 that is, in 2013, who was the chief of... who was the adviser in charge of intelligence,

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1 you will be told the person's name. I think it's a commissariat of police. Oh, no.

2 The name is Mr Adyas (phon). I remember now, Mr Adyas.

3 PRESIDING JUDGE SCHMITT: [10:18:23] May I shortly, Mr Hannis because, for
4 the record, you referred to the interview of Mr Robinson and Ms Dimitri. The ERN
5 number, if I may, so -- is CAR-D29-0006-0116, I think, until 01 -- 0162. Yeah, exactly.
6 And it's your tabs 23 until 25. I think I'm right here.

7 MR HANNIS: [10:19:46]

8 Q. [10:19:47] One more time, Witness, I'm asked to go back and ask you a question
9 about Boda.

10 In your witness statement that you gave the Prosecution, I think it's in paragraph 187,
11 page number CAR-OTP-2099-0199 and goes on to page 0200, you said that your first
12 mission in Boda was in August of 2014. And you told Mr Vanderpuye at the
13 beginning that you stood by what was in your written statement. Does that refresh
14 your memory now about when your first mission to Boda was in 2014?

15 A. [10:20:52] I really don't remember the exact -- I don't remember the exact date
16 when I was in Boda. If I stated that in my statement, then, yes, that must be it.
17 That's what I said.

18 PRESIDING JUDGE SCHMITT: [10:21:08] Okay. I think that will do. That's
19 the normal reaction of a witness. If he doesn't recall and says, but three years ago I
20 said it --

21 MR HANNIS: [10:21:20] Yes.

22 PRESIDING JUDGE SCHMITT: [10:21:20] If I have said it three years ago that it was
23 August 2014, my recollection might have been better then, so be it.

24 MR HANNIS: [10:21:28] Trust me, your Honour. I really understand that. As one
25 of the oldest fellows in the room, I may not remember what I said yesterday,

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1 Mr Witness. So I understand. And thank you for that answer.

2 Q. [10:21:43] Now, I want to ask you about some questions concerning your work
3 with President Samba-Panza.

4 And, your Honour, I'm referring to something in tab 30, transcript 031, the English
5 version at page 69. This is Witness P-2926, who said, quote -- talking about you, said
6 that you had, quote, "extreme influence on the president of the transitional
7 government." That's true, isn't it? You had a lot of influence with Samba-Panza?

8 A. [10:22:33] I think I had less influence to those -- President Samba-Panza than I
9 had with President Patassé. So, I was an officer, the head of state called me, gave me
10 a mission, I carried out my mission. If the people think that means having an
11 influence, so be it, but I was carrying out my mission. And above all, I tried to do it
12 legally by respecting the rules and the texts which defined my duties.

13 Q. [10:23:13] Okay. I understand you feel like you had less influence with her
14 than you had had years before with President Patassé, but I'm basing my questions
15 partly on what appear to be the opinions of other people who knew you and
16 Samba-Panza. And just one question, I've heard that your office at that time was
17 directly next to Samba-Panza's office. So you were able to see who was coming and
18 going to meet with her, right?

19 A. [10:23:55] The location of the offices meant that I had the office which was
20 linked to my function. So that office, yes, was in the same building in that of
21 Mrs Samba-Panza, perhaps a little bit closer than the others, simply because I was
22 a council minister and that meant she could call upon me often and I often went to see
23 her. When you are a minister, the counsellor responsible for the security of the
24 president, you can see this throughout the world. Then as regards security, that is
25 a person who sees the head of state all -- every morning to see what's going on. So

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1 it's quite logical that my officer was nearby. So it couldn't be that it would be very
2 far away. So for all professional reasons, my office was close to the presidency.
3 The officer who was responsible for this activity had to be in such a place. I didn't
4 choose the office.

5 PRESIDING JUDGE SCHMITT: [10:25:07] Mr Demafouth, I don't see in
6 the past -- last questions of Mr Hannis, I don't see any reproach or -- it would not be
7 dishonourable or something like that if you had influence, if you had the ear of
8 Ms Samba-Panza. It's not dishonourable if you have a -- an office close to
9 Ms Samba-Panza. So I just wanted to say that. So it's -- please continue,
10 Mr Hannis.

11 MR HANNIS: [10:25:35] Thank you, Mr President.

12 Q. [10:25:43] We've mentioned one Witness P-2926 before. He had another
13 comment about you concerning your image in Bangui at the time. And he said,
14 quote, that your "image in Bangui was rather tarnished at the time."
15 Would you agree?

16 A. [10:26:09] No.

17 Q. [10:26:13] Right. Were you a mentor to Samba-Panza during your time
18 working for her?

19 A. [10:26:27] No.

20 Q. [10:26:28]*We have some information that even some ministers or government
21 colleagues at the time wanted you to physically leave the office when they wanted to
22 talk directly to Samba-Panza. That happened on several occasions, right?

23 A. [10:26:46] *No.

24 Q. [10:26:49] You're saying no one ever asked that you leave the room, they wanted
25 to talk to Samba-Panza without you being present? You don't recall that happening?

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1 A. [10:26:59] I do remember on one occasion there was an Anti-Balaka group who
2 were going to be seen. And I think there was Mr Ngaïssona, Mr Kokaté, and
3 Mr Kokaté took the floor and asked that I and another colleague, Mr Guyama (phon),
4 the two of us, where they requested that we leave the office. But a minister -- or
5 meeting or other counsellors where they asked me to leave, no, I'm not aware of that.

6 Q. [10:27:38] *Were you aware that on occasion some of those ministers..... some of those
7 government officials had requested from Samba-Panza that you not be present when they
8 met with her? This may not have occurred in your presence, but were you aware that some of
9 them did not want you to be present when they were talking with Samba-Panza.

10 A. [10:28:02] *No.

11 Q. [10:28:06] *We have some information to that effect.

12 A. [10:28:08] *(Overlapping speakers)

13 Q. [10:28:10] *Okay. Thank you.

14 A. [10:28:11] No. Let me specify something (Overlapping speakers)

15 PRESIDING JUDGE SCHMITT: [10:28:15] I think we don't need it here. Please
16 continue. I think this is (Overlapping speakers)

17 MR HANNIS: [10:28:20] Thank you. Thank you.

18 Q. [10:28:23] Did it ever come to your attention that the minister of justice, whose
19 name I have a hard time pronouncing, I think it's Godeuille, G-O-D-E-U-I-L-L-E, did
20 it ever come to your attention that he wanted to issue a warrant of arrest against you?

