

Trial Hearing  
WITNESS: CAR-OTP-P-0954

(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 Tuesday, 25 October 2022  
10 (The hearing starts in open session at 9.31 a.m.)  
11 THE COURT USHER: [9:31:35] All rise.  
12 The International Criminal Court is now in session.  
13 Please be seated.  
14 PRESIDING JUDGE SCHMITT: [9:31:58] Good morning, everyone.  
15 Court officer, please call the case.  
16 THE COURT OFFICER: [9:32:03] Good morning, Mr President, your Honours.  
17 The situation in the Central African Republic II, in the case of The Prosecutor versus  
18 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.  
19 And for the record, we are in open session.  
20 PRESIDING JUDGE SCHMITT: [9:32:18] Thank you.  
21 The appearances of the parties. The Prosecution appears unchanged.  
22 MR VANDERPUYE: [9:32:24] Good morning, Mr President. We are indeed  
23 unchanged. Same configuration as yesterday. Good morning, everyone.  
24 PRESIDING JUDGE SCHMITT: [9:32:30] Thank you.  
25 Also Ms Rabesandratana has not changed since yesterday.

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1 MS RABESANDRATANA: [9:32:34](Interpretation) That's absolutely correct,  
2 your Honour.

3 PRESIDING JUDGE SCHMITT: [9:32:45] And, Mr Suprun, I think we can make it  
4 short today. Mr Suprun is, for the former child soldiers, here.  
5 Because you are so many, Ms Dimitri, it's more difficult for me to see at first sight if  
6 there are any changes or not.

7 MS DIMITRI: [9:33:02] Good morning, Mr President. Good morning,  
8 your Honours. We are unchanged, Mr President.

9 PRESIDING JUDGE SCHMITT: [9:33:07] Thank you.  
10 Mr Knoops.

11 MR KNOOPS: [9:33:08] Good morning, Mr President, your Honours. Good  
12 morning, everybody in the courtroom. We are the same composition as yesterday,  
13 Mr President. Thank you.

14 PRESIDING JUDGE SCHMITT: [9:33:16] Thank you very much.

15 And, again, welcome from the side of the judges and the Chamber to Mr Witness. I  
16 hope you're feeling well today again.

17 WITNESS: CAR-OTP-P-0954 (On former oath)

18 (The witness speaks French)

19 (The witness gives evidence via video link)

20 THE WITNESS: [9:33:39](Interpretation) Yes, I'm feeling well. Thank you.

21 PRESIDING JUDGE SCHMITT: [9:33:41] So then we continue with the examination  
22 by Ms Dimitri for the Yekatom Defence.

23 MS DIMITRI: [9:33:50] Thank you, Mr President.

24 QUESTIONED BY MS DIMITRI: (Continuing)(Interpretation)

25 Q. [9:33:58] Good morning again, Mr Witness.

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1 A. [9:34:00] Good morning.

2 Q. [9:34:08] I would like to talk about {ICR: (Redacted)}, the Sangaris operation. You  
3 provided {ICR: (Redacted)} in your statement in paragraph 49. I would like to know, as  
4 you say in your statement, that it was Mr Yekatom who gave (Redacted) the number {ICR:  
5 (Redacted)}. When Mr Yekatom gave (Redacted) the number {ICR: (Redacted)} from  
6 the Sangaris, is it correct that (Redacted) he had contact with him?

7 A. [9:34:50] That is correct, Madam.

8 Q. [9:34:54] Therefore, did he talk about {ICR: (Redacted)}

9 A. [9:35:05] Mr Yekatom Alfred Rambo, (Redacted), {ICR: (Redacted)}  
10 (Redacted)  
11 (Redacted)}

12 Q. [9:35:31] Am I correct that during {ICR: (Redacted)}  
13 (Redacted)} from the Sangaris and at the same time {ICR: (Redacted)}  
14 (Redacted)} that you too could {ICR: (Redacted)} to be able to cooperate?

15 A. [9:35:55] That is correct, Madam.

16 MS DIMITRI: [9:36:04] Mr President, I have five or six questions in private session,  
17 with your leave.

18 PRESIDING JUDGE SCHMITT: [9:36:10] And for the audience, this is a protected  
19 witness, and when we have -- or when we are asking questions that could identify  
20 the -- the witness, we have to go to private session, which we do for five or six  
21 questions, as Ms Dimitri has indicated.

22 Private session.

23 (Private session at 9.36 a.m.)

24 THE COURT OFFICER: [9:36:53] We're in private session, Mr President.

25 MS DIMITRI: [9:36:55](Interpretation)

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1 Q. [9:36:55] Mr Witness, I'm going to go back (Redacted), but on

2 a different angle. I want to talk about (Redacted) after the resignation of

3 President Djotodia. Do you follow me?

4 A. [9:37:10] I understand, Madam.

5 Q. [9:37:12] So after the resignation of President Djotodia, I understand that (Redacted)

6 (Redacted)

7 (Redacted)

8 THE INTERPRETER: [9:37:38] Answer was not understood.

9 PRESIDING JUDGE SCHMITT: [9:37:40] Ms Dimitri, we haven't had the translation  
10 for the answer.

11 So, Mr Witness, could you please be so kind to repeat the answer. The interpreters  
12 did not get your answer. (Redacted)

13 THE WITNESS: [9:37:59](Interpretation) Two.

14 PRESIDING JUDGE SCHMITT: [9:38:03] Thank you.

15 Ms Dimitri.

16 MS DIMITRI: [9:38:04] Thank you, Mr President. I apologise to the interpreter. I  
17 completely forgot this morning about the five-second rule. I will apply it from now.

18 Q. [9:38:20](Interpretation) I understood that from the moment where

19 President Djotodia left power, (Redacted) that the enemy should be taken to  
20 the base, and at that moment you wanted to hand them over either to the  
21 gendarmerie or the Sangaris.

22 My question is: (Redacted)

23 (Redacted)

24 A. [9:38:56] Thank you, Madam.

25 There's the population, and the population identified because they were together with

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1 the president, and it's the population who pointed out: "This one there is Seleka or  
2 a mercenary Seleka, and that one there did this, did that," et cetera. (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 Q. [9:40:05] I'm going to change subjects again.

8 Yesterday we spoke of Petevo and the 6th arrondissement. You said that there were  
9 civilians who were not part of a specified group, Anti-Balaka or FACA. I'm going to  
10 show you a document. It's tab 28 of the Defence binder. CAR-OTP-2101-2039. I'm  
11 going to wait until you can see it displayed on the screen, Mr Witness.

12 Can you see the document now on the screen?

13 A. [9:40:52] Not yet.

14 Okay, I can see it now.

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 MS DIMITRI: [9:41:33] We can withdraw the document from the screen and we can  
22 go back into open session.

23 PRESIDING JUDGE SCHMITT: [9:41:38] Open session.

24 (Open session at 9.41 a.m.)

25 THE COURT OFFICER: [9:41:53] We are back in open session, Mr President.

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1 MS DIMITRI: [9:41:58](Interpretation)

2 Q. [9:42:00] My next subject deals with weapons.

3 Since you were {ICR: (Redacted)}, I have some questions on weapons in general,  
4 a weapon of 14.5.

5 PRESIDING JUDGE SCHMITT: [9:42:17] Mr Vanderpuye has an issue with that.

6 MR VANDERPUYE: [9:42:20] We're in open session, and I don't know whether  
7 counsel misspoke, but the concern is, identifying information shouldn't be mentioned  
8 in open session.

9 PRESIDING JUDGE SCHMITT: [9:42:30] Yeah, I understand, but that that  
10 was -- yeah, no, but no problem, because I'm -- I thought you had an issue with  
11 the issue, which is -- which I would not see.

12 So please continue, Ms Dimitri, and bear in mind that -- yeah, your wording, so to  
13 speak. Thank you.

14 MS DIMITRI: [9:42:56](Interpretation)

15 Q. [9:42:57] A weapon of the type 14.5, am I correct that this weapon that is very  
16 heavy?

17 A. [9:43:11] That is correct.

18 Q. [9:43:16] According to your knowledge and your experience, is it possible to  
19 have such a weapon in your bag in order to carry it and transport it?

20 A. [9:43:28] Impossible. You had to take it in a vehicle.

21 Q. [9:43:42] And since you say you transport it in a vehicle, you're going to agree  
22 with me that it is not possible to transport it on a motorbike or in a canoe?

23 A. [9:44:00] That is correct.

24 Madam --

25 PRESIDING JUDGE SCHMITT: [9:44:16] Continue. Please continue, Mr Witness.

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1 THE WITNESS: [9:44:22](Interpretation) -- you can transport it in a large canoe,  
2 a pirogue. You could put it in a large canoe and transport it that way, but  
3 you cannot do it on a motorbike.

4 MS DIMITRI: [9:44:47](Interpretation)

5 Q. [9:44:47] Thank you very much.

6 Do you agree with me that weapons must be cleaned and have to be dusted and taken  
7 care of before they work?

8 A. [9:45:03] That is correct.

9 Q. [9:45:07] Could you explain to me what type of technique you used to clean up  
10 your weapons.

11 A. [9:45:24] Thank you. Now, here we -- in the area which is called ESD. That is  
12 the mechanism of instructions, the manual. If you allow me, I will explain what we  
13 do with the weapons.

14 Q. [9:45:45] I'm listening, Mr Witness.

15 A. [9:45:48] Firstly, you take -- disassemble the weapon, you disassemble  
16 the weapon, and piece by piece you put it in order and you clean, firstly. First you  
17 wash it. You wash the individual pieces, and then you dry it, clean it, and you put  
18 oil on it. You put oil on it. On each piece. And after that, you reassemble it, and  
19 you check twice to make sure that the mechanism is working properly. And then,  
20 after that, you can put the magazine in it and use it as a weapon.

21 Q. [9:46:59] Do you agree with me -- I know my question might seem ridiculous to  
22 you, but we always have a good reason why we ask questions as lawyers.

23 Do you agree with me that it's not possible to just simply shake the weapon in order  
24 to use it afterwards? It's not like that that you actually clean a weapon?

25 A. [9:47:21] Sorry?

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1 PRESIDING JUDGE SCHMITT: [9:47:22] Mr Vanderpuye has an objection.

2 MR VANDERPUYE: [9:47:24] I do. First, we're not -- we haven't described what

3 arms we're talking about. Different arms require different techniques to dry, to clean,

4 to fire, and to make ready.

5 The second thing is that it's a hypothetical question, and the witness is not in

6 a position to answer that question. He's not an expert in this field.

7 PRESIDING JUDGE SCHMITT: [9:47:43] Well, on the second point, I would

8 disagree, actually. On the first point, I agree.

9 So it's a mixed decision, so to speak. I think we have to clarify what kind of weapon

10 we are talking about. But the witness, well, might -- I will not describe this

11 further -- might have information how -- if this is possible or not, like you describe it.

12 So perhaps you specify a little bit more.

13 MS DIMITRI: [9:48:13] No problem, Mr President.

14 Q. [9:48:18](Interpretation) Mr Witness, I'm going to repeat my question. I'm

15 going to be more specific. A firearm, an AK-47 or a hunting rifle, is it true that it's

16 not enough to take that weapon, to shake it and then to be able to use it? On the one

17 hand, it's not like that that you clean a weapon, and secondly, it's dangerous, because

18 it cause some incident to take place.

19 A. [9:48:54] You can take the weapon you want to use if it's in a good state and it's

20 ready to work. But if it's not working properly, you would be -- you'd have to clean

21 it before you could use it.

22 Q. [9:49:14] And if a weapon or firearms is in a container for a certain amount of

23 time, do you agree with me that in that specific situation you cannot simply open

24 the container, take the weapon, shake it and then it's ready for use?

25 A. [9:49:48] Weapons -- I have no idea about that at all.



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1 Q. [9:50:00] I'm going to change subjects now.

2 (Speaks English) Unfortunately, Mr President, the next subject I think I need to  
3 address in private session. It's not going to be more than five minutes again.

4 PRESIDING JUDGE SCHMITT: [9:50:27] Yes. Private session.

5 (Private session at 9.50 a.m.)

6 THE COURT OFFICER: [9:50:42] We're in private session, Mr President.

7 MS DIMITRI: [9:50:47](Interpretation)

8 Q. [9:50:48] My next subject deals with the DDR. I have a document I want to  
9 show you, but just before showing it to you, do you agree with me that at that time, at  
10 the moment where they started to make a list for the DDR, there was the DDR for  
11 the civilians and also for the soldiers? They were military lists for having  
12 a promotion in your rank?

13 A. [9:51:22] That is correct, Madam.

14 Q. [9:51:26] I'm going to show you a document, which is the Defence binder, tab 29,  
15 CAR-OTP-2039-0063.

16 Can you see the document displayed, Mr Witness?

17 A. [9:52:11] I do see it.

18 Q. [9:52:14] Am I correct in saying that this document was drawn up after  
19 the Brazzaville agreement and that we incorporated in a single list all the soldiers of  
20 the southern axis with the aim of seeing about promotions in rank?

21 A. [9:52:36] That is correct, Madam.

22 Q. [9:52:45] And it's for this reason that there are several names on this list. You  
23 can see that Mr Yekatom on the top of the list, but do you agree that several soldiers  
24 who are in this list were not part of the Yekatom group? (Redacted)

25 (Redacted)

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1 (Redacted) You talked about it in your statement in paragraph 35. These are  
2 merely two examples of soldiers who were not part of the Yekatom group. Do you  
3 agree with that?

4 A. [9:53:32] That is correct, Madam.

5 Q. [9:53:41] I'm going to give you another example. I won't go through the entire  
6 list, but, for example, number -- number 4, number 5, number 6, and if you can go to  
7 the next page, (Redacted).

8 A. [9:54:10] That's correct.

9 Q. [9:54:16] (Redacted)

10 (Redacted)

11 (Redacted)

12 Can we just stay on this page, please. Don't move.

13 (Redacted)

14 You mentioned them yesterday. I'm just giving you some examples. I'm going to  
15 go to the next page now.

16 A. [9:54:59] Okay.

17 Q. [9:55:00] (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 A. [9:55:40] That is correct.

22 Q. [9:55:51] Thank you.

23 You can remove the list from the screen. Thank you.

24 PRESIDING JUDGE SCHMITT: [9:55:56] Mr Vanderpuye.

25 MR VANDERPUYE: [9:55:58] As long as we're dealing with the list, maybe counsel

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1 can have him or the Chamber could have him mark the list, since these were just

2 (Redacted)

3 (Redacted)

4 (Redacted) So maybe during the break or something like that, he can go through

5 the list, as he did with the other one, and mark it.

