

Trial Hearing
WITNESS: CAR-OTP-P-0889

(Open Session)

ICC-01/14-01/18

1 International Criminal Court
2 Trial Chamber V
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard
5 Ngaïssona - ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and
7 Judge Chang-ho Chung
8 Trial Hearing - Courtroom 1
9 Wednesday, 9 March 2022
10 (The hearing starts in open session at 10.33 a.m.)
11 THE COURT USHER: [10:33:06] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [10:33:25] Good morning, everyone.
15 Court officer, please call the case.
16 THE COURT OFFICER: [10:33:37] 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: [10:33:52] Thank you.
21 I ask for the appearances of the parties.
22 Ms Struyven for the Prosecution first.
23 MS STRUYVEN: [10:34:00] Good morning, Mr President.
24 Today the Prosecution is represented by Yassin Mostfa, Sylvie Wakchom and myself,
25 Olivia Struyven.

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- 1 PRESIDING JUDGE SCHMITT: [10:34:06] I turn to the representatives of the
2 victims.
- 3 MR FALL: [10:34:13](Interpretation) Thank you, your Honour.
4 The victims of other crimes are represented today by Mrs -- Madam Asso and myself,
5 Yaré Fall. Thank you.
- 6 MS LAU: [10:34:28] Good morning, Mr President, your Honours.
7 Today the former child soldiers are represented by myself, Fiona Lau, associate legal
8 officer at the Office of Public Counsel for Victims. Thank you.
- 9 PRESIDING JUDGE SCHMITT: [10:34:38] Thank you.
10 And now to the Defence. Ms Dimitri first.
- 11 MS DIMITRI: [10:34:43] Good morning, Mr President. Good morning, your
12 Honours. Good morning, everyone.
13 Mr Yekatom has a full house today, Mr President. We have Ms Yasmeen Hajjali,
14 Mr Thomas Hannis, Mr Gyo Suzuki. At the far end, Ms Anta Guissé. And myself,
15 Mylène Dimitri.
- 16 And, Mr President, this afternoon, with your permission, I will miss the afternoon
17 session, but Ms Guissé will take my place.
- 18 PRESIDING JUDGE SCHMITT: [10:35:11] Thank you. I've already been informed
19 about this. That's perfectly possible, of course.
20 Mr Knoops.
- 21 MR KNOOPS: [10:35:13] Good morning, Mr President, your Honours. Good
22 morning, everyone in the courtroom.
23 The Defence team of Mr Ngaïssona appears today before the Chamber with
24 Ms Marie-Hélène Proulx, Ms Chiara Giudici, Ms Sara Pedroso, Mr Alexandre
25 Desevedavy. And Mr Landry is following the proceedings from the field office.

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1 And the Defendant is present in the courtroom, Mr President.

2 PRESIDING JUDGE SCHMITT: [10:35:34] Thank you, Mr Knoops.

3 And also welcome to our witness. Good morning.

4 Can you understand and hear me well, Mr Witness?

5 WITNESS: CAR-OTP-P-0889

6 (The witness speaks French)

7 (The witness gives evidence via video link)

8 THE WITNESS: [10:35:51](Interpretation) Good morning. Yes, I can hear you
9 clearly.

10 PRESIDING JUDGE SCHMITT: [10:35:54] That is a good start, of course.

11 On behalf of the Chamber, I would like to welcome you to the courtroom. You are
12 called to testify to assist this Court and this Chamber in the case of Mr Yekatom and
13 Mr Ngaïssona.

14 I also note the presence of Mr Alfonso Dorado Escobar, who has been appointed as
15 your legal adviser pursuant to Rule 74 of the Rules of Procedure and Evidence.

16 Good morning.

17 Mr Dorado, can you hear me well too?

18 MR DORADO: [10:36:32](Interpretation) Good morning, your Honour. I hear you.

19 PRESIDING JUDGE SCHMITT: [10:36:34] That also sounds promising.

20 Mr Witness, whenever you think there is a need to confer with your legal adviser,

21 please let us know. There might be questions that tend to incriminate you. In these

22 cases, you can answer them, or you can refuse to answer them. And for that purpose,

23 for this decision to make for you, you can consult with your legal adviser.

24 Mr Witness, there have been protective --

25 THE WITNESS: [10:37:02] (No interpretation)

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1 PRESIDING JUDGE SCHMITT: [10:37:06] Yeah. Okay. Mr Witness, there are
2 protective measures put in place to ensure that your identity is not revealed to the
3 public. You have been informed about them. I will shortly repeat them, to assure
4 you that they are being followed.

5 So there is face distortion, meaning that nobody can see your face outside this
6 courtroom. And we use a pseudonym. This is the reason why I'm not addressing
7 you with your real name, but with "Mr Witness".

8 Mr Witness, there should be a card on the desk in front of you with the solemn
9 undertaking to tell the truth. Would you please be so kind to read out loud -- yes.

10 THE WITNESS: [10:37:47](Interpretation) I swear -- I swear solemnly that I will tell
11 the truth, all the truth, and nothing but the truth.

12 PRESIDING JUDGE SCHMITT: [10:38:02] Thank you, Mr Witness. You are now
13 under oath.

14 Before we start with your testimony, I would inform you about some practical issues.
15 You know that everything we say here is written down and interpreted in various
16 languages. And to allow for the interpretation, we have to speak at a relatively slow
17 pace, perhaps slower than we would normally do, and please -- please only start
18 speaking when the person that is speaking to you or asking you a question has
19 finished, so that there is no overlap. Because when there is overlap, the interpreters
20 don't understand anything.

21 Thank you very much for your understanding, and we will now give the floor to the
22 Prosecution.

23 Ms Struyven.

24 MS STRUYVEN: [10:38:56] Thank you, Mr President.

25 QUESTIONED BY MS STRUYVEN: (Interpretation)

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1 Q. [10:39:02] Good morning, Mr Witness. My name is Olivia Struyven. We met
2 each other already. I'm going to ask you some questions today on behalf of the
3 Prosecution.

4 Perhaps one additional comment: If my questions, the question of the Defence
5 appear unclear to you, don't hesitate to point that out and we will try and rephrase
6 the question.

7 As regards your testimony, firstly, I'd like to ask you questions about your statement
8 which you did with the OTP in 2016 and 2020. And after that, I'm going to
9 specifically ask you questions about documents which we have in our possession and
10 ask you to clarify some points.

11 But, firstly, could you confirm that you did make a statement with the Office of the
12 Prosecution. I think you made two, in fact. The first was in May 2016 and the
13 second was in July 2020. Could you confirm that you made such a statement with
14 the Office of the Prosecution.

15 A. [10:40:39] Yes, I confirm the dates mentioned, I did make those statements.

16 Q. [10:40:45] Did you make these statements voluntarily?

17 A. [10:40:50] Yes, I did so voluntarily.

18 Q. [10:40:57] Could you confirm that in these statements the aim was to ask you
19 about the conflict in CAR, in particular, what happened in 2012 up to 2014.

20 A. [10:41:17] Yes, that was the aim.

21 Q. [10:41:23] And we asked for information which you could have, or knowledge
22 that you might have acquired at that time relating to the Anti-Balaka, but also the
23 Seleka.

24 A. [10:41:40] Yes.

25 Q. [10:41:43] Is it correct that during your second interview in July 2020 you were

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1 assisted by your counsel, Mr Alfonso Dorado?

2 A. [10:42:02] Yes, I was assisted by Counsel Alfonso Dorado.

3 Q. [10:42:10] And that Counsel Alfonso Dorado is also here present today?

4 A. [10:42:17] Yes, he is here today next to me.

5 Q. [10:42:24] Could you confirm that you had the occasion to review your
6 statement and the associated documents linked to that, I think it was in January 2022.

7 A. [10:42:39] Yes, I had the time to review my statement in January.
8 Unfortunately, the hearing didn't take place at that moment and only is starting
9 today.

10 Q. [10:43:02] Indeed. Is it correct that you made some corrections to your
11 statement?

12 And for the record, it's CAR-OTP-2135-1706.

13 Is it correct that you made some corrections, very specific corrections to your
14 statement?

15 A. [10:43:27] Yes, I made some corrections to certain aspects. Sometimes when I
16 was answering the question, I didn't always completely understand the questions.
17 But when reading through it, I added some precisions and corrections to my
18 statement.

19 Q. [10:43:55] Can you confirm that the statement that you made with the
20 corrections reflects faithfully what you said during your discussions with the
21 Prosecution.

22 A. [10:44:19] Could you perhaps repeat that.

23 Q. [10:44:25] No problem. Could you confirm that this statement, with the
24 corrections, truly reflects what you said to the representative of the OTP.

25 A. [10:44:40] Yes, that correctly reflects my statement, my views.

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1 Q. [10:44:48] Are those statements correct and exact, accurate?

2 A. [10:44:57] I can only tell you what I know. I cannot invent something in order
3 just to say that. So what I know is what I told you. What I don't know, I can't talk
4 about. And sometimes there are questions which I cannot completely understand,
5 so I might have said something without actually fully understand the question. So if
6 that's the case, so I could review it together with you so that I can answer your
7 questions fully.

8 Q. [10:45:38] Do you have any objections that your statement be included in your
9 file, that's to say, that the judges can use your statement as evidence in this case?

10 A. [10:45:57] Could you please repeat that.

11 Q. [10:46:02] This is a question of procedure. But do you have any objections that
12 your statement be included in the file? Do you have any objections that the judges
13 can use your statement as evidence in this case?

14 A. [10:46:26] No, I have no objections. If I make the statement, it's to assist the
15 Court in the proceedings. So I do not object to this today. So the judges can use my
16 statement to continue with this case.

17 Q. [10:46:47] Thank you very much.

18 MS STRUYVEN: [10:46:51] Your Honours, I think that the conditions of Rule 68(3).

19 PRESIDING JUDGE SCHMITT: [10:46:53] Yeah, indeed, the conditions of Rule 68(3)
20 with regard to the statements of the witness's, including the corrections, of course,
21 that he made, are fulfilled.

22 Please continue.

23 MS STRUYVEN: [10:47:09](Interpretation)

24 Q. [10:47:10] I have now some questions about your identity, which are normal
25 procedure. I think for this, we have to go into private session so that I can ask you

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1 those questions.

2 PRESIDING JUDGE SCHMITT: [10:47:20] Yeah. We go to private session.

3 (Private session at 10.47 a.m.)

4 THE COURT OFFICER: [10:47:35] We are in private session, Mr President.

5 MS STRUYVEN: [10:47:43](Interpretation)

6 Q. [10:47:45] Mr Witness, for the record, could you give us your full name.

7 A. [10:47:53] My name is -- I react to the name (Redacted).

8 Q. [10:48:06] And is it correct that you were born on (Redacted)?

9 A. [10:48:14] That is correct.

10 Q. [10:48:18] What ethnic group do you belong to?

11 A. [10:48:23] (Redacted).

12 Q. [10:48:28] Thank you.

13 As I already pointed out, you made a complete comprehensive statement for the OTP.

14 I am now going to ask you some questions of clarification. I'm going to show you

15 documents and ask for your view. We are going to start with document, which is on

16 tab 38, CAR-OTP-2127-3304.

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 A. [10:49:36] Yes, that's correct, I do remember.

22 Q. [10:49:42] (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 Do you, for example, recognise the first contact?

2 A. [10:50:23] Yes.

3 Q. [10:50:26] Generally speaking, (Redacted), just generally
4 speaking, are they correct?

5 A. [10:50:39] The contacts? Yes, they're correct.

6 Q. [10:50:46] Now I'm going to ask you questions relating to specific individuals or
7 specific references. I'm just going to ask you either to confirm the name, the
8 complete name, or ask you questions regarding that individual.

9 I think now that we have established the context, we can go back into open session.

10 We're obviously not going to give your name in open session, and I will call upon you
11 as "Mr Witness".

12 A. [10:51:35] Yes.

13 PRESIDING JUDGE SCHMITT: [10:51:35] Open session.

14 (Open session at 10.51 a.m.)

15 THE COURT OFFICER: [10:51:53] We are in open session, Mr President.

16 MS STRUYVEN: [10:52:00](Interpretation) Thank you.

17 Q. [10:52:03] The first contact is on page 3305. It's number 5. The name "Ngoyas".
18 Could you give us the complete name of that individual.

19 A. [10:52:24] Ngoyas, his full name is Béorofei Sylvain.

20 Q. [10:52:35] Thank you.

21 Now 3306, that's the page number, we see a reference to number 13. The name is
22 "Bafio Kevin". You already referred to him in your statement. You said that he was
23 a member of the Anti-Balaka from Boy-Rabe. *And here I'm referring to tab
24 25,*CAR-OTP-2122-8079, pages 8100 and 8101. And could you confirm that this was
25 an Anti-Balaka.

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1 A. [10:53:22] No, it's not an Anti-Balaka.

2 When I was asked this question, I answered without realising who I was talking to.

3 But when I was reading through my statement, I understood, no, it's a mistake to say
4 that he was an Anti-Balaka. Of course, he was a military person, he was in the Central
5 African army, but he and {PFR: (Redacted)} was regarding football.

6 In CAR, we had football clubs of supporters of the different clubs, and he -- he
7 supported FC Barcelona, like I did. And I -- {PFR: (Redacted)}
8 (Redacted)}. He is not an Anti-Balaka.

9 Q. [10:54:22] And in the second part of 2013, the first part of 2014, do you know
10 where he was?

11 A. [10:54:32] No, I have no information about him. Where he was during that
12 time, I don't know.

13 Q. [10:54:42] Don't worry.

14 A. [10:54:46] Excuse me. Are you talking about 2013-2014?

15 Q. [10:54:53] Yes.

16 A. [10:54:56] I don't know. I don't know where he was at that time, exactly.

17 Q. [10:55:01] Don't worry. Let's move on to page 3312. It's number 60. A small
18 clarification. You talk about "Honorable Kema". Who's that?

19 A. [10:55:22] It's a soldier. He's Anti-Balaka. And after he integrated the PCUD
20 party, he gave up the fight as Anti-Balaka and joined the PCUD. And after that, he
21 became a deputy on behalf the Central African Party for Unity and Development.

22 Q. [10:55:57] So you're talking about Florent Kema; is that correct?

23 A. [10:56:02] Yes.

24 Q. [10:56:04] Thank you. We go to page 3316, number 94. There there's a
25 reference to "Yeka". Who is that?

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1 A. [10:56:23] Yeka? The name only says Yeka?

2 Q. [10:56:32] I think the officer can show you the exact reference, if you like.

3 A. [10:56:39] Fine.

4 PRESIDING JUDGE SCHMITT: [10:56:42] In the meantime, the ERN of tab 25 is

5 CAR-OTP-2122-8112.

6 THE WITNESS: [10:57:03](Interpretation) I had the number, but I can't remember

7 who it is. It's not from us. It's a foreign number. I don't remember. I don't know

8 who that number belongs to. I've forgotten.

9 MS STRUYVEN: [10:57:20](Interpretation)

10 Q. [10:57:21] Do not worry.

11 On page 3323, it's number 160 that's of interest to us. Here you have "B Maître Lyn".

12 Is that Lin Banoukepa?

13 A. [10:57:49] Yes, that's him. It is Counsel Banoukepa.

14 Q. [10:58:01] These are small questions relating to each name. I just want to move

15 quickly now. I'm moving on to page 3326, number 181. There's a reference {ICR :

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 Q. [10:59:08] I fully understand. I will continue and I'll come to that name later on

24 to confirm the family name, the last name. But you are absolutely correct, I

25 shouldn't have asked you that question in open session.

