

Trial Hearing
WITNESS: CAR-D30-P-4679

(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,
7 Judge Chang-ho Chung and Judge Beti Hohler
8 Trial Hearing - Courtroom 1
9 Tuesday, 16 July 2024
10 (The hearing starts in open session at 9.31 a.m.)
11 THE COURT USHER: [9:31:18] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:31:35] Good morning, everyone. Court officer,
15 please call the case.
16 THE COURT OFFICER: [9:31:45] Good morning, Mr President, your Honours.
17 Situation in the Central African Republic II, in the case of The Prosecutor versus
18 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.
19 And for the record, we are in open session.
20 PRESIDING JUDGE SCHMITT: [9:32:04] Thank you.
21 I ask for the appearances of the parties. You have reinforcements, Mr Vanderpuye.
22 MR VANDERPUYE: [9:32:09] Yes, Mr President. Good morning,
23 your Honour. Good morning, everyone. Good morning, Mr Witness. Today the
24 Prosecution is represented by Olivia Struyven, by Yassin Mostfa and myself, Kweku
25 Vanderpuye. Good morning.

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1 PRESIDING JUDGE SCHMITT: [9:32:20] Good morning. Ms Rabesandratana for the
2 victims.

3 MS RABESANDRATANA: [9:32:24](Interpretation) Yes, your Honour. Good
4 morning, your Honours. Good morning, everyone. The legal representatives are
5 represented by myself, Elisabeth Rabesandratana today.

6 PRESIDING JUDGE SCHMITT: [9:32:35] Yes. Thank you.
7 Mr Suprun.

8 MR SUPRUN: [9:32:37] Good morning, Mr President. Good morning, your
9 Honours. The former child soldiers are represented by myself, Dmytro Suprun.
10 Thank you.

11 PRESIDING JUDGE SCHMITT: [9:32:44] Ms Guissé.

12 MS GUISSÉ: [9:32:46](Interpretation) Good morning, your Honour, your Honours.

13 Mr Yekatom is present in the courtroom and he is assisted by Lina Hammi and myself,
14 Anta Guissé.

15 PRESIDING JUDGE SCHMITT: [9:32:57] Thank you.

16 And, finally, Mr Knoops.

17 MR KNOOPS: [9:33:00] Very good morning, Mr President, your Honours. Good
18 morning everyone in the courtroom. Good morning, Mr Ouébio.

19 We are in the same composition as yesterday, Mr President, with the addition of Ms
20 Sara Pedroso at the left side, first row.

21 PRESIDING JUDGE SCHMITT: [9:33:15] Well, that shortened it already significantly.

22 Thank you.

23 Good morning, Mr Ouébio. I hope you had a good rest.

24 Without further delay, we continue with your examination and I give Mr Knoops the
25 floor.

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1 MR KNOOPS: [9:33:26] Yes, thank you, Mr President.

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3 (The witness speaks French)

4 QUESTIONED BY MR KNOOPS: (Continuing)

5 Q. [9:33:32] Mr Ouébio, good morning. This morning, and maybe the second and
6 third session, I endeavour to go through with you to the very sources of your
7 Facebook conversations, first of all; secondly, how the information in Facebook
8 circulated in those days; thirdly, the circulation of information specifically about
9 Mr Bozizé, Ms Ngaïssona and what happened or not happened at the border, *
10 including Bossangoa and Bouar; and, finally, last topic is the Facebook information
11 which circulated in those days about the 5 December attack.

12 So this is my plan for today. It's a lot of information I would like to put to you, and,
13 again, my purpose is to give you an opportunity to respond -- to explain certain
14 conversations, right?

15 A. [9:34:45] Very well.

16 Q. [9:34:47] Before we start with the various sources of your Facebook
17 conversations, and that of other individuals in this case, I have one short follow-up
18 question which relates to my last topic yesterday afternoon of the examination.
19 You will remember that I asked you, Mr Ouébio, about the two receipts of
20 November 2013, totalling 10 million CFA you received from Mr Ngaïssona to deposit
21 on his bank account.

22 My question is, did Mr Ngaïssona, at that moment, give you more money than the
23 10 million CFA you deposited to Mr Ngaïssona at his bank account?

24 A. [9:35:56] Thank you. For the answer, I can only say that there are just these two
25 possibilities: Either he gave me money and I put it on his account, but there's no

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1 doubt about that.

2 Q. [9:36:13] My question was actually, Mr Ouébio, the money Mr Ngaïssona gave
3 you deposited in its totality on the bank account? In other words, he didn't give you
4 more money than the 10 million?

5 A. [9:36:29] No, just that.

6 Q. [9:36:35] Thank you, sir. Now, my first topic for this morning is a Facebook
7 Messenger with the name of Popoulengue. Popoulengue. First of all, does it recall
8 anything to you, when I say to you there's a Facebook Messenger with the name
9 "Popoulengue"?

10 * A. [9:37:10] Yes, indeed. It's an account that I opened myself but anonymously.
11 I opened this account myself to communicate.

12 Q. [9:37:24] Can you tell us when this Facebook account was created by you? Was
13 it in 2013 or later, earlier? Just approximately the year.

14 A. [9:37:49] I think it was in 2013.

15 THE INTERPRETER: [9:37:54] the interpreter adds that in the previous answer, he
16 said he opened the account anonymously.

17 MR KNOOPS: [9:38:02]

18 Q. [9:38:03] Mr Ouébio, can you explain to the judges why you, apart from the
19 other Facebook account which we mentioned yesterday, you opened a second
20 Facebook account on an anonymous basis?

21 A. [9:38:22] Well, I opened it to avoid that the security forces in my country
22 identify, or the authorities of my country identify me through this account.

23 PRESIDING JUDGE SCHMITT: [9:38:54] Perhaps, Mr Witness, in the meantime, do
24 we understand correctly that you opened this account during the time when the
25 Seleka were still in power? Just for our understanding.

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1 THE WITNESS: [9:39:10](Interpretation) That is indeed correct, yes.

2 PRESIDING JUDGE SCHMITT: [9:39:12] Thank you very much.

3 Mr Knoops, I think this narrows also the time frame a little bit down.

4 MR KNOOPS: [9:39:18] Yes.

5 Q. [9:39:19] Mr Ouébio, just for the illustration to us, I would like to show you, and

6 that's the reason I had to find the reference, tab 20 of our Defence binder, that's

7 CAR-OTP-2099-7606 at 7667, and I ask you to pay attention to the entry of

8 15 November 2013, time code 13:07:03. It's a message from -- a message exchanged

9 between your first account and Mr Henri Grothe.

10 And you say in this entry: (Interpretation) "A new Facebook account to express

11 myself freely".

12 A. [9:40:30] Yes.

13 Q. [9:40:32] Do we understand -- do we have to understand your answer,

14 Mr Ouébio, that with the reference to "to express myself freely", that you were afraid

15 to be identified by Seleka forces, security forces, and, therefore, this was the reason of

16 this bank -- of this Facebook account?

17 A. [9:41:00] Yes, that's the reason why I opened this account, to avoid my military

18 colleagues or the authorities my country, or Seleka, identifying me.

19 Q. [9:41:23] And, Mr Ouébio, which type of information sources you used

20 specifically for this Facebook account which were not to be found on the other

21 Facebook account which we discussed yesterday?

22 A. [9:41:39] In fact, it was to communicate with my other Facebook contacts,

23 because my identity -- if I communicated with them, a lot of people would follow me,

24 but if I changed the name, then they wouldn't. But there was no difference, apart

25 from that. During my conversations, all that, you will see it yourself, there are

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1 things there that you will see in other terms. When it comes to the sources of
2 information that I had, this comes from my compatriots in Bangui, or from within
3 Yaoundé, and we have conversations like that to get information. Because what
4 happens in my country, it concerns everybody. Everybody is concerned with the
5 barbaric activities which were being carried out at the time, so it was necessary to get
6 information, because people have family, it's the country which is undergoing this,
7 and, so, it was a way of finding out what was happening in our country.

8 Q. [9:42:53] Thank you, Mr Ouébio.

9 Now, let us go to the various sources of information you used for the two Facebook
10 accounts.

11 I first would like to show you a Facebook exchange which is from 27 September. It's
12 tab 45, CAR-OTP-2132-4987 at 5035 and 5036. If you look, Mr Ouébio, at the entry
13 with the time code 15:13:10 of 27 September, you say: (Interpretation) "I shared the
14 information from Henri Grothe and Marwan Guinon".

15 Mr Grothe was apparently one of your sources of information which was at the basis
16 of several of your Facebook conversations. The information you got from Mr Grothe,
17 did you ever have a chance to verify that information, that what he informed you
18 about was actually reflecting the truth, the reality, or not?

19 A. [9:44:51] Unfortunately, no, I wasn't able to check it. I have to clarify that at the
20 time I was a lieutenant. I didn't have experience in that sense, but we were used to
21 following rumours. We didn't have the possibility to check the sources. The whole
22 country was affected and so when you got information, you shared it with your
23 friends so that they would also listen and they would also get information. But I
24 didn't have the possibility to check or verify the source.

25 Q. [9:45:34] Mr Witness, just to verify with you, you're fine that we mention these

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1 interlocutors in open session? You have no problem with that? Okay. If no, we
2 continue.

3 A. [9:46:03] There's no problem.

4 MR KNOOPS: [9:46:06] If the Chamber is also fine, then I continue. Yes.

5 Q. [9:46:10] Speaking about the sources, Mr Ouébio, of the Facebook messengers, I
6 would like to point you to another Facebook message of you. It's tab 64 in our
7 Defence binder, CAR-OTP-2133-8478. Sorry, I -- please delete this. I refer to tab 67,
8 excuse me, CAR-OTP-2133-9190.

9 This is an article from Centrafrique-presse you put on your wall. If you would have
10 a look at it, Mr Ouébio, and if you have seen it, please indicate it to me. I have some
11 questions to you about this blog of the Centrafrique-presse. I have three questions.

12 PRESIDING JUDGE SCHMITT: [9:49:07] I think Mr Witness has read it, so you can
13 put your question to him.

14 MR KNOOPS: [9:49:11]

15 Q. [9:49:12] Mr Ouébio, you agree this is -- you posted this article --

16 PRESIDING JUDGE SCHMITT: [9:49:15] You don't have to ask the witness every
17 time if he posted it. He -- if the witness thinks this is -- was not him, he will tell us so.
18 And he said it is his account, so simply put the question to the witness.

19 MR KNOOPS: [9:49:29]

20 Q. [9:49:30] You agree, Mr Ouébio, this article describes actually the quality of
21 Centrafrique-presse?

22 A. [9:49:46] Well, I read something, I read an article, and if I think it's interesting, I
23 share it with my friends, so -- via Messenger or with a friend who can read it from
24 their point of view, and that's what I did. Publishing this, I didn't give my opinion, I
25 didn't give me point of view, I just share it so people can read it and then they can

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1 draw their own conclusions, and that's it.

2 PRESIDING JUDGE SCHMITT: [9:50:14] There's no problem -- also, Mr Witness,
3 there is no problem with this.

4 Mr Knoops.

5 MR KNOOPS: [9:50:18]

6 Q. [9:50:19] The reason why I ask you this, Mr Ouébio, because the article says in
7 the fifth/sixth line from below that the information, which circulated on
8 Centrafique-presse, did not result in the provision of serious information but, rather,
9 in the transmission of rumours.

10 My question is why did you put that information on your Facebook wall, knowing or
11 reading that this such a blog like Centrafique-presse, according to this article, was not
12 a serious source of information? Why sharing it, after all, with other people when
13 you knew this was just a blog about rumours?

14 A. [9:51:26] I did it because the person with whom I posted it, it was to alert that
15 person to "You have to be careful" and it's up to the person to draw their own
16 conclusions. It's not up to me to put my point of view. It's just to alert them. Well,
17 you have to read it, and it's up to you to be careful.

18 PRESIDING JUDGE SCHMITT: [9:51:57] Well, it's a sort of communication,
19 Mr Knoops, with another person, simply.

20 MR KNOOPS: [9:52:01] Yes, of course.

21 PRESIDING JUDGE SCHMITT: [9:52:02] Please continue.

22 MR KNOOPS: [9:52:03] Yes.

23 Q. [9:52:05] What struck me personally - in light of 4848, P-4848 for the
24 Chamber - is that it features the name of Prosper Ndouba in the second line from
25 below. Did you encounter more articles of this journalist, Prosper Ndouba, in those

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1 days and, if so, what was your view on Mr Prosper Ndouba as a journalist, if you can
2 comment on it, in terms of the nature of information he was circulating in those days?

3 A. [9:52:53] The journalists, if they are committed to a cause, then they will put
4 things forward and it's up to you to read it and to understand it. What is he
5 providing it, as information? Is it reliable or is it directed to -- for somebody's vision
6 and it's up to that person to read it. And I understand it, for myself, but I share it
7 with other people, with friends, to get them to draw conclusions and it's not up to me
8 to impose my point of view on them.

9 Q. [9:53:27] On 10 August, you had a conversation with a person Sakama Freddy
10 Johnson. Can you recall that he was one of your potential sources, or somebody
11 with whom you exchanged information on Facebook?

12 A. [9:54:04] Mr Sakama is currently the -- my boss. He's a soldier, and at the time
13 he was in Bangui, and I was in exile, and we would communicate with each other and
14 he used to be the under-chief of general staff.

15 Q. [9:54:24] Could I show you, Mr Ouébio, a conversation between you and him, in
16 tab 59 of our Defence binder, which is CAR-OTP-2133-6767 at 6789. It starts with the
17 entry of 10 August 2013, time code 08:07:59 from Mr Sakama Freddy Johnson to you,
18 and your response is --

19 PRESIDING JUDGE SCHMITT: [9:55:13] Mr Knoops, may I make a suggestion?

20 MR KNOOPS: [9:55:15] Yes.

21 PRESIDING JUDGE SCHMITT: [9:55:16] Once this is on the screen of the witness,
22 and the witness is a quick reader, then simply ask, "What do you make out of this
23 conversation?" I think that would expedite the proceeding a bit.

24 So, when you have read it, Mr Witness, you could perhaps indicate it. Have you
25 read it?

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1 THE WITNESS: [9:55:35](Interpretation) I'm just reading it. If you could take it up
2 a bit, please.

3 PRESIDING JUDGE SCHMITT: [9:56:05] Yes, so, Mr Witness, what do you -- can
4 you explain what the background of this conversation is? Can you explain the
5 background of this conversation? What was this about?

6 THE WITNESS: [9:56:24](Interpretation) Well, it goes back to the same publication
7 as I mentioned a moment ago. Every time I share something with my
8 correspondents, they read it. It's up to them to make deductions from it. I didn't
9 send a message and they say, "Why didn't I send a message?"