6 PRESIDING JUDGE SCHMITT: [9:56:25] Well, I don't -- I'm not so convinced

7 because Ms Dimitri might finish before the break. That's a very practical -- that's

8 a very practical observation.

9 MS DIMITRI: [9:56:35] Unfortunately, unfortunately, I won't finish before the break.

10 I'm doing my best to finish at lunch, but I won't know finish the before the break.

11 PRESIDING JUDGE SCHMITT: [9:56:44] But I think the whole exercise was meant

12 to show that not everyone on this list belongs to one group, and I think -- I think that's

13 enough to have as information.

14 MR VANDERPUYE: [9:56:55] No, I agree. I agree, but from my count, there is

15 about 10 that he's indicated. And I don't know whether there are more or whether

16 the other -- the other number of individuals are members of the group or another

17 group, even.

18 And I thought it might be helpful for the -- as he knows, to have to (Overlapping

19 speakers)

20 PRESIDING JUDGE SCHMITT: [9:57:15] Well, then, okay, why not, if we have

21 to -- you see, very practical. If we have to continue anyway into the next session,

22 then perhaps we can facilitate that and let the witness do that.

23 So, Mr Witness --

24 MS DIMITRI: [9:57:30] Just one caveat, Mr President. My understanding, and

25 I -- the witness could confirm. My understanding, it's -- it's that the list is not, as

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1 Mr Vanderpuye is saying, (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 PRESIDING JUDGE SCHMITT: [9:58:01] No, no. I think that is clear already.

6 That is clear already. And, indeed, it might assist the Chamber if we have this  
7 additional information.

8 So, Mr Witness, again, when we go into the next break, we would kindly ask you,  
9 perhaps, to mark on this list the persons you know (Redacted) and also the persons  
10 that were in the Yekatom group.

11 Correct, Mr Vanderpuye? Okay.

12 And I think we -- we -- there would be the possibility to print this list out at the  
13 video-link location, and then we can mark it. Thank you.

14 Ms Dimitri, please continue.

15 MS DIMITRI: [9:58:52](Interpretation)

16 Q. [9:58:54] Mr Witness, for -- very briefly, (Redacted)

17 \*You spoke about him yesterday at 12.37. And when you met the OTP investigators,  
18 you in particular provided a certain number of telephone numbers. I'm going to ask  
19 to try and jog your memory, and perhaps you might recall this number or see it in  
20 your diary. I'm going to show you two documents. The first - you don't have to  
21 have it on the screen, but I'm going to mention it for the records - is tab 30 of  
22 the Defence binder, CAR-D29-0007-0019. The second is 31, tab 31,  
23 CAR-D29-0007-0019\*. If you could see the second, tab 31 of the Defence binder.  
24 Could that be displayed, please.

25 PRESIDING JUDGE SCHMITT: [10:00:39] I'm not sure, but it is definitely an email

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1 or a letter that you have written.

2 MS DIMITRI: [10:00:48] Yes. That's not the one I want to show him.

3 PRESIDING JUDGE SCHMITT: [10:00:53] I thought so.

4 MS DIMITRI: [10:00:54] I'm sorry. I want to show him -- it's useful, but it's not  
5 the one I want to show him. I want to show him tab 46.

6 No, just bear with me one moment, Mr President. I'm a bit lost here.

7 PRESIDING JUDGE SCHMITT: [10:01:07] No problem.

8 MS DIMITRI: [10:01:36] Let's start over. My apologies.

9 Q. [10:01:40](Interpretation) Witness, I'm going to show you T-29, 0007-0019\*, and I  
10 would like to take you to the page 0020.

11 At tab 30. The second page, please. The next page of that tab. Thank you very  
12 much. (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 A. [10:03:51] I no longer recall that number. I've left -- lost everything regarding  
21 contacts. But perhaps he could confirm that that was his number. But, otherwise, I  
22 have no ideas about that particular number, because I've lost everything regarding  
23 contacts.

24 Q. [10:04:14] No problem. Thank you.

25 I'm now going to change topic. I'm going to talk about DDR of civilians.

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1 (Speaks English) Mr President, we could go back to open session for my next topic.

2 Thank you.

3 PRESIDING JUDGE SCHMITT: [10:04:30] I thought so too.

4 Yeah, open session.

5 (Open session at 10.04 a.m.)

6 THE COURT OFFICER: [10:04:44] We're in open session, Mr President.

7 MS DIMITRI: [10:04:50](Interpretation)

8 Q. [10:04:53] Now, there are a number of people who have already testified before  
9 you who have explained about DDR of civilians. And a number of names were  
10 added to the lists of DDR civilians. Notably, because people wanted to allow others  
11 to benefit from the benefits of DDR. So names were added. People's family  
12 members' names, et cetera, people who were not actually directly concerned in order  
13 to be able to have the advantages of DDR for civilians.

14 Now, is that something that you also observed?

15 A. [10:05:35] Yes, I observed it, as did everyone.

16 Q. [10:05:43] I'm going to show you a document which the Prosecutor showed you  
17 last Friday. This is at tab 47. \*It's CAR-OTP-2039-0031.

18 THE INTERPRETER: [10:06:15] The interpreter corrects: 0031.

19 MS DIMITRI: [10:06:20](Interpretation)

20 Q. [10:06:21] Now, let's look at the top of that document. I'll just wait until you  
21 can see it also. But it would be good if the court officer could zoom in at the top  
22 there.

23 Now, this document was also put to you -- if we go up to the very top of  
24 the document. This document was also put to you last Friday. Do you see it says  
25 "phase 1" at the top?

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1 Now, am I right in saying that this document was compiled during phase 1 of DDR?

2 A. [10:06:56] I no longer recall this document. But this is a document. I don't  
3 recall if I -- if I received it.

4 Q. [10:07:15] Last week you told us that this document was compiled in 2013 or  
5 2014. \*I will put it to you that this is false and that this list was compiled in  
6 the framework of the DDR and that's why it says "phase 1" on it?

7 A. [10:07:33] Yes, that's -- that's right. It's for another group.  
8 That's right, Madam.

9 Q. [10:07:48] So after 2015, not in 2013, 2014?

10 A. [10:07:54] No.

11 Q. [10:08:01] And we can remove that.

12 No, just one minute. Please do leave it on the screen.

13 And you explained to us that DDR was for civilians, and you explained that military  
14 personnel were -- figured in documents regarding rank promotions.

15 Now I'd like to show you page 0041 of the document which we have on the screen.

16 \*And I would like to zoom in on entry 529.

17 Now, on Friday you told the Prosecutor that you recognise the name of Gilbert  
18 Kamezolaï at 539.

19 A. [10:09:02] That is correct.

20 Q. [10:09:04] Now, do you agree with me that here, what we see, is not  
21 Captain Gilbert Kamezolaï, because, as a military man, his name should have figured  
22 in the -- the list of military men receiving ranks; whereas, here, his -- this name is  
23 actually in a list of civilians? So I put to you that this is -- this Gilbert Kamezolaï is  
24 not a military man but a civilian.

25 A. [10:09:40] That is correct, Madam. It's true, his name should not figure

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1 amongst the list of civilians because he was a military man. Perhaps that was  
2 a mistake they made. But you're right, his name should not appear on a list of  
3 civilians.

4 Q. [10:09:59] Thank you. I'm going to put another document to you. Now, it's at  
5 tab 48 in the Defence folder. And I would like this not to be broadcast to the public,  
6 please. CAR-OTP-2039-0050.

7 (Speaks English) It's not broadcasting.

8 Okay, thank you.

9 (Interpretation) Now I'm going to show you another document, and I would like it if  
10 the witness could see this document in its entirety.

11 Thank you.

12 Now, this is a document in which you're going to recognise a name and where it says  
13 "the Bimbo central transmitter". Now, do you agree with me that this document  
14 is -- also relates to one of the steps of the DDR which you were involved in in 2016?

15 A. [10:11:40] Could you zoom in on that document, because it's really quite small.

16 PRESIDING JUDGE SCHMITT: [10:12:06] And to which name -- okay.

17 THE WITNESS: [10:12:08](Interpretation) That's correct.

18 PRESIDING JUDGE SCHMITT: [10:12:10] We have the answer already. Fine.

19 MS DIMITRI: [10:12:15](Interpretation) Thank you. We can remove that document  
20 now.

21 Q. [10:12:20] I would like to present three documents to you. The first one is at  
22 tab 32 of the Defence folder, CAR-OTP-2111-0365.

23 Now, here you'll see at the top it says "Anti-Balaka farmer -- farmers".

24 Now, here we have a list of names. Now, I'll put a question on this in moment.

25 Tab 31, CAR-OTP-2093-0088. No. 2093-0088, please. Thank you.



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1 Now, here you see on this list a list of drivers and mechanics at various locations.

2 And now I'm going to show you a third list before I put my question, and that's

3 a document from tab 34, CAR-OTP-2093-0096. And here you see in the right-hand

4 column "rearing of small animals".

5 Now, here's my question: Were these documents compiled as part of DDR for

6 civilians, and was it the case that each entity would submit a list of names in order to

7 benefit from DDR for civilians, and that one of the benefits was, for example, to obtain

8 a job as a farmer, as a mechanic, as a -- as a livestock farmer, or as a carpenter, for

9 instance?

10 A. [10:15:01] No, let me explain. That's not quite right.

11 So, as regards DDR, it was solely for those who had combat arms. When they would

12 hand those in, they would get DDR.

13 Now, what you're looking at here was CVR. It was for civilians who did not have

14 combat weapons. The United Nations gave some thought to this and felt that it was

15 important to also help that part of the community and to set up CVR in order to train

16 people. Various types of training was offered. Training in -- to become a mechanic,

17 to -- to -- to deal with small animals, et cetera. These were the various options

18 available to the relevant people. So these lists were drawn up to that end and were

19 provided to the United Nations office for the CVR programme.

20 Q. [10:16:14] Thank you for your answer.

21 So when it comes to CVR, lists were compiled of civilians who did not have combat

22 weapons, and those lists were drawn up so that those civilians could benefit from

23 training in livestock farming, crop farming, mechanics, et cetera?

24 A. [10:16:48] Not only civilians, but also combatants, Anti-Balaka combatants,

25 fighters who did not have combat weapons. That was it.

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1 Q. [10:17:03] I understand. So Anti-Balaka fighters, combatants who did not have  
2 combat weapons, their names would be put on these lists. These lists would then  
3 also be combined, various groups were mixed together, and that information was  
4 provided to the United Nations so that the people listed could provide -- could be  
5 provided with training in livestock farming, crop farming or mechanics; is that  
6 correct?

7 A. [10:17:34] Yes, that is correct.

8 Q. [10:17:36] And in the same way that the lists were compiled for the DDR - and  
9 there you and I agreed that names were added so that people could have  
10 the advantage of benefits - do you also agree that on the CVR lists there were also  
11 names added, the names of people were added who -- people who had never been  
12 combatants but who wanted to have the benefit of the UN -- United Nations training  
13 programmes? Was that the case, if you know?

14 A. [10:18:13] No, I don't know about those lists. I only am familiar with my lists.

15 PRESIDING JUDGE SCHMITT: [10:18:21] I thought so, Mr Vanderpuye. So I think  
16 your objection goes into the void, so to speak.

17 MR VANDERPUYE: [10:18:28] Well, yes, sort of.

18 PRESIDING JUDGE SCHMITT: [10:18:30] Well, actually, I really -- I have to say, I  
19 really expected this answer. And this is the reason why I did not give you  
20 the floor - excuse me - for that.

21 MR VANDERPUYE: [10:18:40] No, you're absolutely right. The only thing I -- the  
22 only concern that I have is what -- I see a list on the screen. I don't know what  
23 the provenance of that list is. I probably ought to. But I don't know that it's been  
24 made out, and I'm not sure exactly what we're talking about.

25 PRESIDING JUDGE SCHMITT: [10:18:54] But with regard to the answer of

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1 the witness, I think we can simply carry on.

2 Yeah, Ms Dimitri.

3 MS DIMITRI: [10:19:02] Thank you, Mr President.

4 We can remove the list from the screen.

5 Q. [10:19:06](Interpretation) I would like to return to a document which

6 the Prosecutor showed you last Friday. It's at tab 18 in the Prosecutor's folder,

7 CAR-OTP-2030-0232.

8 Now, you will recall that this is a document in which you marked the people you

9 knew, and you did that during the break. And I would like to take you to 0237 in

10 that document, please.

11 PRESIDING JUDGE SCHMITT: [10:19:54] And please enlarge it a little bit. It's too

12 small now on the screen.

13 MS DIMITRI: [10:19:59] Yes, if we could enlarge 20 -- yes, 95, 96. Thank you very

14 much.

15 PRESIDING JUDGE SCHMITT: [10:20:04] That's fine.

16 MS DIMITRI: [10:20:06](Interpretation)

17 Q. [10:20:06] Now, you marked Vivien Beina and Paleon Zilabo as two individuals

18 who you knew. Now, do you agree with me that Vivien Beina and Paleon Zilabo

19 were never ComZones?

20 A. [10:20:28] That is correct.

21 Q. [10:20:29] This list can be removed from the screen.

22 Now I'm going to change topic. You testified last Friday at 11.33 that

23 Sylvain Béorofei was in Mokom's movement, and that when Maxime Mokom

24 returned from Zaïre, that person had stayed with him until Mokom was at the ICC.

25 Now, at 15.05 on Friday you said that was Maxime Mokom was a member of

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1 the Anti-Balaka north.

2 Now, is it correct that Sylvain Béorofei was also a member of the Anti-Balaka north?

3 A. [10:21:33] That is correct.

4 MS DIMITRI: [10:21:56] Mr President, for the next three questions, I think it's better  
5 to go in private session.

6 PRESIDING JUDGE SCHMITT: [10:22:01] Yes. Private session.

7 (Private session at 10.22 a.m.)

8 THE COURT OFFICER: [10:22:13] We're in private session, Mr President.

9 MS DIMITRI: [10:22:18](Interpretation)

10 Q. [10:22:21] Now, in your statement, and during your testimony on Friday, (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 A. [10:23:48] I don't know. He may have bought weapons at another place. But

24 as regards me, I found a young person, a small person who was working with

25 the Seleka and was familiar with their belongings. \*He knew that things were going

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1 to go badly for them, and therefore, they were packing up their belongings and  
2 selling their weapons. So I found a young person who I no longer -- I no longer  
3 knew who that was, but he knew people who were selling weapons. (Redacted)  
4 (Redacted)  
5 (Redacted)  
6 (Redacted)  
7 (Redacted)  
8 (Redacted)  
9 (Redacted)  
10 (Redacted)  
11 (Redacted)  
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25 (Redacted)

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1 Q. [10:27:28] And the name of that -- that young person and his brother, do you  
2 recall?