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1 I move on to 3331, and it's the number 233. So 233 refers to "Tel Kob". Who's that?

2 A. [10:59:59] Yes, I know that -- I know him. It is the person who is responsible
3 for communication in -- for the *unité* and he's Mokpem.

4 Q. [11:00:13] Do you have a name, a full name, for that person?

5 A. [11:00:19] Mokpem. Mr Mokpem.

6 Q. [11:00:29] It is Mokpem. Do you have another part of that name? Is it Bionli
7 Mokpem?

8 A. [11:00:39] Yes, that's correct.

9 Q. [11:00:44] And at number 234 there is mention of "kob". Would that also be --

10 A. [11:00:54] It's the same individual.

11 Q. [11:00:58] Thank you.

12 Now, at page 3334, at number 261, reference is made to "Luther". I don't know if
13 that's the right pronunciation, but who is that?

14 A. [11:01:30] Luther? Luther is Luther Ngaïssona.

15 Q. [11:01:41] What is the relation with -- who is it?

16 A. [11:01:52] Luther Ngaïssona is Edouard Patrice Ngaïssona's son. {ICR:
17 (Redacted)}.

18 Q. [11:02:04] Thank you.

19 Let's now move to page 3336, number 279, where reference is made to Cob with a C,
20 "Conseiller Cob".

21 A. [11:02:24] It's the same individual, the Kob whom I mentioned a short time -- a
22 short while ago. It's the same person, same individual, Bionli.

23 Q. [11:02:38] On the same page, at number 280, reference is made to "Bg Aubin
24 Mboya". Who is that?

25 A. [11:02:55] Aubin Mboya is an Anti-Balaka who also joined the PCUD party and

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1 who wanted to become -- or, rather, who ran under the PCUD party banner for
2 parliamentary elections in Bania, to the west of the CAR.

3 Q. [11:03:40] Do you know where he was based or where he was stationed as a
4 ComZone?

5 A. [11:03:46] I never knew where he was stationed, but according to him he came
6 from Bania, and that's to join the PCUD party, under which banner he ran for
7 parliamentary elections in the Bania zone. I have never been there. I have never
8 seen where he was and I don't know what he was doing there.

9 Q. [11:04:16] Since we don't know all the Bania villages, would that be in the
10 direction of Berbérati?

11 A. [11:04:23] Yes, it is towards Berbérati.

12 Q. [11:04:30] Thank you. Let me now move to page 3337, number 292, where
13 reference is made to "France Pen". Who's that?

14 A. [11:04:44] That is Patrice-Edouard Ngaïssona.

15 Q. [11:04:51] Thank you. *Same page once again, I think that it is number 299,
16 also references "Moov Cob". Who is that?

17 A. [11:05:09] It's the same Mokpem. If you look at the numbers, they may be
18 repeated because I could save a name under different numbers. So that's how, if I've
19 forgotten. So that's why some numbers repeat themselves, but they are the numbers
20 of the same individual.

21 Q. (Overlapping speakers)

22 THE INTERPRETER: [11:05:28] Overlapping speakers, Mr President.

23 PRESIDING JUDGE SCHMITT: [11:05:33] You're too quick, Ms Struyven. Please
24 try to slow down a little bit so that the -- we don't have overlap.

25 MS STRUYVEN: [11:05:54](Interpretation)

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1 Q. [11:05:55] For the record, you were referring to Mokpem Bionli.

2 Now I go to page 3338, number 301, where reference is made to "Rv Lt". Would that
3 be Lieutenant *Ganazou? Do you have his full names?

4 A. [11:06:22] Those are his full names, the ones you have just mentioned,
5 Nganazoui.

6 Q. [11:06:29] So that would be Hervé Nganazoui?

7 A. [11:06:34] Yes. He's a lieutenant in the army.

8 Q. [11:06:39] At page 3340, number 328, reference is made to "2 PEN Fr". "Fr", I
9 think Fr represents -- stands for France. Who would that be?

10 A. [11:07:13] That is Ngaïssona, Edouard Patrice Ngaïssona.

11 Q. [11:07:20] Now, at page 3341, at number 332, it's very clear, but I want you to
12 confirm. The name is "Mokom". Which Mokom is that?

13 A. [11:07:43] It's Mokom, the son. Mokom Maxime.

14 Q. [11:07:55] Then on page 3342 there are a number of numbers, particularly 342,
15 where reference is made to "Or Pen". Who is that?

16 A. [11:08:11] Can I see the name?

17 Q. [11:08:14] Of course, yes.

18 A. [11:08:20] Okay. That's an Orange -- Orange number, Orange Pen. So that
19 will be Patrice Ngaïssona's number.

20 Q. [11:08:30] And the next number, 343, reference is made to "Ngaiss Pen".

21 A. [11:08:41] It is still him. Yes, it's still Ngaïssona. As I said a short while ago,
22 there -- it happened that I might have registered a number and forgotten to do so, and
23 then I register it again but under a different name. And that's how those numbers
24 come up that way. So this is Ngaïssona's number. It is his number.

25 Q. [11:09:11] Thank you.

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1 And at the bottom of the page there is reference to "Tel Papa Dier". Who is that?

2 A. [11:09:24] That is Ndomate Dieudonné. That is Ndomate Dieudonné.

3 Q. [11:09:35] Thank you.

4 A. [11:09:37] He's an Anti-Balaka.

5 Can you be specific, please.

6 Q. [11:09:46] I have already moved to the next page.

7 A. [11:09:50] Okay.

8 Q. [11:09:52] Now page 3347, where you can see at number 396 reference to "azur",
9 "azur Pen".

10 A. [11:10:04] This is Patrice-Edouard Ngaïssona's Azur number.

11 Q. [11:10:15] Thank you.

12 At page 3354, at number 462, there are two numbers which are mentioned as
13 belonging to "Ngaïss Mary". Who would that be?

14 A. [11:10:42] Mary Ngaïssona, that's Mr Ngaïssona's wife's number.

15 Q. [11:10:48] Thank you.

16 At page 3356 - we're almost done - you see number -- at number 476 reference is made
17 to "number my". Should I understand that to be your number?

18 A. [11:11:17] No, it's not my number. My number is 07.

19 Q. [11:11:27] Do you remember who this number belongs to? And there's no
20 problem if you don't remember.

21 A. [11:11:35] I don't remember. I don't remember.

22 Q. [11:11:38] At page 3358, at number 492, reference is made to "Lmk". Who
23 would that be?

24 A. [11:11:55] That is Lamaka, "Lmk". Lamaka is someone who also joined the
25 PCUD and served as a spokesperson.

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1 Q. [11:12:15] So would that be Igor Lamaka?

2 A. [11:12:20] Yes, that's correct.

3 Q. [11:12:23] I have a few other names for which I think we need to go into private
4 session.

5 A. [11:12:38] Very well.

6 PRESIDING JUDGE SCHMITT: [11:12:40] Private session.

7 (Private session at 11.12 a.m.)

8 THE COURT OFFICER: [11:12:53] We are in private session, Mr President.

9 MS STRUYVEN: [11:12:59](Interpretation)

10 Q. [11:13:01] Mr Witness, there are three other names.

11 The first one at page 3326, at number 181, where reference is made to (Redacted).

12 We are now in private session. Could you tell the Court his full names.

13 A. [11:13:36] Can I do so now?

14 Q. [11:13:38] Yes. We are now in private session. The public is not hearing us.

15 So you can please proceed.

16 A. [11:13:40] Very well. (Redacted)

17 (Redacted)

18 (Redacted). So he joined the same PCUD and was handling

19 outreach on behalf of the party.

20 Q. [11:14:12] Was he an Anti-Balaka? Is he an Anti-Balaka?

21 A. [11:14:20] No, he is not an Anti-Balaka.

22 Q. [11:14:26] Would you know whether, before the attack of 5 December in Bangui,
23 would you know whether he was in contact with Anti-Balaka leaders such as Mokom?
24 Would you know anything about that?

25 A. [11:14:37] No. (Redacted) was not in contact with Mokom until -- well, even

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1 when Mokom was in Bangui, he was not part of the Anti-Balaka until the day when
2 Ngaïssona set up the coordination and he joined on behalf of the PCUD.

3 Q. [11:15:05] Thank you.

4 At page 3342, number 348, reference is made (Redacted).

5 Now I'm putting this question to you in public session -- no, rather, in private session.

6 Can you tell us the full names of that person.

7 A. [11:15:34] Yes. (Redacted)

8 (Redacted)

9 (Redacted) is a soldier. He is a soldier and he is the one who
10 joined the Anti-Balaka movement.

11 Q. [11:16:03] At page 3358, at number 449, reference is made to (Redacted).

12 Would that still be (Redacted)?

13 A. [11:16:20] Yes, yes. He's the one.

14 Q. [11:16:29] Was he, by any chance - and I'm just putting this question to you like
15 that - was he also known, by any chance, as (Redacted)?

16 A. [11:16:44] (Redacted), yes, yes. (Redacted) is sometimes abbreviated in my country
17 as (Redacted). So (Redacted) is the short form of (Redacted) in my country.

18 Q. [11:17:00] Thank you very much.

19 I'm sorry to be going rather fast, but we don't have much time together. So let me
20 move on to something else, particularly -- well, and I think we have to remain in
21 private session.

22 I want to show you your -- (Redacted)

23 (Redacted). It's at tab 29 and it is a document

24 CAR-OTP-2127-0655.

25 I would like to ask you if you recognise this document?

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1 A. [11:18:05] Yes, I do.

2 Q. [11:18:10] Can you confirm that the information you provided during the
3 interview with (Redacted), that the
4 information you provided to them was correct and accurate?

5 MS PROULX: Mr President.

6 THE WITNESS: [11:18:30](Interpretation) Well, yes --

7 MS PROULX: Excuse me.

8 THE WITNESS: [11:18:31](Interpretation) -- I had contact with that office. Or,
9 when I had contact with your office, you already asked me not to disclose the nature
10 of the statement that I made to them, so I cannot give the same statement to the
11 (Redacted).

12 MS PROULX: [11:18:57] I'm sorry to interrupt, but out of fairness to the witness, this
13 is a lengthy document. So if Ms Struyven has specific information that she would
14 like to ask about, I would suggest that this would be a more appropriate course of
15 action.

16 PRESIDING JUDGE SCHMITT: [11:19:10] I agree with you, actually.

17 MS STRUYVEN: [11:19:18] It's -- it is a lengthy document, your Honours, but there's
18 many documents that we need to go through and I don't think that I can -- it's -- it's an
19 interview that was probably taken over many hours. I'm not sure if I can go through
20 (Redacted) again with this witness at this moment.

21 PRESIDING JUDGE SCHMITT: [11:19:36] Yeah. I -- but we assume that you will
22 not be interested in (Redacted). Or is this wrong?

23 What you can also do is, of course, that you perhaps look during the break over it and
24 draw specific portions out of it and put it to the witness.

25 You know, we have -- we have this Rule 68(3) procedure in place, which functions

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1 because the witness has the chance to read everything through, sometimes hundreds
2 of page, and then we ask him, the witness, rightfully so, "You had the chance to read
3 it. You have read it. Is everything okay, what you said there?"

4 So this -- so we have here, I think, a different situation, haven't we?

5 MS STRUYVEN: [11:20:46] No, absolutely, your Honours. But in the two hours it
6 would be impossible to -- to go to any -- well, in any detail to -- most of the
7 documents that he either provided to us, or that we have analyzed (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 PRESIDING JUDGE SCHMITT: [11:21:28] Yeah, but -- but nevertheless, (Redacted)
12 (Redacted), and we have -- for testimony, we have a Rule 68(3) procedure in
13 place.

14 So I think -- I think simply Ms Proulx has a point here. Yeah. You have
15 to -- actually, I would be surprised if you would need everything (Redacted). So
16 I -- I think it should be possible, could be possible that during a one-and-a-half hour
17 break, that you draw out the most relevant portions, according to your assessment,
18 and put it to the witness and -- and read it on the record.

19 But if we are too lenient in that regard, then the Rule 68(3) procedure is perhaps
20 devalued a little bit. So we should be careful here. That's my opinion. And
21 Ms Proulx has correctly pointed this out, I think.

22 MS STRUYVEN: [11:22:31] I will indeed then go through the document over the
23 break, and I'll try to extract some key points.

24 Q. [11:22:43](Interpretation) Mr Witness, let me move to another document now,
25 and I will be looking at some Facebook messages.

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1 A. [11:22:56] Okay.

2 Q. [11:22:59] I think -- and I'm trying to figure out whether we can do this in open
3 session, but I don't think so. Not just yet, I think.

4 So I would start by going to tab 39. Thirty-nine is CAR-OTP-2131-1012, and the
5 document will be displayed for you soon.

6 As you probably see and recognise, it is your email address we are looking at.

7 Would it be correct to say that your Facebook account bears the name (Redacted)
8 (Redacted)?

9 A. [11:24:12] Yes.

10 Q. [11:24:13] First of all, let me ask you a few questions relating to people with
11 whom you communicated on Facebook. I will show you the various relevant
12 documents.

13 Can we now start with tab 43, CAR-OTP-2131-5154. Here we are looking at your
14 communication with one "(Redacted)".

15 A. [11:24:57] Yes.

16 Q. [11:25:00] Do you remember having communicated with this person on
17 Facebook?

18 A. [11:25:06] Yes. This is somebody who sent me a friend request. It's somebody
19 whom I don't know in person. We have never met. But I received a friend request
20 from this person on Facebook and I accepted it. And I do remember that we had a
21 number of conversations, but I don't remember the content. I don't clearly
22 remember the content of those conversations.

23 Q. [11:25:39] Did you know what that person's role was during the events? Do
24 you remember?

25 A. [11:25:48] As I told you, (Redacted) is somebody I only got to know (Redacted),

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1 when I received a friend request from that person. So I never met them. I don't
2 know what they are doing. I don't know what they were doing before. I just
3 received a friend request from them and I accepted it.

4 It happens on Facebook. There are many people whom I don't know who ask to be
5 friends and I accept. So I don't know him physically and I've never seen him.

6 Q. [11:26:23] Thank you.

7 Let me take another conversation. It's at tab 55, CAR-OTP-2132-7764, where you can
8 see a number of communications between you and one (Redacted). The same
9 question: Do you remember having communicated with him?

10 A. [11:27:06] I had some discussions with (Redacted)
11 (Redacted)

12 (Redacted). So he's a young person whom I knew in Bangui, but I don't remember
13 the nature of my conversations with him.

14 Q. [11:27:27] Yes, obviously it will be impossible for you to remember. Later on I
15 will show you some specific conversations, but -- and then maybe put a few questions
16 to you, but for now we are just looking at some general information.

17 Do you know what he was doing during the events in 2013-2014?

18 A. [11:27:47] (Redacted)? I think that (Redacted)

19 (Redacted), if I'm not mistaken, but I don't have much information on him.

20 Now whether he was in Bangui, I don't really know. But I think (Redacted)
21 (Redacted)

22 (Redacted). But I don't know too much on him.

23 Q. [11:28:16] No problem. Let me move to another series of conversations. That
24 would be at tab 58, CAR-OTP-2133-2735, and that's conversations with (Redacted)
25 (Redacted).

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1 Do you have a more complete name for that person?

2 A. (No interpretation)

3 THE INTERPRETER: [11:28:52] Mr President, the interpreters did not get the answer
4 from the witness.

5 PRESIDING JUDGE SCHMITT: [11:29:01] Mr Witness, the interpreters did not get
6 your answer. Would you please be so kind to repeat it.