21 A. [10:28:50] Mr who?

22 Q. [10:28:53] Sorry, I'm sorry. I meant to say it's a she, as I understand, the minister of justice.

23 PRESIDING JUDGE SCHMITT: [10:29:03] So if -- I think if you spell it again,
24 the interpreter will interpret it and pronounce it in a way that Mr Demafouth will
25 understand the name.

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1 MR HANNIS: [10:29:13] Yes. My understanding (Overlapping speakers)

2 PRESIDING JUDGE SCHMITT: [10:29:17] You have already understood? Okay.

3 Then please continue, Mr Demafouth.

4 THE WITNESS: [10:29:25](Interpretation) Listen, I assure you I never received
5 a mandate -- a warrant of arrest coming from the minister of justice. Perhaps there
6 was the intention to do that, or in her department, but I never was notified.

7 MR HANNIS: [10:29:44]

8 Q. [10:29:45] Thank you. My question was just whether you were aware that
9 perhaps she wanted to, although that never happened.

10 My next question is -- my next question is, you think it's possible she might have
11 intended to do that, but she never actually did, right?

12 A. [10:30:21] No. I don't think anything at all. I never received a notification.
13 I can't tell you whether she had the intention or not, because no one talked to me
14 about it, neither the president nor the prime minister nor her herself, Mrs Godeuille,
15 nor the Prosecutor.

16 Q. [10:30:46] All right, Witness. Am I correct that you were assigned as
17 the general coordinator of the technical committee for the organisation of Bangui
18 forum, but that after popular consultations everybody, political and civilian, didn't
19 want you in that position? In April 2015 you were finally replaced from that
20 position, correct?

21 A. [10:31:28] I was the coordinator for popular consultation. When that had to be
22 organised, when we had to organise the Bangui forum, Madam President asked me to
23 be the general coordinator. The Anti-Balaka were against that and requested to
24 the Anti-Balaka movement to express their dissatisfaction, and the president said,
25 therefore, I should leave that function but that I remain the coordinator, the technical

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1 coordinator for the Bangui forum.

2 Q. [10:32:12] Well, from my understanding it wasn't just Anti-Balaka. And there
3 was a person that was -- replaced your position, right? Wasn't that
4 Dr Samba-Maliavo.

5 THE INTERPRETER: [10:32:48] Unclear what the answer is.

6 PRESIDING JUDGE SCHMITT: [10:32:49](Overlapping speakers) You mean,
7 Mr Hannis, that this person that you mentioned replaced the witness?

8 MR HANNIS: [10:32:57] That's my understanding standing, your Honour.
9 (Overlapping speakers) Dr Marguerite Samba-Maliavo.

10 PRESIDING JUDGE SCHMITT: [10:33:05] So, Mr Demafouth, do you know
11 something about that?

12 THE WITNESS: [10:33:10](Interpretation) The name of the person once again, please,
13 the person who replaced me?

14 MR HANNIS: [10:33:15]

15 Q. [10:33:15] Dr Marguerite Samba-Maliavo.

16 A. [10:33:23] Yes, that is correct.

17 Q. [10:33:28] (Microphone not activated) For the record, your Honour, at tab 31, it's
18 transcript 037 from the English version, Witness P-0801, at page 22, said that your,
19 quote, "appointment was collectively rejected by all the participants".

20 Is that true?

21 A. [10:34:01] No.

22 Q. [10:34:04] All right. Let me go to another document. This is tab 45,
23 CAR-D29-0002-0013. It's a newspaper article, Mr Witness. It's from Ndeke Luka,
24 dated 16 April 2015. Let me know when you can see it.

25 A. [10:34:44] No.

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1 PRESIDING JUDGE SCHMITT: [10:34:45] Not yet. It will appear, I'm sure.

2 MR HANNIS: [10:34:57] If we could scroll down a bit. Farther.

3 Q. [10:35:21] And because of my difficulty with French, you can help me, but it
4 appears that this says your nomination was contested by the entire population, right?

5 A. [10:35:39] No.

6 PRESIDING JUDGE SCHMITT: [10:35:40](Overlapping speakers) Actually, I -- yeah.

7 Now, we have it. Please give us all a moment to go through it.

8 MR HANNIS: [10:35:51] Can we shrink -- yeah, in order to get the full text in. And
9 it's in the first paragraph under the picture. Do you see that?

10 PRESIDING JUDGE SCHMITT: [10:36:16] Okay. Thank you. Now we could read
11 it.

12 Mr Demafouth, do you want to comment this?

13 THE WITNESS: [10:36:26](Interpretation) Thank you very much, Mr President.

14 The organisation committee of the Bangui forum had to be made up of the
15 representatives of armed groups, trade unions, media, business captains and Muslim
16 communities. I was challenged by the armed groups because, quite simply, when I
17 organised the popular consultations I took measures which made them think that I
18 was going to undermine their security. And since the Bangui forum had to take
19 place in Bangui, the capital, the representatives from the provinces designated had to
20 travel to Bangui. They were afraid in Bangui and the representatives of the armed
21 groups made a lot of noise. They tried to sensitise a lot of people to convince them
22 that I should not be the chair of this technical committee for the organisation of the
23 Bangui forum.

24 There was a preparatory committee before and these people who had participated in that
25 preparatory committee wanted to continue to organise themselves, the Bangui forum. So

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1 the armed groups challenged this. *I admit that we did not want problems, and the President
2 of the Republic asked me to leave the position, and then she appointed Ms Samba-Maliavo
3 who, at the time, was the Minister of Health. But, Mr President, you can find out, I was
4 the person who was responsible for the material organisation and the control of security of
5 the Bangui forum, and there was no incident except the attempts of the Anti-Balaka at the
6 beginning of the forum to display, to display pancarts, which I refused.

7 PRESIDING JUDGE SCHMITT: [10:39:14] Okay. I think we can -- I assume we can
8 move on to another point.

9 MR HANNIS: [10:39:20] Yes. Thank you, your Honour.

10 Q. [10:39:22] Mr Witness, my next topic is about coups.

11 How many times have you, Mr Demafouth, been accused or alleged to have had
12 a role in a coup or an attempted coup to change the government in CAR?

13 PRESIDING JUDGE SCHMITT: [10:39:45] Mr Vanderpuye.

14 MR VANDERPUYE: [10:39:47] Yes, Mr President. That's an objectionable question.
15 I think Mr Hannis knows that. The number of times he's been accused has
16 absolutely nothing to do with the probative value of his testimony and is completely
17 irrelevant. If he'd been convicted, as the witness has pointed out, that's another
18 thing. And if there was substance in those accusations, he knows how to ask that
19 question.

20 PRESIDING JUDGE SCHMITT: [10:40:14] I might also recall that this was an issue
21 during the cross-examination of Mr Knoops somehow, so I think you can move on
22 here. And we have talked about this, about these.