3 A. [10:27:31] No, I don't recall any longer.

4 Q. [10:27:39] Was it a soldier, a Seleka soldier?

5 A. [10:27:44] No. They were civilians.

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 Q. [10:30:07] Was Captain Kamezolaï present at that time?

24 A. [10:30:15] Captain Kamezolaï was present in Yamwara. But during the events  
25 that I've just set out for you, he was not present. He was in -- in the house that he

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1 occupied. What I described to you was between me and the others.

2 Q. [10:30:38] So Captain Kamezolaï was in Yamwara (Redacted)

3 (Redacted)

4 A. [10:30:53] That is correct. He wasn't present amongst us, but he was present

5 outside in his house.

6 MS DIMITRI: [10:31:08] I think we could go back to open session, Mr President.

7 PRESIDING JUDGE SCHMITT: [10:31:10] Open session.

8 (Open session at 10.31 a.m.)

9 THE COURT OFFICER: [10:31:25] We're in open session, Mr President.

10 MS DIMITRI: [10:31:37](Interpretation)

11 Q. [10:31:38] Just a last question. Are you in a position to give me the date,

12 roughly? Before 5 December? After 5 December? Before the Yamwara meeting or

13 after?

14 A. [10:31:52] I think it's before December. I think it was in November, but I can't

15 remember the precise date.

16 Q. [10:32:01] Thank you very much. Perfect.

17 You said that when Mr Yekatom fled to the Congo after the arrival of the Seleka, he

18 returned to the bush and resumed his activities.

19 Some witnesses of the Prosecution who appeared before the Court said that they were

20 part of some Anti-Balaka groups, not necessarily, not the one of Mr Yekatom, and

21 they explained that in the beginning, so before the attack of 5 December, their strategy

22 to arm themselves was to create ambushes against the Seleka so that they could

23 retrieve their weapons. Is that something that you know or you heard about?

24 A. [10:33:08] That is correct, Madam. I heard that being said.

25 Q. [10:33:16] In paragraph 24 of your statement, you say that {PFR: (Redacted)}

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1 {ICR: (Redacted)} to retrieve arms. Not only you heard this talk about this strategy,  
2 but you yourself applied that strategy.

3 A. [10:33:46] Could you repeat that part of the question, please, Madam.

4 Q. [10:33:53] Paragraph 24 of your testimony, you said that at a point of time, {PFR:  
5 (Redacted)} {ICR: (Redacted)} in order to get weapons. So you said, "{PFR:  
6 (Redacted)} {ICR: (Redacted)} in order to get weapons, but we realised that they were  
7 very well equipped," when talking about the Seleka.

8 Am I to understand that you too, you wanted to implement the strategy to create an  
9 ambush so that you could get the Seleka weapons?

10 A. [10:34:37] That is correct, Madam.

11 Q. [10:34:46] And paragraph 78 of your statement, when you refer to the strategy of  
12 Mr Yekatom in order to make advances, you say that he too attacked the Seleka or  
13 armed fighting Muslims in the small villages in order to retrieve their weapons; am I  
14 correct in that?

15 A. [10:35:12] That's correct, Madam.

16 Q. [10:35:20] And when you say that they got their weapons, am I to understand  
17 that you're talking about weapons of war, combat weapons?

18 A. [10:35:31] That is correct, Madam.

19 Q. [10:35:42] Do you -- did you know what the Muslims did with their weapons,  
20 their guns?

21 A. [10:35:50] They had these weapons in order to kill. They carried them with  
22 them.

23 Q. [10:36:17] You also stated that the training of the Seleka in Pissa went to  
24 Yekatom, and they provided him or handed over all their weapons. It is in  
25 paragraph 78 of your statement.



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1 A. [10:36:36] That is correct. But that's --

2 Q. [10:36:38] That's not something you saw personally?

3 A. [10:36:44] No. {ICR: (Redacted)}.

4 Q. [10:36:48] So you're saying {ICR: (Redacted)} that the Seleka of Pissa went to  
5 him and gave him all their weapons?

6 A. [10:37:01] That is correct, Madam.

7 Q. [10:37:02] And was this done in the presence of the mayor of Pissa?

8 A. [10:37:09] I don't know.

9 Q. [10:37:15] Am I to understand from what you've said that there was no battle or  
10 clash in Pissa because the Seleka gave -- gave their weapons and left?

11 A. [10:37:31] That is correct. He retrieved the civilians that had been trained by  
12 the Seleka in Berengo. They remained there, they remained there, and then others  
13 joined them and were there as well. {ICR: (Redacted)}.

14 PRESIDING JUDGE SCHMITT: [10:37:58] Mr Witness, when you heard {ICR: (Redacted)}  
15 (Redacted)} that he retrieved the weapons from the Seleka that left, were you  
16 surprised that the Seleka gave up their weapons voluntarily and without a fight, so to  
17 speak, or that they didn't take them with them when they left?

18 THE WITNESS: [10:38:29](Interpretation) Thank you very much, your Honour.

19 After -- or, what {ICR: (Redacted)} explained that there was no fighting in Pissa, but  
20 the Seleka who were there at the Pissa roadblock were not numerous and, therefore,

21 they left their weapons. And afterwards, after the Berengo training, they handed

22 them over, and they remained -- and those who were in Berengo in training. But

23 the Seleka who were armed, they abandoned their weapons and handed them over to

24 Rambo. That is what {ICR: (Redacted)}.

25 That is it, your Honour.

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- 1 PRESIDING JUDGE SCHMITT: [10:39:35] Please move on.
- 2 MS DIMITRI: [10:39:39](Interpretation)
- 3 Q. [10:39:40] The civilians in training in Berengo, were they called the FETA of
- 4 Berengo? They were trained by the Seleka?
- 5 A. [10:39:50] That is correct, Madam.
- 6 Q. [10:39:54] Is it correct that during this period, the FETA of Berengo committed a
- 7 lot of atrocities against the civilian population?
- 8 A. [10:40:07] I don't know, Madam.
- 9 Q. [10:40:13] And when {ICR: (Redacted)}
- 10 (Redacted)}
- 11 A. [10:40:30] It is only after, in person, on the -- {ICR: (Redacted)} he
- 12 explained this position.
- 13 Q. [10:40:46] And when you say afterwards by individuals at the site, it is {ICR: (Redacted)}
- 14 (Redacted)); is that correct?
- 15 A. [10:40:58] That is correct. It was in Bangui.
- 16 Q. [10:41:16] I'm going to change subjects, Mr Witness.
- 17 You spoke in your statement in paragraph 88 of a young man of Petevo who had been
- 18 killed.
- 19 Do we agree that you weren't present during this incident?
- 20 A. [10:41:42] No. I got a call.
- 21 MS DIMITRI: [10:41:52] Mr President, could we go into private session, please.
- 22 PRESIDING JUDGE SCHMITT: [10:41:55] Private session.
- 23 (Private session at 10.42 a.m.)
- 24 THE COURT OFFICER: [10:42:10] We're in private session, Mr President.
- 25 MS DIMITRI: [10:42:15](Interpretation)

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- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 PRESIDING JUDGE SCHMITT: [10:42:53] Go on, please.
- 8 THE WITNESS: [10:43:04](Interpretation) Can I explain it to you?
- 9 MS DIMITRI: [10:43:08] (Overlapping speakers)
- 10 PRESIDING JUDGE SCHMITT: [10:43:09] Yes, Mr Witness. Please continue.
- 11 THE WITNESS: [10:43:12](Interpretation) Thank you, your Honour.
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
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- 25 (Redacted)

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18 (Redacted)  
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24 (Redacted)

25 THE WITNESS: [10:50:22](Interpretation) Could you repeat the question, please.

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1 (Redacted)

2 (Redacted)

3 (Redacted)

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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 A. [10:51:52] That is correct, Madam.

19 Q. [10:52:02] And you said that the population of Petevo went out and barricaded  
20 the streets. Do you agree with me that this event was in the media and even was on  
21 the radio?

22 A. [10:52:20] It also went on to the Radio Ndeke Luka.

23 Q. [10:52:25] (Redacted) So could you confirm that  
24 it is him. It is tab 25, CAR-OTP- D29-000014.

25 \*THE INTERPRETER: [10:52:59] The correct number is CAR-OTP-D-29-0010-00014.

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- 1 MS DIMITRI: (Interpretation)
- 2 Q. [10:53:05] Do you see him?
- 3 A. [10:53:08] I can't -- it's not displayed on the screen yet.
- 4 PRESIDING JUDGE SCHMITT: [10:53:13] In the meantime, when we can go back to
- 5 open session, you let us know.
- 6 THE WITNESS: [10:53:30](Interpretation) That's correct. That's him.
- 7 MS DIMITRI: [10:53:32](Interpretation) Please remove the document.
- 8 (Speaks English) I think -- I think we could go back to open session, (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 PRESIDING JUDGE SCHMITT: [10:54:02] Okay. Fine.
- 12 MS DIMITRI: [10:54:06](Interpretation)
- 13 Q. [10:54:06] Mr Witness, I'm going to ask that we go back into open session. I'm
- 14 going to talk about this incident. (Redacted), because
- 15 those questions could identify you, but I'm going to talk about this incident.
- 16 If in one of the questions you want to go into private session, you will let me know,
- 17 please.
- 18 PRESIDING JUDGE SCHMITT: [10:54:26] Open session.
- 19 (Open session at 10.54 a.m.)
- 20 THE COURT OFFICER: [10:54:39] We're in open session, Mr President.
- 21 MS DIMITRI: [10:54:46](Interpretation)
- 22 Q. [10:54:47] On the Radio Ndeke Luka, do you agree that the family of the victim
- 23 openly accused Mr Yekatom of burying this young man alive? This is what
- 24 the family said on the Radio Ndeke Luka.
- 25 A. [10:55:10] That is correct, Madam.

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1 Q. [10:55:18] Am I correct in saying that this young person was called Raman

2 Bienvenue Tarcarmo?

3 A. [10:55:36] I don't remember his name.

4 Q. [10:55:37] Am I correct in saying that it was a Christian who sold gold chains in  
5 the small market?

6 A. [10:55:44] That's correct.

7 Q. [10:55:53] Is it also correct that this incident, in any case, the telephone call and  
8 the telephone conversation which you referred to, is it correct that this took place in  
9 the -- close to the period of the Brazzaville agreement?

10 A. [10:56:13] It is after the Brazzaville agreement.

11 Q. [10:56:25] Do you remember --

12 (Speaks English) One question in private session. I'm sorry.

13 PRESIDING JUDGE SCHMITT: [10:56:38] So when we have answered that, we have  
14 the coffee break, and then continue after the coffee break in open session, I would  
15 suggest.

16 So we go to private session, and please ask your question.

17 (Private session at 10.56 a.m.)

18 THE COURT OFFICER: [10:56:58] We're in private session, Mr President.

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 PRESIDING JUDGE SCHMITT: [10:57:16] Okay.

23 MS DIMITRI: [10:57:19](Interpretation)

24 (Redacted)

25 (Redacted)



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1 Q. [10:57:30] Thank you.

2 PRESIDING JUDGE SCHMITT: [10:57:31] Yes. Can we go to open session shortly,  
3 and then ...

4 (Open session at 10.57 a.m.)

5 THE COURT OFFICER: [10:57:47] We're in open session, Mr President.

6 PRESIDING JUDGE SCHMITT: [10:57:48] And as indicated before we last went to  
7 private session, we have now the break until 11.30 and then continue in open session  
8 at 11.30.

9 THE COURT USHER: [10:57:58] All rise.

10 (Recess taken at 10.58 a.m.)

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

12 THE COURT USHER: [11:31:13] All rise.

13 Please be seated.

14 PRESIDING JUDGE SCHMITT: [11:31:28] I was just tempted to say this is  
15 the opposite of an open session. We have a -- I understand that we -- that  
16 the witness has annotated this document.

17 Thank you very much, Mr Witness, for that.

18 And it has already an ERN number. If you want to put questions on that, but I think  
19 it's good that simply we have it as a document annotated by this witness, which is  
20 then also part of his witness testimony, and that should be enough. But if you have,  
21 of course, additional questions on that, you may, but I would not assume. Actually,  
22 you have made your point, I think, that had you wanted to make.

23 MS DIMITRI: [11:32:06] Just for the record to be very clear, Mr President, I  
24 understand that the Xs are {ICR: (Redacted)}.

25 PRESIDING JUDGE SCHMITT: [11:32:13] Okay, then we ask him.

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1 Mr Witness, thank you very much again that you annotated during your break, that  
2 you worked during your break, so to speak, and you annotated this document. Are  
3 we to understand that {ICR: (Redacted)}?

4 THE WITNESS: [11:32:35](Interpretation) Yes, that's right, your Honour.

5 PRESIDING JUDGE SCHMITT: [11:32:36] Thank you.

6 Ms Dimitri.

7 MS DIMITRI: [11:32:38] Thank you, Mr President.

8 Q. [11:32:41](Interpretation) Thank you, Witness.

9 Now, I have one last question regarding the topic that we were discussing before  
10 the break, and that is the man from Petevo.

11 Now, before the break, you said, at 10.45 or 46, you said, "Now the population of  
12 Petevo barricaded the road and demonstrated so that Rambo would return the young  
13 person."

14 Now, have I understood that the -- the people were demonstrating so that  
15 the -- the young person would be returned? Now, we don't know what happened to  
16 the young person, do we; is that correct?

17 A. [11:33:33] Could you repeat the last part of your question.

18 Q. [11:33:37] You said that the people of Petevo had demonstrated so that Rambo  
19 would return the young person.

20 Now, am I to understand that we in fact don't know whatever happened to the young,  
21 and that's why the people were demonstrating and that's why the family went on  
22 the Radio Ndeke Luka; is that correct?

23 A. [11:34:11] That is correct.

24 PRESIDING JUDGE SCHMITT: [11:34:13] Mr Vanderpuye.

25 MR VANDERPUYE: [11:34:14] I'm a little late in the objection, but I think, in general

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1 terms, to ask a witness what the population knew, or didn't know, calls for  
2 speculation.

3 PRESIDING JUDGE SCHMITT: [11:34:26] In general terms you're right. Yeah. In  
4 general terms you're right.

5 MS DIMITRI: [11:34:30] It was more directed to the witness. He --

6 PRESIDING JUDGE SCHMITT: [11:34:33] Absolutely. I understood. I  
7 understood. Let me just -- so -- but do you have any information if -- if the -- this  
8 young person really died and how the person died, if you have the information that  
9 the person died?