7 THE WITNESS: [11:29:10](Interpretation) What I said is that -- (Redacted)
8 (Redacted).

9 MS STRUYVEN: [11:29:28](Interpretation)

10 Q. [11:29:29] So it's (Redacted) Patrice-Edouard Ngaïssona?

11 A. [11:29:34] Yes.

12 Q. [11:29:48] Do you remember having any communication with him on Facebook?

13 A. [11:29:52] A lot. I had a lot of communication with him on Facebook, but I
14 don't remember everything.

15 Q. [11:30:08] Perhaps I could show you some specific messages and ask you a
16 question about that. Page 2736, and it's a message which was sent on 9 September
17 2013. It's at the bottom of the page, and you say to him: "One of our men has taken
18 control of Bossangoa and Bouca and are continuing to fight."

19 At that moment you're talking about the Anti-Balaka?

20 A. [11:31:03] In 2013?

21 Q. [11:31:06] Yes.

22 A. [11:31:07] 2013. 2013, (Redacted). There I
23 was talking about the Anti-Balaka.

24 Q. [11:31:24] *Thank you. Did Luther Ngaïssona have a role in the Anti-Balaka at
25 that time?

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1 A. [11:31:34] No, no role. It was just by way of information which we shared
2 amongst each other, information we had, because at the moment when the
3 Seleka -- I'm sorry that I'm starting this subject, but when the Seleka took power,
4 terror reigned in CAR. I'm not going to lie to you. And when the Anti-Balaka
5 started to defend the territory, everybody spoke about it.

6 *So during that time, I think (Redacted) in Bangui. (Redacted) and
7 I'm just providing him information about the Anti-Balaka. They were representing
8 us, the civilians who were beginning to defend the country, and that's why I talked
9 about the men and said they have retaken Bossangoa and Bouca for the moment.
10 But at that moment he wasn't in Bangui. It's nothing to do -- and he had nothing to
11 do then with the Anti-Balaka. It was just by way of information because I had that
12 information.

13 Q. [11:32:48] I understand.

14 I'm now going to another conversation, tab 61, CAR-OTP-2133-8109. It's a
15 conversation you had with (Redacted). Do you remember having any
16 communication with that person?

17 A. [11:33:35] (Redacted), yes. It's a lady who I know a long time ago. I don't
18 even know where she is anymore and I don't remember the conversation I had with
19 her. I did have conversations with her, but I can't quite remember what. I don't
20 know what we said. I don't know the content of the conversation. I don't
21 remember that anymore. I knew her through a friend of hers because (Redacted)
22 (Redacted)
23 (Redacted). And then I took up contact with that girl.

24 Q. [11:34:24] No problem. I just have a specific question on a conversation on
25 page 8111. It's the middle of the page, and you write (Redacted), you say: "Are

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1 you okay but the Seleka are coming to bother us. We had to have an exchange of
2 two hours before the Ngaïssona warehouse.
3 What do they want at his place?"
4 And you answered: "They want to loot his warehouse. We got out the weapons
5 that we received."
6 And the question is -- my question to you: What weapons are you referring to?
7 A. [11:35:32] Oh, I was saying too much. I wanted to talk there, as I said in my
8 statement, that there were some soldiers, there were some military, and I gave the
9 name Tino Baroza and there's Zilo, the militaries.
10 I usually say, even with Mr Escobar, even with you, you remember probably the last
11 time when you made this comment, the fact to use "on", one, it is me. It suggests
12 that I'm doing something. But when I took this habit at school, to talk about "on",
13 which means one, when I did this in the subject of literature where I would refer to
14 things as one. This was something that I always say when I'm talking. I always say
15 "on", one in English. And when I talk "on", I'm talking about the military who were
16 starting to defend the sector. During that time, there were the Seleka who arrived
17 and started to loot Boy-Rabe.
18 Firstly, they tried to loot the warehouse of Patrice-Edouard Ngaïssona, and suddenly
19 there were the military who came, and the others I don't know. There was Zilo,
20 Baroza and they started to shoot everywhere. And it lasted -- it was even mentioned
21 on radio RFI and it's the first time that the soldiers shot at the Seleka in Boy-Rabe.
22 And that's what I was referring to. But the fact that I said "on" in French, one in
23 English, doesn't mean that we received any arms. We received no arms, in fact.
24 So this is the clarification I can provide you with.
25 Q. [11:37:42] Thank you for that explanation. Indeed, in your statement you

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1 describe the fact that you were trying to defend, or people tried to defend the
2 warehouse. But here the Seleka, when you say -- the question asked you the lady,
3 what do they want with Ngaïssona, and you answered, they want -- the Seleka want
4 to loot his warehouse. But you also add, "We got out the arms that we received."
5 Were there any weapons in Ngaïssona's -- Ngaïssona, because that is what it
6 suggests?

7 A. [11:38:27] Yes, yes, yes, I have understood now. Yes, yes, yes. In fact, when
8 the Seleka arrived in Bangui, in their head, that's what they were saying, that there
9 were weapons who had been distributed to all the youths, particularly the youths in
10 Boy-Rabe. They said everybody had weapons. So when they entered, that those
11 are the terms that they used. They said, "Give us the weapons that were given to
12 you." So they came to loot, they said it's because they wanted to collect and retrieve
13 our weapons. So those are the terms that were used. Each time it was like that.
14 Each time they talked, they said, "There are weapons here. Give them to us. Show
15 them." So that's the terms I was using here.

16 But there were no weapons in Ngaïssona's warehouse, but the Seleka used those
17 words and believed that they were distributed to all the youths in Boy-Rabe and in
18 Bangui. So they wanted to get hold of those weapons.

19 *So each time they intervened, it was to disarm the neighborhood. But we didn't
20 have weapons but they really also wanted to loot our neighbourhood.

21 Q. [11:39:44] I'm going to now turn to another conversation. This is tab 44,
22 CAR-OTP-2131-6832. It's a conversation with (Redacted).

23 My standard question: Do you recall having any conversations with him?

24 A. [11:40:16] Yes, I know (Redacted). I know (Redacted).

25 Q. [11:40:25] Who is that?

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 Q. [11:41:16] And what was his role during all the events?

8 A. [11:41:23] He wasn't an Anti-Balaka. He's not an Anti-Balaka, in fact.

9 Q. [11:41:29] Is he FROCCA?

10 A. [11:41:32] No, no, no. Apparently, if I'm not mistaken, he isn't involved in
11 politics. But I don't know a lot about him, really.

12 Q. [11:41:46] So you knew him physically before you wrote to him on Facebook; is
13 that correct? So you knew the person?

14 A. [11:41:55] Yes, I know the person. (Redacted).

15 Q. [11:42:01] In your conversation with him, we will look at some of them, you
16 kept him informed about what's happening on the ground. Why did you inform
17 him?

18 A. [11:42:18] What do you mean? Could you give me some sort of idea.

19 Q. [11:42:24] Perhaps it's a good idea to look at some of the messages. A final
20 question: Is he linked to the brother Ngaïkosset?

21 A. [11:42:39] No, he's not -- not part of the family of Ngaïkosset.

22 (Redacted). Can you show me the messages, please.

23 Q. [11:43:03] *Just to start, on page 6835 you explain the casserole concert which
24 took place in Bangui mid-August. You spoke about that in your statement as well.

25 17 August 2013, (Redacted) answers. I don't know if you can see it. I don't know if

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1 you can see the message. It's the second message on that page, on page 6835. He
2 says: "From 19 o'clock there will also be shots." So not only casseroles, but also
3 gunfire.

4 And you ask the question, you say: "Shots? That starts but unfortunately ..."

5 And he answers: "Yes, when you hear the weapons it's our elements but tell the
6 others to prepare the casseroles."

7 My question is, when he refers to "our elements", who's he referring to, according to
8 you?

9 A. [11:44:30] As I said just now, when Seleka came to power, took power, it meant
10 that all the Central Africans -- or let me put it this way, all Central Africans lived in
11 fear, everyone. If you were political or not, everybody was scared. Everybody,
12 without any exception. Everybody lived with terror. Even poor women got up to
13 join this casserole concert. The youth couldn't accept because every day they had to
14 run and to hide yourself or find some shelter, go to the priests, et cetera. So when
15 there was this reaction of the Anti-Balaka, the youths started to mobilise themselves
16 to defend. Many of the Central Africans took the initiative. Many took the
17 initiative so that we could find peace.

18 So as I just said, even in Bangui there were soldiers who had weapons, even though
19 they weren't numerous and many fled the countries and also hid. But there were
20 some who resisted and sometimes tried to exchange fire with the Seleka. After that,
21 they would also hide.

22 So when he says there are going to be shots, it's -- it's on the basis of rumours.

23 Because if the military mobilised, if they're going to come today, then the military
24 would also defend us. So it happened everywhere. Information moved very
25 quickly, and so we heard that the military are organising themselves to defend us.

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1 So that was the basis of this conversation, so the military would come and defend.
2 And also that there would be the casserole concert and the military would defend us.
3 For the population, the casserole concert happened, and when they heard that in
4 certain sectors, they would send vehicles. In the sectors they're saying, "Why are the
5 casserole concerts taking place?" And that's why they said the people continued to
6 have the casserole concerts and the military will come to defend them.

7 So that's what they were trying to explain to me. But it has nothing to do with
8 politics nor the Anti-Balaka. (Redacted) has nothing to do with them.

9 Q. [11:47:18] Thank you for that explanation.

10 According to our information, he was in contact with Ngaïssona on 13 August 2013
11 and he puts himself forward as part of a support group.

12 MS PROULX: [11:47:41] I'm sorry, could we have a reference for this, please?

13 PRESIDING JUDGE SCHMITT: Yeah.

14 MS STRUYVEN: [11:47:48](Interpretation) CAR-OTP-2131-3641.

15 Q. [11:47:52] Do you know or were you aware that he was in contact with
16 Ngaïssona?

17 A. [11:47:59] Ah, well, I don't know. I don't know whether he was in contact with
18 Ngaïssona or not. I do not know. All I know about him, and I am surprised,
19 because when you talk about politics he was often against that, so you're showing me
20 another face of his. So that's what I -- that's what I can say. That is someone
21 (Redacted). We chatted together. He didn't like to talk about politics. That's why
22 I said in the beginning I'm not aware of this at all.

23 Q. [11:48:43] I'm going to show you another message on page 6837. It's just a
24 small question in parenthesis. You asked him the question if he was still in Douala
25 and he answered that he was in Yaounde. Do you know what he was doing in

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1 Yaounde?

2 A. [11:49:08] I don't know. I asked him the question because, for me, he was
3 trying to stop the Seleka and he had fled the Seleka, just like I had gone (Redacted),
4 and that's why he was there. I don't know why he went to Yaounde. I don't know
5 anything about that.

6 PRESIDING JUDGE SCHMITT: [11:49:34] Ms Struyven, could you please repeat the
7 last ERN number. We did not get it.

8 Microphone, please.

9 MS STRUYVEN: [11:49:59](Interpretation) I do apologise. CAR-OTP-2131-3641.

10 Q. [11:50:13] I have another question to put to you.

11 PRESIDING JUDGE SCHMITT: [11:50:16] Obviously, obviously there is another
12 intervention.

13 MS DIMITRI: [11:50:20] I'm sorry to -- I apologise for the interruption. But just on
14 this point of phone numbers, in fairness to the parties, when the Prosecution will put
15 a specific phone call to a witness, we need to have notification in advance. The
16 previous witness, the Prosecution had made a mistake. I couldn't react on the spot
17 because it takes time to verify, and you will recall that the Prosecution sent an email
18 apologising to the Chamber because they had used an incorrect record.

19 Now on the spot like this, and it's -- it's -- I understand it's a phone call regarding
20 Mr Ngaïssona, but it could again happen regarding Mr Yekatom. We need, in
21 fairness, notification, if phone records are going to be used.

22 PRESIDING JUDGE SCHMITT: [11:51:06] I also agree with you on that point, yes.

23 MS STRUYVEN: [11:51:29] Thank you, Mr President. If my notes are correct, this
24 shouldn't be a phone call. This should be an email. I hope it's correct. I'll check it
25 over the break. But this should be an email that was sent from this individual to

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1 Mr Ngaïssona, and then forwarded to another individual. But I will check to make
2 sure that my notes are correct on this.

3 PRESIDING JUDGE SCHMITT: [11:51:48] Yeah. And I have another -- another
4 thing here. My team tells me that the ERN provided, they cannot find it. So it's not
5 on eCourt, so there is some indicia that it is not correct.

6 MR KNOOPS: [11:52:05] Mr President, according to our information, this email is
7 not on the list of materials of the Prosecution. So that also creates another obstacle to
8 present this question to the witness.

9 PRESIDING JUDGE SCHMITT: [11:52:17] Yeah. And since this is not the first time
10 I -- I tend to agree again.

11 MS STRUYVEN: [11:52:22] Perhaps maybe then -- then I should seek clarification.
12 We've had a witness yesterday and there were, like, 20 or so propositions put to that
13 witness without any reference to the materials, the materials that were referred to the
14 witness were not on the list of materials of the Defence. We didn't even know which
15 witnesses they were referring to, let alone which statement that they were referring --

16 PRESIDING JUDGE SCHMITT: [11:52:41] This is -- but this is -- there is a difference
17 here. This is a document and -- and -- and with the other witness, albeit it was
18 simply that the swear -- the -- the -- what -- what was referred to was to -- to show
19 that the Defence had a foundation for their question. But to show a -- a -- an email,
20 which is a -- a document, which could also be introduced by bar table, for example, to
21 the witness without notifying before the Defence I think is -- is something different.

22 MS STRUYVEN: [11:53:20] With all due respect, I'm not referring -- I'm not showing
23 this email to -- to the witness. I'm referring to the existence of a communication
24 between two individuals. My colleague asked me for a reference, that I happened to
25 have because I looked it up when I was preparing for this witness, but I have no

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1 intention to show this email to this witness or to make him comment on this email
2 in -- in any way whatsoever. It's just to -- to show the foundation for me to ask or to
3 propose to the witness (Overlapping speakers)

4 PRESIDING JUDGE: [11:53:46] Yeah, then -- then simply -- then simply ask the
5 question without foundation and we'll see what comes out of it.

6 MS STRUYVEN: Yes.

7 PRESIDING JUDGE SCHMITT: And don't -- don't give the impression that there is
8 some -- so simply ask the question.

9 MS STRUYVEN: [11:54:00] Yes. So my question to the witness was whether he was
10 aware of a communication. I'll move to another point of -- of -- of this witness. But
11 it's -- it's a bit of a circular -- I will try it some -- some other way.

12 Q. [11:54:38](Interpretation) Mr Witness, sorry about that.

13 I'm going to show you another extract, page 6837. This is rather a long story by
14 (Redacted), who you also describe in your statement, and he explains to you what is
15 happening with (Redacted). Maybe I'll give you the time to read the extract. It's
16 the second part of that page 6837.

17 A. [11:55:46] Yes.

18 Q. [11:55:47] We're not going to enter into the details of that -- about that bit about
19 Danzoumi and others. My specific question: When you say (Redacted), could you
20 give us a complete name, for a start.

21 A. [11:56:05] I think I'm talking about (Redacted) (phon).

22 THE INTERPRETER: [11:56:11] The interpreter didn't quite get the name. Sorry.

23 PRESIDING JUDGE SCHMITT: [11:56:18] Mr Witness, could you please repeat the
24 name. We didn't get the name correctly.

