

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
5 Patrice-Edouard Ngaïssona - ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács, Judge Chang-ho Chung and
7 Judge Beti Hohler
8 Trial Hearing - Courtroom 1
9 Wednesday, 28 August 2024
10 (The hearing starts in open session at 9.30 a.m.)
11 THE COURT USHER: [9:30:53] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:31:14] Good morning, everyone.
15 Court officer, please call the case.
16 THE COURT OFFICER: [9:31:19] Good morning, Mr President, your Honours.
17 This is the situation in the Central African Republic II, in the case of The Prosecutor
18 versus Alfred Rombhot Yekatom and Patrice-Edouard Ngaïssona, case reference
19 ICC-01/14-01/18.
20 And for the record, we are in open session.
21 PRESIDING JUDGE SCHMITT: [9:31:34] Thank you.
22 I ask for the appearance of the parties. You are not completely unchanged,
23 Mr Vanderpuye, if I see correct?
24 MR VANDERPUYE: [9:31:42] That's correct, Mr President. Good morning, to you.
25 Good morning, your Honours. Good morning, everyone.

1 Today the Prosecution is represented by Tuomas Oja, Lorenzo Canonico,
2 Yassin Mostfa, Pierre Belbenoit-Avich, Maria Berdennikova, Lucio Garcia,
3 Olivia Struyven, and myself. Good morning again.

4 PRESIDING JUDGE SCHMITT: [9:31:58] Thank you, Mr Vanderpuye.
5 Ms Rabesandratana for the victims' representatives.

6 MS RABESANDRATANA: [9:32:05](Interpretation) Yes, good morning,
7 your Honour. Good morning, members of the Court. We're the same composition
8 as yesterday, Ms Massidda and myself, Elisabeth Rabesandratana.

9 PRESIDING JUDGE SCHMITT: [9:32:26] Yeah, "Rabesandratana", it's not easy,
10 really not easy. I understand. And you have to switch off -- you have to switch off
11 your microphone. No problem. But the name, the name is really not easy. And
12 we had enough time to practice it, frankly speaking.

13 And now for the representatives of the former child soldiers.

14 MS GRABOWSKI: [9:32:38] Good morning, Mr President. Good morning,
15 your Honours. Good morning, everybody in the courtroom.
16 Anne Grabowski for the former child soldiers today.

17 PRESIDING JUDGE SCHMITT: [9:32:50] Thank you.
18 I turn to the Defence. First of all, the Defence of Mr Yekatom, Ms Dimitri.

19 MS DIMITRI: [9:32:55] Good morning, Mr President. Good morning,
20 your Honours. Good morning, everyone.

21 Mr Yekatom is present in the courtroom, represented today by Ms Sarah Bafadhel,
22 Ms Anta Guissé, Ms Sabine Bayssat, Mr Gyo Suzuki, and myself, Mylène Dimitri.

23 PRESIDING JUDGE SCHMITT: [9:33:09] Thank you.
24 Mr Knoops.

25 MR KNOOPS: [9:33:13] A very good morning, Mr President, your Honours. Good

1 morning, everyone in the courtroom.

2 We are in the same composition as yesterday, Mr President. Thank you.

3 PRESIDING JUDGE SCHMITT: [9:33:19] Well, that spares some time, frankly
4 speaking.

5 And good morning, Mr Ngaïssona. You have still the floor for your unsworn
6 statement and you may continue.

7 MR NGAÏSSONA: [9:33:37](Interpretation) Thank you, your Honour.

8 Ladies and gentlemen of the Bench, I'd like to continue my declaration, my statement,
9 where we stopped yesterday.

10 Once in Bangui, Madam Samba-Panza asked us to follow her to the palace for
11 a cocktail that was organised in the president's banqueting room. This is where we
12 met up with certain numbers of -- a certain number of VIPs and other members of her
13 family, who were there in great numbers. During these festivities, someone from
14 the entourage of the presidency came towards us to give us a sum of 1 million CFA
15 francs. I took this money without asking any questions because I was aware that it
16 came from the hands of the president. It was her director of the cabinet who had
17 given it to me, Mr Mabingui. * I didn't see if there were other people such as
18 Dhaffane, Sayo and others who were also with us there on the plane. This money
19 was used to -- in order to implement the Brazzaville agreements, in order to carry out
20 the awareness-raising work on the ground in accordance with what was said in that
21 agreement.

22 After the agreements are signed in Brazzaville, I took the decision to send the leaders
23 of the Anti-Balaka resistance to meetings, meetings concerning their demands,
24 because they were well-placed to be able to say exactly what they want for their
25 troops on the ground, for their elements on the ground. As for me, I simply agreed

1 to be part of the monitoring or follow-up committee of the agreement. Our mission
2 as a follow-up committee was to monitor, to monitor the effective implementation of
3 the Brazzaville agreements by all the different parties working together with
4 the government and the international community. Working with the government
5 and the international community we ensured that the agreements were respected.
6 We had to make sure that each side respected the terms of the agreement and we had
7 to follow up and monitor on the ground.

8 Your Honour, Judges, distinguished members of the Court, the president was to set
9 up a new government as a consequence of the Brazzaville forum. A few weeks later,
10 the president began consultations with the different driving forces of the nation in
11 order to appoint a new prime minister. I supported the candidacy of
12 Mahamat Kamoun and I let this be known to the President Madam Catherine
13 Samba-Panza. * The president of the National Transition Council, the CNT,
14 supported the candidacy of Karim Meckassoua, was unhappy with Kamoun's
15 nomination or appointment and agreed with Sébastien Wenezoui to go and see
16 the mediator of the Central African crisis, President Sassou-Nguesso, in order to have
17 the decree annulled. That is how I came up with the idea to call the Congolese
18 director of the intelligence, the director general of intelligence, to inform him that
19 the Anti-Balaka resistance fighters had proposed the name of Mahamat Kamoun to
20 the presidency -- to the president - interpreter apologies - to the president and that
21 I didn't recognise Wenezoui's move to join the president of the CNT. This was
22 the message that complicated matters when it arrived in Brazzaville.

23 No sooner had this happened, the Anti-Balaka resistance fighters asked for Wenezoui
24 to be sanctioned because his behaviour could lead to certain interpretations and
25 confusions, such as the Anti-Balaka resistance fighters being opposed to

1 the appointment of a Muslim as prime minister and the Anti-Balaka resistant fighters
2 not liking Muslims. It's for this reason that Sébastien Wenezoui, who did not report
3 on his movement to the coordination committee, was suspended by all the leaders of
4 the Anti-Balaka resistance movement.

5 As for the implementation of the Brazzaville agreement, at that time we thought that
6 the President Catherine Samba-Panza would respect the terms of the agreements that
7 had been negotiated * during the Forum workshops in Brazzaville. We then
8 understood that the President was listening to other voices and had no intention of
9 respecting the various negotiations that had taken place in Brazzaville. In
10 the agreement, it is stated that on our return the central government and the
11 international community would fund the signatories of the agreement in order to
12 carry out awareness-raising activities where their elements were situated so that each
13 group could bring these elements to respect the terms of the agreement.

14 Nothing had been done in this direction. Even the composition of the government,
15 the president appointed more Seleka members than those of the Anti-Balaka
16 resistance movements. She had not opened up the National Transitional Council to
17 include representatives of the Anti-Balaka resistance movement. The transitional
18 government was made up mostly of allies of the Seleka. There was a great deal of
19 media manipulation and certain personalities in the international community, to the
20 detriment of the Anti-Balaka resistance. The president favoured the Seleka by
21 billeting them, by feeding them, without making a single gesture towards
22 the resistance movement.

23 Your Honours, Presiding Judge, members of the Bench, everything that we had
24 negotiated in Brazzaville had been put aside. I took the necessary time to hold
25 meetings with the leaders of the Anti-Balaka resistance in order to think about what

1 could be done. Since neither the government nor the international community had
2 given us a signal to go forth with the awareness-raising activities among
3 the Anti-Balaka resistance movement. And so we decided to write to
4 the government and to the international community with a detailed budget to enable
5 us to carry out actions in the field. But all our requests went unheeded, unanswered,
6 right up until the very end.