10 THE WITNESS: [11:34:53](Interpretation) That's right, your Honour. The young  
11 person died. And based on the information which I gathered, which I gathered from  
12 a few people, the young person was -- was murdered, was killed by Mr Rambo  
13 himself between Boyali and Bossongo, between Boyali and Bossongo. So people  
14 confirmed that he was killed.

15 PRESIDING JUDGE SCHMITT: [11:35:59] Ms Dimitri.

16 MS DIMITRI: [11:36:01](Interpretation)

17 Q. [11:36:02] Who are the people?

18 A. [11:36:09] People from the little villages, and also his brother confirmed it to him.  
19 The people from the village. His brother Devy.

20 Q. [11:36:21] People from which village?

21 A. [11:36:29] People from the village who I met in Bimon. Bimon, Kapou, and also  
22 the people of Boyali. I don't know their name, but people in Boyali, I think  
23 the group leader is very familiar with this incident.

24 Q. [11:36:55] And that is information which you -- you heard, which you received,  
25 but you have no direct knowledge yourself.

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1 A. [11:37:04] This is information which I gathered myself.

2 Q. [11:37:08] And nobody was a direct witness.

3 A. [11:37:12] No. Not to my knowledge. No, I'm not sure.

4 Q. [11:37:23] I'm going to change topic now.

5 You referred to a Central African colonel who went to his farm and was shot at. Do  
6 you recall that?

7 A. [11:37:33] I do.

8 Q. [11:37:35] Do you recall the name of the colonel?

9 A. [11:37:39] Oh, I've forgotten the name of that colonel. I've forgotten the name  
10 of the colonel, but everybody in Bimbo was aware and were aware of what had  
11 happened, et cetera, et cetera.

12 Q. [11:38:06] But you didn't see it yourself?

13 A. [11:38:13] Rambo was pursuing a colonel who had returned to his farm, and he  
14 shot at him near the town hall of Bimbo. The colonel had tried to get away at speed,  
15 and he was shot at to try and stop him, but he was missed and he -- he got away.

16 PRESIDING JUDGE SCHMITT: [11:38:44] The question was, Mr Witness, if you did see that  
17 by yourself, or where did you get the information from if you did not see it by yourself?

18 \*THE WITNESS: [11:38:59](Interpretation) I was on the roadside. I was at a location  
19 {ICR: (Redacted)}. I heard shots. So I came out and asked what was happening. And I  
20 was told that Rambo was pursuing. And I went out and I saw him returning. That's  
21 what I saw. And everybody was talking about it.

22 MS DIMITRI: [11:39:39](Interpretation)

23 Q. [11:39:41] Who was returning, the colonel or the ... or Mr Yekatom?

24 A. [11:39:48] Mr Yekatom, Madam.

25 Q. [11:39:50] And what year was this?

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1 A. [11:39:53] Oh, I think -- if I'm not mistaken, I think it would -- it was 2015. 2014  
2 or 2015, if I'm not mistaken.

3 Q. [11:40:09] And everybody was aware, Captain Kamezolai as well, being  
4 a captain in the army, he would have been aware?

5 A. [11:40:17] Sorry?

6 Q. [11:40:20] You said everybody was aware. {ICR: (Redacted)} heard about it.  
7 So I suppose that {ICR: (Redacted)} would also have been aware because {ICR: (Redacted)}  
8 (Redacted)}, and it's not every day that a colonel is shot at.

9 A. [11:40:45] I don't know. Perhaps he was aware, but I don't know.

10 Q. [11:40:47] Didn't you discuss the matter with him?

11 A. [11:40:49] No, I didn't discuss it with him.

12 Q. [11:40:57] I'm going to put the question to you again because, well, you know  
13 a lot of military people and you don't recall the name of that colonel.

14 A. [11:41:10] I don't know. Maybe if you give me some time his name will come  
15 back to me. But other than that, no, I can't give you his name.

16 Q. [11:41:20] And where was he assigned, this colonel?

17 A. [11:41:26] I don't know what his -- his assignment was.

18 Q. [11:41:36] And do you know where he lived?

19 A. [11:41:40] Sorry?

20 Q. [11:41:41] Just one --

21 PRESIDING JUDGE SCHMITT: [11:41:48] Mr Vanderpuye.

22 MR VANDERPUYE: [11:41:50] First, it's unclear to me what the relevance of this  
23 particular incident is in respect of the scope of the charges and the enquiry  
24 the Chamber is charged with. The second thing is, we're in open session, and  
25 the series of questions that are being put to the witness and the characterisation of

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1 those questions may tend to release his identity.

2 PRESIDING JUDGE SCHMITT: [11:42:09] Yes. Well, relevance, yes and no. It's of  
3 course not of immediate relevance to the charges, we all -- we all know that.

4 And -- but I understand also that the Defence, since this has been brought up and is in  
5 the statement that the Defence addresses it, really should do it with, let's say, it  
6 should come to an end at some point in time, and we should be careful not to ask  
7 questions which identify the -- might identify the witness.

8 I understand, and I think we can move on from there, that the witness simply does  
9 not know the person. He cannot give you further information on that person.

10 Please, Ms Dimitri, move on.

11 And, indeed, for the -- frankly speaking, for the -- Mr Vanderpuye has a point when  
12 he says, this is not -- let's say, it's of a very, if at all, very minor, minor relevance to  
13 the charges.

14 MS DIMITRI: [11:43:18] I --

15 PRESIDING JUDGE SCHMITT: [11:43:19] If at all.

16 MS DIMITRI: [11:43:20] I --

17 PRESIDING JUDGE SCHMITT: [11:43:21] You understand my wording.

18 MS DIMITRI: [11:43:24] I do. But you understand, Mr President, that it's a simple  
19 sentence in a 68(3) statement where I had no information. I didn't even know it was  
20 2015. The investigator didn't even push. So that's what we have to do when we  
21 have a 68(3) statement.

22 PRESIDING JUDGE SCHMITT: [11:43:38] I did not stop you.

23 MS DIMITRI: [11:43:39] No, no, I know. I know.

24 But I'm just -- it's -- the questions that I was putting was to put context around it.

25 PRESIDING JUDGE SCHMITT: [11:43:46] My impression is that you got

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1 the information that the witness has on this incident, and he has not more information  
2 on that incident.

3 MS DIMITRI: [11:43:58] With your leave, Mr President, just one last question.

4 PRESIDING JUDGE SCHMITT: [11:44:01] It's always like that, but that's okay, yeah.  
5 One last question on that.

6 MS DIMITRI: [11:44:06](Interpretation)

7 Q. [11:44:09] Witness, now you, did you see the vehicle pass by?

8 A. [11:44:16] Yes. I've just told you, I was on the roadside. And I was {ICR: (Redacted)  
9 (Redacted)} -- and I -- I heard the gunfire, and when I went out, I was told that  
10 Rambo was pursuing a colonel. And when I got out, I saw Rambo returning.

11 Q. [11:44:47] And what vehicle did you see him in?

12 A. [11:44:50] In a four-by-four pickup, or four-wheel drive pickup.

13 Q. [11:44:58] In paragraph 68 of your statement, you say that Mr Yekatom was born  
14 in Brazzaville and that his parents were Congolese and that Mr Yekatom took  
15 the name "Rambo" when he joined the Anti-Balaka.

16 Now, why did he take the name "Rambo" when he joined the Anti-Balaka?

17 A. [11:45:35] I don't know. Perhaps he took the name having seen the film  
18 "Rambo". Maybe he -- he decided that was a good nickname and took it. I don't  
19 know why.

20 Q. [11:45:59] And so it was a nickname which he adopted in 2013-2014; is that  
21 correct?

22 A. [11:46:06] Yes.

23 Q. [11:46:12] And at page -- at paragraph 78, you say that he even changed his birth  
24 certificate after joining the anti-Seleka to be called Alfred Rambo Yekatom.

25 A. [11:46:31] That's correct.

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1 Q. [11:46:31] So after joining the Anti-Balaka, he had his birth certificate amended  
2 because he was so taken by this nickname.

3 A. [11:46:43] No, it wasn't after he joined the Anti-Balaka that he -- he changed his  
4 name. He was already a member of the Balaka. And it wasn't before he decided to  
5 change his birth certificate.

6 PRESIDING JUDGE SCHMITT: [11:47:10] If I may, shortly.

7 Mr Witness, in this paragraph 78 of your statement you say: "*Il a même tenté de*  
8 *changer son acte de naissance pour s'appeler Alfred Rombot Yekatom.*" So this sounds as if  
9 he has tried but did not succeed. Could you clarify this, please.

10 THE WITNESS: [11:47:39](Interpretation) Well, he managed it because it's written  
11 on his birth certificate. And he went on to become a member of parliament, and it  
12 was in his birth certificate.

13 MS DIMITRI: [11:47:57](Interpretation)

14 \*Q. [11:47:57] I'm going to put a document to you now at tab 36, Defence binder,  
15 CAR-D29-0015-0004.

16 This is Mr Yekatom's passport, and it is -- it was issued in 2009.

17 THE INTERPRETER: [11:48:24] The interpreter corrects: 0015-0004.

18 MS DIMITRI: [11:48:31](Interpretation)

19 Q. [11:48:32] Now, I'm going to present the second page of that to you.

20 The second page, please. Thank you.

21 And if we could zoom in on that and perhaps turn it also. (Speaks English) Can you  
22 roll pages? I don't know if that's possible or ...

23 (Interpretation) There we go.

24 So, it says Yekatom Rombhot Alfred, and that was issued in 2009.

25 Now, Witness, I put it to you that the information that you have for Mr Yekatom are



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1 incorrect. In fact, he was born in Bangui, not in the Congo, and he bore the name  
2 "Rombhot" well before the Anti-Balaka.

3 What you have said was in fact false, and it's not the only false thing that you have  
4 said regarding Mr Yekatom and it's not the only thing which is detrimental to his  
5 reputation.

6 A. [11:49:31] What I've tried to tell you is what I know.

7 Q. [11:49:36] We can remove the document.

8 A. [11:49:39] I knew him in the army, but not with that name. I knew him as  
9 Alfred Yekatom.

10 Q. [11:49:50] And I put to you, Witness, that one of the reasons that you know that  
11 he was always called Alfred Yekatom Rambo is because, throughout your testimony,  
12 when you spoke of him, you referred to him as Alfred Yekatom Rambo.

13 Rambo -- allow me to complete. Rambo was not a nickname, and that is why you  
14 spontaneously used his full name throughout your testimony.

15 A. [11:50:28] Sorry, Madam?

16 PRESIDING JUDGE SCHMITT: [11:50:32] That was not a question, so ...

17 MS DIMITRI: [11:50:36](Interpretation)

18 Q. [11:50:38] I put it to you that Rambo was not a nickname which he used  
19 afterwards, and that you knew it was not a nickname because, spontaneously,  
20 throughout your testimony, when you have referred to Mr Yekatom and when  
21 the Prosecutor put questions to you, you referred to him as Alfred Rombhot Yekatom.

22 A. [11:51:06] If you could just give me a moment to explain.

23 Q. [11:51:09] Please.

24 A. [11:51:19] I knew him in the army under the name Alfred Yekatom, and I was not  
25 aware of that name, Rambo. Later, when he was in the Anti-Balaka, he -- and he changed

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1 his birth certificate, {ICR: (Redacted)}  
2 (Redacted)), he called and he  
3 came to find {ICR: (Redacted)}, and he gave that name because he had lost his birth certificate.

4 Q. [11:52:41] {ICR: (Redacted)} when he changed his birth certificate to add  
5 Rambo, as you have said, can you explain to me how it is that on official documents,  
6 such as a passport issued in 2009, we read what you refer to as being the nickname  
7 Rambo, because if I'm not mistaken, a passport is issued on the basis of a birth  
8 certificate. So how do you explain that on his passport of 2009 we read Rambo,  
9 whereas, now you're saying that {ICR: (Redacted)} he  
10 changed his birth certificate?

11 PRESIDING JUDGE SCHMITT: [11:53:31] Mr Vanderpuye first.

12 MR VANDERPUYE: [11:53:33] Mr President, I don't think it's up to the witness to  
13 explain what is in a document that is purportedly his passport and when it was  
14 issued, or if it's official, or if it's been changed or not changed; that's one.

15 Two, the identity of Mr Yekatom is really not in issue in this case.

16 PRESIDING JUDGE SCHMITT: [11:53:51] I agree. I agree with the first thing.  
17 The second thing is, the identity is of course not -- not an issue, but Ms Dimitri has an  
18 issue with when this nickname or when this nickname was first used, but I think we  
19 have exhausted that subject. So that is my position here.

20 Please continue.

21 MS DIMITRI: [11:54:14] Mr President, could we go into private session for one  
22 question, please.

23 PRESIDING JUDGE SCHMITT: [11:54:17] Yeah, private session.

24 (Private session at 11.54 a.m.)

25 THE COURT OFFICER: [11:54:50] We are in private session, Mr President.

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- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 MS DIMITRI: [11:56:59] We could go back to open session, Mr President.
- 20 PRESIDING JUDGE SCHMITT: [11:57:01] Open session.
- 21 (Open session at 11.57 a.m.)
- 22 THE COURT OFFICER: [11:57:29] We're in open session, Mr President.
- 23 MS DIMITRI: [11:57:33](Interpretation)
- 24 Q. [11:57:36] I would like to talk about Mr Yekatom's aide-de-camp, Seda, which
- 25 you refer to in paragraph 47 of your statement -- sorry, 87. Now, if I've understood

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1 paragraph 87 of your statement correctly, what you are saying is -- what you say  
2 there is {ICR: (Redacted)} two bodies on the ground and a third body, that of Seda, being  
3 transported to the hospital in a taxi, a taxi car; is that correct?

4 A. [11:58:11] That is correct.

5 Q. [11:58:12] Well, in that case, how did you know that the two bodies on the  
6 ground were actually corpses, dead people?

7 A. [11:58:22] I'll explain to you how it is that {ICR: (Redacted)} these two bodies on the ground.

8 {ICR: (Redacted)}

9 (Redacted)} {PFR: (Redacted)}

10 (Redacted)} {ICR: (Redacted)}

11 (Redacted)} two bodies on the ground and one body in military attire

12 being transported by taxi. {ICR: (Redacted)} that that was Seda who was being

13 transported to the hospital and the other two bodies were to be transported by taxi to

14 the hospital as well.

15 {ICR: (Redacted)} where Rambo was, and {ICR: (Redacted)} he had left for Bossongo, et cetera.