25 THE WITNESS: [11:56:29](Interpretation) (Redacted).

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1 (Redacted). And afterwards, when (Redacted)

2 (Redacted) Claude

3 Ngaïkosset, Mokom, and other individuals whom I didn't know. And they gave him

4 a computer to make some pamphlets which could be distributed, et cetera, et cetera.

5 And then he took that computer and the -- he had to print a lot of pamphlets, so he

6 left with brother Danzoumi. And after that, I got information about him, that he

7 went to Bouar and then Bossangoa, and (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 MS STRUYVEN: [11:58:32](Interpretation)

17 Q. [11:58:32] Yes, I think you are describing in your statement and even in your

18 corrections.

19 I have a more specific question. You speak about the fact that he was sent to supply

20 money and munition to the people on the ground in Bossangoa. And then there was

21 this misunderstanding and the elements directly contacted the cooperation. They

22 were given an order by a close contact of Bozizé. I think you say Mokom.

23 A. [11:59:14] Yes --

24 Q. (Overlapping speakers)

25 A. (Overlapping speakers) -- there I am speaking of Mokom.

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1 Q. [11:59:19] *When you are talking about Djambar, who are you talking about?

2 A. [11:59:25] *I am talking about Eugène Ngaïkosset.

3 Q. [11:59:33] So at that time you organised *for ammunition to be sent to the
4 elements in Bossangoa, in October, I think, 2013?

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 Q. [12:00:11] My question is, *at that time did they continue to send money and
10 ammunitions to the elements who, according to this message, were in -- on the
11 ground in Bossangoa?

12 A. [12:00:26] As I said in my statement *how ammunition was sent, I said at the
13 moment when sending munition, and stated that it is something I didn't see. I didn't
14 see him sending munition. (Redacted)

15 (Redacted) because he was standing up

16 against the president. I just gave him the information but I didn't see it. But I said
17 in my statement when I saw munition that was sent.

18 Q. [12:01:25] Then at page 6838, which is the next page, (Redacted) answers that he
19 is in Bertoua in Cameroon.

20 And then you answer that *he is a traitor. Well, you already explained that he was
21 going to Cameroon to transport *ammunition for your people, well -- and that he was
22 a traitor and that he was going to transport ammunitions *for your -- your men.

23 *Were you aware that ammunitions were passing through Cameroon?

24 A. [12:02:12] Well, I cannot say what I did not -- or what I was not present at. I
25 can only tell you what (Redacted) -- how do I put this?

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1 He was -- he was sad *he had bad feelings about the Danzoumi brothers. And so
2 when I talk about ammunition, it was about (Redacted). He was
3 saddened by this fact, that the Danzoumi brothers were *plotting something. And so
4 I -- (Redacted) that these were *cooking up something against him. So
5 (Redacted)
6 (Redacted)
7 (Redacted)
8 (Redacted). And so there is an intention there for power to be
9 taken over, and Mokom was part of that, with the view to bring Bozizé back to power.
10 And that is why Mokom opposed them and it is on this basis that Mokom made that
11 statement.

12 Q. [12:03:50] Did Mokom (Redacted) the transfer of ammunition to Cameroon or in
13 Cameroon?

14 A. [12:03:58] No, I did not hear mention of transferring any ammunition from
15 Cameroon.

16 Q. [12:04:10] *I have another very specific question for you on the next page, which
17 is page 6839. There is a reference.... (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 So to complete things, Ngoko -- Ngoko are here, some 35 kilometres away (Redacted)
22 (Redacted).

23 We just want to make sure that we have understood you clearly. The Claude you
24 refer to, is that Claude Ngaïkosset?

25 A. [12:05:15] Yes, Claude Ngaïkosset was there. He is in Zongo with his brother.

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1 They left Zongo and went to Brazzaville. And they stopped in Brazzaville, the two
2 Ngaïkosset brothers. And then the -- the court -- or Tribunal, should I say, and
3 Mokom, was with all the officers. And (Redacted)
4 all the officers are in Zongo, in Congolese territory. So they are spread all over
5 various parts of Zongo, and they were all there. (Redacted) Mokom, he was able to
6 use all those officers to try and recapture power and hand it over to Bozizé.
7 So Mokom was trying to contact Bozizé to get him to understand that there are some
8 officers with him who are willing to take up arms and to return to defend him and to
9 bring him back to power.

10 So that information I'm providing is based on (Redacted).

11 Q. [12:06:35] Let me hop back a little bit. The Francis, the Francis you've just
12 mentioned here, would that be Francis Bozizé?

13 A. [12:06:46] Well, yes, but (Redacted), he went there to Zongo,
14 but then thereafter I don't know where he went with his wife. (Redacted), he
15 also had gone there to Zongo but had left with his wife. But he was not there
16 throughout that time. He didn't stay there throughout that time. But I don't know
17 where he was thereafter. (Redacted)

18 (Redacted)

19 Well, what I'm saying is that at the beginning when they crossed over and Seleka took
20 power, they were all in Zongo. All those names that I've mentioned, Maxime
21 Mokom, they were all in Zongo.

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 Q. [12:07:48] If we go to the previous page, page 6838, bottom of that page, it is

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1 (Redacted)

2 (Redacted)

3 Now, Bozizé's sons, several of them went through Zongo. (Redacted)

4 at that time?

5 A. [12:08:22] (Redacted). Bozizé's sons were in Kinshasa.

6 Djodjo, Papi, Bozizé's nephews, they were all in Kinshasa.

7 Q. [12:08:47] Reference is also made here to one "Ngoko". Who is Ngoko?

8 A. [12:08:56] He was a student who was of the ANECA coalition. (Redacted) and

9 Ngoko were -- were also there. Ngoko was part of the coalition and he was one of

10 the senior brothers in the university. (Redacted)

11 (Redacted).

12 Q. [12:09:27] At page 6839, same message. You say towards the end that (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 A. [12:10:13] (Redacted)? I don't know. I -- (Redacted)

21 (Redacted), or something like that. And you know the people in that sector, they

22 tend to travel often. So I don't know very much about him. I don't know what he

23 was doing in Cameroon or anywhere else.

24 Q. [12:10:37] I have another question at page 6843. And once again it's the same

25 conversation, the conversation (Redacted) -- and I -- I'll give you

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1 time to read.

2 PRESIDING JUDGE SCHMITT: [12:11:03] Ms Proulx.

3 MS PROULX: [12:11:07] I'm sorry to interrupt. I believe the page that counsel is
4 referring to was not indicated as one of the pages they would use in their list of
5 evidence -- list of material, sorry.

6 PRESIDING JUDGE SCHMITT: [12:11:23] And like always, if there is no objection,
7 things might simply continue, but if there is an objection, of course, and the objection
8 has a foundation, it's correct, yeah.

9 MS STRUYVEN: [12:11:40](Interpretation)

10 Q. [12:11:40] Mr Witness, I will not show you this page, and I will just try to ...

11 In the conversation (Redacted)

12 (Redacted)

13 (Redacted). Do you remember that?

14 A. [12:12:11] Yes, I remember, because he thought that Eugène Ngaïkosset was
15 (Redacted), but he was in Kinshasa. No, rather, in Brazzaville, arrested. That's it.
16 His children (Redacted). So he wanted to contact him.

17 Well, because I don't know what the relationship was between the two. He wanted
18 to talk to Eugène. And I don't know who subsequently passed on the message to
19 Eugène, but he was in -- in Brazzaville, (Redacted)
20 (Redacted)

21 Q. [12:13:05] At that time, were you in contact or was Mokom in contact with
22 Eugène Ngaïkosset?

23 A. [12:13:14] When he was arrested, even Mokom was no longer in contact with
24 him. They had been in contact before. But when they were arrested, Ngaïkosset,
25 Mokom lost contact with the two.

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1 Q. [12:13:29] Before Eugène and Claude Ngaïkosset were arrested, what were their
2 roles in the preparation of the attack of 5 December 2013?

3 A. [12:13:44] Before they were arrested, let me repeat, I had not met Claude and
4 Eugène in person, physically, when (Redacted)

5 (Redacted), and those two had

6 been taken by the soldiers in Zongo to Kinshasa. And after Kinshasa, the two

7 wanted to go to Brazzaville and apparently to fly out to somewhere, but they were

8 arrested at the airport in Brazzaville, according to information available to me. They

9 had tried to travel out of Brazzaville and were both arrested there. But I did not

10 meet them.

11 However, (Redacted), as I said a short while ago, Claude, Eugène and

12 Maxime are the ones who put out the flyers to denounce the abuses of Seleka. They

13 printed them and wanted to send most of them to Bangui for distribution across the

14 land in order to denounce what was going. (Redacted) this is what they

15 were doing. And it is on that basis that a computer was given, Pabandi took it with

16 him to meet up with the two *Danzoumi brothers. But I did not meet up with them

17 in person, the two Danzoumi brothers. (Redacted).

18 Q. [12:15:32] At that time, had you received any information whereby Eugène

19 Ngaïkosset was in contact with Bernard Mokom?

20 A. [12:15:42] No, I don't know. I don't know. I don't remember whether he was

21 in touch with Bernard Mokom. I don't know.

22 Q. [12:15:58] Did you know whether he was in contact with Ngaïssona?

23 A. [12:16:03] No, I don't know that either. I don't know.

24 Q. [12:16:14] In your Facebook conversations, some references are made to

25 Djambar, and then you talk about Eugène and then you also mention Djambar. Did

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1 you discuss what he did or what he was planning with Mokom?

2 A. [12:16:39] Djambar? Well, Djambar is the name by which we call Eugène

3 Ngaïkosset. It is a training centre for lieutenants in Bangui, and apparently he

4 graduated from that school, so in Bangui everybody was calling Eugène Ngaïkosset

5 "Djambar". That's how we tended to call him. That's all I know about it and I don't

6 know much more.

7 Q. [12:17:16] No problem, Witness. But I have a few questions for you on the

8 Ngaïkosset family to help us understand.

9 John, John Master Ngaïkosset, is that Eugène Ngaïkosset's son?

10 A. [12:17:34] Yes, that is Ngaïkosset's son.

11 Q. [12:17:39] Futur Schematic Ngaïkosset, is that another son?

12 A. [12:17:45] Yes, that is also Ngaïkosset's son.

13 Q. [12:17:51] Wan or Wanzan, would that be a brother?

14 A. [12:17:57] Well, according to them, there were some family ties between the

15 Ngaïkossets and the Wanzans, but I don't know the nature of the relationship. So

16 they -- they said that they were family. See, Ngaïkosset's son, Futur Schematic, used

17 to sleep at Wanzan's home at some point.

18 Q. [12:18:24] The person you said Pierre Tite or Tite, is that also a family member?

19 A. [12:18:36] Pierre what? Pierre what?

20 Q. [12:18:38] Maybe I am mispronouncing the word, but it's T-I-T-E. T-I-T-E.

21 A. [12:18:48] T-I-T-E, I really don't know. I don't remember. I know many

22 people whom -- I know many people, but there are some people with whom I have

23 had conversations but I don't know them physically.

24 Now, I don't know Tite. Whether he was of the family or not, I don't recall.

25 Q. [12:19:08] Someone who may have been known as Papa Tite?

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1 A. [12:19:14] Papa Tite? No, I don't remember that name.

2 Q. [12:19:21] Another question, since we are talking about (Redacted). In your
3 statement, and I'm referring to, I hope it's the right reference, tab 15.

4 We don't need to show this document. I'm just providing the reference: 2122-7740, at
5 page 7746.

6 (Redacted). Now, Eric, who is
7 Eric?

8 A. [12:19:58] Eric, I'm not very sure what the relationship was, but he -- he is a
9 soldier, maybe an adopted son or half son of Lieutenant Tribunal. But I'm not sure
10 what the nature of the relationship is between him and Lieutenant Tribunal.

11 Lieutenant Tribunal (Redacted). And
12 so he had relations with Lieutenant Tribunal and so he tended to come towards me
13 and (Redacted) as well.

14 Q. [12:20:47] Do you have a family name for Eric?

15 A. [12:20:51] No, I don't know his family name.

16 Q. [12:20:59] And Juvenal, do you have a family name for him?

17 A. [12:21:04] He too was a young person whom I only got to know (Redacted). I
18 don't know what he does in life and I don't know his family name.

19 Q. [12:21:17] Then there is a Habibi. Were you with one Habibi (Redacted)?

20 A. [12:21:28] Habibi, no, I don't remember a Habibi (Redacted).

21 PRESIDING JUDGE SCHMITT: [12:21:33] May I, shortly. It's your time, of course,
22 that you -- how you spend it, but -- and perhaps the Prosecution will show the
23 Chamber the relevance of all these names at some point in time. But, actually, at this
24 stage, it's not fully clear.

25 MS STRUYVEN: [12:21:55] No, I -- I fully understand that it -- it must be almost

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1 mysterious. But it's indeed because of the limited time that we have I'm not going
2 through any of the messages in great detail, and -- and we hope that we will be able to
3 provide you in writing putting the puzzle together with -- it's a big puzzle, as we can
4 all imagine. And we will need to put that puzzle together at some point.

5 PRESIDING JUDGE SCHMITT: [12:22:21] It was only a remark. And actually, I
6 could have and I sort of have foreseen your answer, but it was simply -- just came to
7 me mind and I had to -- to blur it out, so to speak.

8 And be mindful that your time is limited, so you have now -- I think you have said
9 two hours. We don't normally discuss about 15 minutes or something or so, but
10 please be mindful of that.

11 MS STRUYVEN: [12:22:57](Interpretation)

12 Q. [12:22:59] Mr Witness, we do not have very much time together, that's why I am
13 putting questions to you which may appear to not be coherent.

14 So let me ask you about Fidel Castro. Fidel Castro, who -- well, did you
15 communicate with him? I'm sure this is sort of a fictitious name, but who is the
16 person behind that name, Fidel Castro?

17 MS PROULX: I'm sorry.

18 PRESIDING JUDGE SCHMITT: [12:23:29] May I shortly.

19 Ms Proulx, yeah.

20 MS PROULX: [12:23:32] Yes, apologies. I believe counsel here is referring to
21 materials which you specifically told them not to use during this examination. So
22 I'm mindful of the fact she's not showing it, but therefore the information is coming
23 from those documents that you rejected.

24 PRESIDING JUDGE SCHMITT: [12:23:50] But let's say -- but on that now, to -- to
25 put this name to her, and as Ms Struyven sort of has correctly pointed out in the past

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1 days we have been quite lenient with the Defence, with the exception that there were
2 no objections, of course, we have to always keep that in mind. And there is an
3 objection. But yeah, let me put to the question to the witness.

4 Any person you know with the name of Fidel Castro that had -- you had contact with?
5 And I assure you that the Chamber does not assume that it is the famous politician
6 from Cuba.

7 THE WITNESS: [12:24:37](Interpretation) Yes, Mr President, I can answer your
8 question.

9 Let me start by first of all saying that I never knew Fidel Castro, the president of Cuba,
10 to begin with.

11 Now, I don't know who is hidden behind this Fidel Castro identity. Was on
12 Facebook. If it's in Facebook that they found it, well, there were many people on
13 Facebook who used all types of names without really being those people. So I
14 myself, I do not know who was behind that name, behind that Fidel Castro identity.