10 PRESIDING JUDGE SCHMITT: [9:56:43] I think that's enough for this conversation.

11 MR KNOOPS: [9:56:46] Yes.

12 Q. [9:56:48] Can you recall, Mr Ouébio, that one of your other interlocutors on
13 Facebook was the person with the name Igor Gildas Prieur Marteau?

14 A. [9:57:23] Yes.

15 Q. [9:57:23] I believe you told us yesterday that he was a family member of you
16 living in France; is that correct?

17 A. [9:57:30] That's correct.

18 Q. [9:57:36] Can you tell us that he, in 2013, was indeed living in France, in that
19 very year?

20 A. [9:57:52] Indeed. He left for a *en stage* in China and before coming back, there
21 was the overthrow of the regime in Bangui and he preferred to rest in France, and
22 that's where he is until today, having gone for a traineeship in China.

23 Q. [9:58:13] Yes. Do you have any information, Mr Ouébio, whether Mr Marteau
24 had any direct dealings or relations with Mr François Bozizé?

25 A. [9:58:28] He's my cousin, but with regards to a link with the former president, I

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1 don't know. Maybe on the mother's side, but I don't know.

2 Q. [9:58:43] Did you have any information whether he was
3 involved - Mr Marteau - in any efforts to oust the Seleka in 2013/2014 from the CAR?

4 A. [9:59:06] From the moment that I know he was in France, I don't know. We
5 haven't had any exchanges with regards to that.

6 Q. [9:59:24] Did he ever tell you in private, apart from Facebook
7 conversation - maybe on the phone or in person - that he had direct information on
8 the role of the Anti-Balaka, that they were asked to regroup at Combattant on
9 5 December 2013?

10 A. [9:59:58] It's possible that he told me that, but I can't check that. Is it true? Is
11 it not true? In France, there -- well, you have information that's in Bangui. What
12 are his sources? I don't know. I was in Yaoundé as well. So even if he tells it to
13 me, I listen, but I can't -- I can't comment further on that.

14 Q. [10:00:22] Mr Ouébio, did you -- can you recall that you also shared information
15 from the Facebook account with the name "Djotodia *doit partir*"?
16 (Interpretation) "Djotodia must leave".

17 A. [10:00:51] Yes.

18 Q. [10:00:51] And the Facebook account, Kodoro Ti E Là.

19 A. [10:01:04] I haven't understood.

20 Q. [10:01:06] Maybe I have pronounced it wrongly. It's the Facebook account with
21 the name Kodoro Ti E Là?

22 A. [10:01:24] Yes, yes, I heard about this account, yes.

23 Q. [10:01:29] And is it correct that you shared information from those Facebook
24 accounts, and shared this with other people?

25 A. [10:01:43] As I've always said, on Facebook, when you have a friend, the other

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1 friend, you can read what they are saying. And when I read it, I share it with my
2 interlocutors on Messenger. So you have a message that I sent to my interlocutors so
3 that they can read it, but I don't publish it on the platform, as it were.

4 Q. [10:02:22] Were you able at any moment in time, Mr Ouébio, to check the
5 sources of those two Facebook accounts, the information which was found on those
6 Facebook accounts and distributed by you, or re-shared with others?

7 A. [10:02:51] Unfortunately not.

8 Q. [10:02:54] Now, I would like to show you one Facebook message in which you
9 put on your wall a press communique from Jean Christian Patassé. It's tab 53,
10 CAR-OTP-2133-1584 at 1585. It's an entry of 5 August 2013 at time code 10:56:54. I
11 ask you to read it, sir, and when you have read it, please indicate it to me and I have
12 some questions on this message.

13 A. [10:05:09] Yes, I've read it.

14 Q. [10:05:10] My question to you, Mr Ouébio, is the following: Did you share this
15 article, this press release from Mr Patassé, because you agreed with its content and its
16 political views or simply because you wanted to share that information with other
17 people for the purposes of information sharing?

18 A. [10:05:41] As I've already said, when I share this, it's because I've read it and I
19 just send it so that everybody can read it and they can then draw their own
20 conclusions. I've not commented personally on it. This is published at a certain
21 point in time -- read it and draw your conclusions. Everybody draw their own
22 conclusions, that's it.

23 Q. [10:06:17] Thank you, Mr Ouébio. Now, I would like to show you a
24 conversation with a Mr Chris Behoundez, that's the Facebook account author. It's
25 tab 49, CAR-OTP-2132-6648 at 6661, ending at 6662 at the top.

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1 Also, as per the instructions of the Presiding Judge, I ask you kindly, Mr Ouébio, to
2 read it and, if so, I have some questions to you.

3 A. [10:07:24] Can you go down a bit? Okay.

4 Q. [10:07:40] My first question, Mr Ouébio: The author of this Facebook account,
5 Chris Behoundez, you know who the person behind this Facebook message is, or this
6 Facebook account?

7 A. [10:08:01] Yes, it's a friend.

8 Q. [10:08:06] And the name Ippy is mentioned in this message. What does
9 it mean?

10 A. [10:08:19] Sorry?

11 Q. [10:08:20] The name Ippy, you see the name Ippy in the last sentence of the
12 message from Chris Behoundez, that's time code 07:55:20.

13 A. [10:08:34] Where is that?

14 Q. [10:08:35] (Interpretation) "Ippy has to be wiped out completely".

15 A. [10:08:48] I just don't see it.

16 Q. [10:08:53] I think we have to scroll up a little bit. It's at time code 07:55:20 of
17 19 February 2014.

18 A. [10:09:30] Yes, I see it now, "Ippy has to be wiped out completely". Because
19 when I play cards, everybody represents their regions. For example, it was Ippy, he
20 comes from the -- Captain Wapounaba comes from the region of Ippy, and Beounde is
21 Berberati. So when we play cards, we try and win over the others. It's only a game,
22 and then we also have something to eat there. So these are terms we used when
23 playing cards.

24 Q. [10:10:21] If you, Mr Ouébio, go one sentence before, you see that this Chris
25 Behoundez -- could that, by the way, be Claude Beounde, your colleague in --

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1 A. [10:10:43] That's him, that's him.

2 Q. [10:10:46] Could it be -- the sentence which goes before the one I just mentioned,
3 you say: (Interpretation) "We continue the violent fighting".

4 A. [10:11:01] Yes, that's it. For the cards, we continue the fighting with the cards.
5 That's it.

6 Q. [10:11:14] If we continue this conversation, Mr Ouébio, I would like to show you
7 the entry, the same tab, 6662 at the very end, to 6663. The time code is 07:30:04, with
8 your response at time code 10:09:05. If you could be so kind to look at those two
9 messages from Mr Behoundez to you.

10 A. [10:12:43] Yes, I've read it.

11 Q. [10:12:47] In your response to your colleague, you say: (Interpretation) "Ippy
12 will never fall".

13 "... we landed in trouble three times yesterday".

14 A. [10:13:20] As I said, it's the inverse. When I play cards -- but yesterday, he was
15 beaten three times in a row, so when I say he has fallen three times in the flour, fallen
16 flat, that's what I'm referring to. That's just a way of saying things. He beat me
17 three times in a row.

18 Q. [10:13:52] Thank you, Mr Ouébio.

19 Now, I switch to another topic, which is a conversation between you and Mr Pedro
20 Barroso in March/April 2013, which, as is alleged before this Court, would show that
21 you were implicated in the return of Mr Bozizé to power through violent means.

22 Now, first of all, can you, Mr Ouébio, recall having had a conversation with Pedro
23 Barosso in 2013 in Yaoundé on this topic?

24 A. [10:14:44] Yes.

25 Q. [10:14:52] Can you first explain briefly to the Court who is this gentleman,

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1 Mr Pedro Barroso, and how did you know him before this whole conversation started?

2 And we'll go into the conversation in a minute, so bear with me. But, first of all, who
3 is this gentleman?

4 A. [10:15:13] Pedro Barroso is somebody who was with us in our plane in Bangui,
5 and we traveled a little bit all over the place together. He was a co-pilot on our plane.
6 We are friends on Facebook. And when the government fell, he left to Portugal, but
7 we kept up contact through friendship until I left Bangui for Yaoundé. And, as I
8 said, he left for Portugal, but we kept in touch like that.

9 Q. [10:16:10] Thank you, Mr Ouébio.

10 Since this is a really important topic before this Court, I'm going to go step by step
11 into the sequence of your contacts and the Facebook conversations with Mr Barroso.

12 My first question to you is: There's a Facebook conversation, it's the tab 28 of our
13 Defence binder, CAR-OTP-2131-3310, and the first entry I would like to show you,
14 Mr Ouébio, is the message at page 3319, 26 March 2013, apparently the time you were
15 at the Golf hotel, at time code 12:01:30.

16 You've seen it?

17 A. [10:17:37] Yes.

18 Q. [10:17:40] Now, we see here apparently that Mr Barroso approached you with
19 the proposal to provide a means to assist Mr Bozizé to take back power. My
20 question is did you know at that time that Mr Barroso really had access to any kind of
21 resources to assist the president of a country in re-taking power?

22 A. [10:18:10] I didn't know. Did he have the means or not? I only know that he
23 was a co-pilot, but more than that, I don't know.

24 Q. [10:18:30] Did Mr Barroso indicate at that time or later that he tried to get money
25 from the president, the former president, for this proposal?

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1 A. [10:18:58] According to what he said, he is the one who started the conversation
2 to tell us, "Look, there's someone in Angola who can help us to regain power."
3 That's what he said. And then I tried to explain the situation to him. Whether it
4 will be possible to carry it out or not, he came up with the suggestion, but I didn't say
5 this to the former president Bozizé. After he asked me to work with him, I took my
6 telephone as soon as he telephoned, and I phoned the former president, and those
7 two started communicating. Afterwards, he gave me back the phone, but he didn't
8 say anything to me. And afterwards, I hung up and continued playing cards. It's
9 Barroso who phoned me, but what happened afterwards, I don't know. I don't know
10 what happened, whether the president refused or not. Now, he continued to contact
11 me and -- and the rest went around in a circle with the president.

12 Q. [10:20:21] I would like to show you, in the second place, the entries which can be
13 found on page 3361, the same Defence tab 20 -- sorry, 28.

14 Do you see, Mr Ouébio, these Facebook conversations are four of them starting at
15 time code -- it's, by the way, 20 April 2013, 10:57:43 to time code 11:10:33. And
16 especially I ask your attention for the second one, your response to Pedro Barroso at
17 time code 10:58:17.

18 A. [10:22:01] Yes, I've read it.

19 Q. [10:22:05] Can you explain to us, Mr Ouébio, this second message where you
20 say: (Interpretation) "You want to retake the country".

21 A. [10:22:29] That's at my level. It's not the president who's talking. Pedro
22 Barroso wants to help, and at my level, I'm trying to find out what he wanted to do,
23 where he wanted to go. So I answered as a person myself, not on behalf of the
24 president. So, at my level, I tried to find out where he wants to go, at what level, and
25 that's how I reasoned. So it's at my level, it's me who's talking here, not the -- not the

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1 president. I want to see at what level -- where Pedro Barroso's going to take us. It's
2 what -- that's what I wanted to find out from him.

3 Q. [10:23:16] Did this conversation I just showed to you, did it happen before
4 Mr Barroso spoke with the president, the former president?

5 A. [10:23:39] It's after.

6 Q. [10:23:47] Did Mr Bozizé at that --

7 PRESIDING JUDGE SCHMITT: [10:23:51] Mr Vanderpuye?

8 MR VANDERPUYE: [10:23:53] It's not an -- it's not an objection, Mr President. I
9 think it's a translation issue. At transcript page 20, lines 10 through 12, Mr Knoops
10 read out the entry on Facebook referring to "*On veut reprendre le pays*" and it was
11 translated as "You want to retake the country" and I think that's an -- I think that's
12 erroneous.

13 PRESIDING JUDGE SCHMITT: [10:24:17] "We".

14 MR VANDERPUYE: [10:24:22] Yes.

15 PRESIDING JUDGE SCHMITT: [10:24:22] "We". Thank you very much,
16 Mr Vanderpuye.

17 Please, Mr Knoops, continue.

18 MR KNOOPS: [10:24:29]

19 Q. [10:24:30] Mr Ouébio, did Mr Bozizé actually tell you at any moment, you, as a
20 person, that he wanted to take back the country with force, with military force?

21 A. [10:24:47] No. This time, it's Pedro Barroso wanted to help. He made an offer
22 and I wanted to see what was going on and to see where he was taking us. It's my
23 level that I wanted to find out and talk with him. It's me, not the president. So it's
24 not the president who was involved, it was me. I wanted to see how far he would
25 take us.

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1 Q. [10:25:21] Mr Ouébio, you just answered my question whether you think this
2 conversation of 22 April in the morning, around 11, took place after or before the call
3 between Barroso and the president.

4 Now, if you would be so kind to look at the entries at page 3366 till 3367, that is the
5 same day, 22 April, in the evening, at 18:16:40, which you answered 18:27:53.

6 It seems to me, but correct me if I am wrong, that the call between Barroso and the
7 president took place after the exchange of the morning between you and Barroso.

8 A. [10:26:45] Yes, it's simple to find out, because there are dates. Just look at -- just
9 compare the dates. You can compare and you see the times and the hours.

10 MR KNOOPS: [10:27:08]

11 Q. [10:27:09] Right. Can you recall, Mr Ouébio, at a certain point in time - and this
12 was actually two days later - Mr Barroso promised to send a document with
13 conditions concerning how things should operate, in his view? Can you recall that
14 Mr Barroso suggested this?

15 A. [10:27:46] It's such a long time ago. Perhaps he suggested that, but what
16 happened after that, I can't remember any more. I can't remember.

17 Q. [10:27:56] Sir, could you please be so kind to look at the entry 3369. It's at time
18 code -- it's the date 24 April, two days later, at 13:02:57.

19 A. [10:28:48] Yes, I've read it, I've read it.

20 Q. [10:28:52] Can you recall, Mr Ouébio, whether this was a proposal from
21 Mr Barroso himself, to put such a document together?

22 A. [10:29:05] All this comes from him. He's written in that. Each time he asks, he
23 comes forward with suggestions. He tried to push things forward, but the others
24 didn't want to go ahead. The former president didn't want it.

25 Q. [10:29:30] Thank you. Well, let's go one day later. You confirm -- and I don't

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1 have to show it in time -- in light of the time. It's, for the judges, entry at 3374,
2 25 April at time code 20:20:15 where Mr Ouébio confirms that the president did
3 receive that document.

4 But I'm interested, Mr Ouébio, in the Facebook conversation which followed two days
5 later, 27 April. It's at page 3378.