7 Mr Presiding Judge, your Honour, your Honours, the actions carried out on the
8 ground in favour of peace is what I will talk about now.

9 I took the initiative to get out my money to send to the leaders of the Anti-Balaka
10 resistance movement to go into the field and raise awareness among their members,
11 among their elements. I myself went on to the Mbaïki road and together we raised
12 awareness at PK9, at Sekia and at Kapou. We met with Sangaris after the PK9 bridge
13 in order to explain to them the need for awareness raising and for the implementation
14 of the Brazzaville agreements. I sent other leaders to the Boali road and to the
15 Damara road.

16 Those whom I had sent to raise awareness had problems with the Sangaris forces.
17 These forces resisted until they were arrest -- and even arrested some of these
18 members. I didn't understand why. We wanted to apply the agreements we had
19 signed and I don't understand why they were standing in the way of work whose sole
20 aim was to implement the peace agreement.

21 I remember that this was in the month of September 2014, the president was at the
22 UN headquarters in New York and she was trying -- and I was trying to get in touch
23 with her so that upon her return she could find a solution to ease the tensions that
24 reigned after the arrest of the unjustly arrested leaders. However, she was -- didn't
25 pick up the phone.

1 And so I tried to call the president of the National Transition Council, Alexandre
2 Ferdinand Nguendet, but hereto he didn't pick up the phone. And even the prime
3 minister that we had supported did not answer. I kept asking myself what is going
4 on. The international forces don't want to listen to us and this includes the country's
5 authorities, so there must be a problem. How can anyone be opposed to a process
6 aimed at restoring peace, whereas Madam Catherine Samba-Panza's mission was
7 specifically peace and reconciliation as well as social cohesion and the reconciliation
8 between the sons and daughters of our country. Very curiously, each of these
9 entities were manoeuvring against the work that we had launched for the return of
10 peace. So why were they there? That is the question that I asked myself.
11 Presiding Judge, your Honours, ladies and gentlemen of the Bench, in my dealings
12 with the government and the international community, I, on numerous occasions
13 collaborated with the representative of the UN secretary general in the Central
14 African Republic, his excellency Mr Parfait Oniang'a-Niang'a. He is currently
15 the UN representative to the African Union in Addis Ababa, Ethiopia. It is with him
16 that we worked together. We reviewed what could be done together in order to
17 bring peace back to the country, to bring it back quickly to the country.
18 I set forth the following proposal: I asked him if he could do everything in his might
19 to put me in touch with the Seleka leaders in the hinterland, because it was not
20 possible for the blood of Central Africans to continue to be shed.
21 He asked me if I'd be willing to be put in touch with Nourredine Adam and I
22 acquiesced. I said I could persuade him to look in the right direction if he really
23 loved his country. "I'm ready, Excellency." But this project never saw the light of
24 day.
25 Your Honours, Mr Presiding Judge, members of the Bench, towards November 2014,

1 after his return to New York -- or after her return to New York, rather, the president
2 invited me in for a chat. On the phone she had told me in Sango "*ita ti mbi téné a ké*
3 *ga mais aussi a ke lekeré.*" So, in French this translates as: there are always problems
4 that will happen but they can be solved.

5 She invited me to her house in Ngaragba, not far from the prison, or the jail. Once I
6 had undergone the formalities and the entrance procedures, I was taken into
7 the reception room and I saw * Sébastien Wenezoui and Gervil Samedi there. They
8 were already there. She spoke in order to say that she had finally understood that it
9 was the French who had set everything up in order to create problems for her. And
10 this is when she made a startling revelation. And I quote: she said that because they
11 wanted her to cancel the oil exploration contracts that Bozizé had signed with
12 the Chinese, they wanted to bring her government down. And that she had told
13 them that she did not have the leeway to make such decisions because she was only
14 managing the transition and that it was whoever came out of the elections that would
15 have the power to do what the constitution would allow them to do.

16 The ambassador Malinas was furious against her. We were amazed that
17 the president would give us such high-level diplomatic information. She went back
18 to the events in point to tell me, * "Ngaïssona, it's over for me." But it was
19 the Americans who kept me going. The French wanted to get rid of me. And so
20 I'd like to thank the Americans who allowed me to stay in place. She told me three
21 or four times, and I understood the event had really touched her deeply. That day,
22 the atmosphere returned between us -- a good atmosphere returned between us and
23 every time she sent me her political adviser or she would call me if there was
24 a problem that arose.

25 Shortly afterwards, it was Prime Minister Mahamat Kamoun who called me to his

1 official villa that was located at the intersection between the treasury collection office
2 and the BEAC. He summoned me to ask me for the support of the Anti-Balaka
3 resistance movement in order to secure the country. He explained to me that these
4 were the wishes of the president who wanted that the Anti-Balaka resistance fighters
5 help them secure Bangui because the Seleka were threatening to invade the city once
6 again. I explained that, at my level, there was nothing I could really do, but if he
7 wanted, I could summon the leaders. He agreed, and so I called Charles
8 Ngremangou, as well as Yvon Konate. The prime minister welcomed us. *

9 Ngremangou and Konate explained that they needed a vehicle in order to check on
10 their troops and prevent them from committing exactions. And they also needed
11 some financial means for coffee.

12 Ladies and gentlemen of the Bench, your Honours, the prime minister gave them
13 5 million CFA francs and the following day - and I was not present on this
14 occasion - the prime minister gave them money in order to buy a second-hand pickup
15 truck. And that's what the Anti-Balaka resistance fighters did in order to help
16 Catherine Samba-Panza's government, her government which was headed by
17 Mahamat Kamoun.

18 Presiding Judge, your Honours, I will now talk to you about the idea that fuelled my
19 will to create the party, the PCUD.

20 It should be recalled that after returning from Brazzaville I had an idea, the idea of
21 creating my own political party where I would carry out different steps for its
22 successful completion. On 29 November 2014, I organised a general assembly to
23 launch this party in a meeting room in the 20,000-seat sports complex in Bangui and
24 the assembly agreed on the name of the party, PCUD, which stands for the Central
25 African Party for Unity and Development, and also agreed to adopt the text that

1 would govern the party and sent them to the ministry of the territorial administration
2 for approval so that the party could carry out its activities in full respect of the law.
3 I created the PCUD party because I had a certain vision for my country, your Honour.
4 I wanted to work for the development of my country to put an end to the repeated
5 crisis and to eradicate nepotism at the highest level of government, as well as to wipe
6 out clientelism or cronyism, for the well-being of the Central African population.
7 The party's motto was Unity-Love-Work. When I speak of unity, I mean the Central
8 Africans are a united and indivisible people. A country has to be secular and
9 discrimination has to be wiped out. I mobilised Central Africans of all different
10 faiths. The Central African Republic is not just a country for Christians and Muslims.
11 There are also animists and nonbelievers, and so on and so forth, Judge, your Honour.
12 I had a vision to empower Central Africans, to moralise public life and also to
13 repatriate exiled Central Africans who had the expertise necessary to move
14 the country forward. And I did this with an active and winning diplomacy.
15 The pillars of development were education, agriculture and health. These are some
16 of the principles and part of the vision I had for my country and for my party
17 the PCUD.
18 I managed to implement my vision at the Central African Football Federation, which
19 brought together all the different members from all the different regions and all
20 the different faiths of the country. This is a model of diversity that should be taught
21 to all Central Africans.
22 Your Honour, Presiding Judge, your Honours, members of the Bench, I would now
23 like to broadcast an audio recording dated 1 July 2014, which is already in evidence,
24 that illustrates full well my vision as for the role of football in the peace and
25 reconciliation process.

1 If your Honours accept, this is CAR-OTP-2042-0916. And in the transcript it is
2 CAR-OTP-2088-0649, starting at line 244.

