

Trial Hearing
WITNESS: CAR-OTP-P-2625

(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, 17 January 2023
10 (The hearing starts in open session at 9.31 a.m.)
11 THE COURT USHER: [9:31:07] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:31:39] Good morning, everyone.
15 Court officer, please call the case.
16 THE COURT OFFICER: [9:31:41] Good morning, Mr President, your Honours.
17 This is the situation in the Central African Republic II, in the case of The Prosecutor
18 versus Alfred Rombhot Yekatom and Patrice-Edouard Ngaïssona, case reference
19 ICC-01/14-01/18.
20 And for the record, we're in open session.
21 PRESIDING JUDGE SCHMITT: [9:32:01] Thank you.
22 Mr Vanderpuye, the presence of the Prosecution.
23 MR VANDERPUYE: [9:32:07] Good morning, Mr President. Good morning,
24 your Honours. Good morning, everyone. Good morning, Mr Witness.
25 The Prosecution is in the same configuration as yesterday, Mr President.

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1 PRESIDING JUDGE SCHMITT: [9:32:14] Thank you.

2 Ms Massidda.

3 MS MASSIDDA: [9:32:16] Good morning, Mr President, your Honours.

4 The common Legal Representative for the Victims of the other crimes appear today

5 with Mr Yaré Fall, Mr Enrique Carnero Rojo, Ms Mouhia Asso, and myself

6 Paolina Massidda.

7 PRESIDING JUDGE SCHMITT: [9:32:32] Thank you.

8 MR SUPRUN: [9:32:37] Good morning, Mr President. Good morning, your

9 Honours. The composition of the team representing the former child soldiers is

10 the same as yesterday. Thank you.

11 PRESIDING JUDGE SCHMITT: [9:32:48] Thank you.

12 I turn to the Defence. Ms Dimitri first.

13 MS DIMITRI: [9:32:52] Good morning, Mr President. Good morning,

14 your Honours. Good morning, everyone. Good morning, Mr Poussou.

15 Mr Yekatom is present in the courtroom this morning and the team is slightly

16 different from yesterday. This morning it's only Ms Casiez and myself

17 Mylène Dimitri.

18 PRESIDING JUDGE SCHMITT: [9:33:07] Thank you.

19 Mr Knoops.

20 MR KNOOPS: [9:33:10] Good morning, Mr President, your Honours. Good

21 morning everyone in the courtroom. We are the same composition as yesterday,

22 Mr President. Thank you.

23 PRESIDING JUDGE SCHMITT: [9:33:17] Thank you.

24 And I note -- Mr Philpot, I note your presence for the record also.

25 And, Mr Ngaïssona, we have taken -- excuse me, Mr Knoops, we have taken note of

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1 your -- let's say, your email in that regard and we will decide on that soon.

2 We continue now with the examination of the witness.

3 And Mr Vanderpuye has still the floor.

4 MR VANDERPUYE: [9:33:48] Thank you, Mr President. Good morning, again.

5 WITNESS: CAR-OTP-P-2625 (On former oath)

6 (The witness speaks French)

7 QUESTIONED BY MR VANDERPUYE: (Continuing)

8 Q. [9:33:56] Good morning, Mr Poussou.

9 A. [9:33:58] Good morning.

10 Q. [9:34:01] Yesterday, when we left off, I had shown you a letter that you had

11 penned, that was dated 15 April 2013, on behalf of President Bozizé. And I was

12 about to ask you about subsequent meetings that you had with President Bozizé and

13 people around him following that letter. So, if we could start there, I'd like to ask

14 you that question.

15 Did you meet with him, and others around him, after the date that you penned

16 the letter?

17 A. [9:34:54] Thank you. As I said yesterday, I met President Bozizé during my

18 stay in Yaoundé on at least three occasions. The first time as a personal meeting

19 when I arrived. Subsequently, again during a meeting with his entourage. And I

20 met him again in the company of his entourage. And then I met him again on

21 a one-to-one basis before leaving for Paris again.

22 Now, I might not remember the exact chain of events or the chronology of the events,

23 but it still stands that I saw him on at least three occasions.