23 MR HANNIS: [10:40:30] All right, your Honour.

24 Q. [10:40:34] I want to ask you a question about your -- paragraph 12 of your
25 witness statement says, quote:

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1 "I have always been operational in the political life in CAR since 1979." That's when
2 you were 20 years old, right?

3 A. [10:41:04] Yes.

4 Q. [10:41:05] And if I remember correctly, the word "operational" in your statement
5 was in quotes. So what did you mean when you said you were "operational" in
6 political life in CAR? Is that funny ?

7 A. [10:41:35] (Overlapping speakers). *It means... It means that I was present...

8 PRESIDING JUDGE SCHMITT: [10:41:36] I think the French original that I have
9 here says (Interpretation) "I have always been very active in the political life."

10 (Speaks English) I don't -- I think operational is something -- if it is a huge difference,
11 I don't know actually. I don't want to go into semantics here but -- just
12 because -- because the original is French, I think, so -- and that the witness has been
13 very active in -- in politics, I think, is shown by his CV. So -- but you have -- you
14 have, obviously, something specific you want to head up. Perhaps you do it directly
15 from -- from there. That would be, I think, the best thing.

16 MR HANNIS: [10:42:21] Yes.

17 Q. [10:42:22] And, again, my apologies for my French. Witness, let me now take
18 you to paragraph 22 and 31 of Witness P-1074. This is at tab 42 on our list,
19 your Honours, CAR-OTP-2094-0228, where it's stated:

20 "General André Kolingba came to power by the end of the year 1981 and lasted
21 12 years as head of state. In 1981 he was a victim of an attempted coup performed
22 against him by a rebellion undertaken by Ange-Félix Patassé."

23 It says:

24 "The main members of the rebellion were Mbaikoua, Patassé, Jean-Jacques Demafouth,
25 and Abdoulaye Miskine. ...

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1 His regime was constantly upset by so many rebellions, among which one was APRD
2 of Demafouth, and another rebellion constituted by Miskine."

3 Is that correct, Mr Demafouth, that you and APRD had some kind of rebellion against
4 President Patassé?

5 A. [10:44:06] Mr President, there is total confusion in what is stated there and
6 the question put to me.

7 Mention is made of President Kolingba and then President Patassé. I really do not
8 understand. I believe that if the Defence wants clarification on a given situation,
9 they should ask clear questions. I'm really at the disposition of the Chamber with
10 relation to the CAR and I am here to give information. President Kolingba took power
11 in the CAR in September 1981. It was a military *coup d'état* and the government was
12 made up exclusively of soldiers. In March 1982, that military government was
13 the subject of an attempted *coup d'état* claimed by General François Bozizé. At that
14 time, Mr President, François Bozizé, Ange-Félix Patassé, General Mbaikoua, all of
15 those belonged to a political group called the MLPC in March '82. I was also
16 a member of the MLPC at that time. *Now, as from March 1982, when General Bozizé
17 failed in his attempt... after having made an... -- Mr President, if the Defence allows
18 me to give this clarification, we can do it once and for all (Overlapping speakers)

19 PRESIDING JUDGE SCHMITT: [10:46:12] So we have two -- there are two, let's say,
20 two informations in this statement that you put to the witness.

21 The first you have referred now to, and the answer by you is you weren't involved in
22 any attempts to overthrow the government, so to speak, or the regime of this
23 President Kolingba.

24 THE WITNESS: [10:46:39](Interpretation) No, Mr President. At the time
25 (Overlapping speakers)

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1 PRESIDING JUDGE SCHMITT: [10:46:47] (Overlapping speakers) Secondly -- no, no.
2 Secondly, it says here in paragraph 30 -- no, 31: (Interpretation) "Patassé's regime
3 never experienced any stability during his reign and was destabilised by several
4 rebellions."

5 (Speaks English) And now we have it, "*l'APRD de Demafouth*". Is that correct or not?

6 THE WITNESS: [10:47:21](Interpretation) That is wrong, Mr President. The APRD
7 was created under Bozizé's regime, not under Patassé's regime. Those are two
8 different people. Bozizé took power from 2003 up to 2013. The APRD was created
9 around 2005 and 2006. Patassé was in power from 1993 right up to 2003, I believe.
10 So you cannot talk of the APRD and talk of Patassé here, Mr President.

11 PRESIDING JUDGE SCHMITT: [10:48:07] Yeah, of course. I'm not talking of it. I
12 simply -- I simply referred the message here. Please, Mr Hannis, continue.

13 MR HANNIS: [10:48:18] Yes. Your Honour, I think we'll save further conversation
14 about this when we speak with this witness directly who's the provider of the
15 information that I base my question on.

16 Q. [10:48:28] Mr Witness, I'll just move to another topic. In March 2013, you went
17 to Chad on a motorcycle in the middle of the night, right? Do you recall that?

18 A. [10:48:54] Yes.

19 Q. [10:48:55] I'll show you a document at tab 57. This is CAR-D29-0002-0043.

20 And ...

21 (Counsel confer)

22 And I think you said, concerning that, that Chad welcomed you and you said, quote,
23 "they accepted to receive me on their territory". Right?

24 A. [10:50:01] Mr President, what is written here is correct and this is what I stated
25 yesterday. I arrived Chad and I requested for political asylum. Before you expel

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1 someone, you have to receive him or her before notifying him to be expelled.

2 So what I said yesterday and what is written here, there's no difference. Yesterday
3 the Defence attempted to say that I was received with the authorities and I was in
4 complicity with Séléka to return, but you can see from the article here that everything
5 is clear. I had nothing to do with Séléka and my case was exclusively my case and
6 concerned only me. So I'm very happy that this article is being displayed here.

7 Thank you very much.

8 Q. [10:51:10] You're welcome, Witness. I didn't say anything about Séléka. You
9 didn't need to go into that.

10 Now, after they received you, I saw something indicated that you were declared
11 a *persona non grata*; is that correct? Yes or no?

12 A. [10:51:36] I was not declared *persona non grata*. *There was a discussion between
13 myself and the Central [Overlapping speakers] African States.

14 Q. [10:51:47] Thank you (Overlapping speakers)

15 PRESIDING JUDGE SCHMITT: [10:51:52] Obviously, there were problems, but
16 I don't know if this is a legal term to declare someone *persona non grata*. I don't see
17 that it makes a huge difference, so please continue, Mr Hannis.

18 MR HANNIS: [10:52:06] Thank you, your Honour.

19 Q. [10:52:08] Mr Witness, I want to show you a document, tab 56, this is
20 CAR-D29-0002-0042.

21 And if I understand correctly, you felt --

22 PRESIDING JUDGE SCHMITT: [10:52:37] I think if it is displayed to the witnesses
23 it's self-explanatory, what it means.