15 PRESIDING JUDGE SCHMITT: [12:25:21] Thank you for this answer, Mr Witness.
16 Please proceed, Ms Struyven.

17 MS STRUYVEN: [12:25:36](Interpretation)

18 Q. [12:25:37] Another question: Maixent Ngaïssona, do you know that person?
19 Who is it? Who is he or she?

20 A. [12:25:48] Mike Ngaïssona? Mike?

21 Q. [12:25:57] Maixent, M-A-I-X-E-N-T.

22 A. [12:26:10] Maixent. Well, I know many Ngaïssonas in Bangui who are not
23 related to Patrice Ngaïssona. Now, Maixent Ngaïssona, I really don't remember who
24 that would be.

25 Q. [12:26:27] Another question for you. What about Freddy, Freddy Ngaïssona?

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- 1 You refer to Freddy Ngaïssona in your statement.
- 2 A. [12:26:41] Yes.
- 3 Q. [12:26:42] Who was he?
- 4 A. [12:26:44] Freddy Ngaïssona is Mr Patrice-Edouard Ngaïssona's junior brother.
- 5 Q. [12:26:56] What was his role during the events?
- 6 A. [12:27:02] He was in Cameroon, along with his brother in Cameroon. His
7 entire family was in Cameroon, I believe, at that time.
- 8 Q. [12:27:22] (Redacted)
- 9 A. [12:27:28] (Redacted).
- 10 Q. [12:27:33] Have you been in contact with him recently?
- 11 A. [12:27:40] I have not been in touch -- or, I have not had news from him in the last
12 year or year and a half or so.
- 13 Q. [12:27:53] Where is he? Where does he reside today?
- 14 A. [12:28:01] He is in Bangui, in Bangui. But I don't know where he is for now.
15 At the time (Redacted), he was in Bangui. So I don't know whether he's currently
16 still in Bangui or not.
- 17 Q. [12:28:28] I'll show you another Facebook conversation. We have a few more
18 minutes before the break. But I just want to show you conversation at tab 54,
19 CAR-OTP-2132-7226.
- 20 It is a conversation with one (Redacted). Do you recall
21 communicating with him?
- 22 A. [12:29:16] He is a young person from my neighbourhood with whom I
23 communicate frequently.
- 24 Q. [12:29:31] What was he doing? What was his occupation in life at that time?
- 25 A. [12:29:40] (Redacted), not in Bangui. It is only now

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1 that he has returned to the country, since 2020. So at that time he was (Redacted)
2 (Redacted).

3 Q. [12:30:01] At page 7235 and 7236, and we are in September 2013, you explained
4 to him that you are with Ngaïkosset, but we are not going to hop back to that topic.
5 You also say at page 7236 that all the officers of 15 March are there. Those officers of
6 15 March, can you explain to the Chamber who you are referring to?

7 A. [12:30:47] Without lying to you, please don't take into account everything that I
8 say on Facebook myself. Sometimes I say stupid things, but please focus on the
9 truth that I am telling you in the court. But don't -- don't pay attention -- don't
10 shun to some of the stupid things that I may have said on Facebook. I say things
11 that do not really exist on Facebook.

12 So when I talk about the officers of 15 March, I'm talking about Ngaïkosset, because
13 I'm saying Claude Ngaïkosset said -- I mean, (Redacted) that Ngaïkosset was with
14 him. And I mentioned a short while ago -- you mentioned the names of the other
15 officers who were in -- in Zongo, and Bozizé's sons. So this is the group that I'm
16 referring to as the officers of 15 March. (Redacted), their intent
17 was to bring back Bozizé to power. And that's how I made reference to these officers
18 of 15 March.

19 My personal view, and without lying to the Court, is that I am a Central African, but I
20 also have bad memories of the Seleka. And so that's why we were able to say some
21 of these things rather carelessly because of the suffering that we were experiencing at
22 the time. That's the answer that I can provide to you at -- at this time.

23 Q. (Overlapping speakers)

24 PRESIDING JUDGE: [12:32:28] Over -- overlap, and I think we can have the break
25 now until 2 o'clock. We have already two hours and we are over two hours. You

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1 can come back to that after the break, I would say. Thank you.

2 THE COURT USHER: [12:32:39] All rise.

3 (Recess taken in private session at 12.32 p.m.)

4 (Upon resuming in open session at 2.00 p.m.)

5 THE COURT USHER: [14:00:20] All rise.

6 Please be seated.

7 PRESIDING JUDGE SCHMITT: [14:00:38] Good afternoon, everyone. Good

8 afternoon, Mr Witness.

9 The Prosecution has still the floor.

10 MS STRUYVEN: [14:00:53](Interpretation)

11 Q. [14:00:55] Mr Witness, I will continue from where we stopped before the break.

12 We are in open session. I will ask you a few other questions that -- on the document

13 I showed at the very beginning, CAR-OTP-2127-0655, and it is on tab 29.

14 We are not going to talk about the context in which this document was established

15 because we are in public session, but I would like to draw your attention to three

16 specific paragraphs and ask you whether you still agree with the statements made in

17 those paragraphs.

18 The first paragraph is page 7, 0665, page 0665, and you are talking about Ngaïssona,

19 and you say:

20 "According to my analysis, he wanted to use the Anti-Balaka movement to create

21 electors for future presidential elections because they constitute a majority within the

22 population. But he was not able to participate in the presidential elections because

23 of bank issues."

24 * And then you were asked, "Which election?" And you answered, "the 2016

25 presidential election." Then there is another paragraph that has to do with the same

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1 thing to some extent. This is at page 0653, and you are asked whether Ngaïssona
2 fought, and you said: "No, never, he's a big politician. The idea of Ngaïssona was
3 to calm down the -- control the Anti-Balaka in order to have chances in the
4 presidential election."

5 The third paragraph is --

6 MS PROULX: [14:03:35] I'm so sorry. You -- you said "0653" and I don't think --

7 PRESIDING JUDGE SCHMITT: [14:03:38] Ms Proulx, first, only when I say because
8 otherwise we have this overlapping problem. You are right. The page number
9 must be incorrect.

10 The last that you told us, perhaps you have a look again or your colleague, but you
11 can continue from there.

12 But it should be corrected, let me put it this way.

13 But otherwise, the Chamber is fine with the manner in which you are introducing that,
14 but perhaps not too many parts of it -- no, no, not at a time because the witness, how
15 can he answer to that? So perhaps it would even be better to put one portion to him
16 and ask him, "Do you stand by that?" And then the second, and so forth.

17 MS STRUYVEN: [14:04:30](Interpretation)

18 Q. [14:04:32] Mr Witness, as the President has said, do you still agree with that
19 statement?

20 A. [14:04:46] Yes. These are my own statements, my point of view regarding what
21 I was observing regarding this gentleman, Patrice-Edouard Ngaïssona. When I was
22 in the coordination, that is what I observed about him; that is what I heard from his
23 mouth. And he was always talking about politics, and, it was about the Anti-Balaka,
24 to sensitise them to abandon the idea of weapons and join politics because it is better
25 to win politics through -- or, rather, the presidency through elections than weapons.

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1 That is the idea I heard. He was still talking about that; that's why I'm saying it.

2 But I cannot know what is in his heart but I heard what came out of his mouth and
3 how he was conducting himself, that's why I said that.

4 Q. [14:05:57] One last paragraph. It's page -- it's page 0678, and it is put to
5 you -- the person interviewing you, he said: "Ngaïssona is not naive. He probably
6 told himself that he will provide his assistance to put an end to troublemakers; he
7 would have support from the international community during the presidential
8 elections." And you said: "Maybe that is it, what you are saying because I observed
9 that at the approach of elections, he was very concerned. He was doing everything
10 for the peace process. He even gave his own money to pay ComZones so that they
11 should not carry out stupid acts. And after the elections, he no longer had any
12 interest. Even for San'Edigio, he had to come with me, but he told me that he had
13 a meeting, the Confederation of African Football, so he was getting further and
14 further away from me. He was no longer so engaged in the peace process."
15 Did you still -- by that, still stand by that statement?

16 A. [14:07:30] Yes. I stated at one point -- I stand by that statement because
17 Ngaïssona was no longer very active -- active. So he's objective was to sensitise the
18 Anti-Balaka to put down the weapons and to join the party, so at one point,
19 Ngaïssona - that is, after the elections, since he could not participate in the
20 presidential elections of 2016 - he was no longer very active in the Anti-Balaka area.
21 He turned the page in my opinion from what he was before.

22 Q. [14:08:27] We don't have too much time, so I'll come back to what we were
23 talking about [...] the break. Just so that we should understand, what is the meaning
24 of the date of 15 March in the history of the CAR?

25 A. [14:08:48] The date of 15 March 2003, if I'm not mistaken, it was on that date that

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1 the former president, François Bozizé, took over power through a coup d'état.

2 Q. [14:09:12] If I understand you well, the officers of 15 March [...] refer to the
3 liberators or the "ex-liberators", as they are referred to?

4 A. [14:09:26] Yes, those are the ex-liberators.

5 Q. [14:09:32] I have a few questions now, and I think we have to go back to private
6 session.

7 PRESIDING JUDGE SCHMITT: [14:09:41] We go to private session.

8 (Private session at 2.09 p.m.)

9 THE COURT OFFICER: [14:09:47] We are in private session, Mr President.

10 MS STRUYVEN: [14:10:06](Interpretation)

11 Q. [14:10:08] Before the break, we were looking at a message between you and

12 (Redacted), and I will go back to the page to show you. It is tab 54,

13 CAR-OTP-2132-7 -- 1 -- 226, page 7235. And you explain that (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 What did you want to do -- what did you mean by that?

19 A. [14:11:26] Very well. By then, I meant -- I meant by that -- relates to Maxime
20 Mokom. He was looking to find Bozizé to finance him, so that he should be able to
21 finance the Anti-Balaka, chase out the Seleka so that they could return to the country.
22 But since he had not found Bozizé, to find the resources, they could not return home
23 at the time.

24 That is in relation to that; so I could not go back to the country at that time.

25 Q. [14:12:25] And you say: (Redacted)

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1 (Redacted)

2 What was Ngaikosset's role at the time?

3 A. [14:12:45] Because Ngaikosset was frequently asked -- calling Djotodia, so even
4 though he was not in Bangui, he was making as though he was accelerating things.
5 But it was not true. It was simply to sow confusion amongst the Seleka that he was
6 in Bangui; that he was going to attack. And that meant Seleka would get all
7 confused and be preparing for battle.

8 So that's what I meant by if it was only Ngaikosset, things would have changed
9 quickly. Ngaikosset was using words and tracts indicating that he should have been
10 in Bangui, and yet it's not true.

11 Q. [14:13:51] The next page, 7236, (Redacted)

12 And you say: (Redacted)

13 (Redacted)

14 Just for the Chamber to understand, which were the officers of 15 March (Redacted),
15 that is, who were the ex-liberators who were there?

16 A. [14:14:38] (Redacted), I did not know all them, but there was -- according to
17 Maxime Mokom, there were many 15 March officers who (Redacted), but I knew few
18 of them. There was Tribunal, Dokabona. There were also 15 March officers.
19 There was also Eugène Ngaikosset, who had (Redacted) and taken in. There were
20 also the nephews of Bozizé who were in Kinshasa. So it was thanks to 15 March that
21 they also became officers of the Central African army.

22 So it is in relation with (Redacted).

23 There were others (Redacted) that I did not know (Redacted), but he also talked about
24 them.

25 Q. [14:15:40] Thank you. I have one last Facebook conversation. It is tab 59, and

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1 it is CAR-OTP-2133-2741, and you had this conversation with (Redacted)

2 (Redacted)?

3 A. [14:16:20] Yes.

4 Q. [14:16:20] Do you remember communicating with him?

5 A. [14:16:24] Yes, I was communicating with him, but I'm -- I don't know what type
6 of communication you are referring to.

7 Q. [14:16:36] I just want to ask you a very specific question, and it is on

8 page 2 -- 2760, and he's -- and it is on 14 January 2014. I don't know whether you

9 remember the day Ngaïssona returned to Bangui, and, on that day, he asked you:

10 (Redacted)?

11 And you said: I greet you the boss is here.

12 Who are you referring to when you say the boss is there?

13 A. [14:17:37] The message stopped there, because if I was talking about the boss at
14 that time, (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 Q. [14:18:09] I think in that context -- I don't know whether you have the message

19 in front of you. In this context here, I think that you continue discussing with him in
20 the minutes that followed. Is it possible that when he asked you, What was

21 happening after Djotodia, and you said, The boss is there, is it possible that you're
22 referring to Ngaïssona?

23 A. [14:18:58] But I don't have the message. But if I can see it again, maybe I can
24 remember.

25 MS PROULX: [14:19:07] Briefly, out of fairness to the witness, at page 2758, written

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1 on 4 January, he also mentions his boss. One would assume it would be the same
2 boss.

3 PRESIDING JUDGE SCHMITT: [14:19:23] Yeah, there are two possibilities. I think
4 we put, first of all, this portion to the witness and then out of fairness, perhaps also
5 2758, like you indicated Ms Proulx. I'm relatively sure we won't need it with regard
6 to the expected answer, but you never know.

7 So Ms Struyven, please continue. Excuse me for the interruption.

8 Mr Witness, do you see it now on your screen?

9 THE WITNESS: [14:20:12](Interpretation) Not yet.

10 Yes, I have the document on the screen.

11 PRESIDING JUDGE SCHMITT: [14:20:36] So the question is still, whom do you refer
12 to when you mention "*le boss*"?

13 THE WITNESS: [14:20:50](Interpretation) I really do not remember very well who I
14 was referring to as the boss at that time, I really do not remember now. Because
15 during this period, if I can say, Ngaïssona -- at that time I did not know what
16 relationship Ngaïssona had with the Anti-Balaka. When I heard about Ngaïssona, it
17 was when he returned and people welcomed him as -- from the airport and from that
18 same day, people started understanding then Ngaïssona and the Anti-Balaka, in fact,
19 he -- as a candidate for the transition -- well, maybe that is what I was referring to.
20 So people were talking about Ngaïssona after Djotodia; that he could also represent
21 them in the transitional government. But I really do not remember.

22 PRESIDING JUDGE SCHMITT: [14:22:05] I think that's okay, yes. And so that the
23 Defence does not have to put the other portion to the witness, it fits now. I think we
24 put on the screen 2758, please. And it's in the second half.
25 Exactly like this. Thank you very much.

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1 Do you see it already, Mr Witness? And at the end of this longer portion, which is

2 ascribed to you at 2 o'clock and 13 minutes -- 14, yeah, you mention "*mon boss*".

3 Whom did you refer to when you mentioned in that instance a "boss" or your boss in

4 your case?

5 THE WITNESS: [14:23:22](Interpretation) I do not see "*mon boss*" here. I'm looking

6 at a different page. Maybe it could be scrolled up. I don't see the words "my boss".

7 PRESIDING JUDGE SCHMITT: [14:23:38] The last line, the last line, what you see

8 there: "... *tu a envie de dire mon boss* ..."

9 THE WITNESS: [14:23:45](Interpretation) Yes, yes, yes.

10 Just as I was telling you a short while ago, I was talking about my boss. (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 PRESIDING JUDGE SCHMITT: [14:25:21] Thank you, Mr Witness.

23 Please, Ms Struyven.

24 MS STRUYVEN: [14:25:26](Interpretation)

25 Q. [14:25:27] Thank you very much, Mr Witness. I have no further questions.

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1 (Speaks English) Your Honours, I do have two references for the record.