16 That's what happened. \*And {ICR: (Redacted)} why, why he did that, and {ICR: (Redacted)}

17 those elements took goats, or rather, sheep -- sheep, that the fleeing Muslims had left,

18 and when they came to collect them, Mr. Rambo showed up and took everything

19 away. He did not want them to benefit from the looting of the movement. Rather,

20 they too should have benefited from that loot, and that's why he pursued them as far

21 as PK9, and he went in the direction of the town hall.

22 And so it was that one of the men wanted him, wanted his skin. He did not want

23 anybody from the town hall to be aware of what happened, and therefore, he

24 returned, and that's where the actual incident took place.

25 PRESIDING JUDGE SCHMITT: [12:01:02] Mr Vanderpuye, you are right, I think.

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1 MR VANDERPUYE: [12:01:05] I mean, if we're going to another area where  
2 there's -- there's not further information on this issue, then I think we can stay open,  
3 but that's my concern.

4 PRESIDING JUDGE SCHMITT: [12:01:14] Yeah, we have to be careful -- really  
5 careful, Ms Dimitri.

6 MS DIMITRI: [12:01:18] Yeah. No, we could go -- I need to elicit, so we could go to  
7 private session.

8 PRESIDING JUDGE SCHMITT: [12:01:23] Then we go to private session.

9 MS DIMITRI: [12:01:24] Thank you.

10 (Private session at 12.01 p.m.)

11 THE COURT OFFICER: [12:01:36] We are in private session, Mr President.

12 MS DIMITRI: [12:01:39](Interpretation)

13 Q. [12:01:40] I'm going to go step by step because I want to be clear. I said he left  
14 towards the gendarmerie ... "*ils*", they, is him, is that Mr Yekatom?

15 A. [12:02:07] That's correct.

16 Q. [12:02:08] There is one of the men who he wanted to get him?

17 A. [12:02:12] Yes.

18 Q. [12:02:13] Don't forget that you have to have a pause of three seconds,  
19 Mr Witness.

20 Am I to understand that Mr Yekatom went to see the gendarmerie to tell them that  
21 these people are after him because he took their stuff?

22 A. [12:02:34] He didn't talk about the goats. But at the mayor, he said, amongst  
23 the men, there are some who were after him.

24 Q. [12:02:44] So they wanted to kill him. So the people of Yekatom wanted to kill  
25 him.

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1 A. [12:02:50] Yes, that's what I was trying to explain, according to what I heard and  
2 what I read.

3 PRESIDING JUDGE SCHMITT: [12:03:00] Well, and, again, this is also -- but, really,  
4 it's okay that you address it because this has been also addressed with other witnesses,  
5 but it's also not at the core of this case, this incident. No, I'm just mentioning it. I  
6 will not stop you on that. But, simply, we have to, let's say, but weigh exactly where  
7 we concentrate our resources on and -- and where not.

8 MS DIMITRI: [12:03:33] I understand, Mr President. But just -- because I need to  
9 ask some follow-up questions. The difference with the previous incident is that this  
10 incident is used by the Prosecution in the DCC and in the PTB.

11 PRESIDING JUDGE SCHMITT: [12:03:47] I know, I know, and because of  
12 that -- because of that, we can -- I allow further questions on that, but still, it should  
13 have its elements.

14 MS DIMITRI: [12:04:01](Interpretation)

15 Q. [12:04:03] When you say that you heard that Mr Yekatom took those goat kids,  
16 do you agree with me that you didn't know what Yekatom was going to do with them?  
17 You didn't know whether he wanted to confiscate them because his elements loot and  
18 steal the kid goats. You don't know what he wants to do with them. Do you agree  
19 with me?

20 A. [12:04:36] That's correct, Madam.

21 Q. [12:04:41] So when you say that Mr Yekatom, that he took all the goats, you  
22 were extrapolating. Because you just told me that you didn't know what  
23 the intentions of Mr Yekatom was with the goat kid, so it's a mistake in your  
24 statement. Do you agree with me?

25 A. [12:05:01] Could you repeat that part to me.

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1 Q. [12:05:09] In your testimony, you say that Mr Yekatom ...

2 PRESIDING JUDGE SCHMITT: [12:05:29] Well, it's paragraph 87. You say -- I'm  
3 reading it in English. I think you mean that Yekatom was very greedy and took all  
4 the goats from the guys.

5 But also you said in your statement, "I only heard this as a rumour." So I think -- I  
6 think that is important also to know.

7 So if -- are we to understand that the information that he took all the goats from  
8 the guys is something that you heard as a rumour; is this a correct understanding of  
9 your testimony?

10 THE WITNESS: [12:06:14](Interpretation) Thank you very much, your Honour.

11 At the moment when the incident happened, (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 MS DIMITRI: [12:07:02](Interpretation)

17 Q. [12:07:03] And a last question. When you say the people were found dead,  
18 these three men were the ones who were dead? When you say -- when there's three,  
19 you're saying "they", they died.

20 A. [12:07:24] It's in the plural, Madam.

21 Q. [12:07:28] When you say the three men were died (sic), (Redacted)

22 (Redacted)

23 (Redacted)

24 Q. [12:07:47] (Redacted)

25 (Redacted)

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1 A. [12:07:54] (Redacted)

2 Q. [12:08:00] What is the name of the three?

3 A. [12:08:05] I remember Seda and Koubounda (phon), something like that. And  
4 the name of the civilian, I can't remember. But I've just told you the name of  
5 the other two.

6 Q. [12:08:22] Koubounda (phon), is that Fadal?

7 A. [12:08:25] Fadal is also part of his name.

8 Q. [12:08:33] (Redacted)

9 (Redacted)

10 You are extrapolating yet again because there were not three deaths during that  
11 incident.

12 \*A. [12:08:54] There were three deaths. I am not extrapolating anything. I am  
13 not here to accuse Yekatom Rambo for nothing. (Redacted)

14 (Redacted)

15 (Redacted)

16 Q. [12:09:26] I'm changing topic. We go to 5 December. You said during your  
17 testimony that you spoke to members of the Yekatom group regarding their  
18 participation in the attack of 5 December. It is 11.48 last Friday. And you said,  
19 (Redacted)

20 My question is as follows: Just like Habib Beina and Coeur de Lion, Seda and  
21 Goliatha (Redacted) they attacked the Camp Kassai from the hill of Bangui.

22 A. [12:10:20] Coeur de Lion was there, and also Habib Beina, who has passed away,  
23 was there as well.

24 Q. [12:10:31] I'm going to repeat the question because you didn't answer my  
25 question.



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1 (Redacted)

2 (Redacted) Those are your words. My question: Does Seda and

3 Goliatha, (Redacted) they attacked the Camp Kassai from the hill of

4 Bangui?

5 A. [12:11:10] Could you repeat the question, sorry.

6 Q. [12:11:15] Seda and Goliatha (Redacted) that they attacked Camp Kassai from

7 the hill Bazoubangui?

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 Q. [12:11:53] You say you said you had a conversation by phone with Mr Yekatom

12 on the morning of 5 December. Did he as well explain to you that he attacked

13 the Camp Kassai by going the same route as Habib and Coeur de Lion?

14 A. [12:12:22] He did not explain that he took a particular route. I explained that to

15 you on Friday. He said Captain Ngremangou asked him to send his men. And

16 that's what he did. He sent men. He didn't give me the names of the elements.

17 And the attack took place. Afterwards, they then returned to go back to Yamwara.

18 That's what happened, Madam.

19 Q. [12:13:03] And during that conversation by phone, Yekatom also said he himself

20 went to attack?

21 A. [12:13:12] He didn't say that. He said he sent elements.

22 Q. [12:13:21] Mr Witness, I put to you that you did not speak to Mr Yekatom on

23 5 December, nor the next day, nor the day following that. I have your

24 CAR-D29-0004-0148, and there is no record of any calls you made from your

25 telephone call which you also provided. This is tab 35.

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1 So I am putting it to you, you never had this phone call on the morning of

2 5 December.

3 PRESIDING JUDGE SCHMITT: [12:14:17] Well, Mr Witness, you can say, well, you

4 stand by the -- by what you have said, you had this phone call, you recall this, or you

5 can say -- you can now say it was not like that. When the -- when the counsel says, "I

6 put to you", it is also meant as a question. So, do you stand by that, what you said?

7 Then we can continue.

8 THE WITNESS: [12:14:48](Interpretation) Your Honour, according to what counsel

9 said, the conversation took place. Perhaps the date is incorrect. But I did have

10 a conversation with Rambo on this topic.

11 MS DIMITRI: [12:15:12](Interpretation)

12 Q. [12:15:13] I suggest to you that last Friday, when you stated that you talked with

13 (Redacted) and they said that they attacked Camp Kassai, you

14 were not honest. I am suggesting that conversation never took place between them

15 and you, that you took information which was broadcast on the radio at Camp Kassai

16 and the prison Ngaragba were attacked on 5 December, (Redacted)

17 (Redacted), and after, you extrapolated by stating, so that you

18 would gain credibility, (Redacted)

19 that they had attacked Camp Kassai.

20 A. [12:16:12] I'm not lying. This is what I experienced. I'm telling you what I

21 experienced. I'm not confirming or not confirming. I'm telling you what happened,

22 Madam.

23 MS DIMITRI: [12:16:34] I think for the next subject, we could go to open session,

24 Mr President.

25 PRESIDING JUDGE SCHMITT: [12:16:39] Open session.

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1 How long will it take, by the way? How do you think you will finish?

2 MS DIMITRI: [12:16:48] I'm really -- I'm pushing it to finish at 1. I'm doing my best.

3 If you allow me, at 1 o'clock I could give you an idea of how much longer I have, and

4 if it's just 20 minutes, maybe you could take a five-minute break and then continue, if

5 it's convenient for everyone.

6 PRESIDING JUDGE SCHMITT: [12:17:09] No. Then perhaps let us allow for

7 the moment five minutes just to -- and then we can come back, okay?

8 MS DIMITRI: [12:17:18] No problem.

9 THE COURT USHER: [12:17:23] All rise.

10 (Recess taken at 12.17 p.m.)

11 (Upon resuming in open session at 12.24 p.m.)

12 THE COURT USHER: [12:24:08] All rise.

13 Please be seated.

14 PRESIDING JUDGE SCHMITT: [12:24:24] Ms Dimitri.

15 MS DIMITRI: [12:24:26] Thank you, Mr President.

16 Q. [12:24:33](Interpretation) Now, again, about this phone call on 5 December, you

17 tried to justify your testimony of Friday last by saying that you might make a mistake

18 about the date. But last Friday you were very precise on two occasions and -- 10.33

19 and 10.38, you said that it's behind -- at the explosions of 5 December that you phoned

20 Yekatom. Whilst you were hearing the explosions, that you called Mr Yekatom in

21 order to ask him what was happening.

22 So, once again, I am putting it to you that you never had this call.

23 PRESIDING JUDGE SCHMITT: [12:25:33] Mr Vanderpuye.

24 MR VANDERPUYE: [12:25:35] He's been asked this question. He's already

25 answered it. The question subsumes two things. One is the existence of the call

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1 and the accuracy of his narrative -- his narrative concerning that call. The second is  
2 the accuracy of the telephone number to which it was made.

3 PRESIDING JUDGE SCHMITT: [12:25:55] And third is the accuracy of the call data  
4 records.

5 MR VANDERPUYE: [12:25:58] Indeed.

6 PRESIDING JUDGE SCHMITT: [12:25:58] So I think that he has answered it. He  
7 has answered the question.

8 MS DIMITRI: [12:26:03] Mr President, if I may. My -- my suggestion to him --  
9 because I'm closing the doors here. He -- he put an answer just before the break  
10 saying, "Maybe I was mistaken in terms of date." I'm -- if I may, Mr President. I'm  
11 shutting that door by saying, "That's not what you said last Friday." That's one.  
12 In terms of accuracy of the phone number, Mr Vanderpuye was very specific when he  
13 asked the question. I was even more specific, because I wanted to avoid an objection  
14 where I was going to be told by Mr Vanderpuye, "You can't put an omission. It's call  
15 data record." I was very specific on which phone was used by him and which  
16 number he called for Mr Yekatom.

17 PRESIDING JUDGE SCHMITT: [12:26:50] Okay. So now for the last time,  
18 Mr Witness -- let me do it.

19 For the last time, Mr Witness, so did you receive -- did you receive or did you  
20 call Mr -- let me have a look how you said it. Did you call Mr Yekatom with regard  
21 to the 5 December attack and spoke with him about that?

22 THE WITNESS: [12:27:15](Interpretation) Thank you, your Honour.

23 What I did, I accept. And what I didn't do, I don't accept. I had a conversation and  
24 I asked him, and that is why I -- I am at liberty to explain, otherwise I couldn't  
25 explain.

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1 PRESIDING JUDGE SCHMITT: [12:27:40] Ms Dimitri.

2 MS DIMITRI: [12:27:40] Thank you, Mr President.

3 Q. [12:27:52](Interpretation) In paragraph 95 and 96, in your statement, you say  
4 that in your zone - we're in public session, so I won't say what zone it is - you had  
5 contact with the Muslim community and you told them that they could stay.

6 So, on the other side, you also made extremely serious allegations as regards

7 Mr Yekatom, by saying that in his zone he killed many Muslims. He took their  
8 property in Kapou, in Pissa, Mbaïki.

9 My question is as follows: Am I to understand that Mr Yekatom didn't do like you,  
10 he did not contact the Muslim population to bring about reconciliation?

11 A. [12:28:57] Thank you, Madam, for this question that you've put to me. {ICR: (Redacted)}

12 (Redacted)

13 (Redacted)}

14 He had elements under him. And if those close to him removed themselves from

15 him {ICR: (Redacted)} that is why I'm passing on that

16 information to the Court. {ICR: (Redacted)}, I wouldn't tell the Court.

17 {ICR: (Redacted)}

18 Q. [12:29:56] So if I tell you the imam of Mbaïki came here as a witness and said, in

19 public, "Yekatom said and did what he could so that peace could be re-established in

20 Lobaye" - end of citation - are you prepared to admit that the information that you

21 received on the intentions of Mr Yekatom in Lobaye are not reliable?

22 A. [12:30:35] Thank you. This is information after, when we started to look at the

23 social fabric so that we could come together. That is when that information was

24 made available. But if you talk about {ICR: (Redacted)}

25 (Redacted)}, then this would be my response.

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1 PRESIDING JUDGE SCHMITT: [12:31:09] Well, do we have any names of these  
2 elements? Do you recall some of the names of these elements, please?

3 THE WITNESS: [12:31:29](Interpretation) {ICR: (Redacted)}

4 (Redacted)

5 (Redacted)

6 (Redacted)}. That's -- that's what I explained to the Court.