6 After you have confirmed that the president got this document which was composed
7 by Mr Barroso, you exchange with Mr Barroso a Facebook message, which you can
8 find on your screen, 27 April, time code 09:48:19. I ask you kindly to read it,
9 Mr Ouébio, and once you've read it, I have a question to you about this entry.

10 A. [10:31:20] Yes, I've read it.

11 Q. [10:31:23] Now, what we see here - the way I understand it - that you apparently
12 ask Mr Barroso, on behalf of the president, the former president, whether he,
13 Barroso --

14 PRESIDING JUDGE SCHMITT: [10:31:42] Mr Vanderpuye?

15 MR VANDERPUYE: [10:31:43] I think the witness can read it, and if Mr Knoops
16 could not lead him to explain what he sees.

17 PRESIDING JUDGE SCHMITT: [10:31:49] Yes, that's true. Mr Knoops, in that
18 regard, Mr Vanderpuye is right. Simply ask the witness, what I suggested half an
19 hour ago, what we can make out of it, what the background is, what this means.
20 Please explain that to us, if you can, Mr Witness, that would be nice.

21 THE WITNESS: [10:32:14](Interpretation) As I wanted to say a moment ago, the
22 president refused the offer of Mr Barroso, such that he would persist.

23 Now, I took it into my hands to see at what level he was pushing us and everything
24 that I say there, that comes from me. That is to know where does he want to take us.
25 And everything that I did with the instructors -- asked about the instructors, is to say

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1 at what time is he pushing back. It's not the former president who is speaking, it's
2 me.

3 PRESIDING JUDGE SCHMITT: [10:32:47] Yes. Please go on, Mr Knoops.

4 MR KNOOPS: [10:32:51]

5 Q. [10:32:51] Was there a reason why you apparently took this conversation that far
6 that you were asking about instructors? What was the reason that you were
7 engaging in this way with Mr Barroso, if it's not coming from the president?

8 A. [10:33:16] What I said a moment ago is that they communicated by phone a long
9 time before. Now, the president is -- wasn't interested in the offer. And a short
10 time afterwards, he continued to push the button and then I could see, if the president
11 says he's in agreement, he has to come and see me and say, "You have to call him to
12 negotiate". And the president didn't want to any more. But because we played
13 cards, every time I answer at my level, I play cards and I see a message and I answer
14 it. And I'm the one who wanted to see at what level he wanted to come and do that.
15 It just came from me.

16 Q. [10:33:56] If you look, Mr Ouébio, at the entry at 3386, specific is the message of
17 1 May, so this discussion is apparently still going on, at 09:28:18. And can you
18 explain to the Court the meaning of that message?

19 A. [10:34:35] Mr Pedro expected in vain, yes. He expected in vain for the offer, for
20 the proposal, and he still writes to me saying that the person has reduced the loan,
21 and that's between him and me. I was speaking in a place of the president. That
22 was it. But he was waiting in vain. If the president was really interested, he was
23 the one who should try and find Barroso at any moment, but he didn't. And it was
24 Pedro Barroso who every time would contact me. And it was like he was harassing
25 me. It was a way of manipulating me to lose time. That was it.

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1 Q. [10:35:43] Was there a point in time where you wanted to stop the conversation
2 with Mr Barroso on this point, but he was continuing to propose things to you?

3 A. [10:35:54] In principle, when I don't reply, he waits in vain. He's the one who
4 attacks. Because I wanted to stop, but he's the one, every time, he comes back to the
5 front to propose things. I'm not the one who's going to find him. He's coming to
6 me.

7 Q. [10:36:22] So, at the end of the day, Mr Ouébio, this whole proposal concerning
8 military trainers didn't turn into something concrete, is that our understanding?

9 A. [10:36:32] No, no.

10 Q. [10:36:42] Was there a reason why you didn't say straightforward to Mr Barroso,
11 "Don't harass me anymore, don't bother me anymore with these proposals"? Why
12 were you from April to May actually prolonging this discussion with him? Why
13 don't you say directly "Stop"?

14 A. [10:37:01] Well, I couldn't just force his hand. I was just pushing the thing
15 further away. But every time he would come back to the front. But you don't keep
16 following me to negotiate something. He waits in vain and then he takes a step
17 forward and then he waits again and then he takes a step forward. But I wasn't
18 looking for it.

19 Q. [10:37:27] Thank you. Final question, Mr Ouébio, on this topic: If you would
20 be so kind to look at the entry which we can find on page 3426. It's a message from
21 Mr Barroso at 3 June 2013 at time code 08:57:17. That speaks for itself, I assume.
22 But if you then would go to the page 3428. You have to scroll up a little bit, court
23 officer. More up, *s'il vous plaît*. It's at time code 09:11:37. It's further up.
24 It starts with "*La Bozizé aurait*" -- yes, "*Le Bozizé aurait dû faire operation*", that entry.
25 (Interpretation) "Bozizé should have carried out the operation".

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1 A. [10:39:19] Yes, I'm reading it. What's the question?

2 Q. [10:39:22] Is this the confirmation that this whole idea of Barroso didn't manifest
3 itself in any concrete actions?

4 A. [10:39:46] Barosso found out that the former president had left for France, and as
5 he had left for France, he was regretting the fact that he hadn't tried to take power
6 through his offer. And then I said, "We're waiting to see what the follow-up".
7 That's just from me. It's not the former president who's part -- he left. So it was
8 before I took his place, so that's it. He's always waiting in vain, and he -- every
9 single time, he is the one who is coming.

10 Q. [10:40:22] Thank you, Mr Ouébio. That concludes, actually, this part of the
11 Facebook conversation.

12 Now, I move to a conversation with you and Mr Yann Martial Kangbazou ,
13 CAR-OTP-2133-3029, Defence tab 55.

14 There are several entries I would like to show to you, starting at the entry at
15 page 3030, 3039, 3057, and, in specific, the entry on page 3062 till 3063 of
16 11 May -- 13 May, *pardon*, 13 May 2013 at time code 11:48:51.

17 PRESIDING JUDGE SCHMITT: [10:42:15] Now one after the other. 3030 first.

18 MR KNOOPS: [10:42:47] The first one for the Court and Mr Ouébio -- yes -- no, stop,
19 please. It's at time code -- one up, one up.

20 PRESIDING JUDGE SCHMITT: [10:42:53] 09:21:27.

21 MR KNOOPS: [10:42:57] Yes, "*les tractations*" indeed. That's the first one,
22 Mr Ouébio, to look at --

23 PRESIDING JUDGE SCHMITT: [10:43:05] What does that -- Mr Ouébio, what does
24 that mean: "*Vraiment mon frère, le Boss est dans les tractations*"?

25 THE WITNESS: [10:43:16](Interpretation) That means there is research, so he's a

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1 colleague from the army in Bangui. He's in Bangui and I was in Yaoundé, and we
2 worked together and he was the one who contacted me and we had an exchange.
3 And when I talk about *tractations* - in French - which could be negotiations or dealings,
4 it doesn't come from him, it comes from me. I'm the one who put it like that.

5 MR KNOOPS: [10:43:45]

6 Q. [10:43:45] So the word "boss" is, you say, referring to a colleague of you here in
7 this context?

8 A. [10:43:52] What I'm saying, the boss, that means the boss, "*le patron*", the boss.
9 But I didn't say who it was, I just said boss.

10 PRESIDING JUDGE SCHMITT: [10:44:06] But you meant? You know, there can
11 only be -- normally, there can only be one boss. So who did you mean with the boss,
12 to make it clear?

13 THE WITNESS: [10:44:24](Interpretation) Well, I was referring to former president
14 Bozizé, but, in reality, he wasn't with me. All I'm saying is -- just comes from me,
15 Mr President.

16 PRESIDING JUDGE SCHMITT: [10:44:31] Well, I just wanted a confirmation. It
17 was clear from what you said, also earlier -- also yesterday already, that the
18 boss -- when you refer to the boss, it's always Mr Bozizé. That's clear. Just for the
19 record, Mr Witness, yes.

20 Mr Knoops, please continue.

21 MR KNOOPS: [10:44:49]

22 Q. [10:44:49] Then the second entry would be on 3057, where it mentions contacts
23 at a high level, and that is the time code 08:14:32.

24 A. [10:45:30] Yes.

25 PRESIDING JUDGE SCHMITT: [10:45:31] So, Mr Vanderpuye will not object to my

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1 question: Is the authority also the same person, the boss?

2 THE WITNESS: [10:45:45](Interpretation) Indeed.

3 PRESIDING JUDGE SCHMITT: [10:45:46] Thank you.

4 MR KNOOPS: [10:45:49]

5 Q. [10:45:50] And, Mr Ouébio, did you have any information that time what type of
6 context -- contacts you refer to here?

7 A. [10:46:01] Unfortunately, it just comes from myself, but I don't have any proof.
8 I say to my interlocutor, I'm saying, "The boss is in negotiations and is doing contact
9 at a higher level". But I didn't see him, I just said it like that.

10 Q. [10:46:24] Thank you, Mr Ouébio.

11 Now, the last one is the entry at page 3062 to 3063, time -- 13 May 2013, time code
12 11:48:51, also referring to "*le Boss*".

13 A. [10:47:09] Yes, I'm listening.

14 Q. [10:47:13] Also here the question is, Mr Ouébio, what was the foundation, the
15 source of this information you put in this Facebook message?

16 A. [10:47:30] I continue to tell you, unfortunately, I don't have a source, but
17 sometimes it just comes from my head. I just say, well, there are things that are
18 happening, in particular, in Bangui. In Bangui at a particular time, there was, what
19 we call it, the Seleka who -- the Anti-Balaka who were close to Bangui. Everybody
20 was aware of that. Even my family were also in Bangui. They were calling me to
21 say, "Look, there's -- they're getting closer, the Balaka are getting closer to Bangui."
22 Everybody was aware of it, so also myself, I was informing -- getting information.
23 There are things that are happening. That's it.

24 PRESIDING JUDGE SCHMITT: [10:48:14] Mr Witness, do we understand it
25 correctly when -- the person with whom you had the conversation, Mr Martial

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1 Kangbazou, when he mentions the movement, does he mean the Anti-Balaka or does
2 he mean any other movement?

3 THE WITNESS: [10:48:35](Interpretation) If I understand it well, he said that he
4 himself, he left his domicile and he lives in another neighbourhood. He's hiding,
5 and he's saying there is a movement somewhere. That's what I understand.

6 PRESIDING JUDGE SCHMITT: [10:48:49] And do you recall - we understand this is
7 11 -- was 11 years ago, more than 11 years ago - do you recall, or what was your
8 understanding of the movement at that time, if you had any?

9 THE WITNESS: [10:49:07](Interpretation) He's going on a trip. He's changing
10 position. He's travelling. From where he was living, the Seleka were looking for
11 him to kill him, and as he was hiding -- so he was moving from one place to another.
12 He was hiding somewhere. That's what I understand from it.

13 PRESIDING JUDGE SCHMITT: [10:49:26] Okay. Yes, I understand.
14 Mr Knoops.

15 MR KNOOPS: [10:49:30]

16 Q. [10:49:30] Did you, Mr Ouébio, at that time have information that Mr Bozizé
17 was in contact or trying to make contact with several heads of state in Africa to find a
18 solution for the crisis?

19 A. [10:49:51] I wasn't -- wouldn't be able to verify that.

20 Q. [10:50:04] I would like to show you tab 47. It's a conversation between you and
21 Leger Le Lourd, CAR-OTP-2132-5849 at 5855 till 5856.

22 PRESIDING JUDGE SCHMITT: [10:50:31] Who is this person, Mr Witness,
23 Mr Ouébio? Leger Le Lourd, who is this?

24 A. [10:50:39] It is my brother-in-law.

25 PRESIDING JUDGE SCHMITT: [10:50:43] Thank you.

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1 MR KNOOPS: [10:50:49]

2 * Q. [10:50:49] It's at tab 47 of our Defence binder. And attention should be paid,
3 Mr Ouébio, specifically to the message, 24 May 2013, time code 08:01:11. I ask you
4 kindly to read it. So here my question will be about your source of information.

5 A. [10:51:41] I'm the one who replies just like that.

6 If you would allow me, with a lot of hindsight, I took a lot of risk to answer in the
7 place of the president, whereas in reality, we weren't speaking any more - almost
8 not - and do you know why? Every time I spoke with assurance and confidence, I
9 don't know why at the time, but now, with him as my superior, I can see I acted
10 wrongly. I took -- I confirmed things that I didn't know, whereas in reality it wasn't
11 good and, unfortunately, I answered in this way. Unfortunately, I respond like this.
12 In no case did I have exchanges with the president to reply like this, but he would tell
13 me things to confirm, but unfortunately, at the time, I wrote it like this, unfortunately.
14 That's it.

15 Q. [10:52:53] Yes. Thank you, Mr Ouébio.

16 MR KNOOPS: [10:52:58] Mr President, before the break, I would like to go into one
17 of the observations by yourself about the terminology "boss" before I move on to the
18 next topic.

19 Mr Ouébio, there is -- there are several Facebook entries which I would like to show
20 you to explain to us in which context the term "boss" was sometimes used. The first
21 one is a conversation in tab 29 of our Defence binder, CAR-OTP-2131-3585 at 3609 till
22 3610.

23 It's an exchange between you and a certain Tanguy Gildas Dit-Montin Mayah of
24 16 September 2013. You see in this exchange, if you could read it, it ends to the time
25 code 22:03:12.

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1 PRESIDING JUDGE SCHMITT: [10:55:08] Specifically at the end, again, not "a boss",
2 but "the boss" is mentioned. So is this again Mr Bozizé -- was this again Mr Bozizé,
3 in your understanding, Mr Witness?

4 THE WITNESS: [10:55:23](Interpretation) I don't see where it is.

5 PRESIDING JUDGE SCHMITT: [10:55:24] We have to go at 22:03:12. Yes.

6 THE WITNESS: [10:56:07](Interpretation) Well, he spoke to me about the boss.
7 Tanguy speaks to me about the boss. But you have to look at the context a bit
8 further up here. So that I'm able to understand it, we have to go up.

9 PRESIDING JUDGE SCHMITT: [10:56:29] Yes. Yes, stop, stop. This, okay, is not
10 so important, but a little bit up, please. Thank you. So, if you read this in context,
11 Mr Witness, what can you tell us about this conversation?

12 THE WITNESS: [10:56:54](Interpretation) There is a serious problem at this moment,
13 perhaps to leave the MICOPAX forces work -- the forces of peace at the Central
14 African Republic. They are working so that they can remain discreet. But what
15 was spoken about first, a bit further up, because this is the information that -- Tanguy
16 gives me this information and I tried to understand it.