2 PRESIDING JUDGE SCHMITT: [14:25:36] Yeah, why not.

3 MS STRUYVEN: [14:25:37] These -- the second paragraph that I read out in the
4 document CAR-OTP-2127-0655, and the second paragraph that I read out was at the
5 page 0673. And the email that I referred to this morning - there was a typo - it's
6 2130-3641. That's the email that I referred to. There was a typo with the 0 and the
7 1.

8 PRESIDING JUDGE SCHMITT: [14:26:19] Thank you very much.

9 And perhaps we go back to open session, I would suggest.

10 (Open session at 2.26 p.m.)

11 THE COURT OFFICER: [14:26:29] We are back in open session, Mr President.

12 PRESIDING JUDGE SCHMITT: [14:26:49] Thank you.

13 And perhaps a question from the Chamber to the witness.

14 Mr Witness, do you have any information about children in the Anti-Balaka
15 movement taking part in fights, in hostilities, whatsoever?

16 THE WITNESS: [14:27:11](Interpretation) In answer to your question, I really do not
17 have that much information, but I gathered a little bit of information relating to child
18 soldiers. *I gathered some information: there were young people under 18 years of
19 age, even under 17 sometimes, or 16. These are people who lost their parents during
20 the events who had been killed by the Seleka, sometimes both their father or their
21 mother, and sometimes they would survive and then escape and join the Anti-Balaka.
22 But the leaders were always behind -- but the leaders always put them behind. If
23 you asked them the question, What are they doing there, they will you, "My parents
24 have been killed. I do not have a mother -- any mother or father, so I don't know
25 where to go. I am with the Anti-Balaka to have some protection."

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1 So this is some of the information I received from these people.

2 PRESIDING JUDGE SCHMITT: [14:28:39] Did you speak directly with these, let's
3 say, let's word it this way, with these young people or with some of them?

4 THE WITNESS: [14:28:50](Interpretation) Yes. When I met someone that I thought
5 he was very young – {ICR: (Redacted)
6 (Redacted)} and I

7 came across two other young people. So this is all information in my statement.

8 PRESIDING JUDGE SCHMITT: [14:29:25] Okay, I think we can leave it at that.

9 Any further questions by the representative of the victims?

10 MS FALL: [14:29:35](Interpretation) Mr President, the legal representatives of the
11 other crimes, no, we have no question.

12 MS LAU: [14:29:49] We have no questions for this witness. Thank you,
13 Mr President.

14 PRESIDING JUDGE SCHMITT: [14:29:53] Thank you very much.

15 There are signs that Ms Proulx will start. Well, 10 hours is quite a lot. I would be
16 surprised -- okay, but I would be surprised if you would need it, actually, but we can
17 never be sure.

18 MS PROULX: [14:30:16] Indeed, Mr President. Recent experience shows that we
19 can sometimes exceed.

20 PRESIDING JUDGE SCHMITT: [14:30:22] But it's better than to feel under pressure
21 and in a rush, I understand that. Yes, please start.

22 QUESTIONED BY MS PROULX:(Interpretation)

23 Q. [14:30:37] Good afternoon, Mr Witness. Can you hear me?

24 A. [14:30:51] Good afternoon. I can hear you.

25 Q. [14:30:54] Let me introduce myself. We met quite briefly a few weeks ago in

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1 January during the courtesy visit. My name is Marie-Hélène Proulx. I'm one of the
2 lawyers representing Mr Patrice-Edouard Ngaïssona in this trial, and I will be putting
3 questions to you today and in the days ahead on behalf of Mr Ngaïssona.

4 A. [14:31:27] Very well.

5 Q. [14:31:29] You have already answered many questions this morning, and you
6 may want to note that we need to speak slowly, we need to observe a pause between
7 questions and answers so that the Sango and English interpreters can follow us
8 properly.

9 The Prosecutor told you this morning, and I say it myself, too, if my questions are not
10 too clear to you, please don't hesitate to ask me. I will rephrase.

11 A. [14:32:00] Okay.

12 Q. [14:32:04] And one last thing before we start off. I had already told you in
13 January -- I told you this in January, I read carefully the statement you submitted to
14 the -- the statements you submitted to the OTP, they are very lengthy and you
15 addressed a vast number of issues and so unfortunately for you, I also have very
16 many questions for you. Please, I urge you to be patient with me so that we can do
17 this as quickly, as efficiently as possible without repetition.

18 I hope that by the time we conclude -- both of us will be quite tired by the time we
19 come to the end of my questioning and I would like to extend my apologies on that
20 point upfront.

21 Now, let me start, first of all by taking you back in time to the very beginning of the
22 crisis in the Central African Republic. I want to refer to what happened at the end of
23 2012 and in early 2013.

24 When you met with the representatives of the OTP in July 2020, the investigators put
25 questions to you relating to a speech delivered by François Bozizé at PK0. I want to

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1 hop back to that speech. But before I do so, I would like to draw your attention to
2 another speech which was delivered in early December 2012, and this was at the time
3 when Seleka was already advancing into the Central African Republic and that was
4 well ahead of the 2013 Libreville agreement.

5 I would like Defence document 63, CAR-OTP-2100-0540, to be displayed. I will read
6 two short excerpts at the top of page 0544. In this speech, which was delivered on
7 the 54th anniversary of the CAR, François Bozizé says that:

8 "[...] the final return of peace across the territory remains for me, one of the first
9 national priorities, because without peace, there is no hope for constructing a new
10 Central Africa."

11 Then in the next paragraph he says:

12 "[...] to extend a hand of peace to compatriots who have gone astray and continue to
13 disturb calm -- the calm of our brothers and sisters in certain regions of the country,
14 so that they may come back to the right path."

15 So my question for you, Mr Witness, is as follows: Do you agree with me that there
16 is nothing in these passages that suggests that Mr Bozizé had any kind of hostility
17 whatsoever against several -- Central African Muslims, even though at the time it was
18 known that the Seleka was made up of mostly Muslims? Would you agree with
19 that?

20 A. [14:36:16] Yes, I agree with you that in this speech, Bozizé has nothing against
21 Central African Muslims.

22 Q. [14:36:30] Thank you. Now, turning now to this infamous speech of the -- the
23 speech which you say you are aware of, the speech at PK0, which was delivered on 27
24 December 2012.

25 So, at some point, the -- the advance of the Seleka caused concerns and fear within the

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1 population; is that correct? Would you agree with that?

2 A. [14:37:11] Yes, I agree.

3 Q. [14:37:16] I put it to you that the general purpose of that speech was to warn the
4 Central African people on the advance of the Seleka and on the fact that Seleka was
5 made up of foreign forces. Do you agree with that analysis?

6 A. [14:37:42] Yes, I agree.

7 Q. [14:37:45] I will now refer to some excerpts of the speech. And, for the record,
8 we have an audio version on our list, which is in Sango and which we will not use,
9 and that's document number 8, CAR-OTP-200[0] -- 0630. However, I would like the
10 transcript of the speech to be displayed, which is document 40, CAR-OTP-2060-0678.
11 Witness, I don't know if you remember this speech, but let me remind you that in this
12 speech, Mr Bozizé neither spoke of Muslims nor of Islam. Do you agree with me?

13 A. [14:39:11] Yes, I follow you.

14 Q. [14:39:21] In that speech, at page 0685 of the transcript, there is a passage in
15 which President Bozizé asks the audience to carefully watch or be mindful of people
16 who live in enclosed compounds. Within the context of this trial, some witnesses
17 have appeared here and told us that they understood reference to this "enclosed
18 compounds" to be a reference to violence against Muslims.

19 Mr Witness, would you agree with me that it was not only Muslims who lived in
20 enclosed compounds? For example, in your statement to the OTP, you said that
21 Maxime Mokom and Magistrate Dede, that their homes were protected by fences.
22 Would you agree with that?

23 A. [14:40:42] Yes, I agree.

24 Q. [14:40:45] If you know, would you agree that Mr Ngaïssona himself had
25 a fenced compound?

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1 A. [14:40:57] Yes, indeed.

2 Q. [14:41:01] Mr Witness, therefore, we would agree that people of all ethnic
3 groups and of all religious groups were likely to live in enclosed compounds in the
4 Central African Republic. And so when President Bozizé talked about enclosed
5 compounds, he wasn't targeting Muslim inhabitants specifically. Do you agree?

6 A. [14:41:29] Yes, I agree.

7 PRESIDING JUDGE SCHMITT: [14:41:37] Yes?

8 MS STRUYVEN: [14:41:39] Mr President, I'm not sure in how far this witness can
9 testify to what Bozizé had in mind when he was giving this particular speech.

10 PRESIDING JUDGE SCHMITT: [14:41:50] Yes, indeed, this is something that we
11 would as a Chamber have to assess. So -- but this is the question of relevance of any
12 answers. But, insofar as counsel has asked if also other people than Muslims lived in
13 compounds, this is absolutely something that the witness can be asked.
14 For Mr Proulx to ask the witness what might he have thought when -- what Bozizé
15 might have thought when he said that, and that, of course, any answer might not
16 have a large relevance or a huge relevance. But the other questions like this with the
17 compound, of course, yes, it makes sense.

18 And, by the way, also to ask, since the -- how this speech was perceived might be of
19 relevance, so I would not exclude questions to that regard, How did you understand
20 it? Not how -- What do you think what Mr Bozizé meant?

21 Do you understand that there's a slight difference because it's about perception of
22 such speeches that might constitute relevance or not.

23 MS PROULX: [14:43:41](Interpretation)

24 Q. [14:43:43] I will speak along the lines of what the presiding judge has said. You
25 say that you didn't -- you would agree that reference to enclosed fences or

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1 compounds was not specifically targeting Muslims. So when President Bozizé said
2 those things about people living in enclosed compounds, what did that mean? What
3 did you understand? Who was being targeted?

4 A. [14:44:16] When Bozizé spoke, he didn't say, "Please monitor foreigners who live
5 in private homes." He said that those who are coming are foreigners. And in that
6 moment, he was referring to the Seleka. So those who were coming at that time, he
7 specified were the Seleka. And it was clear that most of them did not speak our
8 national language. Most Central Africans speak our national language, but those
9 who came were not Central Africans and did not speak our language, the majority of
10 them.

11 So there were some Central Africans, as you asked in your question a short time ago,
12 who lived in enclosed compounds. There are Muslims, Central African Muslims
13 who lived in enclosed compounds. So when asked to monitor or watch enclosed or
14 fenced-off compounds, that would not have necessarily referred to Muslims, because
15 there were other types of enclosed concessions as well. And so what is happening at
16 the time, is that the people felt they had been abandoned. The army was not fighting
17 on their behalf and so Bozizé was concerned about the fate of the population at large.
18 So he was not talking only about Muslims. He actually said that many foreigners
19 were coming in and that those who were coming in were foreigners.

20 Q. [14:46:02] Thank you very for those clarifications, Mr Witness.

21 Now, talking about foreigners in his speech, Mr Bozizé was referring specifically to
22 the Janjaweed. And in your interview with the OTP, at * page 2122-0575 and 0576,
23 the representatives of the OTP pointed out to you that Janjawees were -- the
24 Janjaweed were Muslims. But in his speech - and I'll read a small excerpt from it for
25 you at page 0570 - François Bozizé said: "There were many Janjaweed among them,

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1 far too many Janjaweed among them." And "There is no Central African among
2 them."

3 Would you agree here that Bozizé specifically points out that the Janjaweed were not
4 Central Africans and that they were foreigners?

5 A. [14:47:18] When Bozizé talks about the Janjaweed, as a Central African, I, myself,
6 as a Central African, I can tell you that, among all the ethnic groups in the
7 Central African Republic, I only heard mention of the Janjaweed when the Seleka
8 began to advance, when the Seleka coalition began to advance on Bangui. We don't
9 have any group in Central Africa known as the Janjaweed. We have Muslims in
10 Central Africa, but we don't have any Janjaweed in the Central Africa.

11 *And moreover, when Bozizé says that there are no Central Africans in the Seleka,
12 then that is not correct. Because there were Central Africans in the Seleka, including
13 Djotodia himself; so there were Central Africans, but they were the minority. And
14 the majority were rather those who were not Central Africans.

15 Q. [14:48:42] Just to be clear that we agree, Mr Bozizé never said in his speech that
16 the Central African Muslims were Janjaweed or foreigners.

17 A. [14:49:01] No.

18 Q. [14:49:04] Let us look at another part of the speech, at 0685, in which Mr Bozizé
19 calls on the youth to be particularly watchful in Damala and Boeing and 8th
20 arrondissement neighbourhoods.

21 Mr Witness, would you agree that these neighbourhoods were not known to be
22 Muslim neighbourhoods and that there were no Muslim in the majority?

23 A. [14:49:45] In Damala, no, the Muslims were not in the majority. In Boeing, the
24 Muslims are not the majority. They are around PK5.

25 So, as Bozizé was saying, it was not only in these neighbourhoods but also in other

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1 neighbourhoods. In Miskine, Combattant, Boy-Rabé, Ouango, Kassai and so on and
2 so forth.

3 So not only Muslims were targeted. You see, Muslims were a majority in Miskine,
4 PK5, and other areas where the Muslims were the majority. But they were
5 a minority in Boy-Rabé and in other sectors as well.

6 Q. [14:50:39] However, you may recall that the neighbourhoods that were
7 mentioned which had significant Muslim populations, Miskine and PK5, they were
8 not mentioned by President Bozizé in his speech, if you do recall.

9 A. [14:51:03] I don't have his entire speech in mind, so I cannot confirm whether he
10 mentioned or not those neighbourhoods.

11 PRESIDING JUDGE SCHMITT: [14:51:15] Well, the witness has a fair point. So it is
12 very difficult to interpret speeches given by political officials - or by anybody, if you
13 will - and in the end, this will have to be done by the judges with the help of
14 submissions by the parties.

15 MS PROULX: [14:51:42](Interpretation)

16 Q. [14:51:49] Thank you for your answer, Mr Witness.

17 It is true you don't have the speech before you, and I cannot ask you, therefore, to
18 confirm something without your having the possibility to cross-check by yourself, so
19 that was a good answer. Thank you.

20 *Now, there was a third speech - and that will be the last for now, in any event -
21 document number 41, CAR-OTP-2060-0727, and there is an audio version, which I
22 will not use, which is document number 9, CAR-OTP-2000-0647. This speech,
23 going by the metadata provided by the Prosecutor, was delivered on 13 January 2013.
24 And I'm going to read a very short excerpt of it for you, from page 0729, from lines 29
25 to 30.

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1 PRESIDING JUDGE SCHMITT: [14:53:34] Ms Struyven.

2 MS STRUYVEN: [14:53:16] Excuse me to interrupt again, but I think it may be
3 helpful to first establish whether or not the witness was at all present at -- while the
4 speech was given, or have any foundation based on which these types of questions
5 could be asked of this witness. Again, as your Honours yourself would indicate --

6 PRESIDING JUDGE SCHMITT: [14:53:34] No, no, you're right. I think, yeah, if the
7 witness has heard the speech, then please ask him how he perceived this portion. I
8 think that is the best. And if not, you could ask anybody what was meant, frankly
9 speaking. Not -- perhaps not anybody, but a lot of people.

10 MS PROULX: [14:54:15](Interpretation)

11 Q. [14:54:18] Mr Witness, the speech I would like to talk to you about was
12 delivered at the Barthélémy Boganda sports complex in Bangui on 13 January 2013.
13 Did you hear the speech before, Mr Witness?