3 PRESIDING JUDGE SCHMITT: [9:57:59] We have no problem with it. And when
4 we are ready, we can play it. Thank you.

5 Do we have translation also? Do the interpreters, are they ready?

6 THE INTERPRETER: [9:58:05] The interpreters are ready to translate, your Honour.

7 PRESIDING JUDGE SCHMITT: [9:58:08] Great. Then we can play it.

8 There seems to be a small technical problem, so.

9 (Viewing of the video excerpt)

10 PRESIDING JUDGE SCHMITT: [9:59:07] Can we please start it all over again I think
11 so that we can completely follow. But it seems to work now.

12 (Viewing of the video excerpt)

13 THE INTERPRETER: [9:59:17](Interpretation of the video excerpt)

14 "Thank you. I know very well that our days, sports competitions are a vector for
15 peace. It's also a means for returning peace to a country, such as -- and even though
16 our country has been rattled, we will manage. A player would not be able to
17 concentrate on the game knowing that the members of their family were suffering.
18 You don't need to have anger or strong morale to win a game. We would not be able
19 to have the same capacity to win a game against the Pharaohs or the Algerian Fennecs
20 and arrive at the quarter -- or the 8th finals. We Central Africans, we have talent we
21 just need something to trigger us. But god will give us the strength and he will give
22 it to the federation. He will give it to the players so that the next days they can be
23 better at these sports competitions. The president Catherine Samba-Panza is
24 currently looking for the means to relaunch football in our country. So finally, I'd
25 like to tell the Central Africans to take example from what happened during

1 the World Cup, the football World Cup. This is something that really created a
2 strong link for peace. It was just not just several communities who had participated
3 in the competition, it was the entire world. There was such a mixity. And this
4 example of mixity in the world has to serve as an important lesson to us all here on
5 the ground to allow us to turn the page of our history. I'd like to once again ask
6 the Anti-Balaka to love their brothers who are right now celebrating Ramadan. This
7 is a sacred moment. Do not waste it... do not disturb them. Respect this order as
8 you have already been doing when it came to other orders that I have given to you
9 these last days and that have -- and things have been going well. Let's continue on
10 this path until peace comes back to our country definitively in the Central African
11 Republic."

12 PRESIDING JUDGE SCHMITT: [10:01:52] Thank you.

13 The translation has finished. You can continue with your text, Mr Ngaïssona.

14 MR NGAÏSSONA: [10:02:00](Interpretation) Thank you, your Honour.

15 So these were some of my actions during the period upon my return to the country.

16 Presiding Judge, your Honour, members of the Bench, members of the Court, I will
17 be -- I will talk to you about the Bangui forum.

18 Another -- another thing I did to help save Catherine Samba-Panza's government was
19 that during the Bangui dialogue in 2015 -- this dialogue followed the Brazzaville one
20 and, once again, the other participants in the dialogue wanted the government to be
21 dismissed. I took the floor. I took the floor to oppose this. This was in
22 the "governance" thematic group. The assistance I provided throughout the Central
23 African crisis right up until the elections in order to lead to a return to constitutional
24 order in the Central African Republic. I supported the government's programme to
25 carry out grassroots consultations, enabling it to propose topics for the national

1 dialogue in Bangui in 2015. I supported the government's plan to visit each locality
2 in order to gather their opinions, in order to prepare the Bangui forum. Then I went
3 to vote in the referendum for the adoption of the new constitution of the Central
4 African Republic before the 2015-2016 elections.

5 With the approach of the elections, I also applied for the presidential and legislative
6 elections. I submitted my candidacies. The applications were obtained by
7 the national electoral authority, where I met the requirements. Unfortunately for me,
8 once the application for the presidential elections arrived at the constitutional court,
9 this court found a hardly recommendable means to sideline me from the elections.

10 And with quite ridiculous reasons, your Honours: "That Mr Ngaïssona had incurred
11 a debt with the local bank." End of quote.

12 I found these reasons absurd, because it wasn't me as a physical person who had
13 taken out this loan from the bank. It was the family company that had taken out
14 the loan and, as such, it was a dispute between the bank and the company
15 Établissement Ngaïssona, because at the time of the crisis I wasn't able to respect
16 the repayment. And, at the same time, the ANE validated my candidacy for
17 the legislative elections of Nana-Bakassa. Madam Catherine Samba-Panza's
18 government asked me to withdraw my application and annul my candidacy. And
19 the problem was when the judges of the administrative tribunal wanted to issue
20 the judgment.

21 When they withdrew for deliberation, they were surprised by the president of
22 the council of state bursting in, Eugide Gouguia. And he issued the message from
23 the presidency, saying, "The presidency orders you to outright annul the legislative
24 candidacy of Mr Ngaïssona." End of quote.

25 Certain angry judges immediately left the deliberation room, magistrates such as

1 Alexandre Dédé, and they started shouting. All the people who were there to await
2 the deliberations, they all heard my lawyer as well. And my representatives who
3 were all there, they had been following every step of the proceedings.
4 The magistrates were surprised to see somebody burst in on them. The president of
5 the court, Madam Nadina Kpigama, was not in a good mood when she issued
6 the decision because she had been told, she'd been ordered to down tread the law.
7 So during this period my supporters demonstrated, but I called for calm and not to
8 fall in the trap of the authorities who want to create a crisis to prolong the transition.
9 * And that is the reason why I issued multiple statements over the radio with a view
10 to discouraging the demonstrations.
11 Now, during the elections of 2015 and 2016, and after the invalidation of my
12 candidacies in all elections, that is, legislative and presidential, I chose to support
13 the candidacy of Mr Touadéra. At the time, after a meeting, a heavily discussed
14 meeting with my staff, we unanimously decided to support the candidacy of
15 Touadéra. And why did I make this choice, this decision? Because during that
16 time, Bozizé had made a declaration to ask his KNK party to support Mr Dologuélé
17 Anicet Georges' candidacy. And I did not share the same vision as the KNK party at
18 that time. Touadéra had asked me to help him and to support his candidacy.
19 He invited me to see him and so I went to his house with Mokpem Jacob Bionli. He
20 was awaiting us. And as we arrived, he told me, "My brother, I wanted to see you to
21 ask you to help me in my campaign of the second round because I do not have
22 the means. And once the elections have been won, we're going to work together."
23 End of quote. And I told him I agree and the next day I sent him my campaign team
24 which I had set up. And that's what I did the next day, your Honour. At his
25 request, I accepted to make a public statement on the Central African radio

1 and -- Ndeke Luka, in support of his campaign.

2 I really helped Touadéra win the presidential elections, your Honour, because he did
3 not have the means. I spent a lot to support his campaign, including purchase of
4 campaign materials such as T-shirts, scarves, caps, umbrellas, banners, images,
5 among others. These campaign materials made it possible to make a good -- carry
6 out a good campaign. When the other candidate managed to bring the Congolese
7 musician for his campaign, I brought all the Central African musicians and I made
8 available to them a large vehicle with a stage to counter the Congolese musician.
9 And that had a big impact during the elections, your Honour.

10 Among other things, in the first round of the elections in Ouham, Dologuélé had
11 scored highly and Touadéra had nothing. * I also rented some pickup vehicles to
12 provide it to Sarandji, who's now national director of the assembly and he was
13 the director of the campaign at the time. And current president of the national
14 assembly came to my office at the Central African confederation to ask me for money
15 to purchase fuel. That's the extent to which I sacrificed my family to help Touadéra
16 win the elections from 2015 to 2016.

17 Your Honour, your Honours, it is a consideration concerning my arrest, or to give
18 certain considerations concerning my arrest in 2018. I'm very aware that I'm not
19 here to conduct politics. There are just a few facts which I wish to bring to your
20 attention that demonstrate that certain members of the government in place wish to
21 sideline me from the political arena. I will present you with these facts for your
22 consideration. And, of course, it will be up to you to interpret these facts,
23 your Honours. For me, these facts make it possible to explain why certain people
24 have come to testify against me in this trial.