24 Is this correct, the information that is written down here? (Interpretation) "Expelled
25 from Chad".

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1 MR HANNIS: [10:53:08]

2 Q. [10:53:08] And if I understood correctly, Mr Witness, you had accused
3 the minister for security, Mr Binoua of having threatened you; is that true?

4 A. [10:53:26] Yes.

5 Q. [10:53:27] But then he's quoted as saying:

6 "There is no threat against Mr Demafouth, neither verbal nor legal. There are no
7 proceedings against him. He's a pathological liar. He is at home safe and sound in
8 Central African Republic. He is trying to attract attention to himself because he's
9 frustrated to not be part of the government."

10 By then, indeed you were back in CAR, right? Yes or no?

11 A. [10:54:06] Yes, but you have to read the entire article right to the end. You will
12 understand better (Overlapping speakers).

13 Q. [10:54:15] I'm sorry (Overlapping speakers)

14 PRESIDING JUDGE SCHMITT: [10:54:18] But this is the problem. If we have
15 documents and -- and pull out one or two phrases, I think I would want to hear
16 what -- what you want to say, Mr Demafouth, if you have quickly read through
17 the whole article. And I -- of course, articles, yes, they are the -- the basis -- yeah,
18 the basis of questions of counsel, but there is information entailed in it and we -- I
19 think we should allow the witness to comment on it.

20 So, first of all, I think I have asked you already, is this correct that you were expelled
21 from Chad at this time? Is this correct?

22 THE WITNESS: [10:55:05](Interpretation) That is correct, Mr President. Yes, that is
23 correct.

24 PRESIDING JUDGE SCHMITT: [10:55:07] And what was the reason for that.

25 THE WITNESS: [10:55:17](Interpretation) *The Chadian authorities told me that they

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1 were mediators in the Chadian conflict as well as in the CAR conflict because they were
2 occupying the Presidency of the Community of Central African States, known as CEMAC;
3 and that in their capacity as such, they could not allow an opposition member to arrive there
4 under those circumstances. They advised me to return to my country where I would be
5 protected by the forces of that Community of Central African States, and be in a position to
6 engage in a discussion with the authorities of my country. I accepted their position, and was
7 thereafter repatriated to the Central African Republic, and handed over to that Force. Mr
8 President, I wanted to add something to the statement of the Minister of Security of the Central
9 African Republic. At this point, you have to take into consideration the context. I was a member of
10 the opposition and I went... I spoke out and revealed that he was the one who had made threats against
11 me, and he was also defending himself. And if you read the article right to the end, you will see that...
12 I was accused of attempting to re-start a rebellion, and I had been arrested three months... at the
13 beginning of the month... at the beginning of the year 2012 before being released; and that I had always
14 protested my innocence. The article states clearly that I never invented anything. Any individual can
15 be afraid. Fear is something that is natural, that can strike everyone. So if there is an arbitrary arrest
16 a few months before, then if I am called up, if I am summoned, I was afraid. And I fled to Chad to --
17 THE INTERPRETER: [10:57:15] Mr President, there seems to be a problem with the -- a
18 technical problem with the witness's microphone. The sound is not coming through clear.
19 PRESIDING JUDGE SCHMITT: [10:57:28] Okay. But I think we still got what witness
20 has said. Perhaps we can solve this during the break. We have three minutes until
21 the hour. I think perhaps we have the break. I have, of course, the usual question.
22 MR HANNIS: [10:57:41] Can I ask one more question?
23 PRESIDING JUDGE SCHMITT: [10:57:42] I think when it's closely related, yeah, we
24 always say that this makes sense then for your strategy. And I hope it's a question
25 which can be answered with "yes" or "no".

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- 1 MR HANNIS: [10:57:53] Yeah, I'm going to request that the answer is yes or no.
- 2 PRESIDING JUDGE SCHMITT: [10:57:57] Okay. Good, good. Please, Mr Hannis.
- 3 MR HANNIS: [10:57:58]
- 4 Q. Mr Witness, what Binoua said was that you were frustrated to not be part of the government. That's
- 5 true, correct? You were frustrated not to be part of the government, right? Yes or no?
- 6 A. [10:58:24] No, I had no intention of being part of the government and I can explain to you why.
- 7 PRESIDING JUDGE SCHMITT: [10:58:31] No, but I think -- I think it's okay here.
- 8 It's really enough to say no. So we have, also, an unresolved issue that escaped my
- 9 attention the past two days. I think we discussed the question of annotation of maps
- 10 or a map by the witness. Perhaps we can facilitate that during the break. So
- 11 however this can be done, and because - and this is the second issue before we go into
- 12 the break - there is the prospect, hope, that you might finish after the second session,
- 13 but please tell me. I (Overlapping speakers)
- 14 MR HANNIS: [10:59:16] Yes, your Honour. I'm on page 9 of 15 of my notes.
- 15 PRESIDING JUDGE SCHMITT: [10:59:22] That sounds promising.
- 16 MR HANNIS: [10:59:24] And I'm hopeful that we'll be done by lunchtime.
- 17 PRESIDING JUDGE SCHMITT: [10:59:28] So we try to achieve that at least. No pressure, of course.
- 18 MR HANNIS: [10:59:32] With help from the witness.
- 19 PRESIDING JUDGE SCHMITT: [10:59:34] No, no. With help of -- of everyone.
- 20 So we have now the break until 11.30 and we try to have this map annotated by
- 21 the witness. Thank you.
- 22 THE COURT USHER: [10:59:42] All rise.
- 23 (Recess taken at 10.59 a.m.)
- 24 (Upon resuming in open session at 11.32 a.m.)
- 25 THE COURT USHER: [11:32:19] All rise.

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1 Please be seated.

2 PRESIDING JUDGE SCHMITT: [11:32:49] First of all, thank you, Mr Demafouth, for
3 even working during the break. And I have been informed that the map has been
4 annotated and that it has an ERN number and via email this will be submitted to
5 the parties. So I think we are clear on that.

6 Mr Hannis, you can continue with your examination.

7 MR HANNIS: [11:33:14] Thank you, your Honour.

8 Q. [11:33:15] Mr Witness, I hope together we can get through with this by
9 lunchtime and get an early leave.

10 One of the first questions I wanted to ask you about, the name of a person that came
11 up yesterday in a discussion about some Facebook messages. Jean Alesco Bouragoro,
12 was he a police commissioner? That's my understanding. Do you know?