7 Perhaps the lawyers are in contact with them. And if they do get in contact with  
8 them, they will be able to explain better than I have been able what happened. But  
9 I'm answering to the best of my ability.

10 PRESIDING JUDGE SCHMITT: [12:32:38] Ms Dimitri.

11 MS DIMITRI: [12:32:39](Interpretation)

12 Q. [12:32:39] Witness, do I understand that you went to Lobaye and {ICR: (Redacted)}

13 (Redacted)); is that correct?

14 A. [12:33:02] Yes.

15 Q. [12:33:23] And {ICR: (Redacted)} --

16 I'm going to reframe my question.

17 Now, in your statement you referred to attacks, village by village, by Yekatom. And  
18 a little earlier you explained to us that Pissa was not attacked. There was no fighting  
19 there.

20 Now, do you have information or do you have reasons to think that Mbaïki was  
21 attacked?

22 A. [12:34:07] Yes, Madam.

23 Q. [12:34:09] {ICR: (Redacted)}

24 Mbaïki had been attacked and there had been fighting there?

25 A. [12:34:26] When his elements were still alive -- Coeur de Lion, for instance,

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1 Coeur de Lion {ICR: (Redacted)} that he had taken Mbaïki, and he had collected all of  
2 the weapons there that had been in the arms of the gendarme, et cetera. That was it.

3 Q. [12:34:41] So that's all he said to you about Mbaïki. He went to Mbaïki and he  
4 collected weapons there; is that correct?

5 A. [12:34:50] Yes.

6 Q. [12:34:53] (Overlapping speakers)

7 PRESIDING JUDGE SCHMITT: [12:34:53] Ms Dimitri --

8 MS DIMITRI: [12:34:54] I'm going too fast.

9 PRESIDING JUDGE SCHMITT: [12:34:56] -- you know, if we are not finished at  
10 1 o'clock, we are not finished at 1 o'clock, but we want to have everything on  
11 the record.

12 MS DIMITRI: [12:35:05] I'm sorry, Mr President. Thank you for -- I'm doing my  
13 best.

14 PRESIDING JUDGE SCHMITT: [12:35:07] And sometimes slowing down is also, for  
15 other reasons, quite good, I think.

16 MS DIMITRI: [12:35:15] Thank you, Mr President. I will slow down, and  
17 unfortunately, it's impossible for me to finish at 1.

18 PRESIDING JUDGE SCHMITT: [12:35:21] Well, then, it's as it is.

19 MS DIMITRI: [12:35:23] Thank you.

20 PRESIDING JUDGE SCHMITT: [12:35:24] We have no guarantee on that.

21 MS DIMITRI: [12:35:26] Thank you.

22 Q. [12:35:34](Interpretation) Now, am I to understand when you use the term  
23 "attacking from village to village, focusing on Muslims", am I to understand that what  
24 you were actually talking about was the collecting of weapons, just as you have  
25 described for Pissa and Mbaïki? Was that it?

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1 A. [12:36:04] Well, if they find weapons, they're certainly going to take them.  
2 They're not going to leave them behind.

3 Q. [12:36:12] So when you say "attacking from village to village, targeting  
4 the Muslims", is that what you're talking about? When they would arrive into  
5 a village, they would take the weapons, is that what you have understood?

6 \*A. [12:36:33] No, we have to be specific. Let me explain, Madam.  
7 If he goes into a village and he finds weapons, he will necessarily take the weapons.  
8 He would take the weapons.  
9 Because if somebody took the weapons, they would be used to kill each other.

10 Q. [12:37:06] And that is what you were referring to when you refer to the Lobaye  
11 villages?

12 A. [12:37:16] Thank you, Madam. In my statement -- well, at Bagbou (phon) there  
13 is a village, at Bagbabou (phon), which Seleka found. There was fighting and  
14 the weapons were taken. Then there's the village of Kpama. And there was also  
15 fighting in the village of Bakassa. It was they who explained attack by attack what  
16 they had done.

17 Q. [12:38:13] Do you agree with me that Kpama is very far from Mbaïki?

18 A. [12:38:35] You will find Kpama in Ombella-M'Poko.

19 Q. [12:38:47] Now I return to my original question. Am I to understand by your  
20 reference to "attacks village by village" in your statement, that you're referring to  
21 these -- these clashes with the Seleka and the recovering of weapons; is that correct?

22 A. [12:39:05] Yes, Madam, that is correct.

23 MS DIMITRI: [12:39:24] Mr President, could I have a moment, please?

24 PRESIDING JUDGE SCHMITT: [12:39:27] Of course.

25 (Counsel confer)



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1 PRESIDING JUDGE SCHMITT: [12:39:50] In the meantime, can I ask the parties and  
2 participants, is there any, let's say, preference for the normal lunch break or a shorter  
3 lunch break today? Any preference by anyone?

4 MS DIMITRI: [12:40:07] I could do with no lunch break. So a short one is fine with  
5 me, Mr President.

6 PRESIDING JUDGE SCHMITT: [12:40:11] A short one is okay. Okay, then let's say  
7 when we -- perhaps, yeah, when we come close to 1 o'clock, we have a shortened  
8 lunch break until 2 o'clock.

9 Please continue, Ms Dimitri.

10 MS DIMITRI: [12:40:23] Thank you, Mr President.

11 Q. [12:40:24](Interpretation) Witness, I'm going to change topic now. Now, you  
12 refer to, at paragraph 86 of your statement, when being questioned by the Prosecutor,  
13 in that paragraph you told us about the incident regarding the son of General Lapo  
14 and Djotodia's wife.

15 Now, could you tell me, who was it that relayed that incident to you first?

16 A. [12:41:09] Thank you. {ICR: (Redacted)}

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)}

21 So that's the answer, Madam.

22 Q. [12:42:17] And it is they who told you that Djotodia's wife had been arrested at  
23 the same time as the aide-de-camp?

24 A. [12:42:30] As soon as I had the information, that is what they explained. They  
25 explained that Djotodia's wife had been arrested with his aide-de-camp. That's right,

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1 Madam.

2 Q. [12:42:57] What exactly did he tell you regarding the incident? What did he tell  
3 you about the arrest and the incident, more specifically?

4 A. [12:43:09] He told that Djotodia's wife had been going to the cemetery in Boeing  
5 with a corpse to bury a family member, as the Muslims do. So they had been  
6 travelling to Boeing. There was a vehicle, the vehicle carrying Djotodia's wife was  
7 stopped by some military men, and they were taken together with some elements.  
8 Now, the elements were killed on the spot, and Djotodia's wife was transferred to  
9 the hill for some time before being released. That is what I heard, that is what I  
10 learnt at the time, and so I'm relaying it to you now, Madam.

11 Q. [12:44:16] Now, you said that -- in your statement that Djotodia's wife was taken  
12 to the base.

13 Now, was she taken to the base after the son of General Lapo was killed close to the  
14 vehicle?

15 A. [12:44:44] She was taken to the base after they killed Lapo's son.

16 I don't know if the killing was right beside the vehicle, or if they took him some  
17 distance away, but he was killed on site, as I understand it.

18 Q. [12:45:24] I'd just like to clarify something. You said that you weren't how  
19 many -- unclear on how many metres from the car this happened. Now, in your  
20 statement you say they took him some metres from the car.

21 A. [12:45:41] Yes, that's right. Because I didn't know -- I didn't know what  
22 the distance was, so I said some metres from the car.

23 Q. [12:46:03] Have I understood correctly that when you said some metres from  
24 the vehicle General Lapo's son was killed and that Djotodia's wife was subsequently  
25 taken to the base, is that how you recount the incident?

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- 1 A. [12:46:28] Yes, that's right.
- 2 Q. [12:46:30] Could you repeat your answer.
- 3 A. [12:46:33] That is correct.
- 4 Q. [12:47:02] Now, in your statement you said {ICR: (Redacted)}
- 5 (Redacted)} gave you
- 6 the information.
- 7 A. [12:47:21] That is correct.
- 8 MS DIMITRI: [12:47:23] I'll continue in private session.
- 9 MR VANDERPUYE: [12:47:28] Thank you.
- 10 PRESIDING JUDGE SCHMITT: [12:47:29] Well that's -- yeah, private session.
- 11 (Private session at 12.47 p.m.)
- 12 THE COURT OFFICER: [12:47:49] We're in private session, Mr President.
- 13 PRESIDING JUDGE SCHMITT: [12:47:51] We're in private session.
- 14 So, Mr Witness, in your statement, that's paragraph 86, (Redacted)
- 15 (Redacted)
- 16 (Redacted); is that correct?
- 17 THE WITNESS: [12:48:12](Interpretation) Yes, that is correct, your Honour.
- 18 PRESIDING JUDGE SCHMITT: [12:48:15] You wanted -- but you wanted to ask
- 19 something else. But after the interruption, I wanted simply to have the flow, so to
- 20 speak. Please continue.
- 21 MS DIMITRI: [12:48:23] Thank you, Mr President.
- 22 Q. [12:48:32](Interpretation) When you say in your statement that the arrest and
- 23 the execution took place in front of Mr Yekatom, Mr Yekatom is present and he gives
- 24 the order, was it the selfsame three people who relayed that to you?
- 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 Q. [12:50:47] You said that you confronted Mr Yekatom by telephone and that he  
14 had answered, saying that he was a traitor and he was complicit with the Seleka, and  
15 therefore, he couldn't be kept. End of quotation.

16 Now, am I to understand that during that telephone conversation with Mr Yekatom,  
17 he admitted to you that he was present and that he had ordered that  
18 the aide-de-camp be tied up and killed.

19 A. [12:51:38] I didn't talk to you about being -- him being tied up. I referred to  
20 the conversation in which he said that he was a traitor and, therefore, had been an  
21 element that needed to be killed. That's all. But how they killed him there, that  
22 I don't know.

23 Q. [12:52:13] I'm going to repeat my question.

24 A. [12:52:16] Yes.

25 Q. [12:52:20] (Redacted)

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1 Mr Yekatom, did Mr Yekatom confirm to you, yes or no, that he was present when  
2 the vehicle was intercepted, when the vehicle in which the aide-de-camp was riding  
3 was stopped?

4 A. [12:52:45] He was in the Gnawara base, Madam.

5 Q. [12:52:56] (No interpretation)

6 PRESIDING JUDGE SCHMITT: [12:52:57] That's -- no, no, he has answered  
7 the question. He was at the base. But -- yeah, partly has answered the question.

8 MS DIMITRI: [12:53:02] I want to know what he told him on the phone.

9 PRESIDING JUDGE SCHMITT: [12:53:05] Yes, exactly, I also want to know what he  
10 told him on the phone. Perhaps you can give it another try, yeah.

11 So when he was at the base, you say, when you -- when you spoke with him, did  
12 Mr Yekatom say that he was present when he was killed, first of all?

13 THE WITNESS: [12:53:35](Interpretation) Thank you, your Honour.

14 As regards that conversation, Yekatom told me that he was a -- a traitor, and therefore,  
15 he was an element that needed to be killed. If he said that to me, then he -- what it  
16 meant was that he was present.

17 PRESIDING JUDGE SCHMITT: [12:53:56] Okay. That is now clearer, and we know  
18 what that means.

19 Yeah, please, Ms Dimitri.

20 THE INTERPRETER: [12:54:05] That he was present when the events took place.

21 MS DIMITRI: [12:54:10](Interpretation)

22 Q. [12:54:10] When you said that he was at Yamwara, now, are you extrapolating  
23 that, or did Mr Yekatom tell you on the telephone that he was in Yamwara when that  
24 happened?

25 A. [12:54:27] I'm not extrapolating anything, Madam. I'm relaying to what I bore

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1 witness to myself. What I don't know, I'm not telling you. Things -- I'm not telling  
2 you things that I don't know.

3 Q. [12:54:43] So on the telephone, did Mr Yekatom confirm to you that he was in  
4 Yamwara when this incident took place?

5 A. [12:54:52] That is correct, Madam.

6 Q. [12:55:01] Now, when did that telephone conversation take place?

7 A. [12:55:08] I no longer recall at what time that was -- when that was.

8 Q. [12:55:16] Was it prior to the meeting of 27 December? You know,  
9 the meetings with Mr Bara.

10 A. [12:55:24] Yes, it was before.

11 Q. [12:55:41] (Redacted)

12 (Redacted)

13 (Redacted)

14 Now my question is: Did that telephone conversation take place prior to  
15 the telephone conversation where you sent reinforcements to Mr Yekatom on 20 -- or  
16 for 20 December?

17 A. [12:56:18] It was before what you've just been talking about.

18 Q. [12:56:26] Now, during that telephone conversation with Mr Yekatom, did he  
19 discuss the fate of Mr Djotodia's wife with you? Because last Friday you said that  
20 there had been telephone calls in and out regarding the release of Djotodia's wife. So  
21 did Mr Yekatom discuss by phone with you what had happened with Djotodia's  
22 wife?

23 A. [12:57:07] Thank you, Madam.

24 Based on what he said, it's what I said to you; that is, that Djotodia's wife was  
25 transferred to the hill, and then afterwards she was released. That was it, Madam.

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1 Q. [12:57:30] So it was he who told you that Djotodia's wife had been transferred to  
2 Bazoubangui hill and that after a couple of days she had been freed; is that correct?

3 A. [12:57:48] Yes. Yes, Madam.

4 PRESIDING JUDGE SCHMITT: [12:57:54] If you are going to change subject, we  
5 would have now the break, I think. Yeah.

6 Let's -- let's have the break until 2 o'clock.

7 THE COURT OFFICER: [12:58:04] All rise.

8 (Recess taken at 12.58 p.m.)

9 (Upon resuming in private session at 2.00 p.m.)

10 THE COURT USHER: [14:00:30] All rise.

11 Please be seated.

12 PRESIDING JUDGE SCHMITT: [14:00:47] We are in private session.

13 Ms Dimitri, please continue.

14 MS DIMITRI: [14:00:52] Thank you, Mr President.

15 Q. [14:01:01](Interpretation) Mr Witness, when the Prosecutor asked you last week

16 (Redacted)

17 (Redacted)

18 (Redacted) And also tab 55, 0010-0059. I'll just wait for the first

19 photograph to be put up on the screen.

20 Tab 54, CAR-D29-0010-0058.

21 Do you recognise this person in the photograph?

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 Q. [14:02:44] Could you describe, because I'm not entirely sure with your  
3 description, sir, which person you are identifying. Is there anything in particular on  
4 his uniform that the others don't have?

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

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10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 PRESIDING JUDGE SCHMITT: [14:13:34] I think we have all been here in

17 the courtroom. This has been discussed between the witness and also

18 the Presiding Judging - (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 MS DIMITRI: [14:14:08](Interpretation)

23 Q. [14:14:09] I'm going to change to another topic again, Mr Witness.

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 A. [14:14:46] I can't hear anything. The sound has cut out.