14 A. [14:54:41] No.

15 Q. [14:54:53] Mr Witness, in all of François Bozizé's speeches that you heard from
16 end of 2012 to early 2013, did you at any time hear him encourage Central Africans to
17 harass Central African Muslims?

18 A. [14:55:17] No, I did not hear any speech -- any other speech by Bozizé. The
19 speech I heard was the speech delivered at PK0, which you have just asked me a few
20 questions about. That is the only speech I heard, which was delivered at PK0, that is,
21 when you leave the -- that he had left the presidential palace and came to PK0 to talk
22 to the people.

23 As for the other speeches, I did not hear them.

24 Q. [14:55:54] I'll move on to something else.

25 During your interview with the OTP, you briefly talked about the CNJ, that is, the

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1 national youth council. As far as you know, did that council have links with
2 COCORA?

3 A. [14:56:26] Yes. When -- well, you need to take out the *Conseil national de la*
4 *jeunesse* from everything that is political. It is an apolitical organisation. It is still
5 apolitical. So that CNJ is completely apolitical, and the CNJ sometimes works with
6 the ministry of sports to organise events, such as the day of the martyrs, which, in
7 Central Africa, particularly, is a day commemorating martyrs. And what happens is
8 that, all students and peoples gather to celebrate that day. On that day, the CNJ
9 works in collaboration with the ministry of youth to obtain some subventions in order
10 to organise that day.

11 So, once again, let me specify that the CNJ is an apolitical institution.

12 Q. [14:57:43] So if I understand you properly, the CNJ had no link with COCORA?

13 A. [14:57:53] Yes. When people tried to establish a link with COCORA, well, I
14 remember that there was a former president of the CNJ - who was still a student at
15 the time, but who later on joined politics - and was not the president of the CNJ, and
16 so he tried to establish a link between the CNJ and himself. I think his name is
17 Guenebem. I forget his name. Guenebem or something. But my -- my take is that
18 CNJ is apolitical, but Mr Guenebem, if that's his name, was using this for his own
19 political intents.

20 So the CNJ is apolitical. And if it contacts the ministry of youth, it is simply to seek
21 assistance for awareness and outreach towards the youth in terms of STM -- STDs and
22 other such initiatives.

23 Q. [14:59:06] Still in relation to COCORA, would it be correct to say that COCORA
24 was created towards the end of 2012 and that its activities ultimately came to an end
25 around or after the coup d'état against Bozizé, so there was no COCORA thereafter?

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1 Do we agree?

2 A. [14:59:34] Yes, I agree with you.

3 Q. [14:59:39] Whereas, the Anti-Balaka, the self-defence group, Anti-Balaka,
4 emerged in the second half of 2013, do you agree?

5 A. [14:59:49] Yes, I agree with you.

6 Q. [14:59:53] Therefore, when you say in your interview with the OTP that some
7 youth who had been members of the COCORA subsequently joined the Anti-Balaka,
8 that does not mean that there was a direct link between the COCORA and the
9 Anti-Balaka.

10 A. [15:00:22] Let me specify here, that if I said that some young persons who were
11 COCORA members had joined the Anti-Balaka, it is that it was a voluntary move
12 because it's not the leaders of COCORA who had asked them to. COCORA existed
13 when Bozizé was in power, but as -- when he left, there was no more -- any COCORA.
14 Because as he left, all those who were in charge of COCORA fled and they were no
15 longer on the territory. These are people who had been working under Bozizé, they
16 had some resources, and they had left the country. So it is the young people who
17 remained in the country who rose up to defend the territory and took on the name
18 Anti-Balaka, as we know it today.

19 Q. [15:01:23] And one last question on that point. Do we agree that COCORA is
20 a group that was created in Bangui; whereas, the Anti-Balaka was created in the
21 hinterland, is that correct?

22 A. [15:01:45] Correct.

23 Q. [15:01:46] Now I'll move on to something else, specifically the arrival of the
24 Seleka. You said that Seleka was made up of many mercenaries, people who were
25 foreigners. On page *2122-7535 of your statement, you say that it was those

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- 1 mercenaries that were at the origin of the massacres and not Central African Muslims.
- 2 Do you stand by that?
- 3 And, secondly, where did these mercenaries come from?
- 4 A. [15:02:40] If I use the term "mercenaries", given the fact that Seleka had taken
- 5 over power, the majority of them did not speak our national language, Sango, and
- 6 they did not even speak French. So you agree with me that Muslims, Christians and
- 7 the Central African Muslims speak French, so -- speak Sango. *And those who do
- 8 not speak our national language, Sango, what proves that they are Central Africans?
- 9 They are people who came from somewhere else. And if someone leaves another
- 10 place to come and fight on another territory, that person can be called a mercenary.
- 11 That is a term that I used. They do not know anything about our home. They did
- 12 not know our national language, Sango. They did not speak either Sango or French.
- 13 But I do not know where they came from.
- 14 I say they're mercenaries. I do not know where they came from; that's why if they
- 15 were Central African Muslims, I would -- was -- I did not say that the Central African
- 16 Muslims were the one. Why? Because people who are together know each other.
- 17 They live together.
- 18 I can give you the example of the KM5 market -- the PK5 market. You have knives
- 19 and so on, but the Central Africans who live like brothers, there are no problem
- 20 amongst them. And there are also Christians and Muslims, there are no problems
- 21 amongst them. They have never known what happened.
- 22 So these were not Central Africans. They were mercenaries. Why would people
- 23 who live together start killing each other like that? It is because it was people who
- 24 came from elsewhere.
- 25 Q. [15:04:59] (Overlapping speakers)(No interpretation)

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1 PRESIDING JUDGE SCHMITT: [15:05:10] Ms Proulx, it's really absolutely
2 fascinating how the interpreters cope anyway because we have a very eloquent and
3 intelligent witness here who has a lot to say and speaks quite quickly; so perhaps try
4 to wait a couple of seconds until the interpreter has finished so that he gets your next
5 question also correctly.

6 MS PROULX: [15:05:45](Interpretation)

7 Q. [15:05:46] You say that you did not know where those mercenaries came from at
8 that time. Now, ever since then, have you received any specific information
9 concerning their provenance? In this courtroom, we have heard in particular that
10 the Seleka elements came from Chad and Sudan.
11 Is this something you heard?

12 A. [15:06:18] Yes. What I heard is the same thing that you heard. They came
13 from Chad, Sudan, because they are people -- and there were even some who came
14 from Niger. Because there are people in the -- Central Africans who speak the
15 language from Niger, and those of them observed that amongst these people, there
16 were people who were speaking that same language. So I confirm that it is the same
17 thing you just said.

18 Q. [15:07:11] A short while ago, you mentioned that there were also some Central
19 Africans who had joined the Seleka, particularly after Mr Djotodia's coup d'état. Did
20 you observe that the numbers of the Seleka grew following the arrival of the Central
21 Africans in that group?

22 A. [15:07:44] When I talk about the Central African Muslims amongst the Seleka, I
23 am alluding to the Gula and Runga, who our -- are our Muslim Central African
24 brothers. So people from that Runga area and Gula area were Muslims. And when
25 they arrived Bangui, there were even Christians who were members of the Seleka.

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1 And even in the Anti-Balaka, there were Muslims who were Anti-Balaka.

2 Q. [15:08:38] In your interview, you explained that initially the population was
3 happy when Seleka came to Bangui but that, unfortunately, the situation rapidly
4 deteriorated, and the Seleka started pillaging the population.

5 Now, my question is: Who, in particular, did the Seleka target for their attacks?

6 A. [15:09:12] I will start with your first question. When the Seleka took over
7 power, I said that the population was happy. Because when Bozizé was still in
8 power, in his last days in power, at one point people no longer trusted Bozizé, and the
9 reason that -- is that he made promises that he did not fulfil, particularly amongst the
10 young people. The majority of the young people were not happy with President
11 Bozizé at the time.

12 And, also, there was supposed to be a recruitment of soldiers, and, at that time, it was
13 Bozizé's son who was responsible for the defence ministry. So people had to pay
14 a sum of money to submit their files for the military, but there was a sudden change
15 brought about by François Bozizé, the minister of defence. And this change meant
16 that the young people had to buy -- to sell even the small property they had to pay the
17 filing fees. I think it was about 30,000 francs at that time. Some of them paid but
18 were not even recruited. So people were very, very unhappy.

19 On the side of the soldiers, some of them were neglected, and only those who were
20 close to Bozizé were treated well within the army. That is why Bozizé was speaking
21 to the population, because he was -- he found himself in a delicate situation, and he
22 was detested everywhere, and suddenly -- it was in relation to that.

23 Well, your second question, if you can repeat it, I will be able to answer you.

24 Q. [15:11:54] Did you observe that the Seleka was attacking specific groups?

25 Which specific groups did they attack specifically?

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1 A. [15:12:17] Initially, the Seleka were attacking all the men, the Christians -- all the
2 men, first of all. First of all, the Gbaya. Now, after the Gbaya, they said that
3 weapons had been distributed -- that they knew that weapons had been distributed,
4 so they were there to disarm. So they used that word "disarmament".
5 Subsequently, you have men who are Gbaya, men who are soldiers. Well, they
6 didn't see the soldiers, because even to take power, they didn't really have to fight.
7 So for them, they started attacking men, because if you are a man, it seems -- it means
8 you are a disguised soldier. And if you are a Gbaya, you were also part of that,
9 because, according to them, Bozizé had been distributing weapons.

10 Q. [15:13:31] Mr Witness, the citizens in Bangui tried to organise a certain amount
11 of resistance against the Seleka -- against the exactions of the Seleka; I am correct?

12 A. [15:13:56] If you are talking about the citizens, well, they do not have the
13 resources to resist the Seleka. The Seleka were heavily armed. The Seleka soldier
14 had two, three, four weapons alone, so they were heavily armed. So the citizens
15 used the * *Casserole* operations to resist. That was the only sort of resistance to attract
16 the international community.

17 And some soldiers were coming to Bangui to defend the territory, but, unfortunately,
18 the Seleka were too well armed. Amongst the two groups, if you have two, three,
19 four soldiers who come, they cannot really resist. They cannot put up a defence.

20 Q. [15:15:07] Yes, that is where I was going to.

21 Now, the actions that you were able to see, to participate, it was by civilians, peaceful
22 and unarmed action; is that correct?

23 A. [15:15:30] Yes.

24 Q. [15:15:38] Now, setting aside what you have just said, that is, sometimes the
25 FACA could try to resist a little bit, apart from that, there was no real armed group

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1 resisting the Seleka in Bangui in the first half of 2013. Do we agree on that?

2 A. [15:16:00] Yes, I agree with you. There was no resistance.

3 I can also state that these soldiers fighting against the enemy, if they are shooting

4 against one another, then you will understand that there is resistance. But if

5 someone realised that people were not there -- they knew that the Seleka were not

6 there, they would shoot and shoot and shoot and then they'd go into hiding. You

7 cannot call that resistance.

8 Q. [15:16:55] Now, the participants of citizen actions, those people who were trying

9 to resist peacefully, did that put them at risk in relation to the Seleka? Were they

10 subsequently targeted by the Seleka elements?

11 A. [15:17:23] Well, this demonstration, you will see that it was the entire population

12 that were targeted. You know what was happening in the CAR. Even women and

13 children were attacked by the Seleka. So it was the entire population. They were

14 organising themselves with whistles at the entry of Boy-Rabé.

15 For example, if there were Seleka convoys coming, those who were living there

16 started whistling. And after the others heard the whistles, they would come out

17 from everywhere, inviting the other members of the population to come out while

18 beating pots and saucepans to make noise and to attract the Sangaris forces at the

19 time to try and calm and counter the action of the others. So that is how it happened.

20 In the end, it was not only men, but women also.

21 Q. [15:18:46] Do you agree -- were you able to observe that during that period, the

22 population of Bangui was left to their own resources? They did not have any

23 external aid from the -- from anyone. The international community did not really

24 assist the population in the face of the Seleka. Do you agree?

25 A. [15:19:18] Yes, I agree with you. I was wondering to myself, at one point I was

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1 saying, "But the international community, the CEMAC and the African Union, they
2 were there at the beginning of the crisis. But where were they when Seleka came
3 and captured Bangui?" I myself, I was asking myself this question why?
4 I felt that even the international community, the CEMAC, the African Union, with
5 everything that they were trying to say and do at the time, I don't know how they
6 were organised, but according to information, there was a red line that had been
7 drawn by the African community or CEMAC, protected by international elements, to
8 prevent Seleka from entering Bangui and to try to hold the position and find
9 a peaceful solution to the crisis. However, to our great surprise, we saw Seleka enter
10 Bangui. So where was that international community at that time? I am asking that
11 question myself.

12 * As for the soldiers, we did not have the soldiers of the Central African Republic to
13 defend the people, the civilians. They threw down their weapons. We did not know
14 where the soldiers were. They allowed the population to themselves faced with the
15 Seleka. So the Central Africans were really abandoned during that period.

16 Q. [15:21:20] And at that time, am I correct to say that the government authorities,
17 such as the gendarmerie, was not functional, so the only authorities were Seleka?
18 And correct me if I'm wrong, please.

19 A. [15:21:45] When Seleka took power -- we are not talking about the gendarmerie
20 but the police. People did not know what was the gendarmerie, but the police.
21 Everywhere, every sector, every point, only the Seleka were there. Now, the
22 gendarmerie, the police, the soldiers, even the justice system at the same time, they
23 were not there.

24 Q. [15:22:24] Thank you. At this point I would like to continue to speak about
25 these events, but out of caution, I would like to ask the presiding judge that we

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1 should go in private session, please.

2 PRESIDING JUDGE SCHMITT: [15:22:41] Private session.

3 (Private session at 3.22 p.m.)

4 THE COURT OFFICER: [15:22:46] We are in private session, Mr President.

5 MS PROULX: [15:23:03](Interpretation)

6 Q. [15:23:05] I would like to show you, Mr Witness, a conversation, a Facebook

7 conversation that you had. I will ask tab 87 to be displayed. That is

8 CAR-OTP-2133-7029. And the excerpt that I want to show him is at the very bottom

9 of page 7038 and at the top of page 7039.

10 Mr Witness, can you see the message?

11 A. [15:23:59] Not yet.

12 Now I can see it.

13 Q. [15:24:06] You can see the message that I will read is dated 20 August 2013, and

14 you say:

15 (Redacted)

16 (Redacted)

17 And on the following page:

18 (Redacted)

19 (Redacted)

20 Now, do you remember the events referred to on this page?

21 A. [15:24:52](Interpretation) Yes, I remember them. I remember it was the first

22 carnage by the Seleka in Boy-Rabé. The first time they really invaded Boy-Rabé.

23 After they took over power, as I was saying a short while ago, the people applauded.

24 But after that, everything changed. I've already said it, everything changed. And at

25 this time, it was the first time -- it was the first day that the Seleka invaded Boy-Rabé.

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1 When they had taken power, firstly, they did not come to Boy-Rabé. Not even their
2 vehicles went to Boy-Rabé. But it was on this day that they came to Boy-Rabé. The
3 Gbaya were targeted. They were saying all the men in Boy-Rabé were Bozizé's
4 soldiers, * Gbaya people; that they had weapons because Bozizé had distributed
5 weapons. So no one wanted to stay there. If you stayed there, you would be dead.
6 You had to flee. I fled because they had surrounded Boy-Rabé to prevent people
7 from escaping; so it was not easy. And I had to go towards distorted means towards
8 Gobongo and -- I had to cross the road through other neighbourhoods to Gobongo
9 and I did all that in order to arrive the Fough neighbourhood.