25 Firstly, your Honour, when it comes to the elections of 2020.

1 For certain members of the Touadéra regime it was essential to find a means of
2 sidelining me. There was no doubt where it concerned my popularity among
3 the whole population, largely because of the -- because of football that I had managed
4 to bring to the forum which gave a lot of pleasure to the Central African population.
5 What I did to bring peace at the time of the crisis in the country and my generosity
6 towards all Central Africans of all faiths. That's it. This popularity which scared
7 Madam Catherine Samba-Panza so she used all illegal means to invalidate my
8 candidacy for the presidential and legislative elections I spoke about earlier.
9 Secondly, your Honours, was the creation of my party, the PCUD. It was perceived
10 as a threat by certain politicians. President Touadéra wanted me to be one of
11 the activists for his MCU party, which was a project, but I answered that I created my
12 political party since 2014. The procedure was under way and, as such, I could not go
13 to another party. But I would always be his ally to work with him. And in
14 November 2017, when the PCUD accreditation had been signed I organised
15 the members of my party to take part in the parade of the national day of
16 1 December 2017, and that gave rise to anger among the senior leaders of the MCU
17 party. President Touadéra influenced Minister Jean-Serge Bokassa, asking him to
18 refuse to sign my application for accreditation of the PCUD party, which the minister
19 refused to do, because there was no legal reason to reject it. It was Minister Bokassa
20 himself who would explain that to me in my office at the football federation. And
21 this is one of the reasons that angered Touadéra and pushed him to remove Bokassa
22 from his government.

23 A third reason was the firm position that I took against the dismissal of the president
24 of the assembly at the time, the very honourable Karim Meckassoua. I was
25 approached by the vice-president of the national assembly at the time, Mapenzi

1 Symphorien, for a political agreement with my MPs for the dismissal of the president
2 of the national assembly, very honourable Karim Meckassoua. And immediately I
3 expressed my concerns and I asked him what are the reasons for such a removal from
4 office and why not let him finish his term of office. And it was the president who
5 proposed him to be elected by his peers. Why this sudden change?
6 He explained to me that Meckassoua was hindering the president of the Republic and
7 often he was applying a brake to the initiatives of the president and, for that reason,
8 the president had decided to remove him from office. So he came to see me so that I
9 would speak to my MPs to support and accept the dismissal of Karim Meckassoua.
10 And I told him, "This is a problem. He's a Muslim. It fits very well in the
11 geopolitical situation, so you want to dismiss him to put who in his place?" * And he
12 applied to me that it had not yet been decided upon.
13 The next day -- and then the next day two deputies -- two MPs came to see me at the
14 office of the football federation, Aurélien Simplicie Zingas, the current minister of
15 national education, and honourable Mezidio, on behalf of President Karim
16 Meckassoua. And they explained to me in detail the reasons why the president of
17 the Republic did not want to see obstacles * with regards to his plan to sell off the
18 country's underground resources to the Russians from Wagner who were already
19 unofficially active in the country. And that's the reason why he thought that
20 President Karim Meckassoua was a major obstacle for him and it was necessary to use
21 all means to dismiss him.
22 A few days later, it was the president of the assembly, the very honourable Karim
23 Meckassoua who called me and asked me to come and see him in his office at the
24 national assembly. He explained to me that Touadéra and certain Russians were
25 arranging with the French for my arrest if ever I had to go to France to see my family

1 and I would be transferred to the ICC. And I asked, "For what reason?" He told me,
2 "Do you know that Touadéra bears grudges? He's very resentful." He said, "I'm
3 aware that you refused to do his dirty work and he massively resents you for that.
4 But here in Bangui he fears the reaction of the youth and that's the reason why he's
5 trying to arrange things with the French via the Russians so that you are arrested
6 there."

7 I took the decision on that day to ask my members of parliament not to support
8 the dismissal plan put in place by the MCU party and Touadéra.

9 Your Honours, at the time, I noted the persistence of the rumours concerning my
10 arrest. The same information had been given to me by Witness P-4197 but I didn't
11 take it seriously, as he explained to you in detail during his testimony before your
12 Chamber. In the weeks before my arrest other people warned me of my imminent
13 arrest. In 2018, {ICR: (Redacted)} contacted me to inform me that {ICR: (Redacted)
14 (Redacted)} Sani Yalo; Piri; vice-president of the assembly;
15 minister of justice, the current ambassador of the Central African Republic, Flavien
16 Mbata; the minister of security, Wanze; Maleombo, the private secretary of Touadéra;
17 and others whose names I have forgotten. He was asked to issue a statement against
18 for me for a reward. He would be appointed {ICR: (Redacted)}. He also said that {ICR:
19 (Redacted)} had proposed 300,000 CFA francs for testifying against me in my trial.

20 And I invite the Judges to consult the SMS messages which are in evidence
21 demonstrating the warnings that I received concerning my arrest, as the messages
22 exchanged with the special counsel of the president of the Republic, Martin
23 Luther King, had given me this information that you can find in the evidence
24 disclosed by the Prosecutor at CAR-OTP-2098-0200, messages exchanged on
25 30 November and 5 December 2018.

1 The former vice-president of the assembly Mr Mapenzi also informed me that
2 Yanindji had gone to see him for help in throwing me out of the federation.
3 Mapenzi had refused and he informed me about it. Mapenzi informed me that
4 Yanindji had said to him in Cameroon, and here I quote: "You refuse to help me but I
5 found another way to reach my objective." End of quote. It was later that I
6 understood that Yanindji had misappropriated an important -- a considerable sum of
7 money to pay the people that he had contacted who were involved in my arrest by
8 the ICC. This information is available with the FIFA, your Honours.
9 Under the pretext of Ngaïssona with a debt for the expenses of the hotel, P-4197 also
10 alerted me concerning my vice-president of the federation, Celestin Yanindji, and his
11 involvement in my arrest by the ICC.
12 You will also see that a particular Didier Kotimati (phon), who had nothing to do
13 with football, was also appointed when I was transferred to the ICC, whereas the post
14 of counsellor of the federation are reserved for people who have training in sport, and
15 football in particular, but he was appointed on behalf of whom within the federation?
16 Fourthly, there was the question of the Russians, your Honours, members of
17 the Wagner group. President had sent the vice-president of the assembly
18 Symphorien with two Russians and an interpreter to see me. They wanted that I
19 help them throw football and to carry out political smear campaigns against
20 the French. The objective was that I would use football to prepare the youth to
21 accept the arrival of the Wagner Russians and to bring the youth against the West in
22 general, and in particular France, so that France would leave the Central African
23 Republic. I refused and I explained to them that FIFA would not accept the use of
24 political symbols within the framework of football activities and that that would give
25 rise to sanctions.

1 They explained to me that the president wanted to get rid of France and make all
2 the French leave the Central African Republic. And I had to reflect well on that. I
3 said that politics could not be mixed with the federation. I protect Central African
4 football. I came back -- or the people came back a second time. And the third time,
5 the same people, they called me and they asked to meet me in the restaurant
6 *Le Prestige* at Lakouanga which is situated opposite the former United Nations HQ
7 which today has been turned into a hotel. They continued to put pressure on me,
8 saying that the president was very angry due to my position and they asked me to
9 change my attitude because the president was counting on me. I told them that I
10 had never refused to work for the president but that the president had to understand
11 me.

12 One of the two Russians got angry, I could feel it, and he said with him or without
13 him the work would be done. I asked the interpreter to explain his reaction and
14 the interpreter said what I have just told you.

15 But the reaction of the vice-president of the assembly concerned me. He said,
16 whatever the case, the French would leave the country. They asked me to eat with
17 them, but I refused.

18 And, without delay, your Honours, I called the Defence attaché of the French
19 embassy in Bangui, Colonel Depit, to explain to him what the Russians were
20 preparing. But he didn't take account of the information that I had given to him.

21 He told me that he was busy with the arrival of the French minister of defence.

22 Mr Presiding Judge, your Honours, members of the Bench, as for the accusations
23 levied against me, since my arrest under an arrest warrant that was issued by
24 the International Criminal Court, I was accused of crimes against humanity, war
25 crimes, and for the acts such as financing the Anti-Balaka resistance, buying weapons

1 and war munitions and the preparation and the participation in meetings
2 Cameroon and in Paris in order to prepare for the return of François Bozizé to power.
3 These are very serious accusations that were levelled against me and I'm not
4 indifferent to these accusations. Ladies and gentlemen of the Court, it was as if
5 the sky itself were falling on my head and these accusations were very difficult for me
6 to carry.