17 PRESIDING JUDGE SCHMITT: [10:57:34] So we cannot go through the whole
18 conversation but, indeed, since we have this on the screen, it's fair to the witness to go
19 a little bit more up, which would be, I think, another page. Perhaps from here.
20 So this should explain, or not, the serious problem.

21 THE WITNESS: [10:58:15](Interpretation) Yes. It's Tanguy who is greeting me and
22 giving me information with regards -- because he's a civilian. He speaks about "*les*
23 *corps*". I don't know. *Macabé*, I don't know. The Seleka are rare, so he's saying the
24 Seleka are rare in the town, the town of Bangui, and then he says, "Yes".

25 PRESIDING JUDGE SCHMITT: [10:58:45] Mr Knoops, I think --

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1 MR KNOOPS: [10:58:47] Well, the crux of the question was whether the witness
2 agrees or not agrees here with the term "le Boss", Mr Bozizé is not referred to.

3 A. [10:59:04] Well, I don't know what boss he's speaking about. He's in Bangui.
4 He's a civilian. He's in Bangui. I'm in Yaoundé. When he speaks about "the boss",
5 it comes from him, it doesn't come from me. I'm not the one who can explain "boss"
6 in his stead. Does he want to speak about Djotodia? Who does he want to speak
7 about? I don't know.

8 PRESIDING JUDGE SCHMITT: [10:59:23] I think that makes sense, Mr Witness.
9 Indeed, we have I think found out during the first session that the witness, at
10 least -- when the witness refers to "the boss" and to "the authority", the witness means
11 Mr Bozizé. This does not necessarily mean that everybody else who is speaking of
12 "the boss" means Mr Bozizé.

13 Let's have the break until 11.30.

14 THE COURT USHER: [10:59:46] All rise.

15 (Recess taken at 10.59 a.m.)

16 (Upon resuming in open session at 11.33 a.m.)

17 THE COURT USHER: [11:33:10] All rise.

18 Please be seated.

19 PRESIDING JUDGE SCHMITT: [11:33:25] Mr Knoops, you still have the floor.

20 MR KNOOPS: [11:33:30]

21 Q. [11:33:36] Mr Ouébio, good morning again.

22 I will continue with the Facebook messages on the contentious issue whether or not
23 you had information on Mr Bozizé wanted to retake power.

24 First, I would like to show you at tab 20, that's CAR-OTP-2099-7606 at 7643 till 7644.

25 It's tab 20 in our Defence binder.

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1 It starts with an article you share on 12 October and then there is a conversation with
2 you and Henri Grothe.

3 First, I would like to show you this article which is dated 13 October 2013, time code
4 02:43:16 in the morning. Article of Centrafrique.

5 If the court officer could go please to the next page. Yes.

6 A. [11:36:57] Yes.

7 Q. [11:37:00] Based on this article, suggesting that Mr Bozizé would like for sure to
8 take advantage of the chaos and retain his influence, Mr Grothe says in the entry of 13
9 October time code 07:35:07 - if you could read it, please - that Mr Bozizé indeed wants
10 to take advantage of the situation.

11 And then, and that's my point for you, Mr Ouébio, you say in the response entry
12 07:43:09:

13 (Interpretation) "Hello, Henri. Precisely!"

14 My question, Mr Ouébio, is, what did you mean with "Precisely," "*Exactement*"? It
15 could suggest that you were in agreement with that analysis in the newspaper article?

16 PRESIDING JUDGE SCHMITT: [11:38:30] Well, "precisely" suggests that, indeed, so
17 I think that's not -- that's self-evident.

18 What did you mean, Mr Witness, when you say "the ball is in his camp", for example?

19 I think that's, in that context, perhaps more prone to interpretation than the word
20 "precisely".

21 THE WITNESS: [11:38:57](Interpretation) I answered Henri Grothe: exactly, the ball
22 is in the court of the former president. I answered Henri Grothe, but I did say that
23 the ball was in his camp. I was just responding to Henri Grothe.

24 PRESIDING JUDGE SCHMITT: [11:39:18] Mr Knoops, I think we can leave that
25 because it's clear that this is an article that expresses some opinion, and the witness

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1 says "Well, yes, I agree with that".

2 MR KNOOPS: Yes.

3 PRESIDING JUDGE SCHMITT: [11:39:29] At least with the interpretation by
4 Mr Grothe.

5 MR KNOOPS: [11:39:34] Yes.

6 Q. [11:39:36] For the record, Mr Witness, but you didn't have any information that
7 indeed Mr Bozizé at that time in October was trying to retake power, as suggested in
8 this article?

9 A. [11:39:53] No, I didn't have information relating to what you've just said.

10 Q. [11:40:04] In this article, a mention is made of (Interpretation) ... a fund for the
11 order -- reconstitutional order in the Central African Republic, FROCCA.
12 Did you at that time, Mr Ouébio, have any information on what was -- FROCCA was
13 exactly, what it was about?

14 A. [11:40:38] No, we just read -- we wrote -- the term "FROCCA", we knew it
15 existed, but I didn't really know what -- how it was made up. But I just answered
16 like that. I was reading the newspapers and I saw that and according to what people
17 said to me.

18 But I just answered Henri Grothe, but I didn't really have an idea of how he -- or if he
19 would take power. It's just what I read in the newspapers and that's how I answered
20 Henri Grothe. But I never had an idea whether François Bozize had the intention of
21 taking power again. I just said that the ball was in his camp.

22 Q. [11:41:39] Did you receive at that time through your source, your interlocutors,
23 any information that this entity, FROCCA, was involved in military operations in the
24 field leading up to the attack on 5 December 2013 to Bangui?

25 A. [11:42:04] No. I didn't have any information along that line.

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1 Q. [11:42:13] There are several Facebook conversations in this regard between you
2 and a person who introduced himself as Ludovic Ledo.

3 Can you recall that gentleman, and if so, can you --

4 A. [11:42:37] Yes.

5 Q. [11:42:39] -- explain to the Court who he was, according to your information?

6 A. [11:42:47] I got to know Ludovic Ledo. As he published a lot of things, I was
7 interested in what he's publishing and I often read what he published.

8 Q. [11:43:05] Did he have, according to your information, a liaison with this entity,
9 FROCCA?

10 A. [11:43:14] I couldn't know. He just produced articles, I read them, I was just
11 interested in finding out -- I just saw what he was publishing and I read it.

12 Q. [11:43:35] Could I show you, Mr Ouébio, the conversations I referred to which
13 can be found in our Defence binder tab 37, CAR-OTP-2132-1004 at 1018.

14 It starts -- these are conversation on 18 November 2013, starting with your Facebook
15 account on the 21:36:45.

16 Excuse me, it's page 1018. Excuse me, Mr President.

17 1018. There, Mr Ouébio, you can find the conversation with Monsieur Ledo. I will
18 ask you to read the four entries from 21:36:45 till 21:39:00.

19 A. [11:45:32] Yes, I've read it.

20 Q. [11:45:36] Maybe we can also go to the next page.

21 If you could stop reading, Mr Ouébio, at page 1019.

22 A. [11:46:38] Yes.

23 Q. [11:46:40] The last entry time code 21:43:57. So in total there are eight -- eight
24 entries; so I would like to ask you to read them.

25 PRESIDING JUDGE SCHMITT: [11:47:14] So Mr Knoops, specifically you are

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1 interested in this entry, 21:43:57?

2 MR KNOOPS: [11:47:24] I have especially the one starting with time code 21:36:45
3 where Mr Ouébio says that he --

4 PRESIDING JUDGE SCHMITT: [11:47:38] A bit further up, please.

5 MR KNOOPS: [11:47:40] Yes.

6 (Interpretation)"So far, I don't know how we're going -- what we're going to do to
7 chase that animal. A foreign force or how should we do it".

8 Q. [11:47:59] My question to you, Mr Ouébio, it's indeed reflecting the level of
9 information you had at that time; namely, no information. Right?

10 A. [11:48:19] Concerning what?

11 Q. [11:48:21] What was happening in the country and what Mr Bozizé was doing or
12 not?

13 A. [11:48:34] You know, everything happened according to rumours. All the
14 information I had was based on rumours. There was nothing tangible. So we
15 asked questions, "What's going to happen?"

16 I think I've answered your question.

17 PRESIDING JUDGE SCHMITT: [11:48:52] I also think, Mr Knoops, this is also
18 self-explanatory.

19 MR KNOOPS: [11:48:58] Yes.

20 Q. [11:48:58] Secondly, I draw the attention to the Facebook conversation at
21 21:41:53 of Mr Ledo. He mentions in the last sentence there are only six
22 communications which FROCCA apparently issued.

23 My question to you is, did Mr Ledo at any point in time say to you what type of
24 activities FROCCA undertook, apart from the six communiqués?

25 A. [11:49:51] He talked about the six communiqués, but he's the one who counted

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1 the number of communiqués. Not me.

2 Q. [11:50:11] Did Mr Ledo share any information with you at any point in time that
3 FROCCA - apart from apparently sending communiqués - did something else than
4 those communiqués?

5 A. [11:50:30] Everything is in our conversations on Facebook. Beyond that, if
6 there would be another conversation, you could see it. This is what exists, what you
7 see on the screen.

8 Q. [11:50:45] Mr Ouébio, I move now to another topic concerning the level of
9 information which was circulating in 2013 on the self-defence movements.
10 Can you, perhaps before we start showing you Facebook information, tell the Court
11 what type of information did you have in the second half of 2013, where it concerns
12 the existence and/or operations of self-defence groups in the Central African Republic?
13 What type of information was circulating on this subject?

14 A. [11:51:43] Thank you. In response, as I just said to you already a little earlier,
15 all of Bangui knew that Seleka was there and everybody was trying to organise
16 themselves within the country. These were rumours that were circulating
17 everywhere. It's all the Central Africans who were looking desperately for
18 information. We looked at left and right to see what was happening in the country
19 and that was my sources.

20 Q. [11:52:21] So you don't consider yourself a person who was very directly
21 informed about what was going on with self-defence groups in 2013? There was no
22 direct information at your part or you were not in direct contact with any of those
23 groups; right?

24 A. [11:52:47] That is correct.

25 Q. [11:52:52] Let me then go to the first Facebook message, it's at Defence tab 54.

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1 CAR-OTP-2133-2450 at 2456 till 2457.

2 It's a conversation between you and a certain individual with the name of an
3 interlocutor Toiz Toiz or --

4 A. [11:53:25] Toiz Toiz.

5 Q. [11:53:27] Toiz. *Pardon*, Toiz Toiz.

6 First of all, who is this gentleman or lady with whom you communicated?

7 A. [11:53:40] It is -- is somebody who lives next to the house of my mother, but he
8 now lives in France.

9 Q. [11:53:48] You know where at the time of the events, second half 2013, this
10 individual, where he lived, where he was physically?

11 A. [11:54:00] In France, always in France. I don't know if it's in France or
12 elsewhere, I can't remember anymore.

13 Q. [11:54:12] Could you, Mr Ouébio, read the entries. There are, in total, eight
14 entries starting at time code 08:54:36, starting with "*mais nous est pret*" till the time
15 code 08:58:01.

16 Yes, it's correct, there are two separate pages so maybe the scrolling can be somewhat
17 slowed down for the witness.

18 PRESIDING JUDGE SCHMITT: [11:55:33] Yes, we stop here, I think.

19 MR KNOOPS: [11:55:37]

20 Q. [11:55:37] Have you read it, Mr Ouébio?

21 A. [11:55:42] Yes, I've read it.

22 Q. [11:55:43] I ask your attention for the second entry you just were shown. That's
23 the entry at 08:55:10.

24 So if the court officer could go to that entry of Toiz Toiz.

25 Saying: (Interpretation) "The population supports the new movement called SIRIRI

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1 which came from OBO."

2 And your response is that:

3 (Interpretation) "You have to find a means very quickly to get -- to get them out of the
4 country."

5 A. [11:56:40] *Oui*.

6 Q. [11:56:43] My question to you is, did you at that time of this fait accompli ever
7 hear about the Siriri movement?

8 A. [11:57:00] No, I've never heard of that. He just informed me about it of those
9 who came from Obo. Remember, I was in Yaoundé. He was in Bangui and he was
10 telling me at that very moment about it.

11 Q. [11:57:24] If we then go to your entry at 08:56:48 where you say:

12 (Interpretation) "The military or soldiers will take the initiative".

13 My question, Mr Ouébio: what was the basis of your remark to Mr -- the interlocutor
14 responding to a movement you were not aware of, Siriri, and you say: Well, the
15 military should take the initiative?

16 A. [11:58:18] What I said here is that people are suffering, and, according to me, I
17 said in the worst of cases, the military will take the initiative; that's what I said.

18 Q. [11:58:37] Did you -- at that time, did have any concrete information through
19 your sources that the militaries - I take it the FACA, former FACA members - were
20 intending to chase the Seleka out of the country with these type of groups like Siriri?
21 Was that information brought to your attention by any of your sources?

22 A. [11:59:20] I think, no. At a certain point of time, the army was dissolved by the
23 Seleka and all the soldiers went into hiding, they became civilians and hid. They
24 were under pressure. So at a certain point, regardless of the conditions, they would
25 try and defend themselves and that's why I said the military would take that initiative

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1 if something would happen.

2 Q. [11:59:58] Maybe you remember, Mr Ouébio, that in September 2013, you
3 shared a press article on your Facebook account concerning the alleged existence of
4 a self-defence group of about 300 people in the Ouham region.

5 I would like to show you first, the document and then ask you a question about that.
6 It's Defence tab 44, CAR-OTP-2132-4841 and it's at pages 4871 till 4872. And it's the
7 time code 19:21:25.

8 PRESIDING JUDGE SCHMITT: [12:02:58] So I think we can scroll down now until
9 20:02:26, I think.

10 When you have finished, Mr Witness, perhaps you can tell us what's the background
11 for this conversation?

12 THE WITNESS: [12:03:44](Interpretation) Well, where it concerns the publication, I
13 read a publication and Danboy, he asked me a question. He said, "Read what I saw
14 by way of information." And I sent it to him as I usually do. I sent it to him.
15 He read it, and afterwards, he asked me a question and what I said: "I've got no idea
16 with regards to the situation of the Ugandans."

17 And I said: "Commander Eric came to provide 2,000 francs to -- 200,000 francs to
18 Sosthène for the food."

19 And Sosthène was the cook.

20 MR KNOOPS: [12:04:38] Mr President, it was not actually the question we had in
21 mind with the Facebook entries, it was --

22 PRESIDING JUDGE SCHMITT: [12:04:45] It doesn't matter, you can still put your
23 question to the witness.

24 MR KNOOPS: [12:04:48] Yes.

25 PRESIDING JUDGE SCHMITT: [12:04:49] It's not that it's precluded, it's just, you

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1 know, I want things to move forward and then we have of course, I understand you
2 let the witness read also these articles, but this costs a lot of time. Actually, I hope
3 this is not too often on your list, anymore --

4 MR KNOOPS: [12:05:08] This is my last one.

5 PRESIDING JUDGE SCHMITT: [12:05:09] But for the context for the witness, I
6 understand it. It's absolutely -- but please put your question, yes, of course.