24 Subsequent to this letter a meeting was held in his suite, a meeting during which

25 the members of his entourage, whose members -- whose names I provided yesterday,

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1 whom I had seen in the hall of the Hilton hotel and who were in attendance at that
2 meeting.

3 Q. [9:36:31] Okay. Just to clarify a bit. When you refer to his "entourage" that
4 you cited to before, are you referring to Levy Yakete, David Gbanga, Joachim Kokate,
5 Patrice-Edouard Ngaïssona?

6 Do you know someone by the name of Oguere, Louis Oguere, the ambassador of
7 the Central African Republic in Cameroon? Was he at this first meeting?

8 A. [9:37:23] He did take part in one of the two meetings. I saw him.

9 Q. [9:37:31] Do you know someone by the name of Thierry Bongolo?

10 A. [9:37:42] I do know him, but I did not see him in Yaoundé.

11 Q. [9:37:50] And were you aware that these individuals were going to be at this
12 meeting which followed the -- the drafting of the letter on 15 April, so the meeting
13 that followed that?

14 A. [9:38:11] As I said yesterday, I was surprised to see those individuals in
15 Yaoundé, and all the more so at the hotel where President Bozizé was staying. I was
16 not aware that a meeting was going to be held and I was quite simply told that
17 the president was going to receive those individuals and that he wanted me to take
18 part in the meeting.

19 Q. [9:38:56] Okay. And just perhaps to refresh your recollection, in your
20 statement at paragraph 63 you indicated that the meeting took place the next day
21 after you penned the letter. So does that sound about right to you?

22 A. [9:39:19] That is possible.

23 Q. [9:39:20] Okay. Now, can you tell us what the discussion was at this first
24 meeting, if you can recall?

25 A. [9:39:44] As far as I can recall, in N'Djamena there was supposed to be a CEEAC

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1 summit convening the heads of states of the CEMAC, and President Bozizé absolutely
2 wanted to take part in that meeting. He wanted to travel to N'Djamena in order to
3 plead his cause, and the subject matter of that meeting had a bearing, essentially,
4 upon his return to power. I should specify that if it was only up to the other
5 individuals who were taking part in said meeting, I would not have been present in
6 the meeting room, because those individuals thought that I was an opponent to
7 the regime and did not understand why I was there, why I was taking part in
8 the meeting. It was because President Bozizé had wished that I did take part.

9 Q. [9:41:32] During the course of the meeting, did Bozizé resort to or invoke
10 the language that was used during the course of the speech that was given at PK0 on
11 27 December in 2012?

12 MR KNOOPS: [9:41:56] Mr President, I'm sorry, I think this is quite a leading
13 question. Can the Prosecution put open questions in its examination-in-chief.

14 PRESIDING JUDGE SCHMITT: [9:42:03] Well, I don't agree in that regard. I think
15 it's -- it's open enough. Because if we -- if we now start to ask what did he speak
16 about, you have to, I think, we have to give Mr Vanderpuye at least a possibility
17 to -- to limit the scope of his question, a bit. Perhaps you could word it, of course,
18 a little bit more in a general manner, meaning -- yeah, but -- but I think I would let it
19 pass, yeah.

20 MR VANDERPUYE: [9:42:32] So he should answer the question, then? Okay.

21 Q. [9:42:36] If you're able to understand my question. I can rephrase it if you
22 want as well, but ...

23 A. [9:42:44] I have understood. I have understood.

24 President Bozizé had taken stock of the situation, as he had done in 2012, that
25 the country was in the hands of foreigners, invaders, and that these invaders had

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1 taken our country away from us. And were we to do nothing, we would find
2 ourselves without our land, countryless. And the idea that was expressed by some
3 of the participants was to do everything possible, including fighting, using violence,
4 in order to bring President Bozizé back to power, which would mean taking back
5 control over our country.

6 Q. [9:44:01] And with respect to those who took the view that everything should be
7 done, including to fight, who were among those individuals? If you can recall.

8 A. [9:44:27] There was Levy Yakete, Joachim Kokate. And there was
9 Mr Ngaïssona as well.

10 Q. [9:44:48] Did, if you can recall, did Mr Ngaïssona say anything during
11 the course of that meeting?

12 A. [9:45:07] He was reassuring those in attendance, to some extent, saying that he
13 was in constant contact with the children out in the field and that these children were
14 at the ready to fight.