7 I do not understand that the Prosecutor have all the information on the genesis of
8 the accusations against me, accusations that were those of -- against the butchers.

9 The Prosecutor has information on people who are specialised in rebellion
10 on -- people who were specialised in financing rebellions in order to get positions of
11 power.

12 The name Anti-Balaka stems from an ancestral practice which says that they will be
13 protected by this practice, protected against the bullets that will leave the muzzles of
14 firearms and other weapons. What I understood from the explanations of the
15 Anti-Balaka people in Bangui is that the name Anti-Balaka simply means that
16 the bullets that will leave the weapons will not be able to reach them. There's a bit of
17 a confusion around this term "Balaka" in Sango, because it also means "machete" in
18 Sango. But in reality what this means is anti-balaka, meaning anti AK-47 bullets.

19 Presiding Judge, ladies and gentlemen, your Honours, without justifying the crimes
20 that have been attributed to the Anti-Balaka, I would like to remind you of the genesis
21 of the movement, that of the resistance of the Anti-Balaka movement. It is nothing
22 else than a resistance against the Seleka who were destroying everything in their way.
23 The resistance movement cannot be considered as a rebellion because international
24 law gives the right to a people to defend itself. I am forcefully against this view of
25 things, this illusion of a view of things. You cannot make light of the thousands of

1 dead who were massacred by foreign mercenaries recruited by Djotodia. Once again,
2 this does not in any way justify the crimes that have been pinned on the Anti-Balaka
3 against the civilian population and I was always firmly opposed to these crimes.
4 Certain media sources, certain media sources would -- disseminating a gross
5 simplification by saying that a person who looks Christian is automatically called an
6 Anti-Balaka and if someone looks Muslim, if their morphology is Muslim, they are
7 automatically a Seleka. This, this is a grave error in judgment and this wrought
8 havoc and confusion in the reality within my country.
9 Today the Anti-Balaka resistance movement is being called a militia. But doing so
10 we forget where the Anti-Balaka come from. They arose against the butchers that
11 were the Seleka, who were mainly made up of mercenaries coming from
12 neighbouring countries such as the squadron of the Chadian army under the
13 authority of their president Idriss Déby, the president of Chad, or coming from
14 further afield such as the Ali Darassa group coming from Niger.
15 Why not ask for explanations about what happened to the main players of these
16 crisis - and I mean more clearly François Bozizé and Djotodia - instead of targeting
17 people who have nothing to do with the origin of the chaos that reigned over
18 the Central African Republic? The leaders of the foreign mercenaries who invaded
19 the country, Michel Djotodia, he is walking around without being bothered. And
20 this is scandalous.
21 Presiding Judge and ladies and gentlemen of the Bench, it is not the first time that
22 a population has risen en masse against an invasion. We have all seen the footage of
23 the Ukrainian people, your Honour, your Honours. We've seen Ukrainian people
24 rising against their Russian aggressors. I will not comment much on this point, but I
25 would like to leave it to your appreciation, your Honours.

1 I did not distribute money to whomever for war. I just provided aid to help certain
2 Central African citizens who asked me for it, in order to help them survive. And I
3 did this with an open heart and without hind thought.
4 I ask the Prosecutor to tell you what sum of money I provided to the resistance. And
5 to whom did I give this money, specifically, and by what means did I provide this
6 money, your Honour, Presiding Judge. I would like the Prosecutor to provide
7 evidence of the money that I had sent or how this sum of money was sent and why
8 was -- why did I send it. Me, myself, at the time had a huge responsibility to look
9 after my family that had been dispersed by the crisis within my country and I was
10 fighting for their very survival. And yet, this did not stop me from helping other of
11 my fellow citizens who also were suffering in exile just as I was.
12 Your Honours, Mr Presiding Judge, members of the Bench, as for the point on
13 purchasing weapons and munitions, I was never involved in any purchase or arms
14 trafficking or munitions trafficking or purchasing.
15 In what weapon store would I have bought, were it a single weapon or a single piece
16 of munition? Where are the invoices for the weapons I am supposed to have bought?
17 Where are the numbers of the weapons and munitions that I purchased? Is there but
18 a single arms trader that stood witness to say that Ngaïssona had bought weapons or
19 munitions from them? The answer is an obvious no.
20 What are the brand names? How much money did I pay for these items? Who did
21 I send this military materiel to? In what vehicle was it transported? What were
22 the registration plate numbers of these vehicles? What was the colour of these
23 vehicles? What was the date that this materiel was sent? It is easy to pin an
24 accusation against me that -- for something that had never crossed my mind. I was
25 never involved in any arms trading or arms trafficking. Let them give you the name

1 of the person and where I met them: In which country? In which place did they
2 deliver these weapons to me? What was the quantity of these weapons and to which
3 Anti-Balaka resistance leaders did I provide these weapons to? In which cities and
4 in which countries? When? At what time?

5 I am not a soldier and I don't -- so I can't think about -- I don't have a second to spend
6 thinking about this. I find it absurd because I myself know nothing about weapons
7 and weaponry, whether we're talking about weapons or munitions.

8 And the same goes for the Thurayas. I've been here for many years and to this date I
9 have not seen this evidence. Your Honours, Mr Presiding Judge, as for the FACA, I
10 have little knowledge on the motivation driving the FACA during the crisis. As you
11 know, I have never been a soldier. I have never been in a position to organise any
12 kind of military operation.

13 Your Honours, I am accused of a hate speech against my Muslim fellow citizens. I
14 have never made any statements of hate speech towards my Muslim fellow citizens.
15 The Prosecutor has not produced a single of my speeches or even a private
16 conversation in which I would have held or I would have spoken hateful words
17 against my Muslim compatriots. All this to say that I never had any bad intentions
18 against any Central Africans. Neither did I ever have a thought of doing harm to
19 any of my Muslim brethren. Because it is not part of my -- of my DNA. This is
20 something I would never do and I swear this on my life to god.

21 On the contrary, I get along very well with Muslims and I have given them a lot of
22 responsibility when it comes to my business. And I'll give you an example of Abdou
23 Waid is someone that I put in charge of my spare parts store.
24 Then there's Mahamat Moustafa, who we generally call in Central Africa Moustaki,
25 and I put him in charge of my studio in Bangui before the crisis.

1 Then there's Aboubaka Hadi, my brother who is responsible for the building
2 department of my business.

3 I gave assistance to those who were located in different sites for internally displaced
4 people in Bangui, the different sites that are called Ledger. There was a Muslim
5 woman called Hadja Asta Liliane Colongo. During my arrival in Bangui, she would
6 often come to see me. There are Muslims who are living witnesses and who during
7 the period of crisis got assistance from me.

8 I could talk to you about the imam of the Central Mosque, Tidjani.

9 I'd also like to mention Abdoukarim, who is a displaced person of the Fula
10 community in the Gbaya Doumbia neighbourhood 5th arrondissement.

11 I'd like to speak about the displaced person who's also a Fula, Aroun Ibrahim.

12 Or the president of the young -- of the youth Central African Fula movement, Bgaya
13 Doumbia Ibrahim Ousman.

14 If I had any hate against Muslims, I would never have sought to go and get the large
15 vehicle of a Muslim, Mr Ali Baba, who was an important businessman, and yet I
16 protected him during the crisis -- or I protected the vehicle, rather, during the crisis
17 and gave it back to him.