7 MR KNOOPS: [12:05:19] Thank you.

8 Q. [12:05:20] Mr Ouébio, this type of information which you shared with others
9 was the -- could you say that this type of information was circulating a lot in those
10 days about several groups operating? The strength, payments -- whatever?

11 A. [12:05:47] Well, there were several different publications and when you read it,
12 this is what I got from it. I got this information and I was contacted and I said, "Read
13 it." I said, "Read it." When Junior contacted me and he asked me about the
14 situation of the Ugandans, "How is it?" And I say, "No idea with regards to the
15 situation of the Ugandans."

16 And I said, "Furthermore, Commander Eric came to give us 200,000 francs for the
17 food."

18 That's what I said.

19 PRESIDING JUDGE SCHMITT: [12:06:24] I think we can really move on. This does
20 not -- this seems to be barely relevant actually.

21 MR KNOOPS: [12:06:35] No, the question for us was -- for the witness:

22 Q. [12:06:36] Whether you were in a position at that time to verify this type of
23 information, like this specific information on the existence of alleged self-defence
24 groups and the number of soldiers or members who were engaged in military
25 operations?

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1 A. [12:07:03] Thank you. As usual, I told you that I receive information just like
2 that. I can't check it. And if there is an interlocutor who's interested in it, I say,
3 "Read it, and that's what I've got by way of information, read it."
4 You know, it's up to you, and I don't know what's happening everywhere. I can't
5 measure it, so I'm not able to verify everything because I was in Yaoundé. I wasn't
6 in the field, and, as such, I'm not able to verify everything myself.
7 That's it.

8 Q. [12:07:38] I just want to show you also for the record, a Facebook message tab 59,
9 CAR-OTP-2133-6767 at 6795. Time code 09:36:45.
10 You've seen it, Mr Ouébio, and read it?

11 A. [12:08:22] Yes, I'm just reading it. If you could go up, slightly. Yes, I've read
12 it.

13 Q. [12:09:11] Now, we've seen this Facebook entry that you told your interlocutor,
14 Sakama Freddy Johnson, that rumours were circulating about unidentified forces
15 advancing towards Bangui. My question is: what was the purpose of sharing this
16 type of information which was, as it says, "rumours"?
17 Why -- knowing these were rumours, why were you and others still sharing that type
18 of information? For you, what was your purpose?

19 PRESIDING JUDGE SCHMITT: [12:10:05] Mr Vanderpuye.

20 MR VANDERPUYE: [12:10:06] I think Mr Knoops saved the question with the last
21 part of it, but he should put to the witness what the witness intended as opposed to
22 other people.

23 PRESIDING JUDGE SCHMITT: [12:10:17] Yes.

24 Mr Witness, why did you share this kind of information with -- actually, it's a very
25 basic question and I think I would have an answer, but Mr Knoops wants to know.

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1 Please, put it on the record, why did you share such information with other
2 people -- or even rumours, whatsoever?

3 * THE WITNESS: [12:10:44](Interpretation) Unfortunately, I've always said our
4 country is in danger and when anything happens, you get rumours which are
5 circulating and we also share because we want to know if it's true, and everybody
6 shares the rumours as they wish. I know there are rumours but has the person been
7 able to check it and the say I don't know? In any event, what I said was only to share
8 with people what's happening left and right or here and there. That's my answer, I
9 don't know if it's clear.

10 PRESIDING JUDGE SCHMITT: [12:11:18] I think it's clear, Mr Witness.
11 Mr Knoops, I think further Facebook entries so to speak or conversations which also
12 contain clearly expressed rumours and things like that, I don't think you necessarily
13 would have to put this to the witness because the witness has several times - and with
14 the last answer - clearly expressed what the reason for circulating such information
15 was.

16 But of course only when it's, let's say, on the same level, yes? Let me put it this way.

17 MR KNOOPS: [12:11:56] Yes.

18 Q. [12:11:57] There is one specific entry I would like to go through with you,
19 because -- well, it might not be rumours or not -- we don't know.

20 But this is an entry which seems quite relevant to our case.

21 At tab 31, CAR-OTP-2131-5407, it's an exchange between you and Fidele Castro,
22 a conversation on 8 August 2013.

23 First of all --

24 PRESIDING JUDGE SCHMITT: [12:12:39] Well, you know, it's a long day. Who is
25 this Fidele Castro?

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1 MR KNOOPS: [12:12:42] Yes.

2 PRESIDING JUDGE SCHMITT: [12:12:43] But this Fidele Castro, yes? In bold
3 letters.

4 THE WITNESS: [12:12:54](Interpretation) Well, it's been a long time so I've forgotten
5 his pseudonym. I don't know who I was referring to, but I'd have to read the
6 context - the conversation so that I'd be able to discern that. Because people don't
7 put their proper name on it, so it's difficult -- it's difficult to know who it is, but
8 through the conversation I can remember who it was.

9 PRESIDING JUDGE SCHMITT: [12:13:17] Well, this is, again, an article that is
10 shared. Do we really have to let --

11 MR KNOOPS: [12:13:25] No, it's not an article.

12 PRESIDING JUDGE SCHMITT: [12:13:26] It's not an article?

13 MR KNOOPS: [12:13:27] No. It's in total seven Facebook entries, starting at
14 page 5462.

15 PRESIDING JUDGE SCHMITT: [12:13:36] Okay, yes.

16 MR KNOOPS: [12:13:38] Until 5463. The time code is 14:56:58 running to time code
17 15:05:56. A total of eight entries.

18 THE WITNESS: [12:14:54](Interpretation) You have to go up a bit. No, sorry, you
19 have to go down.

20 Yes, I've read it.

21 MR KNOOPS: [12:15:15]

22 Q. [12:15:16] My question, Mr Ouébio, is, in relation to the entry, it's 15:05:00 where
23 Mr Castro refers to:

24 (Interpretation) "In principle the word of the order will come from your position,
25 would it not?"

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1 A. [12:15:57] Yes, that's what he said.

2 Q. [12:16:01] Do you have any idea what he meant with this?

3 A. [12:16:07] Well, he said that it would come from our position, from Yaoundé.

4 That's what he wanted to say. The order would come from -- or the password. But
5 that's -- and we say it's true. So we're waiting for it and that's what we're expecting
6 at the moment.

7 Q. [12:16:33] Your answer is:

8 (Interpretation) "It's true, we're waiting. We're playing cards."

9 A. [12:16:44] *Oui*.

10 Q. [12:16:48] Did it refer to the departure of Mr Bozizé - "We're waiting for the
11 order" - or, did it refer to something else?

12 A. [12:17:02] At the time, Mr Bozizé wasn't in Yaoundé. He said that the order
13 comes from Yaoundé, and I said: "Well, I'm going to answer it's true, we're waiting
14 and we're playing cards" and that's it.

15 Q. [12:17:19] But, you have no idea what Mr Fidele Castro meant with "*le mot*
16 *d'ordre*"?

17 A. [12:17:32] He's the person who said it. I just replied like that. The message
18 comes in and I answer, I just say:

19 "It's true, we are waiting. We are playing cards."

20 That's what I replied. But that comes from me. I'm the one who answered him in
21 that way.

22 PRESIDING JUDGE SCHMITT: [12:17:53] Mr Vanderpuye, perhaps a bit late but
23 still, you have --

24 MR VANDERPUYE: [12:17:57] I hope not. In relation to your question about who
25 is this individual, I will just refer the Chamber and also my colleague, Mr Knoops, to

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1 page 5411 of this conversation, where the witness refers to his interlocutor by the
2 name of "Steve".

3 And also at 5465, where he does the same in at least two different occasions and
4 perhaps that might facilitate his recollection.

5 PRESIDING JUDGE SCHMITT: [12:18:26] Well, perhaps I can help him with that.
6 So we have heard that, Mr Witness.

7 When Mr Vanderpuye says that on other occasions he's referred to this Fidele as
8 "Steve", does that ring a bell who the interlocutor could be?

9 THE WITNESS: [12:18:45](Interpretation) Steve Yambeté, I remember now.

10 PRESIDING JUDGE SCHMITT: [12:18:52] Thank you. So this was not an
11 objection Mr Knoops -- now, I'm also confused now, "Mr Vanderpuye", obviously.
12 Well, Mr Knoops, it's all these different Facebook messages back and forth in time; so
13 I'm also starting to get confused a bit actually.

14 MR KNOOPS: [12:19:10] There are lots of Facebook messages, Mr President.

15 PRESIDING JUDGE SCHMITT: [12:19:12] Yes, it's okay, please continue. I just
16 want to lighten the mood a little bit.

17 MR KNOOPS: [12:19:20]

18 Q. [12:19:21] Mr Ouébio, there is a Facebook conversation, I think it's the same
19 Defence tab, tab 31, and it is 21 November -- it's 21 November 2013 at time code
20 16:16:02.

21 Ms Giudici will find the exact page.

22 It's page 5507, excuse me for the delay, Mr President.
23 5507. Time code again 16:16:02.

24 Mr Ouébio, could you please read that entry.

25 A. [12:22:18] Yes, I've read it.

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1 Q. [12:22:21] Can you indicate to the Court what you meant with the second
2 sentence of this Facebook entry?

3 A. [12:22:46] It was with regard to rumours, as I said. It was said the boss had
4 called because of the discussions and that's what I confirmed. But the boss hadn't
5 called or anything. I'm the one who says with regards to rumours that I've heard,
6 he's called. But I say that he called to give instructions, but these are rumours.
7 These are still rumours.

8 Q. [12:23:13] There's a Facebook conversation in tab --

9 PRESIDING JUDGE SCHMITT: [12:23:17] May I shortly stay with this tab.
10 Can we go just one page up to 5506, and entry 21 November at 16:10. And you see
11 that you say:

12 (Interpretation) "When you called me, there was Mokom and Ngaïssona next to me."
13 You can read it for yourself.

14 What's the background of this entry or this part of the communication?

15 THE WITNESS: [12:23:59](Interpretation) Yes, on that day, I think Mokom and
16 Ngaïssona -- well, perhaps they were next to me and suddenly I couldn't say -- I
17 couldn't tell you anything. That's what I said.

18 PRESIDING JUDGE SCHMITT: [12:24:18] And 21 November, where have you been
19 there, exactly? Can you -- I think you have told us already, but can you please --

20 THE WITNESS: [12:24:29](Interpretation) I was in Yaoundé.

21 PRESIDING JUDGE SCHMITT: [12:24:30] Thank you.

22 Mr Knoops.

23 MR KNOOPS: [12:24:40]

24 Q. [12:24:40] Did you at that time hear or were aware that Mr Bozizé would have
25 called Mr Ngaïssona to give him instructions while being in Yaoundé?

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1 A. [12:24:55] No.

2 Q. [12:25:01] Were you aware or not that Mr Ngaïssona at that time was in contact
3 with Mr Bozizé by phone?

4 A. [12:25:13] But if it was by telephone, how could I know that? If they're on the
5 phone? How would I find out? How would I know?

6 Q. [12:25:21] If you were with Mr Ngaïssona at that time?

7 A. [12:25:33] No, I didn't follow that.

8 Q. [12:25:35] Now I would kindly ask you, Mr Ouébio, to look at a Facebook
9 conversation between two persons, Perrieur Moteme Dongombe and Rod Larry
10 Martial Gallaut of 21 October. It's Defence binder tab 27, CAR-OTP-2102-3799 at
11 3859. The time code is 23:32:50. There are four entries, and specifically the third
12 one of Rod Larry Martial Gallaut of the time stamp -- time code 23:38:44 is of
13 relevance.

14 PRESIDING JUDGE SCHMITT: [12:26:59] I think we can make this quick.

15 So you're not part of the conversation, Mr Witness, but it's mentioned a "pilot of the
16 boss".

17 Could that be you or was that your colleague?

18 THE WITNESS: [12:27:13](Interpretation) I don't know, it's up to him to answer.
19 I -- I wouldn't know.

20 PRESIDING JUDGE SCHMITT: [12:27:20] Well, since there was a pilot and
21 a co-pilot, it's open, but it could be that the witness is not even the one who is really
22 mentioned here.

23 Please continue, Mr Knoops.

24 MR KNOOPS: [12:27:32] Well, for the Court's reference, the Prosecution has
25 suggested in its bar table motion that this pilot would likely be Mr Ouébio.

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1 Q. [12:27:44] Mr Ouébio, I ask you: did you ever say these things to Mr Gallaut as
2 mentioned here in this entry?

3 A. [12:27:54] It's possible. If it's me, I don't know. But what I did know is that
4 from Bangui, so everybody in Bangui knew that Bangui was surrounded and that
5 there were would be clashes between the Seleka and the Anti-Balaka. Everybody in
6 Bangui knew that. Everyone knew, so it's possible.

7 Q. [12:28:37] We're speaking here in the time frame of October 2013. You're
8 saying, Mr Ouébio, that already in October of that year, information was spread
9 around that certain elements were advancing to Bangui or that Bangui should be
10 encircled.

11 Was that the information you already had in October 2013?

12 A. [12:29:08] As I told you, Bangui knew that the Anti-Balaka were surrounding
13 Bangui. They were coming on foot. And this is what people knew in Bangui, and,
14 as I knew, there was confrontations. That's the reason why I said that. I knew that
15 they were getting close, and that there would be a confrontation somewhere one day.

16 Q. [12:29:39] My question is: could it be -- would it be right that that information
17 already existed in October 2013?

18 PRESIDING JUDGE SCHMITT: [12:29:50] Mr Vanderpuye.

19 MR VANDERPUYE: [12:29:52] I think this is the third time Mr Knoops tries and
20 the witness has answered the question.

21 PRESIDING JUDGE SCHMITT: [12:29:59] Yes.

22 Mr Knoops, really you can move on, please.

23 MR KNOOPS: [12:30:04] (Microphone not activated)

24 PRESIDING JUDGE SCHMITT: [12:30:06] Microphone, please.

25 MR KNOOPS: [12:30:08]

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1 Q. [12:30:09] Could you please, Mr Ouébio, be so kind to look at a Facebook entry
2 in Defence tab 56, CAR-OTP-2133-3149 at 3151. It's a Facebook entry of 3 November
3 2013, at time code 11:45:51. Message from you sent to Andre Lenanguy.