3 PRESIDING JUDGE SCHMITT: [14:14:51] Of course, we have to establish the sound.

4 And in the meantime, Ms Dimitri, can you tell us which witness and -- and also  
5 the time frame, because otherwise we cannot put it into perspective.

6 MS DIMITRI: [14:15:04] Of course, Mr President, I did. It was probably missed in  
7 translation. (Redacted)

8 PRESIDING JUDGE SCHMITT: [14:15:12] It was missed in translation. (Redacted)  
9 I recall.

10 MS DIMITRI: [14:15:17] Correct.

11 PRESIDING JUDGE SCHMITT: [14:15:18] And at the time, do you have an idea  
12 when this happened?

13 MS DIMITRI: [14:15:25] Yes, Mr President.

14 THE INTERPRETER: [14:15:28] Message from the interpretation booth:  
15 Apparently one channel was blocked momentarily.

16 MS DIMITRI: [14:15:36] I'm doing this on top of my head, so I stand to be corrected.  
17 (Redacted)

18 PRESIDING JUDGE SCHMITT: [14:15:42] Then perhaps repeat your question with  
19 this information.

20 MS DIMITRI: [14:15:45] Of course.

21 PRESIDING JUDGE SCHMITT: [14:15:46] And then --

22 MS DIMITRI: [14:15:47] Yes.

23 But can we just make sure the witness hears me. He does?

24 PRESIDING JUDGE SCHMITT: [14:15:52] He does. He does. There was only  
25 momentarily a problem.

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- 1 And we have to stay in private session for that?
- 2 MS DIMITRI: [14:16:00] Yes.
- 3 PRESIDING JUDGE SCHMITT: [14:16:20] Yeah, okay.
- 4 So to make a little bit of an advancement, (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 PRESIDING JUDGE SCHMITT: [14:16:34] (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 Is this is correct, what you wanted to --
- 11 MS DIMITRI: [14:16:55] Correct, Mr President.
- 12 PRESIDING JUDGE SCHMITT: [14:16:57] That is what the Defence alleges.
- 13 MS DIMITRI: [14:16:59](Interpretation)
- 14 Q. [14:17:00] My question is this: (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 THE INTERPRETER: [14:18:43] Inaudible.

6 THE WITNESS: [14:18:46](Interpretation) -- who came and set up operations at the  
7 roadblock with the assistance of the gendarmerie and perhaps of the authorities, they  
8 were the ones who were there. (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 MS DIMITRI: [14:19:28] Mr President, I think -- yes, I think that, for the remaining, I  
13 could go back to open session.

14 PRESIDING JUDGE SCHMITT: [14:19:38] Okay. Then we go to open session.

15 And the remaining is how much, roughly?

16 Well --

17 MS DIMITRI: [14:19:50] I think -- I think less than half an hour, yes.

18 PRESIDING JUDGE SCHMITT: [14:19:53] Yeah. In football, it's the truth is on  
19 the field, yeah.

20 MS DIMITRI: [14:19:58] I hope less than half an hour. But I was wrong on my  
21 estimation yesterday, so don't -- don't hold me ...

22 PRESIDING JUDGE SCHMITT: [14:20:07] No problem at all.

23 MS DIMITRI: [14:20:08] Thank you.

24 (Open session at 2.20 p.m.)

25 THE COURT OFFICER: [14:20:18] We are in open session, Mr President.

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1 MS DIMITRI: [14:20:23](Interpretation)

2 Q. [14:20:24] Mr Witness, you made a few additions to your statement, specifically  
3 about Mr Yekatom.

4 My question is this: Since the time you signed your initial statement, since 2017,  
5 have you spoken to any of Yekatom's people to get information?

6 A. [14:20:51] Talked to him?

7 Q. [14:20:53] No. I'll repeat my question.

8 Ever since you met with the investigators from the OTP in 2017, have you spoken to  
9 people, people that you know or individuals concerning Mr Yekatom? Because I do  
10 note that you made several additions to your statement when you were given an  
11 opportunity to make -- to add things or to correct your statement.

12 A. [14:21:28] No, Ma'am, I did not talk to people. I had forgotten some things, so I  
13 reminded the Court -- I added some things to my statement, Ma'am.

14 Q. [14:21:49] I put it to you, Mr Witness, that you bear animosity towards  
15 Mr Yekatom. That is why during your testimony on Friday at -- you said this:  
16 "Things weren't working between us." So I put it to you that your animosity to  
17 Mr Yekatom was such that you made serious allegations against him during your  
18 testimony, baseless allegation.

19 A. [14:22:25] Thank you very much, Ma'am.

20 I do not bear any animosity towards Mr Yekatom. I'm not even angry at him.

21 What I saw, what I experienced, I have told you about. Because if I say that things  
22 weren't working between us, it's because he's a person who never listens. When I  
23 talk to him, he doesn't want to listen.

24 But in terms of his acts of violence and abuse, I don't want to be beside him. So  
25 that's why I said it didn't work between us, because, you see, he doesn't listen.

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1 That's all, Ma'am.

2 Q. [14:23:19] In your testimony at 10.53 on Friday, and also at paragraph 45 of your  
3 statement, that after a meeting in Yamwara, Ngremangou apparently called  
4 Captain Kamezolai to tell him that he had received an order from outside not to  
5 change the name Anti-Balaka and to do everything to maintain the return to  
6 constitutional order.

7 You explained, without giving us the details about who was present, that a meeting  
8 had been held, an emergency meeting, and afterwards, the participants at the meeting  
9 had strongly insisted upon Captain Ngremangou, and he acknowledged that that  
10 outside order came from Bozizé.

11 So, Mr Witness, I'm just repeating to you what you said. I'm just giving you some  
12 background. Are you still with me?

13 A. [14:24:28] I'm with you.

14 Q. [14:24:31] I thought that -- correction: You thought that {ICR: (Redacted)  
15 (Redacted)} afterwards. Was that {ICR: (Redacted)} to the effect  
16 that Ngremangou had telephone contact with Bozizé?

17 A. [14:24:55] {ICR: (Redacted)} I deduced that he had had telephone  
18 contact with Bozizé.

19 Q. [14:25:04] On Friday you testified saying that Ngremangou was in ongoing  
20 contact, ongoing contact with Bozizé. Once again, am I to understand that you  
21 didn't have any information from anyone to the effect that -- that he was on -- in  
22 ongoing contact with Bozizé? It was a conclusion that you drew on the basis of  
23 a single phone call in 2013.

24 A. [14:25:41] Thank you, Ma'am.

25 I said that Ngremangou, when -- or, after the meeting, the -- in the evening,



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1 Ngremangou called Kamezolaï to tell him that the outside was not in agreement with  
2 the decision. And so {ICR: (Redacted)} to another meeting, and we had  
3 the impression it was Bozizé who was saying this. That's what I've explained to you.  
4 I -- I didn't say anything about ongoing contact. No.

5 Q. [14:26:28] Now, what about all -- I'll ask you about Francis Bozizé. Do you  
6 know where Francis Bozizé was during the events?

7 A. [14:26:39] He was outside.

8 Q. [14:26:40] You never spoke to him?

9 A. [14:26:42] No. Not even.

10 Q. [14:26:47] And we agree that no one was telling you about Francis Bozizé --

11 THE INTERPRETER: [14:26:55] Overlapping.

12 MS DIMITRI: [14:26:59](Interpretation)

13 Q. [14:27:00] Let me finish my question and wait three seconds.

14 You heard that he was outside, but no one told you anything specific about him,  
15 agreed?

16 A. [14:27:08] No.

17 Let me explain. There was one element from the group, Ngremangou's group. If I  
18 recall correctly, his name was -- well, he was a -- he might have been  
19 a non-commissioned officer, Monte (phon). He was in Ngremangou's camp. So he  
20 told me that -- he told me that the name of Francis Bozizé came out in relation to  
21 the deal involving money. That's what I said in my statement.

22 Q. [14:28:03] Last Friday you testified at 10.48, saying, on 5 December, or before  
23 5 December, Mr Yekatom had had contacts with Andjilo and Mazimbele. When  
24 the Prosecution asked you how that information came to you, you answered, and I  
25 quote - I'm quoting from your direct testimony on Friday - you said:

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1 "The information came to me because at the time there was no secret thing. That  
2 means that it was even said on the national radio. People were saying it -- everyone  
3 was saying it. The information was out there. It was general." End of quote.

4 So my question to you is this: What were people saying? What was said on  
5 the national radio exactly in this regard?

6 A. [14:29:09] No, Ma'am. That remark was made, because when the Prosecutor  
7 asked me whether the Anti-Balaka of the north also were advancing towards Bangui,  
8 and I said that was no secret. People were talking about on the radio. Everyone  
9 was talking about it. The information was going from one person to another,  
10 from -- but contact with Andjilo, I wasn't alongside Rambo to see him make a call, so  
11 I can't take that into account.

12 Q. [14:30:04] And the same thing for Mazimbele?

13 A. [14:30:08] I beg your pardon, Ma'am?

14 Q. [14:30:11] You said, quote: "I wasn't beside Rambo to see his call with Andjilo."

15 So I understand that you don't have direct information to the effect of Mr Yekatom  
16 being in touch with Andjilo.

17 Do you agree that you don't have any direct information about Rambo being in touch  
18 with Mazimbele directly?

19 A. [14:30:38] I wasn't beside him to see him make a call to Mazimbele.

20 PRESIDING JUDGE SCHMITT: [14:30:47] So, Mr Witness, what you said about  
21 the contacts, alleged contacts between Mr Yekatom and Mr Andjilo and

22 Mr Mazimbele, does this -- is the source solely public available sources, like radio, or  
23 something like that?

24 THE WITNESS: [14:31:10](Interpretation) Sorry, your Honour? I couldn't hear,  
25 really, what you were saying.

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1 PRESIDING JUDGE SCHMITT: [14:31:17] No problem, Mr Witness. I repeat.

2 So when you speak about alleged contacts between Mr Yekatom examine

3 Mr Mazimbele and Mr Andjilo, does this information, the source of this information

4 derive only from public sources, for example, from radio, or do you have other

5 sources of information insofar?

6 THE WITNESS: [14:31:48](Interpretation) No, it's not from the radio and other

7 sources. It is only afterwards, when the Anti-Balaka of the south and north merged,

8 at that moment, there was an understanding between them. But I haven't got

9 a source that Yekatom Alfred Rambo came and had contact with Mazimbele or

10 Andjilo from the Anti-Balaka north, no. That's my answer.

11 MS DIMITRI: [14:32:34](Interpretation)

12 \*Q. [14:32:51] During your statement last Friday, at 12:37, {ICR: (Redacted)}

13 (Redacted)

14 (Redacted)

15 (Redacted))

16 My question is as follows: Am I to understand that during the period of all

17 the events of 2013, January, February 2014, March 2014, {ICR: (Redacted)}

18 (Redacted)); is that correct?

19 A. [14:33:50] Thank you very much, Madam, for the question you've just put.

20 What I said is, at the moment when he took the route which I just described, after

21 a little while - how should I put it? - after the Brazzaville forum, well, then, I moved

22 around. I could cross at that stage, and I could go {ICR: (Redacted)}

23 (Redacted)) where he slept in Bossangoa and Sekia and return. But it was after

24 the Brazzaville forum that the tension reduced and I could move around and go there.

25 Q. [14:35:02] In paragraph 91 of your statement, you say that the sector which was

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1 under the control of Yekatom had natural resources, like diamonds. And when we  
2 gave you the opportunity to correct your statement, you add gold. Could  
3 you -- could you explain to us why you made this correction.

4 A. [14:35:34] I'm not sure about that correction there.

5 Q. [14:35:42] And then following on, in the same paragraph, Mr Yekatom is rich. I  
6 remember you don't remember the correction. Are you saying that he was profiting  
7 from the gold and diamond in his sector?

8 THE INTERPRETER: [14:36:00] The interpreter didn't get the answer.

9 MS DIMITRI: [14:36:05](Interpretation)

10 Q. [14:36:06] Is that a supposition that you're making, or are you a witness that  
11 Yekatom was exploiting the diamonds and gold and became so rich and saying that  
12 the others were not more worth than a dog?

13 A. [14:36:22] That's not the issue, Madam.

14 Q. [14:36:24] (Overlapping speakers)

15 PRESIDING JUDGE SCHMITT: [14:36:27] Mr -- Mr Witness, what is the issue, if you  
16 say that's not the issue?

17 THE WITNESS: [14:36:47](Interpretation) The lawyer said whether I saw and I  
18 spoke about the issue whether he's rich or not, and I said that really wasn't  
19 the problem, your Honour.

20 She can repeat the question if she wants, and I will answer.

21 PRESIDING JUDGE SCHMITT: [14:37:15] Mr Witness, when you say that's not  
22 the issue, but the issue is that you have it in your statement, and, again, like always,  
23 you know, in Court, we always want to know where the sources of information  
24 derives from, you know. It could be that you have seen it with your own eyes, or  
25 that people have talked about, or whatsoever. So this is what we want to know.

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1 This information that you provided us insofar with regard to the wealth or not wealth  
2 of Mr Yekatom in your statement, what is your source of information here?

3 THE WITNESS: [14:37:59](Interpretation) Thank you, your Honour.

4 That's why I said to the madam counsel, I said I'm going to answer the question.

5 {ICR: (Redacted)}, broadly

6 speaking.

7 In Lobaye area, towards -- I'm going to remember the name. He has a -- a machine

8 that detects gold, and he gave it to the element and the element went on the ground.

9 And he went to the spot, and he has his portion which he gave to other elements

10 which they could use and exploit, and {ICR: (Redacted)}

11 (Redacted)}. That's it, your Honour.

12 MS DIMITRI: [14:39:33](Interpretation)

13 Q. [14:39:35] But just a few moments ago you talked about you don't remember

14 when you added the word "gold" in your statement.

15 A. [14:39:45] (Overlapping speakers)

16 Q. [14:39:46] Wait, wait, wait, wait. Let me finish. Let me finish my question.

17 Some moments ago you said, "I don't remember that I added the word 'gold' in my

18 statement." And all of a suddenly --

19 A. [14:40:01] (Overlapping speakers)

20 Q. [14:40:02] Let me finish my question.

21 And suddenly you remember and you recall that an element of Mr Yekatom had

22 a detector, a detector for gold; is that right?