13 A. [11:33:46] Could you repeat the name, please.

14 Q. [11:33:48] Yes. And, again, pardon my French. Jean Alesco Bouragoro,
15 B-O-U-A-G-O-R-A, is the last name.

16 A. [11:34:12] No, I don't know him.

17 Q. [11:34:13] All right. Thank you for that. Next, if we could go to tab 41, this is
18 a transcript from transcript number 030 at page 46, relating to Witness P-2841.

19 Speaking about you, this witness said that your, quote, "only agenda can be power."
20 Close quote. Would you agree with that? You were interested in power, yes?

21 A. [11:34:46] No. But it would be a legitimate objective.

22 Q. [11:34:55] Of course. I understand. I agree. Would you agree that it's been
23 a long-time ambition of yours to be the president of CAR?

24 A. [11:35:13] No.

25 Q. [11:35:15] It has been an ambition, right?

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1 A. [11:35:25] No, I was a candidate in -- in 2005 and 2011. And since then, you
2 probably notice that I haven't again. In 2005 and 2011, why I presented myself, there
3 were reasons. And if the Chamber allows me, I'll explain the reason for that.

4 PRESIDING JUDGE SCHMITT: [11:35:45] No, I think -- really, I think at the moment
5 it's enough. And we know -- we know already that you have been -- that you ran
6 twice for president and I think we can go over to the next question.

7 MR HANNIS: [11:35:57] Thank you.

8 Q. [11:36:01] I know Samba-Panza was elected president in January 2014, but
9 before that, was your name put forward as a possible candidate for the presidency at
10 that time, do you know?

11 A. [11:36:23] Yes.

12 Q. [11:36:26] And in connection with the next election in -- was it 2015 or 2016, after
13 the transitional government period?

14 A. [11:36:51] No. Firstly, in January 2014 when Madam Samba-Panza should be
15 elected, it was a parliamentary election and there was a party that was called NRP
16 (sic). The militants came to see me and asked me if I could be a candidate, and I
17 refused at that moment. And in 2015, also, I did not become a candidate. And in
18 2020 I also didn't become a candidate. In 2005 and 2010 I did so, but I had my
19 reasons. And now I work for my country and I do what I can to help my country.

20 Q. [11:37:34] Okay. And am I correct you -- you left CAR in 2016; is that right?

21 A. [11:37:45] Yes, yes.

22 Q. [11:37:47] And you haven't been back since?

23 A. [11:37:51] No. Not for long. Not for a long time. I've taken up my activities
24 again in Paris. I didn't want to have new duties, new political duties in CAR so that
25 I could stay in France and live together with my family, because for several years

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1 I didn't see my family. And I just have some children and I have grandchildren and
2 I want to see them grow up.

3 Q. [11:38:25] Understood.

4 Mr Demafouth, yesterday you were asked some questions about the DDR programme
5 and the APRD. But there's still one question that I don't think I heard your response
6 to and that was, did you inflate the numbers of the APRD combatants as Dr Lombard
7 suggests in her -- her thesis where she says -- and this is tab 106 of the PEN binder, *
8 CAR-D30-0007-0205, at page 0621. And if we can put it up for the witness to see.

9 PRESIDING JUDGE SCHMITT: [11:39:23] It might well be that -- that
10 Mr Demafouth recalls, because I think it has been put to him.

11 MR HANNIS: [11:39:28] I can read it. It's short.

12 PRESIDING JUDGE SCHMITT: [11:39:30] Yeah, perhaps we do it this way so to -- so
13 that he is now again aware of what specifically you're alluding to. Please do so.

14 MR HANNIS: [11:39:38] Thank you.

15 Q. [11:39:39] That portion of her document says, quote:

16 "Then there were the "real" armed groups, the APRD and the UFDR. If only 1,000 or
17 1,500 APRD members were "true" ex-combatants (that is had fought), the remaining
18 4,500 - 5,000 on the lists reflected opportunistic inflation in their view."

19 Would you agree with that, that the numbers were inflated?

20 A. [11:40:35] No, not at all.

21 Q. [11:40:36] My next question relating to something in her report is, do you agree
22 with the allegation by her that of the APRD elements that showed up for
23 disarmament, only 2 per cent showed up with weapons. 98 per cent did not show
24 up with weapons; is that correct? Yes or no?

25 A. [11:41:04] No. No.

1 Q. [11:41:06] All right. Thank you. Finally, in connection with the DDR and
2 APRD, I'd like to go to tab 27, CAR-OTP-2023-0032, at page 0368. This is from
3 the United Nations panel of experts report. And Mr Knoops, I think, dealt with
4 the part that talked about Armel Sayo inflated the number of RJ combatants to benefit
5 from the DDR. And it goes on to say as Jean-Jacques Demafouth had done in
6 the past with APRD numbers. Is that allegation from the UN panel of experts true or
7 not?

8 A. [11:42:18] It's not correct. I want to specify this. When you have a DDR
9 programme, there is the number of individuals who come forward and present
10 themselves to the gathering or the group of the combatants. And there's also
11 the number of people who are really eligible for the programme.
12 So the reports that are generated by whom I don't know, or the experts or the press or
13 researchers, does not correspond to the figures which the programme
14 the United Nations produces, which is the technical body who really registers
15 the combatants and who then processes with the demobilisation of them.

16 Q. [11:43:24] Okay. Do you know how many were presented for the DDR
17 programme, how many APRD "combatants" were presented for the programme?

18 A. [11:43:44] I think about 8,000. 8,000 combatants, 8,000 individuals that were
19 registered, roughly speaking.

20 Q. [11:44:04] And in the end how many of those had weapons, do you know?

21 A. [11:44:14] I don't have the figures, nor the percentage.

22 Q. [11:44:20] And in the end, do you know how many qualified for benefits from
23 having completed the programme out of 8,000?

24 A. [11:44:39] I think about 6,000 of the combatants. But I don't have the exact
25 figures. This is a rough guide. I don't have the specific figures.

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1 Q. [11:44:53] All right. Thank you. I want to move to another topic.

2 Armel Sayo, you knew him, right? At one time he was a minister for sports; is that
3 correct?

4 A. [11:45:10] Yes.

5 Q. [11:45:12] And for the record, I want to go to tab 31. This is transcript 037,
6 the English, at page 19. A witness who testified in this case said this about
7 the reported kidnapping of Mr Sayo. And let me ask, you did hear about an alleged
8 kidnapping of Mr Sayo, right?

9 A. [11:45:46] Yes, yes, I do remember.

10 Q. [11:45:50] And this witness told us, quote: "I learnt that this kidnapping was
11 organised, orchestrated." Close quote. And that your name, Mr Demafouth, quote,
12 "came up." And he said, "Demafouth is everywhere."

13 Did you know that there were persons who thought that you participated in that
14 orchestrated kidnapping of Mr Sayo? Had you heard that before?