10 So that was the first incursion of the Seleka in Boy-Rabé.

11 Q. [15:27:07] Is it correct that it was in the aftermath of that attack - that you
12 decided that you'd go into hiding - that you climbed the hill?

13 A. [15:27:19] No, it was not after that attack. I stayed -- after that, I stayed. I
14 returned to the house. So every two or three days, we were in Boy-Rabé. We were
15 doing well in Boy-Rabé, and four or five -- on the fourth or fifth day, they would
16 come back again. So you'll spend two days, and, after that, Seleka would come back
17 using the excuse of disarmament. And they were doing that all the time.

18 At one point, there was a young neighbour living next to my house. He was killed.

19 I mentioned his name in my statement.

20 There was another girl who was carrying a baby on her back. She was killed.

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 PRESIDING JUDGE SCHMITT: [15:30:17] There seems to be a connection problem.

13 No. Witness is back. Please continue. But we didn't get the last portion.

14 THE WITNESS: [15:30:28](Interpretation) At that time, as I was saying, (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 MS PROULX: (Interpretation)

19 Q. [15:34:03] Thank you, Mr Witness. You have provided us with a very difficult
20 narrative, and thank you for that. But let me hop back to the date, more or less, of the
21 first attack on Boy-Rabé, 20 August, according to your conversation, and then you
22 stayed on up until the events that you have just described.

23 Do you know about how much time had elapsed between the first attack on Boy-Rabé
24 and the events that led to your leaving your residence or your home?

25 A. [15:35:04] I really do not clearly remember. You know, so many things

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1 happened, good things, bad things happened in my life, some personal problems and
2 so on and so forth. So there are some things which I may have forgotten, and so I
3 don't remember the dates on which those events took place.

4 Q. [15:35:29] That is quite normal not to recall dates, Mr Witness. But just to give
5 us an idea, was it a few days, a few weeks before the attack on Boy-Rabé? Just
6 a rough estimate.

7 A. [15:36:00] What I can tell you is that there were several attacks on Boy-Rabé, not
8 only one or two. You'd have an attack today, and two days after another attack, and
9 then thereafter another attack. So there was so many attacks on Boy-Rabé that I'm
10 not able to be specific on that point. There were many attacks on Boy-Rabé.

11 Q. [15:36:31] No problem, Mr Witness. So you have said that, after the events
12 which you have just talked about, you took the decision to leave and that you went to
13 hide behind the hill in Boy-Rabé. In your statement, you say that many people went
14 to seek refuge there.

15 Do you know why people spontaneously decided to seek refuge behind the Boy-Rabé
16 hill?

17 A. [15:37:02] Ah, when I talk about the hill, it is not everyone who went to hide
18 behind the Boy-Rabé hill. Not everyone has the strength to hike that hill. So I told
19 you that there are a number of hills in Boy-Rabé neighbourhood. There are
20 a number of them. And even at the summit, there are some people who have built
21 houses.

22 Now, the hill which I've talked you about is right in the very neighbourhood. There
23 are houses nearby. And there were small brushes and forests around there. That is
24 where I went to hide.

25 But, you see, people went to hide behind the hill because there, the Seleka could not

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1 go up those hills with their war vehicles. They could not go up there.

2 So, in order to be safe, one had to go further away to a location which was not easily
3 accessible to Seleka. This meant either leaving the country or going behind the hill
4 or going to churches, in some monasteries, and, you know that some people even
5 found refuge on the tarmac at the Bangui airport. So wherever one felt that one
6 would be safe or one had an opportunity to leave, one simply did so.

7 Q. [15:38:36] Your Facebook message of 20 August 2013, which we looked at
8 a short while ago, you explained to us that you did not leave immediately and that
9 some time had elapsed until the next attack when you were captured. I know that
10 you are not able to provide dates, and it is difficult to provide any estimate, but
11 would you agree with me that it appears that you may have left Bangui towards the
12 end of August or maybe in early September 2013? Would that appear to be correct
13 by your reckoning?

14 A. [15:39:27] Well, I have no exact recollection that I can share with you, to be
15 honest. I really do not have an exact recollection on the dates.
16 You would notice in my statements that I also said that I do not remember dates. I
17 do remember events that occurred, but I don't remember dates.

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 Q. [15:40:36] Thank you. I'm now going to change topics, and I believe that we
23 can return to open session without a problem.

24 PRESIDING JUDGE SCHMITT: [15:40:49] We go to open session.

25 (Open session at 3.40 p.m.)

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1 THE COURT OFFICER: [15:40:56] We are in open session, Mr President.

2 MS PROULX: [15:41:13](Interpretation)

3 Q. [15:41:13] Mr Witness, I want to now briefly discuss with you the sources of
4 your information, first, when you were in Bangui and then later in relation to where
5 you were refuged. You said in your interview with the OTP, and repeated this
6 morning, that during the crisis, information was flowing in all directions and that
7 information was being shared extensively. This morning, at page 29, you said
8 something -- page 29 of this morning's transcript, you said something which I thought
9 was very interesting. You were talking about a specific conversation, but maybe this
10 applies to broader conversations as well. You said that conversations basically were,
11 so to speak, based on rumour.

12 Now, I would like to understand and find out from you what the sources of your
13 information were at the time. Was it by word of mouth? Was it through Facebook
14 conversations? Was it through blogs or was it through rumours?

15 Can you tell us somewhat where you -- or what the sources of your information were.

16 A. [15:42:30] If I am to answer your question correctly, I would like to know what
17 type of information you are referring to. But, in any event, there was some
18 information that was obtained by word of mouth. There was some information that
19 came from Facebook. I also told you that there were a number of warning or alert
20 systems that were in place using whistles. When a Seleka would be approaching,
21 those would be used to alert the population to seek refuge somewhere else. So word
22 of mouth, and so on and so forth. But if you were to specify what type of
23 information you are looking at, then I might be able to provide you with a more
24 specific answer to your question.

25 Q. [15:43:22] I did not have any specific information for now, but maybe I will

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1 revisit that point next week when I continue my examination. But I'm thinking
2 specifically about the information about the location of the Seleka and the attacks and
3 the resistance movements, who was part of that, and so on and so forth.

4 Did you have any opportunity to notice that some of the information that was being
5 disseminated was simply rumour and that it was also false, it was incorrect
6 information?

7 A. [15:44:16] Yes, I agree with you, because I am a Central African, and in the
8 Central Africa, everything that is said is not always true. So some things were said
9 by some persons whose veracity may not be real. So it all depends on what you are
10 talking about, which may need to be cross-checked.

11 So many things were said in the Central African Republic that, under scrutiny, turned
12 out to be false. You see, sometimes people wish to get some attention or visibility or
13 to develop networks and relationships, and they -- they may say things that
14 sometimes are not -- not true.

15 Q. [15:45:16] So you would agree with me that at the time, maybe because of the
16 crisis and the prevailing panic which must have obtained at the time, that there was
17 information --

18 Well, I see my colleague is on her feet.

19 PRESIDING JUDGE SCHMITT: [15:45:36] Yes?

20 MS STRUYVEN: [15:45:37] Thank you, Mr President. Just because I see that the
21 line of questioning continues, this is extremely general. We're asking about general
22 information, whether the generality of information could have been or could not have
23 been false, or right or wrong, I don't think it's very helpful. But I also don't think
24 that this witness can -- he already indicated that he wants to have specific examples
25 on which he could then respond. But I'm not sure it's fair for him to then categorise

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1 it so generally.

2 PRESIDING JUDGE SCHMITT: [15:46:10] I don't see this as a classical objection, so
3 to speak, but I would agree with you -- with what you are saying, since the witness
4 has already indicated that he would prefer it.

5 So when you are referring to concrete information that you want to address in your
6 further examination, ask him about his sources. And we are also mindful of the fact
7 that the witness was asked at the beginning of this day about his former statements,
8 and he said that they have been the truth according to how he perceived the things at
9 the time; so we have also to see that. I think it really makes sense, like you already
10 indicated, that when you reach a certain point, that you specifically ask him about this
11 matter.

12 MS PROULX: [15:47:01](Interpretation)

13 Q. [15:47:03] Mr Witness, let me give you a specific example. In this trial, we have
14 hundreds and hundreds of pages of Facebook conversations, but all do not relate to
15 you. However, we noticed that, for example, many people were sharing information
16 on the places that they alleged Bozizé was to be found at specific times. There's a lot
17 of information as to Bozizé being in South Africa, in Cameroon, in France, in
18 South Sudan, in Kenya.

19 At the time, did you hear of any information about where Bozizé was but which
20 turned out to be -- to be false, subsequently? Are you aware of that, of any such
21 thing?

22 A. [15:48:15] Well, personally, and on Bozizé's position at that time, where he was
23 at that time, well, I know that it was said that he went straight to Cameroon after he
24 left Bangui. After Cameroon, I learnt that he went to Benin where his church was to
25 be found. So, as for me, I know that Bozizé was in Cameroon and in Benin. Now,

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1 personally, I don't know whether it is the truth, whether he was there or not, but I
2 also have -- I only have information relating to Cameroon and Benin concerning him.

3 Q. [15:49:12] A short time ago, when the Prosecutor showed you a Facebook
4 conversation which you had had, you said that one doesn't have to trust everything
5 that you said because sometimes you said some stupid things.

6 Am I to understand that you shared some information from time to time that you had
7 not cross-checked to determine whether it was correct, is that correct?

8 A. [15:49:45] Yes, that is true. I did share some information, but it depends on the
9 type of information, as I've already told you. You see, on Facebook,
10 particularly - and I said this to Madam Struyven a short while ago - there are things
11 that people say on Facebook which she should not really take into account because
12 those things are bits of foolishness, one may say.

13 Q. [15:50:17] Without mentioning their names, your Facebook friends with whom
14 you had discussions, would it be correct to say that, like you, these were young men
15 who were worried about what was happening in their country and who were
16 expressing their frustration in relation to the Seleka abuses and who, therefore, from
17 time to time, may have used words or expressions that may have been somewhat
18 racist or somewhat out of place when talking about the enemy? Would you agree
19 with this analysis?

20 PRESIDING JUDGE SCHMITT: [15:51:05] Ms Struyven.

21 THE WITNESS: [15:51:06](No interpretation)

22 PRESIDING JUDGE SCHMITT: [15:51:08] Mr Witness, please wait a second before
23 you answer.

24 Ms Struyven.

25 MS STRUYVEN: [15:51:13] I apologise again, but I think, again, this is far too

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1 general. I don't think this witness can provide an answer to -- in respect of all the
2 individuals, and he cannot necessarily indicate how all these individuals were feeling
3 at the time in the Central African Republic. We have no specification in terms of
4 place, people, messages or anything else that I think would be necessary for this
5 witness to answer that question.

6 PRESIDING JUDGE SCHMITT: [15:51:37] I tend to agree. And also we had - and,
7 it did not escape the attention of the Chamber - we have this remark of the witness
8 shortly before the break, lunch break, about the veracity of some of his comments on
9 Facebook.

10 MS PROULX: [15:52:04](Interpretation)

11 Q. [15:52:08] I would like us to look at a specific conversation, Mr Witness. It's the
12 document at tab 59 in the Prosecutor's binder, CAR-OTP-2133-2741.

13 And I would like that to be displayed to the witness. Thank you.

14 The excerpt in question is at page 2763 and 2764.

15 In the last but one message, your friend says that they have just heard Levy Yakité on
16 RFI. And then in the next message you say -- you repeat that Levy "yakité is not one
17 of ours and this has been established. And when has he started to speak on behalf of
18 Anti-Balaka? He is one of those who like to benefit from other's circumstances."

19 Am I to understand then that at the time Levy Yakité introduced himself in the media
20 as the Anti-Balaka representative and that this information was going around or was
21 doing the rounds but that it was false? Is that a proper understanding, Mr Witness?

22 Mr Witness, did you understand my question?

23 A. [15:54:24] Kindly repeat your question, please.

24 Q. [15:54:28] My question was as follows: Can we understand from this message
25 that at the time Levy Yakité was introducing himself as a member of the -- or the

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1 representative of the Anti-Balaka at the time, but that this information was false?

2 Because you say that he was not -- "He is not one of ours."

3 A. [15:55:00] Yes, indeed, I do remember this conversation. When we talk about

4 Levy Yakité, we are looking at someone who takes advantage of various situations

5 because they -- they want to benefit from it, given the coat that they were wearing.

6 When I say Levy Yakité was not Anti-Balaka, well, this is someone I talked

7 extensively about.

8 Now, when we learnt that Yakité was making statements to the effect that he was at

9 the top of the Anti-Balaka, that was not true. That was not true, because the

10 Anti-Balaka was made up of young people, youth. When these youth got mobilised,

11 there was no one giving them instructions to do this and to do that. All those who

12 came later on, only came after the youth had mobilised to defend their villages. The

13 names that you hear about today and the figures you hear about today are people

14 who only came later on.

15 Now, even the figures -- well, Levy Yakité and so on and forth, does -- did Levy

16 Yakité ask the young people to defend their villages? No. The young people rose

17 to defend themselves.

18 But there is someone also, whom you know and whose name I cannot mention, also

19 did the same thing. They became popular among the Anti-Balaka and did not want

20 competition from others, just like Levy Yakité. So there was a leadership tussle, and

21 each individual wanted to claim part of the Anti-Balaka as belonging to them and so

22 on and so forth.

23 So that's what I'm talking about.

24 Q. [15:57:11] I would like to show you a publication at tab 61, Defence binder,

25 CAR-OTP-2091-0455.

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1 And I would like this to be displayed for the witness. It's a FROCCA publication
2 dated 25 November 2013.

3 Mr Witness, you can see the publication showing armed persons, heavily armed
4 persons alleged to be FROCCA combatants having encircled Bangui. A short while
5 ago or sometime ago, a witness appearing here said that this publication was fake
6 news and that FROCCA was an organisation that broadcast fake news on the Internet.
7 According to your knowledge of the Anti-Balaka, their living conditions and their
8 equipment, would you agree with that witness that this publication appears to be fake
9 news?

10 A. [15:59:06] I agree entirely. Because going by the arsenal that one sees on this
11 picture, I can reassure you that the Anti-Balaka do not have such an arsenal. One,
12 the Anti-Balaka did not use vehicles to fight Seleka. They had no vehicles. The
13 kind of weapons on this image that I see, the Anti-Balaka did not have such weapons.
14 The Anti-Balaka moved on foot.
15 Now, when it comes to FROCCA, well, I don't know. But as regards the Anti-Balaka,
16 what I know is that they didn't have any such equipment.

17 Now, the person who has published this FROCCA publication, well, if they say that
18 the Anti-Balaka were like this, well, many things happened in my country. Maybe
19 he knows some Anti-Balaka who had vehicles and who were fighting with such
20 vehicles. So you might need to investigate this further. So I cannot say that it is
21 false. I -- it might be rumours; so you need to look into this further.

22 What I know is that the Anti-Balaka did not use vehicles and they did not have heavy
23 weapons, like what appears on the image before us. They did not have any of that.

24 MS PROULX: [16:00:35] Mr President, it might be a good time to stop for the day.

25 PRESIDING JUDGE SCHMITT: [16:00:38] I agree with you.

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- 1 So we conclude for the day.
- 2 Thank you, Mr Witness, for patiently answering all the questions today. We
- 3 continue with your testimony coming Monday, 9.30. Thank you.
- 4 THE COURT USHER: [16:00:56] All rise.
- 5 (The hearing ends in open session at 4.00 p.m.)