15 Q. [9:45:37] When you say "*les enfants*", what are you referring to exactly? I take it
16 you're not referring to children proper, but just so the record is clear, if you
17 could -- you might be, but just so the record is clear, tell us what you mean.

18 A. [9:46:04] When he speaks of "children", it is a coded language to talk about
19 the militiamen or the former soldiers of the presidential guard. And that is how I
20 understood it.

21 Q. [9:46:25] Do you recall if Levy Yakete also spoke during the course of this
22 meeting? And if so, what he said?

23 A. [9:46:41] Well, Levy Yakete did indeed address the meeting. And one should
24 say that he was the most vindictive, to the extent that he had a bone to pick with
25 President Michel Djotodia. And during that meeting he was saying that, or I heard

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1 in fact that he was the one who had introduced Djotodia to Bozizé and that
2 everything had to be done. In fact, one had to fight in order to bring Bozizé back to
3 power.

4 Q. [9:47:58] You say that he was, I think in French you used the term *vindicatif* - *le*
5 *plus vindicatif*. Did he make any reference, to your recollection, to his militia during
6 the course of that meeting?

7 A. [9:48:33] He did indeed talk about his militia. And when he said that
8 everything had to be done, he was referring to the men that he had out in the field.
9 Everything indicated, according to what he was saying, that he was in constant
10 contact with his men out in the field who had remained in Bangui.

11 Q. [9:49:19] Do you recall anything that Kokate said during the course of this
12 meeting?

13 A. [9:49:39] Kokate shared the viewpoint of the other participants, the idea of using
14 armed violence in order to return to power. And he was saying that he was ready to
15 go out into the field and fight.

16 Q. [9:50:17] At this first meeting, was there any -- were there any participants that
17 were opposed to the view of using violence to retake power? And if so, did they
18 express that openly, to your recollection?

19 A. [9:50:45] During this meeting at which President Bozizé was in attendance, there
20 was no objection raised to the possibility of using armed violence in order to bring
21 him back to power. Nobody voiced an opinion to the contrary.

22 Q. [9:51:12] To your recollection, about how long did this meeting last?

23 A. [9:51:26] Well, it was approximately half an hour.

24 Q. [9:51:36] And how did it -- how did it end? What was the -- how did it resolve?

25 A. [9:51:48] President Bozizé asked us to continue the meeting, or to continue upon

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1 the same line of reflection. And subsequent to this meeting at the Hilton hotel, we
2 went to *Hotel des Deputes*, where I was staying, and we held a further meeting there.

3 Q. [9:52:30] Let me ask you then about that further meeting.

4 First of all, was it the same day or a different day, if you can remember?

5 A. [9:52:54] I do not remember whether it occurred on the same day or the next day,
6 but whatever the case may be, one followed on from the other and we met at the
7 *Hotel des Deputes*.

8 Q. [9:53:11] Did this involve the same individuals as you met with at the Hilton?
9 Was Bozizé also among them?

10 A. [9:53:29] The meeting that was held at the *Hotel des Deputes* did not involve
11 President Bozizé. And according to my recollection, there was David Gbanga, there
12 was Mr Ngaïssona, Mr Kokate, Mr Levy Yakete. I am certain about their presence at
13 the meeting.

14 Q. [9:54:05] Just so the record is clear. Do you know what the position is that
15 David Gbanga had, if any, in relation to Bozizé's government?

16 A. [9:54:23] Mr David Gbanga was an eminent member of the KNK,
17 President Bozizé's party. So he was one of his supporters.

18 Q. [9:54:38] Okay. That's helpful.

19 At this meeting at the *Hotel des Deputes*, can you tell the Chamber what transpired.

20 A. [9:55:06] Well, the meeting was somewhat lively, to the sense that those close to
21 President Bozizé had expressed their complaints, or, in fact, reproaches against my
22 person, saying that we had participated in the fall of the regime. Or, rather, that we
23 had contributed in its downfall. And I said that they were accountable for
24 the situation in the country and that it was their behaviour and their acts whilst in
25 power that had created the frustration and had given rise to a rebellion that had

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1 driven them out of power.