15 A. [11:46:23] It's the first time I hear it. Let me add, if it's really a member of the
16 government, then I would have known.

17 Q. [11:46:36] Well, I would also think, given your network of informants and your
18 position and all the information you got, that someone would have mentioned to you
19 that somebody is suggesting that you were involved in the kidnapping of a minister
20 and the head of the R&J. But you never heard it before today; is that right?

21 A. [11:47:02] Never. Never. It's the first time that my name has been mentioned
22 in this type of matter.

23 Q. [11:47:09] Okay. Thank you.

24 Next I want to talk about an individual that I know you do know, Jean-Jacques
25 Larmassoum, if I'm pronouncing the name correctly.

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1 A. [11:47:32] (No interpretation)

2 Q. [11:47:33] I want to show you a document from tab 63. This is

3 CAR-D29-0001-0115. While this is coming up, Witness, I'll tell you, this is part of the
4 case file against Larmassoum. And first I want to draw your attention to page 119,
5 so if we could go to page 119 in this document.

6 Yeah. And this is part of the case file that I think you know something about and
7 there you'll see your name appears in item 3. And I'm not sure of the translation
8 here. My English translation says you are listed as an "*acolyte*". In English I think
9 that means accomplice. I don't know if the interpreters can help me out with that.

10 THE INTERPRETER: [11:48:44] Yes, pretty much so.

11 MR HANNIS: [11:48:47]

12 Q. [11:48:48] And then can we go to page 120.

13 A. [11:49:00] Sorry, could you go back to the document?

14 Q. [11:49:01] Sure.

15 PRESIDING JUDGE SCHMITT: [11:49:07] Yeah, I think we should. Of course, this
16 is something that -- I will not say it's an accusation, but it's something put to
17 the witness which he necessarily has to have the chance to look at it carefully and
18 respond to it.

19 So, please, Mr Demafouth, I think it's -- now you are under (Overlapping speakers)

20 THE WITNESS: [11:49:34](Interpretation) Mr President, this is a document signed
21 by the Prosecutor which talks about the -- following the information for looking for
22 the search of finding and discovering the truth. The truth has and must be
23 established in that particular case. I was never prosecuted. I was quoted,
24 Jean-Jacques Demafouth was quoted by one of the parties. We don't know which
25 party. And it was also said by the Anti-Balaka. The Prosecution, the examining

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1 magistrate said that it was dismissed.

2 MR HANNIS: [11:50:19]

3 Q. [11:50:20] Witness, don't -- don't get me wrong. I'm not trying to say that
4 you're accused in this crime. I'm just -- I need to follow through a little more on this
5 to get to the point I want to make.

6 If we can go next to page 120 in this document. And it's described as a *procès-verbal*,
7 if my French is correct. And it indicates that you were summoned twice on the radio
8 to appear in that case and that you never showed up. And in light of this document,
9 I have to ask you a question about what you said in relation to Mr Larmassoum's
10 arrest. Specifically, you said, quote: "I was never bothered by the justice system in
11 my country and I have always appeared before the courts."

12 Now, that was from the transcript yesterday at page 40 and 41.

13 It appears from the documents on this case that you were summoned, but that you
14 didn't appear; is that correct?

15 A. [11:51:40] Just go to the bottom, please. Bottom of the document.

16 PRESIDING JUDGE SCHMITT: [11:51:45](Overlapping speakers) Indeed, I also
17 would want to see the whole document.

18 MR HANNIS: [11:51:47] Yes, yes.

19 If we could go to tab 64.

20 Can we go to the bottom of the page that we were just at.

21 PRESIDING JUDGE SCHMITT: [11:52:14] Mr Vanderpuye.

22 MR VANDERPUYE: [11:52:18] First of all, there's no problem with going to
23 the bottom of the page (Overlapping speakers)

24 PRESIDING JUDGE SCHMITT: [11:52:22] Yeah, I wouldn't be surprised if you
25 would object to that.

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1 MR VANDERPUYE: [11:52:25] The issue though is the characterisation of the
2 document as indicating that there was a summons issue and I don't believe that that's
3 what it says. He can read it better than I can (Overlapping speakers)

4 PRESIDING JUDGE SCHMITT: [11:52:34] (Overlapping speakers) Yeah, yeah --

5 MR VANDERPUYE: [11:52:40](Overlapping speakers) But I don't think that's a fair
6 characterisation.

7 PRESIDING JUDGE SCHMITT: [11:52:41] Yeah, I assume that the witness has an
8 answer to that, so I -- I was -- I'm also not sure what the character -- the legal character
9 of this document is. But, Mr Demafouth, as we know very well, is also a lawyer.
10 He may inform us what this might mean.

11 So, Mr Demafouth, you have -- we are now down also at the bottom. Please could
12 you explain to us what this means and why your name appears here.

13 MR HANNIS: [11:53:07] And I have a hard copy that could be handed to the witness if that helps.

14 PRESIDING JUDGE SCHMITT: [11:53:12] Let's see if he is able to answer without
15 the hard copy, but I would not have a problem with it, of course.

16 Then please move on, Mr Demafouth.

17 THE WITNESS: [11:53:30](Interpretation) *What you have here is a document from an
18 examining magistrate trying to ascertain the truth... who is trying to collect testimonies from
19 certain witnesses as part of the proceedings in question... namely one gendarme, a certain
20 Patrice Ngaïssona, in whose residence the indicted person was presented, and the person
21 known as Jean-Jacques Demafouth. This examining judge didn't come and see me. He didn't
22 even take up contact with me. Perhaps at the gendarmerie in -- Gaëtan the truth was already
23 visible at that point in time. Perhaps with Mr Ngaïssona's or another person's hearing over
24 there, the truth appeared and therefore they deemed it not necessary to call upon
25 Mr Demafouth who was mentioned and quoted by one of the parties.

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1 But I tell you, I was never notified about anything in this particular case.

2 PRESIDING JUDGE SCHMITT: [11:54:38] You had also mentioned tab 64.

3 MR HANNIS: [11:54:41] Yes, tab 64, CAR-D29-0001-0122.

4 Q. Here's another document, Witness, related to the case. And this, as I
5 understand it, is the official document for the radio *communiqué* that serves as an
6 individual summons?

7 PRESIDING JUDGE SCHMITT: [11:55:09] Which is something not out of the
8 ordinary, I would say, in principle. But, okay.

9 MR HANNIS: [11:55:17] Yes.

10 PRESIDING JUDGE SCHMITT: [11:55:18] It seems to exist.

11 MR HANNIS: [11:55:19] So this document seems to indicate that a radio
12 communication was put out summoning you on two different dates, I think 10 and
13 23 February 2015, and that you didn't respond.