18 The same goes for the Muslims who were targeted by the population of the 8th
19 arrondissement who wanted to harm them. And Sylvestre Yagouzou helped them,
20 brought them to me and I harboured them as if they were my own family until
21 the tension eased in my country. And then I brought this family to the court in
22 the presence of the prosecutor Grezenguet and the doyen Judge Kokoyo. And
23 the imam Kobine Lamaya, the present cardinal Nzapalaïnga Dieudonné and
24 Grokoyame Nicolas, who's a pasture, were also present there. They were present
25 when the family was brought there. The family wanted to come back to my place

1 because they felt so welcome there. The representatives of the Fula, the Peuhl and
2 Muslim community that I cited earlier, I did -- I assisted them not only during
3 the period of Ramadan, but also outside of that period, Mr Presiding Judge.
4 There are other situations such as that of the family of the CEO of Styl Italia. His
5 name is Mahamat Sale. He had been arrested by people with bad intentions who
6 wanted to harm him. Luckily, this was done in the presence of certain Anti-Balaka
7 resistance fighters such as Emotion Namsio * who helped them and saved their lives.
8 They were brought to my place, to my father's place, which is where I was staying at
9 the time and they gave me the name of the CEO as well as his phone number. I
10 called him so that he could come and get them. First of all he was afraid and so I
11 had to send him someone to accompany him -- or someone to come and get him.
12 So these are just some examples I'm sharing with you.
13 There are many things that I did in order to bring peace and I accepted to help
14 the resistance and I advised them in order to reach a peace for our country,
15 the Central African Republic.
16 At the same time, I was also carrying out different actions in order to favour
17 reconciliation and peace. For example, I contacted Djono Abba, and also other
18 Seleka members, with NGO Pareto, the current adviser to President Touadéra,
19 Mr Koba, as well.
20 The *communiqués* that my Defence team have shown you bear witness to the will I had
21 for the return of peace in the Central African Republic.
22 Your Honour, your Honours, the return to constitutional order.
23 The constitutional order, for me who is an ordinary man, is purely and simply to
24 establish the rule of law in accordance with the constitution of the Republic and
25 nothing else. Nowhere anywhere is it written in dictionaries that return to

1 a constitutional order is a synonym of a *coup d'état*. It is far from a military
2 organisation. Nor is it an uprising for the resistance of a people. And the return to
3 the constitutional order which was a project in Paris has nothing to do with the fight
4 for survival of the Central African population. Faced with the armada of terrorist
5 mercenaries who invaded our country in a stampede and devoured indiscriminately
6 the Central Africans. Come from Chad, Sudan, Niger, they pillage everything,
7 everything they can find, without pity or remorse for the Central African people.
8 And we want to turn a blind eye to this chaos, to take up something else that has
9 nothing to do with this chaos.

10 Your Honour, your Honours, by definition the circle means the people who share
11 a common vision, secrets, information and communications together. But how can
12 one explain that I personally did not -- I do not have the telephone number of
13 the person who is meant to embody this circle in all my directories, including my
14 email messages with him, with François Bozizé. Even his son, who is a superior
15 officer in the Central African army, I was never in contact with him with regards to
16 military operations. How can the accounts of the circle be explained which they
17 want you to believe every day here?

18 Bozizé is a career soldier. He is very experienced. He doesn't need somebody like
19 me if he had really had the intention to do something in this sense. He remained
20 president of the Republic, chief supreme of the army for almost 10 years. The former
21 aide-de-camp of Emperor Bokassa, he was general inspector of the armies and chief of
22 staff of the Central African armies. He has brothers in arms. He has trained a lot of
23 soldiers. He also has a lot of children who are, as well as his genealogical brothers
24 who are superior and junior officers in the army and in the gendarmerie. If he
25 wanted to prepare military action, he doesn't need a poor civilian like me. So to say

1 that Bozizé would have given me a military mission is far from the mark. I don't
2 even know his telephone number, whether it's in Cameroon, or in France, or in
3 Uganda. You will never find Bozizé's number in my telephones from Cameroon, or
4 Paris, or Bangui. Nor will you find that of his son Francis either.
5 Your Honour, your Honours, you can ask the Prosecutor why he didn't call certain
6 key leaders of the Anti-Balaka with whom I worked for peace in the country, people
7 such as Konate Yvon, Lebene Thierry and Ngremangou.
8 The Prosecutor is focusing on the Anti-Balaka resistance fighters, whereas other
9 groups are and were active in the country, such as the APRD of Demafouth managed
10 by Larmassoum, the RJ of Commander Sayo, the MLCJ of Abdoulaye Miskine. It's
11 very important for you to understand the very significant failings in the accusations
12 of the Prosecutor.

13 I will not spend more time on certain witnesses of the Prosecutor, but I want to make
14 certain short remarks about certain witnesses.

15 Your Honour, I think that I cannot take up this section given that the break time is
16 coming. Should I finish here?

17 PRESIDING JUDGE SCHMITT: [10:53:14] Yeah. I think we should indeed stop
18 here and have the break until 11.30.

19 THE COURT USHER: [10:53:20] All rise.

20 (Recess taken at 10.53 a.m.)

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

22 THE COURT USHER: [11:31:56] All rise.

23 Please be seated.

24 PRESIDING JUDGE SCHMITT: [11:32:18] Mr Ngaïssona, you still have the floor.

25 MR NGAÏSSONA: [11:32:30](Interpretation) Your Honour, your Honours, I wanted

1 to speak about certain testimony before the Court.

2 But before, I wanted to read to you or tell you what I think about the information

3 sheets in our country. I think one day, it was in 2015, I was invited by FIFA to go to

4 Vancouver in Canada for the football World Cup for women, which was played in

5 Vancouver. I was there and when I returned, I crossed the prosecutor Ghislain

6 Gresenguet at the airport. But I greeted him without knowing that he was coming

7 for an investigation concerning an information sheet.

8 And about a week later, he called me to come to his office and said to me that after

9 my departure there was a sheet which had arrived with the president, explaining that

10 Ngaïssona had gone to see Bozizé in Uganda in order to take arms and overthrow his

11 government. But as he was at the airport, then he was able to see that I left

12 Vancouver the same day to arrive in the morning. * And, immediately, when he saw

13 the list of passengers at the airport, he could not arrest me and he went to tell Madam

14 Samba Panza.. And I said to him, "Why do you keep speaking about Bozizé?" And

15 he said to me, "How do these sheets work in our country if people hate you? They

16 can write things about you that you do not expect." And that's just an aside to explain

17 what the situation is with regards to certain information sheets that there -- that exist.

18 You have the Central African Republic press that speaks about me. And I was still in

19 Paris when it was at the start of May. I wasn't in Cameroon, your Honour.

20 I now want to go into the testimony of Joachim Kokaté. Your Honour, your

21 Honours, distinguished members of the Court, firstly, Kokaté is a soldier who was

22 discharged from the national army. He lives from rebellion to rebellion. He always

23 tries to profit from a situation for his personal gain, including his testimony against

24 me before this Chamber. To give you an example, Kokaté came to see me in 2017 in

25 my office at the Central African Football Federation to tell me that he had accepted to

1 tarnish the reputation of the political opponent of the Touadera regime, the president
2 of the URCA, Mr Anicet Georges Dologuélé. He had me listen to a secret audio
3 recording that he had made of his conversation with Dologuélé. When I asked him,
4 "You're doing that to gain what?" He answered me, "I'm going to provide it to the
5 person behind it." I said, "Who?" -- "Sani Yalo, in exchange for a reward." And it is
6 how -- that is how Kokaté functions.

7 Mr President, your Honours, Kokaté is a specialist in dirty work, as you have
8 understood from the evidence in his case file and his involvement in the
9 subordination of witnesses in the Bemba case. As the message -- like the message
10 that he sent to Bouragoro to testify in favour of Bemba.

11 Your Honours, distinguished members of the Court, where it concerns Adrien
12 Poussou, I've already spoken about Poussou earlier. I just want to make three brief
13 comments, additional comments.

14 In Bangui, in contrast to his testimony, Poussou never saw my office in the Central
15 African Football Federation, because everyone who comes to see me in my office
16 knows that I have a very particular installation there, a very particular set-up, and if it
17 is the first time for somebody, they ask me where I bought my desk or where I got the
18 installation of a giant television. * And when he says that during a week-long trip
19 with me to Paris I took part in a football program for longer than two hours at his
20 radio station, it's false, because I left Kinshasa on 4 December 2018 to arrive in Bangui
21 in the evening with the company Sky Airline. And furthermore, it's very rare for a
22 football program to go longer than for one hour. I was not in Bangui during this
23 period where COCORA and COAC saw the light of day.