23 A. [14:40:18] The question came to me and I was trying to answer. And as I was

24 talking to you, I remembered, and that is why I responded to the question as I did,

25 Madam.

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1 PRESIDING JUDGE SCHMITT: [14:40:36] Well, and we have to admit that I asked  
2 him about the source of information. And when he then provides us with this  
3 information, okay, that's his answer. Now I asked him. So it's -- if you want to  
4 blame someone, it's me.

5 MS DIMITRI: [14:40:56](Interpretation)

6 Q. [14:40:57] Are you in a position to say where in Lobaye you find gold and  
7 diamonds?

8 A. [14:41:09] He has this detector {ICR: (Redacted)} where they have this equipment, and  
9 {ICR: (Redacted)}, something like that.

10 I don't remember his name, but that's something like that.

11 Q. [14:41:44] I'd like to change topics.

12 Still talking about the Pissmiss roadblock which is in control by Mr Yekatom's  
13 elements. Do you agree with me that Pissmiss is close to the Zila sector, a hundred  
14 metres away from Zila?

15 A. [14:42:08] That's correct, Madam.

16 Q. [14:42:16] And Zila was in the zone of Mr Yekatom, in his area of control?

17 A. [14:42:23] That's correct, Madam.

18 Q. [14:42:27] And is it also correct that Captain Gilbert Kamezolaï for a certain  
19 period of time, immediately after the resignation of Djotodia, Captain Kamezolaï was  
20 based or resided in Zila?

21 A. [14:42:47] {ICR: (Redacted)}  
22 (Redacted)}

23 Q. [14:43:10] You describe the post -- Pissmiss post, and these are your word, in  
24 1442, you said: "This was like a post of demons, a catch-all, a jumble. In order to go  
25 through this checkpoint, god had to be with you, otherwise the river will carry you

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1 down stream." You said that last Friday at 12.34. You made extremely serious  
2 allegation as regards Mr Yekatom in his zone, in his area and not only in Pissmiss  
3 from January 2014. Those are your words. I'm going to let you listen to an audio,  
4 and after that, I have a question.

5 This is 58 of the Defence binder, CAR-OTP-2076-0815, 07:22 to 08:37.

6 For the interpreters, it is tab 59, CAR-D29-0006-0721, line 6 to 23, page 0725, I believe.

7 PRESIDING JUDGE SCHMITT: [14:44:58] The interpreters are ready, obviously, so  
8 we can start.

9 MS DIMITRI: [14:45:02] Okay.

10 (Playing of the audio excerpt)

11 THE INTERPRETER: [14:45:11](Interpretation of the video excerpt)

12 "The FACA officers took the direction of the Anti-Balaka group, but since  
13 the departure of Mr Djotodia, the president of the transition and the international  
14 division, there was a split. One of the Anti-Balaka went behind the new transitional  
15 power that was respected by Joachim Kokaté who became a counsel minister.

16 Captain Kamezolaï, who controlled the region of Lobaye in the south of Bangui,  
17 worked well together with the authorities. He even answered to the call of the new  
18 minister of the defence to reintegrate the ranks in the future army.

19 We are actually for the power in place who are dealing with the transition. Until  
20 the end, we have interest in supporting this so that we can move towards elections.  
21 That's it.

22 Your 3,800 men today are billeted, are with their families. Where are they?"

23 Answer: "The 3,800 men actually from -- are based from Zila up to Lobaye. They  
24 are the ones who guarantee the security of citizens who are also in the south, even  
25 today. One day they will be available for the government and they will be billeted."

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1 MS DIMITRI: [14:46:34](Interpretation)

2 Q. [14:46:36] Did you hear Captain Gilbert Kamezolaï there, when in March 2014,  
3 1 April 2014, Captain Kamezolaï said that 3,800 men from Zila up to Lobaye, to make  
4 sure that the citizens were safe in the south? He's talking about whose men, if you  
5 know?

6 PRESIDING JUDGE SCHMITT: [14:47:01] Before you answer, Mr Witness.

7 Mr Vanderpuye, you have an objection?

8 MR VANDERPUYE: [14:47:04] I do.

9 Of course, the witness understands better than I do, but I didn't hear Kamezolaï say  
10 that he had any men. He was talking about the men that were positioned in that  
11 area.

12 PRESIDING JUDGE SCHMITT: [14:47:16] Well, that -- that's correct, he was talking  
13 about the men. But with that caveat, so to speak, the witness might have  
14 information.

15 You can answer the question, Mr Witness. You have heard what has been said in  
16 this audio recording. Can you give us any information on that?

17 THE WITNESS: [14:47:43](Interpretation) Kamezolaï didn't have any men. He  
18 spoke about the men of Rambo. I think the video was projected last Friday. So he  
19 spoke about it, and it's because of this that Kamezolaï talked about this, your Honour.

20 PRESIDING JUDGE SCHMITT: [14:48:07] Ms Dimitri.

21 MS DIMITRI: [14:48:09](Interpretation)

22 Q. [14:48:11] So, if Kamezolaï talks about Rambo's men, if Kamezolaï says that  
23 the 3,800 men of Rambo guarantee the security of the citizens towards the south, from  
24 Zila in Pissmiss, how do you explain that the Pissmiss post was a post of demons  
25 where god has to be with you if you wanted to stay alive?



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1 A. [14:48:49] Thank you. I'm going to explain it to you. I believe that when  
2 Kamezolaï explained this thing, it is not the moment -- it is not in the month of  
3 January or February that he explained this. At that time, things had calmed down  
4 when Kamezolaï started speaking about this.  
5 The day when Yekatom took over this area, Madam -- really, I'm not sure to lie. It's  
6 normal. You are his Defence counsel, so you have to defend him. \*But what I'm  
7 saying is real and true, because when he took PK9, I believe he stopped a semi lorry  
8 which was carrying bags of sugar. He knows that himself because he was selling the  
9 sugar at 5000. So, in order to go through there you had to -- everything was checked,  
10 everything was controlled. And if somebody said you were a traitor, then you were  
11 a traitor, and that was it, that was the end. Because it was a -- a mess, a catch-all.  
12 Everything was mixed up; the civilians, the soldiers, et cetera. That was it.  
13 {ICR: (Redacted)  
14 (Redacted)  
15 (Redacted)  
16 (Redacted)  
17 (Redacted)  
18 (Redacted)  
19 (Redacted)  
20 (Redacted)  
21 (Redacted)}, but we've already spoken about this, Madam.  
22 The video -- or the photo is not there, but what I said is something he knows. God is  
23 my witness to what I said. If I'm lying, I'll have to pay for it.  
24 Q. [14:51:48] I'm going to change subjects again, relating to Yekatom.  
25 Dealing with the arrest of the wife of President Djotodia and her aide-de-camp. I am

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1 suggesting that during the conversation you had as regards the attack on  
2 Camp Kassai, just like that, you're talking about an event that was in the media and  
3 you invented a telephone call about this conversation about what happened with  
4 Mr Yekatom.

5 A. [14:52:28] Sorry, could you tell me slowly again, and then I'll try and answer.

6 PRESIDING JUDGE SCHMITT: [14:52:37] Well, I think you can shorten the question.

7 And you want to put to him that you think it's not the trust what he said. So  
8 perhaps we do it this way.

9 MS DIMITRI: [14:52:53](Interpretation)

10 Q. [14:52:54] As regards the telephone call which you allege you had with  
11 Mr Yekatom, relating to the wife of Djotodia and the aide-de-camp, my suggestion,  
12 which I'm going to put to you, is that you were not honest. You invented this  
13 telephone conversation because it served you, because the incident was heavily  
14 broadcast in the media.

15 A. [14:53:24] No. No. I did not get the information through the media. It is  
16 afterwards that -- afterwards it was only broadcast. But it was through my phone  
17 call with Yekatom that I got the information.

18 Q. [14:53:44] I'm again going to change the subject. It's almost my last subject.  
19 Since the case started, did you follow this case at any point in time?

20 A. [14:54:03] Sometimes, from time to time. Radio Ndeke Luka sometimes, but  
21 not throughout. Sometimes. Sometimes it's cut and didn't -- and it wasn't  
22 broadcast. That's it.

23 Q. [14:54:24] So you looked on occasion at some witnesses and what they were  
24 saying?

25 A. [14:54:33] No, I didn't look. I said sometimes on Radio Ndeke Luka there was

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1 information and we got information about it. And then it cut and then it continued.

2 I didn't follow it in its entirety. I didn't follow all of it. No.

3 Q. [14:54:56] Did you discuss this with anybody about the case or the evidence that  
4 was submitted?

5 A. [14:55:04] No. No one, Madam.

6 Q. [14:55:08] And no one talked to you about Mr Yekatom? Since you met  
7 the investigators of the OTP, nobody asked you about Mr Yekatom and about  
8 the evidence as far as he is concerned?

9 A. [14:55:24] Who am I going to talk to? Who am I going to tell them? I'm not  
10 going to look for information and then give my statement. Things happened as I  
11 told you, so I haven't spoken to anyone.

12 Q. [14:55:42] You said last Friday, and I quote: "Yekatom Alfred Rambo, who you  
13 see here today, is in The Hague and he's behaving as if he's the good Samaritan."  
14 How did you know Yekatom is claiming to be the good Samaritan? How did you  
15 know that if you didn't talk to anybody?

16 A. [14:56:12] Thank you, Madam. I said that rightly. If he's in The Hague today,  
17 you are his Defence lawyer, and you are explaining things because you want to  
18 defend him. But when he was on the ground, he was there. {ICR: (Redacted)}. He  
19 knows. Even the things I'm explaining, he can see the images. This gentleman  
20 doesn't listen. This gentleman -- even if I'm not mistaken --

21 Q. [14:56:52] I'm going to stop you here. I'm going to stop --

22 PRESIDING JUDGE SCHMITT: [14:56:56] No, you don't stop the witness. If  
23 anybody stops the witness, it's the Presiding Judge. And please don't interrupt.  
24 So, Mr Witness, please finish what you wanted to -- what you wanted to say.

25 THE WITNESS: [14:57:11](Interpretation) Thank you very much, your Honour.

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1 Just if you give me a moment to explain to the Defence counsel. I had made that  
2 statement because this gentleman, which is currently in The Hague, Rambo, because  
3 he is in The Hague that he is behaving as the good Samaritan. But on the ground,  
4 that gentleman is a semi-god. This means, if you ask for information to  
5 the gendarmerie in PK9, you're going to get it. If you ask the chief of a village in Zila,  
6 they will -- as soon as he took the PK9, it wasn't easy to get that information, no.  
7 That is what I said.  
8 {ICR: (Redacted)  
9 (Redacted)  
10 (Redacted)  
11 (Redacted)  
12 (Redacted)  
13 (Redacted)  
14 (Redacted)  
15 (Redacted)  
16 (Redacted)  
17 (Redacted)  
18 (Redacted)  
19 (Redacted)  
20 (Redacted)  
21 (Redacted)  
22 (Redacted)); he'll explain to you what  
23 happened.  
24 I'm not here to lie. Thank you, your Honour.  
25 PRESIDING JUDGE SCHMITT: [15:00:05] Ms Dimitri.

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WITNESS: CAR-OTP-P-0954

(Open Session)

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1 MS DIMITRI: [15:00:09](Interpretation)

2 Q. [15:00:12] In light of what you've just said and the remarks you made earlier, at 14.23, you  
3 said "I didn't want to be beside him." You've just described Mr Yekatom to us.

4 \*Well, at paragraph 90, 91, 92, you said that, in his eyes, other people were just dogs,  
5 in his eyes. You also said earlier that it was only after Brazzaville that the tension  
6 lessened.

7 So my question to you is this: Am I to understand thus, that once he took control of  
8 Pissmiss in January 2014, until at least Brazzaville, when the tension dropped, during  
9 that time you were not cooperating with Mr Yekatom? Too dangerous.

10 A. [15:01:16] Yes, Ma'am. Because after the Brazzaville forum, I started to -- to  
11 chat with this gentleman somewhat, but before that, the -- our conversations were  
12 very strong.

13 Q. [15:01:34] I'd like to play a video for you now. Tab 19 of the Defence binder.  
14 1307. Tab 19, from 0 minutes to 58 seconds, and this is tab 20 in your binder,  
15 CAR-OTP-2122-2366, lines 4 to 13.

16 I'm going to show the video, please watch it, and then I have a question for you.

17 A. [15:02:19] Thank you very much.

18 (Viewing of the video excerpt)

19 MS DIMITRI: [15:02:30] I'm sorry, can you stop, can you stop.

20 I'm sorry. Could we go into private session, please.

21 PRESIDING JUDGE SCHMITT: [15:02:34] Yeah, I also wondered, yeah.

22 MS DIMITRI: [15:02:37] I'm sorry, Mr President. It escaped my attention.

23 PRESIDING JUDGE SCHMITT: [15:02:39] No, no. I would have also interrupted.

24 Now we go to private session. Yeah.

25 (Private session at 3.02 p.m.)

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1 THE COURT OFFICER: [15:02:58] We're in private session, Mr President.

2 PRESIDING JUDGE SCHMITT: [15:03:01] So I think now we can play it, and

3 the interpreters are ready also with the -- thank you.

4 (Viewing of the video excerpt)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 PRESIDING JUDGE SCHMITT: [15:04:28] The ERN -- the correct ERN of the video

16 is CAR-OTP-2084-10 -- excuse me -- 1307.

17 Ms Dimitri.

18 MS DIMITRI: [15:04:39] Thank you.

19 Q. [15:04:40](Interpretation) Mr Witness.

20 A. [15:04:45] Yes.

21 Q. [15:04:46] If Mr Yekatom was a man that no one could bear, if he was

22 responsible for the position of demons, if, as you hinted at, from January till at least

23 Brazzaville you were not cooperating with him, (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 MS DIMITRI: [15:07:06] Mr President, as you could notice from my movement, that  
14 was my last question.

15 (No interpretation)

16 PRESIDING JUDGE SCHMITT: [15:07:17] We go into open session shortly.

17 (Open session at 3.07 p.m.)

18 THE COURT OFFICER: [15:07:27] We are in open session, Mr President.

19 PRESIDING JUDGE SCHMITT: [15:07:29] Thank you.

20 You have heard, Mr Witness, that this was the last question by the Defence of  
21 Mr Yekatom.

22 Therefore, we conclude the hearing of today, but we are not yet finished. Tomorrow  
23 we will start at 9.30 with the examination by the Defence of Mr Yekatom.

24 I wish you a good rest for the rest of the day.

25 And, please, again, I would like to

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- 1 remind you, don't talk about your testimony with anybody.
- 2 So we meet together tomorrow, 9.30.
- 3 THE COURT USHER: [15:08:01] All rise.
- 4 (The hearing ends in open session at 3.08 p.m.)