14 Now, were you aware of this? Did you not hear about this radio communication?

15 A. [11:55:44] Never. Never. *And I was a high executive of the state, so any information of
16 this nature would have reached me. Furthermore, between us, we are professionals in
17 law. As you are aware, when a court, when the appeals court in Bangui, the court of first
18 instance; when the investigations department summons someone, it's not like this that
19 they do it. There is a bailiff who comes to serve the summons. We all know the procedure.
20 So if someone presents a document like this, be careful.

21 MR HANNIS: [11:56:33]

22 Q. [11:56:33] Well, it looks like an official document; would you agree?

23 A. [11:56:38] I'm telling you, I'm not taking it into consideration. I don't know it
24 and I was never aware of it and it doesn't exist. You are professionals in law. You
25 don't do it like this in law.

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1 Q. [11:56:56] Well, are you suggesting that in your role as a member of the
2 government, a special advisor to the president, you never once heard about this
3 radio-broadcasted summons for you to appear; is that right?

4 A. [11:57:21] I have answered that I've never heard about it. And, for me, this
5 document has no value at all.

6 Q. [11:57:28] And you never heard about it through your network of informants
7 and the connections that you've told the Court about, right? I -- right? You never
8 heard it from anybody?

9 A. [11:57:48] I have answered no. I was never informed of this.

10 PRESIDING JUDGE SCHMITT: [11:57:54] May I ask something, because we are
11 lawyer jurists here in the courtroom.

12 Is it a, let's say, a usual way to --

13 THE WITNESS: [11:58:05](Interpretation) No, no.

14 PRESIDING JUDGE SCHMITT: [11:58:08](Overlapping speakers) communicate
15 summons via a radio communication? I'm simply asking.

16 THE WITNESS: [11:58:17](Interpretation) No, Mr President.

17 PRESIDING JUDGE SCHMITT: [11:58:19] (Overlapping speakers) I don't want to
18 speak about data protection here it's -- in the sense of the understanding of the EU, for
19 example, but ...

20 THE WITNESS: [11:58:31](Interpretation) Mr President, just imagine that these are
21 individuals who are sought by -- for criminal -- for criminal offences and you make an
22 announcement, a communication that to say that they are going to be called and that
23 this is broadcast on the radio. Just imagine for one moment what happens
24 afterwards to the innocent. What have you done? What have you done to their
25 honour if they were proved innocent afterwards. It's not the way of proceeding.

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1 PRESIDING JUDGE SCHMITT: [11:59:17] I think that should be enough on
2 the proceeding. Not on the fact or whatsoever, but on the proceeding. I think that's
3 enough.

4 MR HANNIS: [11:59:25] Okay. Your Honour, I'll touch on it.

5 Q. [11:59:28] Mr Demafouth, as you said, we're both lawyers. Now, most of my
6 lawyerhood was in America for many years and I was -- I was a minor big shot in my
7 locality for a while. But I can tell you that when I was a Prosecutor, if there had been
8 a case where I was listed as a witness and although they didn't bring me a summons,
9 if it was broadcast on the radio I would have heard about it from somebody. They'd
10 say, Tom, they're saying you're a witness in this case. Are you going?

11 So it's surprising to me with your connections and resources that if there's a radio
12 broadcast twice, that it never came to you are a attention before now. You
13 understand why I'm surprised, right?

14 PRESIDING JUDGE SCHMITT: [12:00:17] I don't have -- Mr Vanderpuye, I think it's
15 not worth to make an objection here.

16 MR VANDERPUYE: [12:00:24] Mr President, if he has a good faith basis to put
17 the question, it seems to me -- there's three people on here. And if he has an
18 indication that any one of them responded to it, that would be relevant to put to the
19 witness, but I don't think it's helpful to go back and forth about whether he knows or
20 should have known.

21 PRESIDING JUDGE SCHMITT: [12:00:44] No, no. Actually (Overlapping speakers)
22 I disagree. No. Actually, I disagree here. Although it's a little bit of repetition in
23 here, but I want to hear the answer by the witness.

24 Mr Demafouth, please a short answer, because we have touched upon this already.

25 THE WITNESS: [12:01:09](Interpretation) This document, I was never aware of it

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1 and I was never aware of the *communiqué*. It is the first time that I am seeing it.

2 And it is not a regular judicial document. And if it was broadcast over the radio,
3 there would be the stamp of the national radio stating that it was received on this day
4 and broadcast on this day.

5 So I can even consider this document as a fake.

6 PRESIDING JUDGE SCHMITT: [12:01:41] I think we move on, Mr Hannis.

7 MR HANNIS: [12:01:44] Okay. Thank you, your Honour.

8 Q. [12:01:46] And thank you, Mr Witness.

9 I want to ask you then about Mr Larmassoum. I think you testified yesterday that
10 after his release, he came to your place and spoke to you about the case; is that right?

11 A. [12:02:14] Yes. I received him in my office, yes.

12 Q. [12:02:23] Ah, okay. Is that the first time you'd ever met him.

13 A. [12:02:33] No. I had met Mr Larmassoum already in Libreville in 2008 when I
14 went for the signing of the peace agreement with the François Bozizé government.

15 Mr Larmassoum was one of the leaders of the APRD who travel from Bangui to
16 Libreville. That was the first time that I saw Mr Larmassoum.

17 Then I came back to Bangui in 2008 and I saw him during the inclusive political
18 dialogue in December 2008.

19 And the third time was after this case. When he was released he came to my office
20 and explained to me the circumstances of the case and how he came to be released.

21 Q. [12:03:38] And in that conversation did he tell you that there had been a radio
22 summons for you?

23 A. [12:03:50] No.

24 Regarding this *communiqué* of summons over the radio, even an investigating judge
25 makes a *communiqué* to someone who does not present themselves. Then it will be

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1 noted that this person did not show up because you can see, as we have already seen,
2 somebody was placed under court supervision and there was a report for that. If
3 this had been the case, then a normal report also would have been appeared.
4 And if you look at the document that released Mr Larmassou, you would see that
5 during the case such-and-such a person was summoned but did not appear.
6 All that information would have appeared in that document.

7 Q. [12:05:16] Well, Witness, looking at CAR-D29-0001-0120, the *procès-verbal de*
8 *carence*, it does seem to report that, that two broadcasts were made and nobody
9 showed up. But let's stop with that.

10 PRESIDING JUDGE SCHMITT: [12:05:39] Actually, really, I would suggest that
11 we -- that we all -- all have exhausted that subject.

12 MR HANNIS: [12:05:45] Yeah, yeah.

13 Q. [12:05:46] Now, Witness, I want to ask you about an event, an occasion that you
14 were involved in on February 14, 2014. And this is tab 65, CAR-D29-0002-0048.
15 And if we could bring that up.