4 A. [12:31:28] Yes, I'm listening.

5 Q. [12:31:30] First question: What was the source of this information for you?

6 A. [12:31:42] What information are you referring to?

7 MR KNOOPS: [12:31:45] I don't think the witness has been shown the correct entry.

8 Q. [12:31:49] You should go up, time code 11:45:51, starting with:

9 (Interpretation) "Not only, they're moving forward towards the border."

10 A. [12:32:10] Yes. Am I supposed to be looking at the first entry?

11 Q. [12:32:21] Yes.

12 PRESIDING JUDGE SCHMITT: [12:32:22] Where did you have this information
13 from? Was it a rumour that was circulating or was it something -- you know, was it,
14 Mr Witness, something that you heard by a person that you recall, whatsoever?

15 THE WITNESS: [12:32:40](Interpretation) As I've already said, they were rumours.
16 We heard this, and then I just passed on what I heard. They were rumours that were
17 flying around that we heard that they were leaving to go to the border.

18 MR KNOOPS: [12:33:02]

19 Q. [12:33:03] Mr Ouébio, there are several - and, I'll save the time - of these entries
20 where you say in that time frame that "Our men were progressing to the border."
21 We find also in tab 20 for the Court, CAR-OTP --

22 PRESIDING JUDGE SCHMITT: [12:33:26] I think that's okay, you can do it this way,
23 yes. Just for the record, put it on the record and I think if it is really similar
24 information, then we can simply proceed without showing everything to the witness.

25 MR KNOOPS: [12:33:39] Correct.

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1 PRESIDING JUDGE SCHMITT: [12:33:40] And the witness will tell us: Well, I have
2 told you several times already. Gets upset, which we don't want.

3 MR KNOOPS: [12:33:49] No.

4 Q. [12:33:50] Speaking about upset, Mr Witness -- Mr Ouébio, I understand that
5 you might feel uncomfortable speaking about certain things, but I have to give you
6 a chance to explain these Facebook messages. You understand? You said also
7 before the break that in hindsight, you have second thoughts about several of them.
8 So our examination is in no way meant to attack your integrity, sir.

9 PRESIDING JUDGE SCHMITT: [12:34:27] No, but the witness has understood that, I
10 think. We have a witness and he was called by the Defence, and the witness
11 obviously understands that.

12 MR KNOOPS: [12:34:33] Yes.

13 PRESIDING JUDGE SCHMITT: [12:34:34] Mr Witness, you want to say something?
14 Please.

15 THE WITNESS: [12:34:38](Interpretation) Yes, Mr President. I want to say that
16 everything I was saying there came from me because there were rumours circulating,
17 and when I have exchanges with a correspondent, I also told them what I heard. But
18 they were rumours. Because when you see it like this, it looks like I have committed
19 myself to something, but in reality when I heard something, I just shared the
20 information or the rumours that I heard.

21 So all I did was, "Oh, I heard this" and I passed it on.

22 It's not that I'm affirming something or that I'm aware or certain; in reality, that's not
23 the case at all.

24 PRESIDING JUDGE SCHMITT: [12:35:23] So since we are on it, Mr Knoops, I think
25 it --

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1 Mr Witness, then were you involved in these, let's say, in these actions or what you're
2 talking here about? Were you -- in some way, were you apart of it, so to speak, in
3 a generic way?

4 THE WITNESS: [12:35:47](Interpretation) Thank you, Mr President. I was never
5 associated with anything as far as this is concerned. But when I received
6 information, I just shared it, I passed it on on Facebook, that's all. But if I was
7 committed to something, the answer is no.

8 PRESIDING JUDGE SCHMITT: [12:36:07] Thank you.

9 Mr Knoops, I think this could perhaps mean that you don't have to ask every question
10 and put every Facebook entry to the witness you have here on your list.

11 MR KNOOPS: [12:36:20] Yes, I will benefit from the break, Mr President, to revise
12 my last part. I can really, I think, skip certain entries.

13 PRESIDING JUDGE SCHMITT: [12:36:28] Since we are on this, is there a realistic
14 chance that you might finish in the afternoon?

15 MR KNOOPS: [12:36:36] Yes, there is. I can finish today.

16 PRESIDING JUDGE SCHMITT: [12:36:38] Okay, that's good. Would it assist you if
17 we have the break now or am I too quick now?

18 MR KNOOPS: [12:36:45] No, if I could have just one question to --

19 PRESIDING JUDGE SCHMITT: [12:36:48] Of course.

20 MR KNOOPS: [12:36:49] -- Mr Ouébio. And I forgot to give the Court the
21 reference.

22 PRESIDING JUDGE SCHMITT: [12:36:53] Indeed, yes.

23 MR KNOOPS: [12:36:56] The second reference is CAR-OTP-2099-7606 at 7656. It's
24 tab 20 of the Defence binder. Also 3 November, time code 11:46:56 of the
25 Facebook of Mr Ouébio.

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1 Q. [12:37:26] My last question, Mr Ouébio, on this point before the lunch
2 break - and then after the lunch break I will go into two last topics, and then finish,
3 hopefully, at the end of the day, that's the plan - there is a Facebook conversation.
4 It's -- I think it's the same Defence tab 20, this one. Yeah, it's the same. It's at 7672,
5 7673.

6 It's an entry of you of 27 November where you inform Mr Grothe -- well, read the
7 entry.

8 PRESIDING JUDGE SCHMITT: [12:38:35] Could it be that it is on another tab?
9 Because 20 finishes at 776 --

10 (Trial Chamber confers)

11 PRESIDING JUDGE SCHMITT: [12:38:46] It's okay? Okay, my colleague helps me.
12 Yes, it's fine. He will help me out. Thank you.

13 Yes, we have it on the screen, I think.

14 THE WITNESS: [12:39:03](Interpretation) Yes, I've read it. There's a -- if there's
15 another page, I don't know.

16 MR KNOOPS: [12:39:11]

17 Q. [12:39:12] We have to scroll up a little bit to the -- down, sorry, down to -- and
18 the next --

19 A. [12:39:17] I've read everything.

20 Q. [12:39:20] Well, the next page continues with the relevant entry:

21 (Interpretation) "They continue their progression so that they'll be there latest on
22 Friday."

23 And also here, Mr Witness --

24 A. [12:39:41] *Oui*.

25 Q. [12:39:42] -- can you tell us from whom you got this information that individuals

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1 in Cameroon were descending with a lot of men to Bangui to get there on Friday at
2 the latest?

3 A. [12:40:08] It's always the same answer, it's rumours. I don't have a reliable
4 source to confirm. It was rumours that we shared.

5 MR KNOOPS: [12:40:25] Still I had to ask it, Mr President, so --

6 PRESIDING JUDGE SCHMITT: [12:40:28] No, no, really because this was more
7 specific and it was closer to the events, I understand that, that's okay.

8 MR KNOOPS: [12:40:35] Mr President, I would ask the permission of the Court to
9 have the break now and then I can revise my last part of the examination --

10 PRESIDING JUDGE SCHMITT: [12:40:42] Then let's say, let's have the break until 2
11 o'clock. I think that's good enough with everyone.

12 MR KNOOPS: [12:40:49] Yes.

13 PRESIDING JUDGE SCHMITT: [12:40:50] Till then.

14 THE COURT USHER: [12:40:51] All rise.

15 (Recess taken at 12.40 p.m.)

16 (Upon resuming in open session at 2.02 p.m.)

17 THE COURT USHER: [14:02:34] All rise.

18 Please be seated.

19 PRESIDING JUDGE SCHMITT: [14:02:47] Good afternoon.

20 Mr Knoops, please, you have the floor.

21 MR KNOOPS: [14:03:02] Thank you, Mr President. Good morning -- good
22 afternoon, everyone, sorry.

23 Q. [14:03:09] Mr Ouébio, my plan is to touch upon several topics on the sources of
24 your Facebook and then also we'll go to the information around 5 December. I try to
25 finish at 4, so bear with me.

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1 First of all, I would like to show you a Facebook message, which is tab 31 of our
2 Defence binder, CAR-OTP-2131-5407 at 5412. It's again a conversation between your
3 Facebook account and Mr Fidele Castro. It starts -- it's a Facebook conversation from
4 23 June, entry time code 00:49:22, where you say: (Interpretation) "The occupation of
5 the north of" (Overlapping speakers)

6 And that entry follows by three entries up to time code 00:56:16. So these four
7 entries I ask you to read, sir, and when you've read it, let it known to me and I have
8 some questions to you.

9 A. [14:05:13] Yes, I've read it.

10 Q. [14:05:14] First of all, did Mr -- or the author of the Facebook account, Fidele
11 Castro, ever explain to you what his source was that the north was occupied, of the
12 CAR, in June 2013?

13 A. [14:05:37] No, he didn't explain that to me.

14 Q. [14:05:51] Second question is: The entry at 00:56:16, can you explain to us, if
15 you know, what Fidele Castro meant with the last sentence of that entry:
16 (Interpretation) "That's called the war of the old waves. Above all, it's true what I
17 say"?

18 A. [14:06:34] Yes, by that he meant that there were messages of intimidation, then
19 also messages of victory. So he called it to war over the airwaves, that's -- or
20 something like that.

21 Q. [14:06:57] Did that also reflect your experience in those days, what happened on
22 social media?

23 A. [14:07:07] Could you repeat your question?

24 Q. [14:07:12] Was this also your experience about what happened, what you saw
25 on social media, this media war?

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1 A. [14:07:29] Well, during all wars, it's called the war of the airwaves. One side
2 calls out that they have won; the other side also calls out saying that they have won.
3 So that's what he was explaining to me.

4 Q. [14:07:52] I'd like to show you tab 42, CAR-OTP-2132-4240 at page 4270. It's a
5 conversation between you and an individual with the name Dex-Steve Goyeko. First
6 of all, can you explain to us who this gentleman is, this individual?

7 A. [14:08:30] He's a brother -- when I was in Portugal, well, he was a priest in
8 Portugal, and when I was there, we were friends. And when I went back to Bangui,
9 we kept in touch on Facebook.

10 Q. [14:08:47] Could you read for us, Mr Ouébio, the Facebook conversation
11 between you and him on 24 August 2013? It's Defence binder tab 42,
12 CAR-OTP-2132-4240 at 420 -- 4270, 4270. It's an entry about the city Boda, which
13 would have fallen into the hands of a new rebellion. Starting on 24 August 2013,
14 that's the date of the exchange, time code 10:34:13, starting with your request, "*Bonjour*
15 *Dex, tu as les nouvelles de Boda*". And that spans six entries up to 16:54:36. Could
16 you please read it, Mr Ouébio?

17 A. [14:10:31] Yes, I've read it.

18 Q. [14:10:35] Apparently you say to Mr Goyeko that the information he gave you
19 about Boda was false and these were rumours. Can you explain how you received
20 that information that Mr Goyeko provided you with false information? How were
21 you able to check that?

22 A. [14:11:03] Well, his younger sister was working in a -- well, for an
23 ONG -- correction, an NGO in Boda. I don't know exactly how he did it, but he was
24 able to contact his little sister and he went back to Bangui. He told me that, and
25 apparently it was true, but it could have been rumours. That's my answer.

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1 Q. [14:11:38] Could you please look at the last entry I asked to display, that's the
2 entry with time code 16:54:36, where Mr Goyeko answers: (Interpretation)
3 "Ultimately, it is *l'intox*"?

4 A. [14:12:13] Yes.

5 Q. [14:12:13] Can you explain to us, if you can, what the reference means, "*l'intox*"?

6 A. [14:12:33] That it's false information.

7 Q. [14:12:35] Mr Witness, can you recall that the same person, the same interlocutor
8 or source of information on Facebook, this Mr Goyeko, gave you at another occasion
9 information about the firing of a minister of interior, Binoua Josue in December 2013?

10 A. [14:13:09] I don't remember exactly. I don't know.

11 Q. [14:13:14] Could you look, *s'il vous plaît*, at the Facebook conversation of
12 12 September 2013. I said December 2013, it's September 2013. Time code 11:07:46,
13 and your response, and the reaction of Mr Goyeko at time code 11:09:11.
14 It's, I believe, the same tab, it's Defence binder tab 42, at page 4278 - 4278 - time stamp
15 starting 11:07:46.

16 A. [14:14:40] Scroll up.

17 PRESIDING JUDGE SCHMITT: [14:14:59] Mr Knoops, your question, please.

18 MR KNOOPS: [14:15:01] Yes.

19 Q. [14:15:02] Mr Ouébio --

20 A. [14:15:04] Yes, I'm listening.

21 Q. [14:15:07] I have now shown you two examples whereby Mr Goyeko provided
22 you information on Facebook, which you didn't confirm. Can you recall that
23 Mr Goyeko at any point in time reported to you that the Anti-Balaka had burnt down
24 a mosque in Bangui?

25 A. [14:15:37] That's possible, but it was a long time ago. I don't remember. If the

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1 information is there, I can read it and give you an answer.

2 Q. [14:16:01] But you would agree with me that the information Mr Goyeko
3 provided you on several occasions was, according to your sources, not correct; it was
4 actually false?

5 A. [14:16:22] He was in Portugal. He was in touch with his family in Bangui.
6 He's an -- a priest. Since we were friends, he contacted me and he gave me some
7 information, and I said apparently it's not true. I gave my opinion, because I hadn't
8 yet had a confirmation.

9 PRESIDING JUDGE SCHMITT: [14:16:51] I think Mr Knoops, really, you can move
10 on. It's also the information that the person was in Portugal, that puts also
11 everything into perspective.

12 MR KNOOPS: [14:16:59] Of course. Yes.

13 Q. [14:17:00] Mr Ouébio, another question is to clarify one sentence in a Facebook
14 conversation which can be found in tab 35 of the Defence binder CAR-OTP-2131-7091
15 at 7126 till 7127.

16 This is a Facebook conversation between you and a person with the name Degani
17 Alain Florentin. Could you please be so kind to look at the entries starting from
18 12:47:34, it's a Facebook entry from this individual, Florentin, up to time code
19 13:04:46.

20 A. [14:18:30] Could you scroll up, please?

21 Q. [14:19:05] We can stop at the bottom of this page because it's about --

22 PRESIDING JUDGE SCHMITT: [14:19:08] I also suggest that we stop.

23 MR KNOOPS: [14:19:10] -- the last entry, 13:04:46, which starts with: "*Oui mais il*
24 *me semble t'il la cyber rébellion qui est en train de tromper beaucoup de personnes*"

25 A. [14:19:29] Yes.

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1 Q. [14:19:31] My question, Mr Ouébio, what did you refer to by saying "cyber
2 rebellion"?

3 A. [14:19:46] By that, I meant people who put misinformation on the web to
4 deceive people.

5 Q. [14:20:05] Thank you.

6 Now, I have three different entries I would like to show to you, which all relate to
7 Bossangoa.

8 Maybe I ask the assistance of the Court. I can do it per Facebook entries. There are
9 three sets. The context is that they relate to three different dates upon which
10 Bossangoa would have fell.