24 I wanted already to explain to you that I was in Tokyo. I in no way participated in
25 these organisations. And what Poussou has said on the distribution of machetes is

1 not true, your Honour, your Honours.

2 Your Honour, I would like to address certain protected witnesses and, as such, I
3 would ask if we could go into private session.

4 PRESIDING JUDGE SCHMITT: [11:40:14] Yes. Let's go into private session.

5 Thank you for this -- making us aware of that.

6 (Private session at 11.40 a.m.)

7 THE COURT OFFICER: [11:40:25] We are in private session, Mr President.

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

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Trial Hearing

(Private Session)

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4 (Open session at 11.47 a.m.)

5 THE COURT OFFICER: [11:47:00] We are back in open session, Mr President.

6 MR NGAÏSSONA: [11:47:14](Interpretation) Thank you, your Honour, your

7 Honours.

8 * Where it concerns the P-2602 and 2269 -- 2269, I do not know that person at all. I
9 never saw him. He says that I sent him money. When? Why? Where is the
10 discharge of this sum sent? Because he spoke about a lot of money. On what date?
11 From which country, your Honour, your Honours? It's very easy to say, but where
12 is the evidence? You will look for it and you will never find a telephone contact with
13 this man, neither before or after -- or before the crisis. I'm not his colleague and how
14 would I know this gentleman?

15 And the same thing goes for P-2602. He is a member of the CPC and is a public
16 enemy of the Central African government, just as P-2269 is. How can you think that
17 he could go out and be at the disposal of the Court? I have never worked with those
18 two. How could the Central African authorities say that they cannot be found,
19 whereas they had been kicked out of the ranks of the Central African army and were
20 being chased by the FACA and the Wagner troops.

21 Mr Presiding Judge, your Honours, as for P-0965, P-0965 had been prepared to come
22 and state in front of this Court to say that he was an Anti-Balaka resistant and a
23 general secretary to P-0306, whereas no one knows this man. Why this set-up? It's
24 for the following reason: P-0306 had a name that was well-known during the crisis
25 and if he spoke for P-0306, that would give a lot of weight to his testimony in front of

1 this very Chamber. P-0306 also came to state many things about my person that
2 were untrue.

3 As for P-1719 and P-2673, I do not know these two, judge, your Honour. It's the first
4 time that I saw them here in this Chamber. Even when I arrived in Bangui, I had
5 never met them, neither physically or by name, and I am surprised by their
6 statements and testimony before this Chamber. You can check. In all the
7 documents on the resistance that I had provided to the international community and
8 to the government, you will never see their names, and that is because they are
9 unknown to me. Yes, in Cameroon, from time to time there are certain Central
10 Africans who would come to me with their problems and I would help them, and
11 that's all. If I had something on my person, then I would share it with them, I would
12 give it to them.

13 Your Honours and distinguished members of the Court, when it comes to
14 Jean-Jacques Demafouth, this is a highly dangerous man. He is capable of doing
15 anything to achieve his ends. He was with the Seleka as a presidential adviser to
16 Djotodia. How can you understand that he can work in good faith in order to bring
17 peace to the country? He enjoys being where the trouble is. He likes getting people
18 talking about him. He is the one who deceived Madam Catherine Samba-Panza,
19 who wanted to have -- to know -- who didn't want to know anything about the
20 Anti-Balaka resistance fighters, who are the resistance and survival movement. And
21 it was among the ashes of this movement that she was given the opportunity to
22 manage our country.

23 Everything I have sent to the president to solve the problem of the resistance
24 movement, he's the one who shot everything down with his multiple manipulations
25 that delayed the return of peace to the Central African Republic. He also wanted to

1 topple the president. Now, fortunately, many of his attempts failed. He had a
2 group of rebels that he would use to misappropriate funds from a ledger during the
3 transition, and he brought all his elements to Bangui, directed by the commander
4 Larmassoum, who would carry out rapes, and crimes, and pillaging in Bangui. And
5 the Anti-Balaka resistance got hold of him and he was handed over to the
6 gendarmerie and Demafouth did everything in his power to get him released.
7 Now, all these elements wore *gris-gris*, just like the Anti-Balaka did, and it was hard
8 to tell them apart. He instructed the president of the state council to have me
9 removed from the legislative election list, after asking his wife, Madam Darlan, to
10 invalidate my candidacy documents for the presidential election of 2015-2016.
11 Judges, your Honours, I am flabbergasted to see here that all those who have fun on
12 Facebook stating different things, that all these statements are attributed to my person.
13 I wonder if the people who are on Facebook, if these exchanges they had that were
14 shown in the audience -- in Court, are they my friends or are they my close associates,
15 or have I even -- have I even been in contact with them at all? I would very much
16 like that you see my exchanges with these people. In what way am I responsible for
17 their thoughts? Is it because their words are counted as a fact? How does
18 that -- how does that link to me? I am not the central server of social networks.
19 Mr Presiding Judge, your Honours, I would now like to talk to you about my transfer
20 after my arrest.
21 I was arrested at the international airport of Roissy-Charles de Gaulle on 12 December
22 at 5 a.m., as I exited the tunnel of the Air France plane coming from Bangui. This
23 flight came via Yaoundé Simalen. We had had a two-and-a-half-hour stopover at
24 Yaoundé. On leaving the tunnel, I presented my passport, my diplomatic passport.
25 I presented it to the security, and as I gave them my passport, I was asked to follow

1 them. In the room, it was explained to me that the French justice, in cooperation
2 with the International Criminal Court, had received an arrest warrant for me and that
3 they were obliged to arrest me. And on that day, my house was searched. I was
4 then taken to the large prison at Fresnes in the 91st department. During all this time,
5 I had no lawyer. It was only later that Mr Lin Banoukepa, a member of the Paris Bar
6 Association, advised me. He explained to me that the French justice was simply
7 applying the international convention that had been signed with the International
8 Criminal Court, and, as I know nothing about these procedures, I followed his
9 counsel.

10 During the hearing that was held to decide whether or not I should be transferred to
11 the ICC, I was stunned when the judge asked my lawyer whether he had any
12 objections to the procedure at hand. And he took the floor in order to say that he
13 would abide by whatever decision the judge would make.
14 I was flabbergasted.

15 On January 21 and 22, 2019, a team from the International Criminal Court came to see
16 me in order to question me. On the first day, I answered their questions. On the
17 following day, I informed them that I no longer wanted to continue. At a certain
18 moment, I saw the Prosecutor Kweku Vanderpuye arrive. He greeted me and I said,
19 "Thank you", and he asked me the following question: "Do you remember me?" I
20 said, "Yes". Then he left.

21 I was then accompanied back to the Fresnes prison around 2100, 9 p.m. And then, at
22 midnight, they called me on the intercom, asking me to make arrangements because I
23 would be picked up at 4 a.m. to be taken to the ICC. I asked if my lawyer had been
24 informed of this fact, and I was told that they knew nothing about this and * that it
25 was none of their business.

1 At 4 in the morning, your Honours, I was taken to Roissy-Charles de Gaulle airport,
2 and then we left Charles de Gaulle in the direction of Amsterdam. When I arrived at
3 Amsterdam airport, there was a full security detail on the Amsterdam airport runway.
4 Even before I had gotten off the plane, I was dressed in a bulletproof vest with a belt
5 with two crossed handcuffs, and my arms were immobilised at chest level and I was
6 held that way until I arrived at the detention centre.

7 The ICC detention centre, your Honours, Mr President, distinguished members of the
8 Court.

9 I arrived at the ICC detention centre on 23 January 2019, in the afternoon. I was
10 received by the guards of the centre for security formalities, before being received by
11 Mr Dubuisson. He was the first person from the Registry to receive me on my
12 arrival. And I noted when I arrived at the detention centre that there were various
13 problems with regard to the applications of the regulations and rules of the centre.
14 I'm not going to spend too much time on it, but I want to give you certain examples of
15 what I suffered at the detention centre. I suffered a lot. I have suffered a lot during
16 these five last years.