16 And, Witness, when you've got this on the screen, let me know and I'll have some
17 questions for you.

18 A. [12:06:50] Can she scroll down.

19 Yes, I am waiting for your question.

20 Q. [12:07:22] Can we scroll up to the top of the document now.

21 Witness, in your evidence, you discussed this event, I think. This is a transcript from
22 6 July, page 92, your Honours. This event occurred when you visited Mbaïki with
23 President Samba-Panza and the French defence minister on February -- February 12
24 of 2014, right?

25 A. [12:08:05] Yes.

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1 Q. [12:08:11] And this article says that was on 12 February, right?

2 A. [12:08:39] Yes, but what is your question?

3 Q. [12:08:42] Okay. And you testified, you said this was the date when a Muslim
4 person named Saleh Djido, the last Muslim and deputy mayor of Mbaïki was killed,
5 right?

6 A. [12:09:14] Yes, learned colleague, I think you should not distort witness
7 testimony. When I talked about this person, I talked about the last person. I did
8 not give a name. If you look at the transcription, I did not mention a name. I
9 simply said one of the last Muslims of Mbaïki was killed. It is true that you need to
10 batter the witness and destroy his image to make his testimony less credible, but you
11 have to use correct means, the right procedures. I'm aware of that. I did not give
12 any name. I travelled to that town. I led the escort by road. And I stated in my
13 testimony that while passing with my escort I saw the roadblocks that had been
14 erected by the Anti-Balaka under the control of Mr Yekatom. And when I arrived
15 there, there were certain FACA elements who greeted me. I said that in my
16 testimony. And at the end of the ceremony in Mbaïki, unfortunately the Anti-Balaka
17 attacked. One of the last Muslims who had remained in the town was killed. And
18 really, we were very affected by that. And during --

19 Q. [12:11:07] (Overlapping speakers)

20 A. [12:11:10] Please allow me -- please allow me, counsel for Defence. I want to
21 give you information.

22 During the period, the killings of Muslims was such that every day they were being
23 hacked with machetes. You will see in this article at the end that the president said
24 that the Anti-Balaka are killing and pillaging and we have to fight against that. You
25 can read that article. Because the situation had become untenable. But listen, if you

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1 do not want me to give you information to enable the Chamber to better assess
2 the incidents that happened at one point, tell me so.

3 MR HANNIS: [12:12:00] I'm telling you so.

4 PRESIDING JUDGE SCHMITT: [12:12:02] Mr Demafouth, Mr Demafouth, what you
5 can -- what you might have recognised is that you were able to state what you wanted
6 to state now, so nobody interrupted you here and nobody said you should stop, and
7 so -- and in the end this is the decision by the Chamber and the Presiding Judge and
8 we let you talk. So there is -- there is no need, I think, at this point in time, and so
9 shortly before the end of your testimony to -- yeah, for example, to say that counsel
10 wants to batter you or so.

11 It's -- I repeat what I said yesterday. We -- in this courtroom, parties have different
12 duties and different obligations, and you as a counsel know that the counsel of
13 the other party that has not called you in that case, the Defence, has a different
14 purpose and a different attitude to things and -- but you would also have recognised
15 and repeat that, that you have the opportunity to answer and that we give you
16 the time to make your point to show us your point of view.

17 So, Mr Hannis, please continue.

18 MR HANNIS: [12:13:20] Thank you. Your Honour.

19 Q. [12:13:24] Witness, as I understood your testimony, you said the Muslim person
20 who was killed - that one you were referring to - was the last Muslim in Mbaïki.
21 And that was Saleh Djido, the deputy mayor, right?

22 PRESIDING JUDGE SCHMITT: [12:13:43] Mr Vanderpuye is rising again.

23 MR VANDERPUYE: [12:13:46] I am rising. I think your Honour has just addressed
24 the issue. The question has been put and it's been answered.

25 PRESIDING JUDGE SCHMITT: [12:13:53] Yeah.

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1 MR VANDERPUYE: [12:13:55] And the record speaks for itself (Overlapping
2 speakers)

3 PRESIDING JUDGE SCHMITT: [12:13:57] Yeah, Mr Hannis, I agree here with
4 Mr Vanderpuye. It is absolutely correct that you ask that and that you put the name
5 forward. But I think the witness has now explained that in the past he never -- and
6 he did not know the name and he simply spoke of -- I think of one of the last Muslim
7 persons and not the last. So I think we leave it at that and you can -- may proceed
8 from there.

9 MR HANNIS: [12:14:24]

10 Q. [12:14:25] Okay, Witness. I think you were mistaken and I just want to give
11 you an opportunity to retract your evidence because the last Muslim was the deputy
12 mayor, by other reports, and that didn't happen until some two weeks later after this
13 visit. So do you want to change your testimony or do you want to stick with what
14 you said before?

15 PRESIDING JUDGE SCHMITT: [12:14:50] Actually, when he says that at that time it
16 was one of the last Muslims and -- is this really, this semantic examination of such an
17 importance? Because if he says at the time in February - I think it was the 12th,
18 I don't have it in front of me now - one of the last Muslims was killed and then several
19 weeks later another person was killed. I think we should simply leave it at that and
20 the Chamber will assess it.

21 Mr Demafouth has clearly stated that he cannot say that it was the last and he does
22 not know the name. I think we can take it from the record here.

23 MR HANNIS: [12:15:32] May I have a moment, your Honour?

24 PRESIDING JUDGE SCHMITT: [12:15:35] Of course.

25 (Counsel confer)

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1 MR HANNIS: [12:15:59] Thank you. Mr Witness, Your Honour, I have no more
2 questions.

3 PRESIDING JUDGE SCHMITT: [12:16:05] Thank you very much.

4 Mr Demafouth, this conclude your testimony. But before we conclude, I would like
5 to mention one last point to you, that is that during the hearing today you were
6 shown the statement of another witness in this case, which included the name and
7 the surname of this witness. I would look to ask you and remind you that this
8 information is strictly confidential and that you please do not reveal it to anyone. As
9 a lawyer, you understand what I mean and I think I don't have to elaborate further.

10 As I said, this concludes your testimony before this Chamber and on behalf of
11 the Chamber I would like to thank you that you came to The Hague and made
12 yourself available as a witness. And not only that, available for a whole week and
13 that you answered the questions of parties, participants and the judges and helped us
14 establish the truth.

15 We wish you a safe trip back home.

16 And this concludes also the hearing for today. We continue on Monday, 9.30, with
17 Witness P-0291.

18 I wish everyone a good weekend.

19 THE COURT USHER: [12:17:41] All rise.

20 (The hearing ends in open session at 12.17 p.m.)