11 PRESIDING JUDGE SCHMITT: [14:20:33] Then I would -- then I would separate
12 them.

13 MR KNOOPS: [14:20:36] Yes.

14 Q. [14:20:37] Mr Ouébio, could you please be so kind to look first at the tab 35 of
15 our Defence binder, pages 7140-7141, where Mr Deganai tells you that Bossangoa has
16 definitely felled or taken over on 9 December 2013, which would come from a
17 credible source. It starts at time code 19:53:48, Deganai writes this there. Do you
18 see the third entry, 19:54:38, that you ask about the source, and his answer.

19 PRESIDING JUDGE SCHMITT: [14:22:09] Your question -- your question,
20 Mr Knoops?

21 MR KNOOPS: [14:22:12] I would like to show the three entries together and then --

22 PRESIDING JUDGE SCHMITT: [14:22:15] Okay, good.

23 MR KNOOPS: [14:22:17] -- come to the question.

24 Q. [14:22:19] The second example, second Facebook conversation, is in tab 41,
25 CAR-OTP-2132-3569 at 3610 and 3611. You speak with Polele Polele?

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1 A. [14:22:53] Yes, but --

2 Q. [14:22:55] Sorry, it's not the -- sorry, no, it's at tab 62. Apologies, 62,

3 CAR-OTP-2133-7723 at 7728-7729. That's a conversation between you and Boris

4 Danboy, 17 September.

5 Apologies for the misunderstanding, Mr President.

6 The entry starts at 22:32:17, also about Bossangoa.

7 So the -- you see here that your exchange with Mr Danboy, the information that

8 several days later, 17 November -- 17 September, Bossangoa was under control.

9 PRESIDING JUDGE SCHMITT: [14:24:14] Of whom?

10 MR KNOOPS: [14:24:15] "*Sous notre contrôle*".

11 PRESIDING JUDGE SCHMITT: [14:24:17] What does -- what does "our control"

12 mean?

13 THE WITNESS: [14:24:26](Interpretation) By that, I mean the Anti-Balaka.

14 PRESIDING JUDGE SCHMITT: [14:24:30] Okay. Mr Knoops, and the third entry?

15 MR KNOOPS: [14:24:33]

16 Q. [14:24:33] And then the third entry is at 7735. Several days later,

17 20 September 2013, you exchange again about Boris Danboy information about

18 Bossangoa. It's the time code 11:12:08, and your response at 11:13:07. And you say,

19 on 20 September, several days after the 12th, "Bossangoa is under our control".

20 So I've shown you now three, in time, different examples where, according to your

21 information, Bossangoa would have fallen into hands of the Anti-Balaka in September,

22 three different occasions, three different Facebook conversations with different people.

23 What is your response to --

24 PRESIDING JUDGE SCHMITT: [14:26:02] That's not a question. That's not a

25 question.

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1 Mr Witness, again, we have here, Mr Witness - this is the Presiding Judge - again, we
2 have here three different dates in September 2013 - 9 September, 17 September,
3 20 September - and in all of these conversations, there is talk about if Bossangoa has
4 been taken by the Anti-Balaka or not.

5 Do you recall what kind of information -- where the source of this information came
6 from when you discussed this with, for example, Boris Danboy?

7 THE WITNESS: [14:26:42](Interpretation) Thank you, Mr President.

8 These were people I was speaking with who were giving me information. I was
9 curious. I wanted to know what the problem -- was this reliable? So that's why I
10 was always asking has this been checked? I had doubts. Is that true or not? But
11 it's not -- it wasn't -- it wasn't for me to give them information, they were giving me
12 information, but they weren't certain of their information either. They were saying,
13 oh, well, that they were going to check. So each time they would be saying that they
14 would have to double-check. That's my position, Mr President.

15 PRESIDING JUDGE SCHMITT: [14:27:34] Thank you.

16 Mr Knoops, I think you can move on.

17 MR KNOOPS: [14:27:36]

18 Q. [14:27:39] Mr Witness, finally, according to your assessment, that information on
19 these three occasions was not correct, in hindsight, because we all know that
20 Bossangoa didn't fell in September 2013; do you agree?

21 PRESIDING JUDGE SCHMITT: [14:27:56] Mr -- before you answer, Mr Vanderpuye.

22 MR VANDERPUYE: [14:28:00] First of all, it's a leading question. The second thing
23 is that everybody knows that Bossangoa was in conflict during that period of time
24 and it's unclear that the individual conversations were put to the witness.

25 PRESIDING JUDGE SCHMITT: [14:28:11] Yes, yes.

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1 MR VANDERPUYE: (Overlapping speakers)

2 PRESIDING JUDGE SCHMITT: [14:28:13] I think you're right.

3 But, Mr Knoops, I try to save it. Let me put a question to the witness.

4 So, as I said, these are conversations from September 2013. Later on, did you come
5 to know if this -- if Bossangoa has fell into the hands of the Anti-Balaka and at what
6 point in time? Did you get -- receive this information later, verified information on
7 that matter, and when it happened?

8 THE WITNESS: [14:28:52](Interpretation) Thank you, Mr President. As usual,
9 these were rumours. Each time we got information, sometimes it wouldn't be
10 confirmed. To say that -- how could I check things? I was in Yaoundé, and the
11 people in Bangui, or people in Europe or elsewhere in the world would give me
12 information, but when I got the information, I wasn't in a position to confirm the
13 information. I would get the information, as such, and sometimes I would ask them,
14 "Is that for sure." And the person would say that they weren't sure and they would
15 check, and that would be the end of it.

16 So, we were monitoring the radio, the television. Sometimes it was the radio that
17 confirmed the information. That's my answer to you, Mr President.

18 PRESIDING JUDGE SCHMITT: [14:29:44] Thank you.

19 I know, Mr Knoops, but with regard what really happened in September 2013, the
20 witness does not know, in Bossangoa. The witness does not know it. We have a lot
21 of evidence on the record that we will and you have to assess, and you will write
22 about it, probably, and Mr Vanderpuye and the team will write about it, probably, in
23 their closing briefs. So we -- we need not ask the witness further on what happened
24 on the ground, because we know that, or at least we have the evidence before us --

25 MR KNOOPS: [14:30:22] Of course.

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1 PRESIDING JUDGE SCHMITT: [14:30:23] -- to figure it out.

2 MR KNOOPS: [14:30:25] For the Court's assistance, for the record, we would like to
3 refer to Prosecution Witness P-0966, CAR-OTP-2031-0241-R01 at paragraph 54, and
4 Prosecution witness P-2453, CAR-OTP-2111-0415 at paragraph 49, about the falling of
5 Bossangoa. That's for the assistance of the Chamber, not for the witness.

6 Q. [14:31:01] Mr Witness, Mr Ouébio, speaking about Bossangoa, there is a
7 Facebook conversation which is in tab 35 of the Defence binder, CAR-OTP-2131-7091
8 at 7151. I ask you kindly to read this. This is a conversation between you and the
9 same person, Deganai Alain Florentin, on 12 September 2013, starting time code
10 19:01:20, about the youth in Bossangoa, and your exchanges with him up to time code
11 19:08:21.

12 Please indicate to me when you have read those entries, and I have a question to you.

13 A. [14:32:43] Please move up again.

14 Okay, I've finished reading.

15 Q. [14:32:57] My question to you, Mr Ouébio: Did you ever receive any contacts
16 for these youth mentioned by Deganai Alain Florentin in Bossangoa, or did you ever
17 call them or ask for their contact details, whatever follow-up might have been the
18 case?

19 A. [14:33:27] In fact, he explained the matter to me and I asked if contacts had been
20 made with Bossangoa, and he answered me and said, no, he didn't have the contact
21 details, and I said that if I encountered Levy Yakete, I could check to see what he
22 could do.

23 Q. [14:34:07] But, as far as you know, was there any follow-up on these Facebook
24 exchanges, in concreto?

25 A. [14:34:17] No. No, no, unfortunately not.

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1 Q. [14:34:26] Then I have a question on a Facebook exchange and I ask you to
2 explain it to us, because there is, in the litigation, confusion of how to read that
3 Facebook exchange. It's to be found in tab 50, CAR-OTP-2132-6685 at 6686. It's an
4 exchange between you and one of your former colleagues, Fred Ulysse Kongbondo.
5 It's time code 11:52:02.

6 A. [14:35:22] Yes.

7 Q. [14:35:23] First of all, who is exactly Fred Ulysse Kongbondo?

8 A. [14:35:39] Fred Ulysse Kongbondo is a young soldier who helped me when it
9 came to maintenance of the helicopter in Bangui. When we left, he stayed in Bangui.

10 Q. [14:36:00] Do you know to which base he is referring to in his message at
11 11:52:02 -- sorry, no, in general --

12 PRESIDING JUDGE SCHMITT: [14:36:15] In general, what does --

13 MR KNOOPS: [14:36:17] -- what does the --

14 PRESIDING JUDGE SCHMITT: [14:36:18] Mr Witness, what does "base" mean in
15 this conversation? It seems to be clear, but please tell us for the record, what does
16 "base" mean?

17 THE WITNESS: [14:36:33](Interpretation) The term "base" here means the Bangui
18 airbase. That's where the helicopter was located and that's where we had our spare
19 parts, et cetera, in the hangar. So when I say "base", I'm talking about the airbase in
20 Bangui.

21 MR KNOOPS: [14:36:58]

22 Q. [14:36:58] If you look, Mr Ouébio, to the entry at page 6696 and 6697, in specific
23 at time code 18:20:25 --

24 PRESIDING JUDGE SCHMITT: [14:37:26] That's 6697, for the Court.

25 MR KNOOPS: [14:37:31] Yes, 6697.

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1 Q. [14:37:41] You have seen it, sir?

2 A. [14:37:52] Yes, I'm in the process of reading it. Could we move up?

3 Okay, I've read it now.

4 Q. [14:38:25] At the time of exchanging this Facebook conversation, Mr Ouébio,
5 was, at that time, the air force base in the control of the Seleka?

6 A. [14:38:40] Affirmative.

7 Q. [14:38:47] And can you explain to us whether your colleague, Mr Kongbondo,
8 when he is speaking about supply of weapons to Bouar and Bombari, if he did refer to
9 the supply of weapons to the Seleka or the Anti-Balaka?

10 A. [14:39:16] There, he's explaining to me what is going on at the airbase, which is
11 under the control of the Seleka, and they are gaining supplies for their troops in
12 theatre, and that's what he's explaining to me here.

13 Q. [14:39:41] Thank you, Mr Ouébio.

14 I go to my last topic, which is the events surrounding the 5 December attack.

15 PRESIDING JUDGE SCHMITT: [14:40:07] Perhaps it might assist, because we have
16 touched this already in passing, if we ask Mr Ouébio some general questions.

17 Of course, you are aware of the 5 December attack on Bangui. Were you in contact
18 with any of the people on the ground?

19 THE WITNESS: [14:40:31](Interpretation) Thank you, your Honour.

20 In Bangui, I often called my wife who talked to me not only about the

21 neighbourhood - that is to say, the Jean XXIII Cité at the bottom of the hill, towards

22 the north of the city of Bangui - but behind the hill, the Anti-Balaka were coming

23 down the hill, even going through my compound, so they were making progress,

24 heading for the town centre. So she explained that to me, she said there, the

25 Anti-Balaka are in the process of penetrating into the city of Bangui. So I would ring

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1 my wife and she would explain things like that. Sometimes I would also contact
2 certain military colleagues to get information over WhatsApp and they would tell us
3 the same. That's what happened, your Honour.

4 PRESIDING JUDGE SCHMITT: [14:41:37] And to pick up on the last -- the end of
5 your answer, those military colleagues you knew, were they part of the Anti-Balaka,
6 to your recollection?

7 THE WITNESS: [14:41:53](Interpretation) It was Kangbazou, he was the one who
8 trained me. He was a member of the regular forces. Unfortunately, they were
9 dispersed in the different neighbourhoods and it is he who would give me the
10 information.

11 PRESIDING JUDGE SCHMITT: [14:42:14] Thank you.

12 So, Mr Knoops, from there we can perhaps look at one of the other Facebook entries.

13 MR KNOOPS: [14:42:23] Thank you, Mr President.

14 Q. [14:42:24] Mr Ouébio, first of all, can you recall that in the preceding days before
15 5 December 2013, there were protests on the street -- more specifically, that an
16 ultimatum was given to Mr Djotodia to step down?

17 A. [14:42:55] Now, that's tricky. I don't remember exactly. It's difficult to say.
18 I'm not sure whether that is true or not. I don't recall.

19 Q. [14:43:17] I understand, no problem, Mr Ouébio.

20 Can you recall that the 1 December celebrations, the independence day celebrations in
21 the CAR, in Bangui, were cancelled because of security concerns?

22 A. [14:43:41] Yes. It was evident, because everybody in Bangui knew that the
23 capital had been surrounded, and how could you have a celebration in such
24 circumstances. That was -- would have jarred, it would have been celebrating while
25 being under threat and that really didn't make sense.

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1 Q. [14:44:13] I'd like to show you, just to point to the Court, also, of the time frame
2 of this information, to our Defence tab 20, CAR-OTP-2099-7606 at 7674 to 7675. It's
3 an exchange between you and Mr Henri Grothe on 28 November, starting with the
4 time code 07:35:29 up to 07:43:24. So, we are speaking about 28 November, and I ask
5 the attention of everyone, and especially the witness, to the last entry of 28 November,
6 07:43:24.

7 PRESIDING JUDGE SCHMITT: [14:46:06] Well, again, it's about information that
8 was flowing around, obviously, Mr Knoops.

9 MR KNOOPS: [14:46:13] Yes. My point is, Mr President --

10 PRESIDING JUDGE SCHMITT: [14:46:15] Your point, exactly.

11 MR KNOOPS: [14:46:17]

12 Q. [14:46:17] So, there was information in the public domain that around
13 28 November, the city was encircled in order to oust the Seleka, can you confirm that?

14 A. [14:46:40] Yes, Bangui -- everybody in Bangui knew that the Seleka -- rather, the
15 Anti-Balaka had surrounded the city of Bangui, and that information was available to
16 us from our contacts in Bangui. If we were on the telephone with them, they said,
17 "Yes, Bangui has been surrounded". My own wife confirmed it.

18 PRESIDING JUDGE SCHMITT: [14:47:11] I think the witness has already said
19 something to that effect, so I think we can continue. Not even Mr Vanderpuye has
20 objected to your leading question.