17 Firstly, I would like to remind you of my right to go to fresh air on court days has not
18 been respected to date.

19 Secondly, your Honour, your Honours, the food that is served to me at the detention
20 centre does not respect my culture and I have to purchase myself the ingredients to
21 feed myself. Often the quality and the price of the food that is purchased is not
22 acceptable and often I am not reimbursed with the amount for articles that are not
23 delivered. The articles that we pay for here cost more than the normal price on the
24 market. An investigation has been carried out in the detention centre and experts
25 have noted several problems with the price, the availability and the quality of various

1 foods. However, the proposals made by the experts have gone unheeded for the
2 most part.

3 Thirdly, there is the question of family visits financed by the ICC. I have only had
4 two main visits from my parents, in 2022 and 2023. Even one part of my family here
5 in Europe cannot visit me because they do not have the means to do so. But myself,
6 your Honour, your Honours, I have eight children. They are dependent upon me.
7 I haven't seen most of them for five years, almost six years. What can I do, your
8 Honour, your Honours? Several people depend on me and these last five years, I
9 haven't been able to come to the help of those close to me and my community due to
10 my detention. I would stress that some of my children and grandchildren have a
11 low age. I have seven grandchildren between 1 and 5 years old. Some of them fall
12 ill and I am not able to meet their needs. You know that African families are very
13 large, your Honour, your Honours. All my family depends on me. I am the sole
14 pillar of the family, right down to the village.

15 Fourthly, your Honour, your Honours, I have suffered considerably during the
16 COVID-19 period and, in particular, with the isolation that it caused. I have had
17 hardly any contact with my family and the outside world during this period.

18 Furthermore, the pandemic prolonged the trial as well as my detention.

19 Finally, I would ask, Mr President, your Honours, that you use the powers you have
20 under Regulation 94 of the Regulations of the Court, with a view to carrying out a
21 judicial inspection of the detention centre on an impromptu basis to get a feel for the
22 reality in the field and to see with your own eyes what is happening. I know that
23 you trust your colleagues, but there is a principle that says that trust cannot rule out
24 inspection, your Honour.

25 By way of conclusion, Mr President, your Honours, the resisters called Anti-Balaka.

1 Concerning the resisters, Anti-Balaka resistance, these -- my role was to make these
2 young people understand the need for peace. The sooner peace comes back to the
3 country the better it will be for the image as saviours of the nation, the more it would
4 count in negotiations for their demands that I would bring on their behalf. I gave
5 them advice to not give up in the face of manipulations of opportunists who wanted
6 to use them to reach their own goals. And I gave them advice for their life as well.
7 By way of example, I told them, "You know very well that the bullets that come out of
8 barrels of guns do not try to find out who your parents are, and if you die, who will
9 look after your children? You know very well that in our country, nobody can take
10 charge of your children as you, yourselves, would do, even your own brothers and
11 sisters from the same father and same mother". And they have to know that other
12 people cannot endure the blasting of weapons on which can lead them to a cardiac
13 arrest.

14 Your Honour, your Honours, the Prosecutor has argued that I tried to profit from the
15 Anti-Balaka movement. Not only did I not profit from the movement; on the
16 contrary, * I sacrificed everything to represent this young group of disaffected youth
17 in accepting to become their interlocutor with the government and international
18 bodies and working for peace in my country.

19 When it comes to the accusations against me, I have to say that I never assisted or
20 took part in any military action, whether it was the organisation, financing, or supply
21 of weapons, whether it was communication with Anti-Balaka resistance, I was never
22 involved in or contributed in any way to the movement of the resistance from
23 Cameroon, nor involved in any way in the so-called inner circle.

24 Your Honour, your Honours, the government of transition.

25 It is up to the transition government to take its responsibilities to bring back peace. I

1 have done what I could so that the government can follow me in peace, but it didn't
2 do it. It did not do its work. If the transition government had helped me in the will
3 to achieve peace without prejudice towards my ethnicity, my region and wanting to
4 stick with Bozizé before, we would have finished by achieving reconciliation and
5 peace, which could have come back very quickly. I have in my head a proverb
6 which says you should never throw the handle after the axe, otherwise said, you
7 should never get discouraged to bring peace to the country. And that is the way that
8 I persevered until the elections of 2015-2016. The idea that I tried to profit from the
9 crisis is a mirage. There is no proof that I exploited Anti-Balaka resistance. On the
10 contrary, I sacrificed a lot for the return of peace.

11 Mr President, your Honours, what I have lost and suffered.

12 I understand, Mr President, your Honours, that the population in the Central African
13 Republic has suffered a lot during the crisis. I also lost a lot during the crisis.

14 Members of my family, those who stayed in Bangui and in my village, in
15 Nana-Bakassa. More painful are the two deaths, of my younger brother in Douala,
16 in Cameroon, Barnabe Ngaïssona, and Angèle Ngaïssona. I lost them because I did
17 not have sufficient means to meet the needs of their health as I had done in Bangui in
18 normal time. And my family company.

19 The destruction of my warehouse, and my villa, my warehouses on my private
20 compound. And in my heart, I don't bear grudges towards anyone.

21 And finally, I lost my father on 15 February 2024 in Paris after a short visit to the
22 detention centre in 2023.

23 Mr President, your Honours, I wanted to give you an insight into my vision and my
24 thoughts with regards to peace and reconciliation in my country. If I am freed, I
25 would like to take up again the work which I have started before my arrest for my

1 country and for peace and reconciliation in the Central African Republic.

2 I would like to propose to the Central Africans my philosophy of a road map through
3 my party, with the vision that I have to help my country with a unified and
4 indivisible people of all faiths. I wish that the PCUD, my party, be a pathway that
5 will bring my country towards development and well-being of its people, which will
6 lead the country towards lasting peace, which will lead its population towards
7 reconciliation and co-habitation, which will lead Central Africans towards health for
8 everybody with the setting up of a vital card and care, without needing money, which
9 will lead towards education and professions with a good reform, which will bring the
10 country towards total independence of justice and justice for everybody and will
11 bring Central Africans towards a clear improvement in their living conditions,
12 towards the modernisation of agriculture and livestock farming, which will lead to an
13 improvement of the life of youth and the creation of work, the professionalisation of
14 sports, arts and culture, which will bring the country towards an active and win-win
15 diplomacy.

16 The future of the Central African Republic depends on all the sons and daughters, the
17 peace-loving sons and daughters of the country, and on its development.

18 Your Honours, Mr President, I cannot finish my words without asking you to take
19 into account everything that I have suffered and that it be taken into account by your
20 Chamber.

21 My life is in your hands and in your hands is also that of my family and all Central
22 Africans who love truth and justice.

23 Your Honours, I have a huge amount of respect for your Chamber and I hope that
24 nobody will ever be placed in my position and the position I was in in 2013-2014.

25 My prayer is that almighty god, the creator, grants you wisdom, protects you and

1 leads you to the manifestation of truth, because truth is something that nobody can
2 hide. The truth is like smoke that comes from a fire that nobody can hide.

3 May the almighty god be with you and give you wisdom, protect you, for justice to
4 triumph.

5 Mr President, your Honours, I will read a quote of a former president. The deceased
6 Patassé said that lies go very quickly, but truth takes its time to slowly crush the lies.
7 Put differently, truth is a light that cannot be hidden, it will finish by triumphing. It
8 is also said that however long the night lasts, the sun will appear. One wants to hide
9 the truth, but it will always come out in the end.

10 And I empathise with all the victims of the crisis in the CAR and I agree that the
11 victims deserve justice, but is it really justice if an innocent person is convicted?

12 I would like to thank you from the bottom of my heart, Mr President, your Honours,
13 for your long patience.

14 May god bless the Court. Thank you.

15 PRESIDING JUDGE SCHMITT: [12:19:38] Thank you, Mr Ngaïssona. This
16 concludes today's hearing.

17 The Court is adjourned.

18 THE COURT USHER: [12:19:45] All rise.

19 (The hearing ends in open session at 12.19 p.m.)