21 MR KNOOPS: [14:47:24] Well, that's always good news.

22 PRESIDING JUDGE SCHMITT: [14:47:27] Yes, you know I want to --

23 MR KNOOPS: [14:47:30] Yes.

24 PRESIDING JUDGE SCHMITT: [14:47:31] -- as I said, lighten the mood a bit.

25 MR KNOOPS: [14:47:34] Yes.

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1 Q. [14:47:35] Mr Ouébio, you already confirmed, but I still would like to show you
2 a Facebook conversation in the same vein of 28 November, sent by you, but my
3 question will be different. It's tab 46 of our Defence binder, CAR-OTP-2132-5088 at
4 5093. Could you please be so kind to read it, the time stamp, time code 20:27:52,
5 starting "*Je vais bien merci*". Do you see that, Mr Ouébio?

6 A. [14:48:48] Yes, yes, I have it.

7 Q. [14:48:51] So, apart from your information indeed that on 28 November already
8 it was public knowledge that the Anti-Balaka, or whatever elements you may call
9 them, encircled the city, you say: (Interpretation) "Our men have surrounded Bangui".
10 My question to you, what did you mean with "*nos hommes*", "our men"? You have
11 used it in several Facebook accounts and I think now is the moment to ask you to
12 explain, because on various locations in your Facebook exchanges you use the words
13 "our men". I can imagine that in this Court there are questions on what you meant
14 with "our men", and I give you an opportunity to explain it to the judges, Mr Ouébio.

15 A. [14:49:59] Okay. When I say "our men", it is those who were not the Seleka.
16 The Seleka were occupying the country and were killing people. It was the
17 resistance that had surrounded Bangui. That's why I said "our men". It's because
18 they were the people who were there to drive out the Seleka. That's what I meant by
19 "our men".

20 Q. [14:50:24] So, for you, it was everyone who was opposing against the Seleka, in
21 general; it is not that you belonged to a certain force at that time?

22 A. [14:50:51] Well, I sympathised with the Anti-Balaka movement because they
23 were resisting actions taken by the Seleka in the city of Bangui. So when I said "our
24 men", if you like, it's a spiritual position. That's why I refer to them as such.

25 Q. [14:51:21] Mr Ouébio, still speaking about events surrounding 5 December and

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1 1 December, can you remember that on 1 December, a few days before the
2 5 December operation, you had an exchange with Boris Danboy that certain actions
3 had been pushed to Tuesday, 3 December, because some elements had a delay around
4 Bouali? If not, I can refresh your memory, if you wish, because we have in our
5 possession a Facebook -- maybe we can directly show, in order to gain time. It's
6 Defence binder --

7 PRESIDING JUDGE SCHMITT: [14:52:32] Yes, I think we show it directly to the
8 witness. Indeed, this saves time.

9 MR KNOOPS: [14:52:35] Thank you, Mr President.

10 Q. [14:52:36] Tab 62 of the Defence binder, CAR-OTP-2133-7723 at 7784, and the
11 time stamp, time code relevant, you see, 1 December 2013, 23:15:07, your message to
12 Boris Danboy, and then the three entries following. I ask you to read, Mr Ouébio, till
13 time code 23:19:40, especially the last one.

14 A. [14:53:52] Yes, I've read it. So, as regards the information and who gave it to
15 me and the information that I received in Bangui, basically, the attacks had been
16 postponed because some people had been held up in the vicinity of Bouali and they
17 needed to march on, and that is what I was relaying here. They had to march on to
18 get to Bangui, you see.

19 Q. [14:54:22] Would you say that this information was available in the public
20 domain at the time that the attack initially was planned, on a certain day, but delayed,
21 like you mentioned here?

22 A. [14:54:47] It was information, it was rumours, things one would hear. I would
23 hear those things and I would say them too. Of course, that's the problem. I'm not
24 sure of it, but I did say it, because I, too, had heard this and I shared what I had heard.

25 Q. [14:55:06] On the same note, I'd like to show you tab 20 of our Defence binder.

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1 It's a Facebook conversation between you and Henri Grothe, CAR-OTP-2099-7606 at
2 page 7682. It's an exchange about the early hours of 2 December, and if you can read
3 the time code from 04:25:21 till your answer at time code 04:58:03 where you say:
4 (Interpretation) "At the point in time that Bangui will be attacked, Bouar will be too".

5 PRESIDING JUDGE SCHMITT: [14:56:25] Again, Mr Witness, if you recall, where
6 did you get this information from?

7 THE WITNESS: [14:56:39](Interpretation) It was from my contacts, the people who I
8 was in contact with also by telephone, they would say that with me. I was in contact
9 with Henri Grothe. Sometimes by telephone, one would receive such information
10 and then I had this discussion with Henri Grothe.

11 MR KNOOPS: [14:57:05]

12 Q. [14:57:07] Did you at the time, 2 December, get the information that an attack on
13 Bouar indeed would have taken place?

14 A. [14:57:19] I can't confirm it to you because I was not in the area at all, I was far
15 removed from it all. It was the type of information and rumour that one would hear
16 from time to time, but I can't confirm that information to you, no.

17 Q. [14:57:40] A few minutes later in your Facebook exchanges, still on 2 December,
18 three days before 5 December, we find an email exchange again between you and
19 Henri Grothe. It's at page 7683 of the same Defence tab, time code 05:05:10, and two
20 answers which follow from you at 05:05:19 and 05:06:43. Especially the last one,
21 Mr Ouébio, is of interest to us where you say: (Interpretation) "The Anti-Balaka are
22 the first line supported by the FACA".

23 And the question here again, like the Presiding Judge asked: What was the source of
24 information that the Anti-Balaka were the first line of apparently a fight supported by
25 the FACA?

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1 We are speaking three days before 5 December.

2 A. [14:59:25] This was on the telephone with friends in Bangui. They said that the
3 Anti-Balaka would be on the first line and that the FACA would often support them.
4 I heard that information and that's why I shared it with Henri Grothe.

5 Q. [14:59:45] And then the last one on this topic, there are Facebook exchanges also
6 before 5 December; namely, on 4 December, between you and Henri Grothe. That's
7 probably the same tab. Ms Giudici will find the page. It's at time code 08:06:41 in
8 the morning, up to time code 08:54:05 where you speak about what is necessary is
9 being done -- money for food and hunting ammunition -- which came from a certain
10 source. Yes, thank you so much. It's tab 20, Mr President, your Honours,
11 page 7697.

12 And, again, it's the time code starting 08:06:41, especially the third one of 08:53:31.

13 I thank Ms Giudici.

14 PRESIDING JUDGE SCHMITT: [15:02:43] I think we have to go to the top of this
15 page then.

16 Again, Mr Witness, to shorten things a bit, if you see this here specifically,
17 4 December, 08:53:31, what you are saying here about money and how it might be
18 used or not used, is this information that you were receiving from your normal
19 sources, or was this information that was publicly known?

20 THE WITNESS: [15:03:28](Interpretation) It was from friends in Bangui who gave
21 me that information. They told me that as -- just like I wrote here, they said so on
22 the phone and that's why I was talking to Henri Grothe on Facebook about that.

23 MR KNOOPS: [15:03:52] Mr President, this concludes my questioning for this topic.
24 I have two remaining questions, but before I go to the end of my examination, I will
25 put on the record several documents, because in our Defence binder, your Honours,

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1 you will find several documents --

2 PRESIDING JUDGE SCHMITT: [15:04:10] That's okay, that's okay, please proceed.

3 MR KNOOPS: [15:04:14] The relevance thereof is to show the Chamber that way
4 before 5 December, it was public knowledge that the city would be attacked. It's tab
5 9.

6 PRESIDING JUDGE SCHMITT: [15:04:26] Mr Vanderpuye, let it go.

7 MR VANDERPUYE: [15:04:29] I just don't think it's appropriate in the hearing of the
8 witness. If the witness can remove his headphones I can make a further submission
9 for the Chamber.

10 PRESIDING JUDGE SCHMITT: [15:04:36] Is it really necessary?

11 MR VANDERPUYE: [15:04:38] I think so.

12 PRESIDING JUDGE SCHMITT: [15:04:40] Please, Mr Witness, thank you.
13 Mr Vanderpuye.

14 MR VANDERPUYE: [15:04:46] I think the witness has mentioned on a couple of
15 different occasions sources that he had in Bangui, sources that he had, including his
16 family, that provided him information. From that, to the extent that all information
17 he received regarding the 5 December attack was necessarily public knowledge is not
18 something he has testified to, and it hasn't been particularised in a way that
19 Mr Knoops can put that proposition to the witness. If he wants to do that, he can do
20 that.

21 PRESIDING JUDGE SCHMITT: [15:05:14] He's not -- he's putting -- I think he does
22 not want to put this to the witness. He wants to put something on the record, which
23 we do not like so much because we -- as I always say, nothing escapes our attention,
24 so we read everything, so we put it together. But if Mr Knoops is quick, I would
25 allow it. I would not allow questions in that regard.

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1 MR VANDERPUYE: [15:05:33] No, I understand that, but the fact that he's putting it
2 on the record before the witness has completed his examination is a problem, because
3 it effectively has the -- it has the potential effect to condition the witness's further
4 future answers in relation to those issues.

5 PRESIDING JUDGE SCHMITT: [15:05:49] That seems to be a bit -- it's a bit
6 far-fetched. You can -- you can put them on again, Mr Witness.

7 So, Mr Witness, you obviously have understood my gesture.

8 So, Mr Knoops, quickly, tab 9, CAR-D30-0009-0096, for the record. The next one?

9 MR KNOOPS: [15:06:15] I'm not going to mention every one.

10 PRESIDING JUDGE SCHMITT: [15:06:17] No, no, no, it's simply for the record, and
11 we have it on the transcript and we read it.

12 MR KNOOPS: [15:06:22] CAR-D30-0009-0093 is tab 7.

13 PRESIDING JUDGE SCHMITT: [15:06:31] Yes.

14 MR KNOOPS: [15:06:32] CAR-D30-0009-0092, tab 6 of the Defence binder;
15 CAR-D30-0009-0091, tab 5; and tab 4, that's the last one, CAR-D30-0009-0090.

16 PRESIDING JUDGE SCHMITT: [15:07:00] Thank you, Mr Knoops.

17 And your last questions. That's okay, we can do it this way, absolutely.

18 MR KNOOPS: [15:07:06] Thank you, yes.

19 Q. [15:07:07] Final question to you, Mr Ouébio - and we're grateful for your time,
20 spending yesterday and today in Court - Ms Vandaler and I, we have asked you
21 during the last two days to give explanations about your conversations, about your
22 knowledge, what happened in those days. Were you ever in this case approached
23 by the Prosecution to give these explanations about your Facebook messages?

24 A. [15:07:45] In Bangui?

25 Q. [15:07:54] Were you in this case, the case against Mr Ngaïssona here in this

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1 courtroom, ever approached by the investigators of the Office of the Prosecution or
2 the members of the trial team of the Prosecution to explain to them what you
3 explained the last two days, about how we should understand your Facebook
4 messages? That's my question -- last question.

5 A. [15:08:32] Well, when I was in Bangui, I was contacted by the Prosecution team.
6 Initially, I was told that it was to talk about Mr Ngaïssona. I went and I answered
7 some questions, and when they got to the Bozizé file I said, "No, that's a former head
8 of state, I can't talk to you about him".

9 So the first two days, I went and I answered their questions. Then, after that, once
10 we started to talk about Bozizé, I said, "No, I didn't come here to talk about Bozizé,
11 and if that's it, I'm not in agreement", and that's when I cut off communications.

12 MR KNOOPS: [15:09:37] Mr President, these were, for this moment, our questions.
13 We would like to ask the Court for a very brief reservation. If we, upon reading the
14 transcript tonight, might have a follow-up question, we ask the permission of the
15 Court tomorrow morning to, within 10 minutes, ask those follow-up questions, if
16 anything arises.

17 PRESIDING JUDGE SCHMITT: [15:10:02] This is a bit unusual; however, I would
18 not -- I would not stand in the way, but we would not allow --

19 MR KNOOPS: [15:10:09] Understand.

20 PRESIDING JUDGE SCHMITT: [15:10:10] -- you know, another one or two sessions.
21 Is this clear?

22 MR KNOOPS: [15:10:13] No, no, that's certainly not our purpose. It's just if there
23 are one or two follow-up questions, and we don't think --

24 PRESIDING JUDGE SCHMITT: [15:10:20] We won't stand in the way, but under this
25 condition, yes, that it is very, very limited.

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1 Mr Vanderpuye, do you have already an idea? You know, I'm always asking you
2 and you always have something to say.

3 MR VANDERPUYE: [15:10:34] I expect -- I'll take a look at it tonight, but my hope is
4 that I can narrow it down to about a session and a half or maybe two sessions
5 tomorrow.

6 PRESIDING JUDGE SCHMITT: [15:10:45] So this means we would definitely finish
7 tomorrow?

8 MR VANDERPUYE: [15:10:48] That is my hope.

9 PRESIDING JUDGE SCHMITT: [15:10:49] That we can say that, okay, thank you
10 very much.

11 Thank you to everyone.

12 Specifically thank you to Mr Ouébio for today, but we continue tomorrow at 9.30.

13 THE COURT USHER: [15:11:02] All rise.

14 (The hearing ends in open session at 3.11 p.m.)

15 CORRECTIONS REPORT

16 The following interpretation corrections, marked with an asterisk *, are brought into
17 the transcript.

18 Page 3 line 10

19 « including Bossangoa and Baoro »

20 Is corrected to

21 « including Bossangoa and Bouar »

22 Page 4 line 10

23 « A. [9:37:10] Yes, indeed. It's an account that I opened myself. »

24 Is corrected to

25 « A. [9:37:10] Yes, indeed. It's an account that I opened myself but anonymously.

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1 Page 26 line 2

2 « Q. [10:50:49] It's at tab 37 of our Defence binder. »

3 Is corrected to

4 « Q. [10:50:49] It's at tab 47 of our Defence binder. »

5 Page 39 lines 3-6

6 « THE WITNESS: [12:10:44](Interpretation) Unfortunately, as I've always said, our

7 country is in danger and when anything happens, you get rumours which are

8 circulating and we then want to know is it true, and it's up to everybody to listen.

9 I know that they're rumours, but has the person been able to check it? I don't know.

10 But what I say is I am just sharing so that people can listen to what is happening left

11 and right.

12 That's my answer. I don't know if that's clear. »

13 Is corrected to

14 « THE WITNESS: [12:10:44](Interpretation) Unfortunately, I've always said our

15 country is in danger and when anything happens, you get rumours which are

16 circulating and we also share because we want to know if it's true, and everybody

17 shares the rumours as they wish. I know there are rumours but has the person been

18 able to check it and the say I don't know? In any event, what I said was only to share

19 with people what's happening left and right or here and there. That's my answer, I

20 don't know if it's clear. »