2 Once that was out of the way, we broached the matter of drafting a memorandum
3 that would be sent to the head of state or the heads of state who would be meeting in
4 N'Djamena. They asked me to draft the text, and I refused, saying that I could not
5 do it alone. So we drafted the text. David Gbanga, Levy Yakete and myself, we all
6 drafted it together. It was supposed to be a memorandum harking back upon
7 the situation in the country, the acts of violence, and any solutions that might help
8 the country come out of the crisis.

9 Q. [9:57:36] Now, at the beginning of the meeting, I think I understood, so you'll
10 correct me if I'm wrong, that the participants ventilated their views on certain issues
11 before there was a discussion on producing this memorandum.

12 So, first, do I have that right? Did I understand you correctly?

13 I see you're nodding, so I think that's right.

14 With respect to the views that were ventilated by people like David Gbanga, other
15 members of KNK during that meeting, was again there discussion about the same
16 sorts of themes that were -- that were stated by Bozizé during his speech in 2012, in
17 December, at PK0?

18 A. [9:58:51] This idea that the foreigners had taken our country away from us, well,
19 the supporters of President Bozizé had espoused that idea, and it was their leitmotif,
20 in fact. It was said during that meeting they had taken stock together, and
21 the consequence or the solution, if you like, for us, for us to take over or retrieve
22 control of our country essentially came down to fighting using armed violence, of
23 course, to such means -- to such ends.

24 Q. [9:59:57] So was there discussion about foreigners, invaders, the Muslims,
25 during the course of that meeting, at the beginning at least?

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1 A. [10:00:20] As you can imagine, I didn't share this point of view. So it was only
2 natural that I should express my view by saying that those who had taken control of
3 the country, even though it was true that there were mercenaries that accompanied
4 them, that they were from the Central African Republic.

5 And during this meeting I also stated that a solution to get out of the crisis could not
6 be solely military. That there was a political solution, since the crisis was a political
7 one. So, politically, diplomatically, we could find a solution to the problem. And I
8 remember having the -- having said this clearly.

9 Q. [10:01:32] I understood that, that the idea of taking back the country through
10 force and distinguishing between foreigners and real Central Africans was a leitmotif
11 of the members of the KNK party. And you said that in -- those individuals at the
12 meeting shared that view.

13 So my question then is: To your knowledge, did Mr Ngaïssona share that view?
14 And whether he expressed that during the course of that meeting?

15 A. [10:02:22] Not only did he share this point of view, not only did he clearly
16 express this, but he also let it be understood that he coordinated and organised
17 elements on the field in this context.

18 Q. [10:03:09] Are you able to recall what he said, at least during the course of this
19 particular meeting? There may have been others, but just this one.

20 A. [10:03:23] Well, during the meeting that was held at the *Hotel des Deputes*,
21 Mr Ngaïssona reiterated what he had said during the meeting with President Bozizé,
22 that he said that the children were ready to fight and that one had to fight.
23 Furthermore, during the discussions, he had received a phone call. I remember this.
24 And what I understood or what I drew away from this phone call was that he was
25 speaking to people who were in Douala and he was asking them to wait for his

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1 return.

2 At that time, many elements, many members of the former presidential guard had left
3 the country and had taken refuge in Douala.

4 Q. [10:04:53] Did Mr Ngaïssona say during that particular meeting - or, frankly, in
5 any other meeting that you had - how he was in contact with these individuals on the
6 ground and who he was in contact with?

7 A. [10:05:18] I couldn't precisely say with whom he was in contact. But he had
8 telephone exchanges. He was constantly on the phone with different individuals.
9 And so what can be deducted from this, and this is what I took away from this
10 situation, is that he was speaking to former FACA members, former members of
11 the presidential guard, as well as militiamen from the COAC.

12 Q. [10:06:10] Okay. Now, with respect to this memorandum that was drafted,
13 what was the disposition of that? What happened to it?

14 A. [10:06:38] Once the memorandum had been drafted, we held a second meeting
15 with President Bozizé, in order to approve the memorandum. We read the contents
16 of it, the contents of the memorandum, and then a decision was taken. A decision to
17 transform the memorandum into a letter, into an official letter to be addressed to
18 the foreign minister of France.

19 In fact, the signed letter was handed *to me, and upon my return to Paris I gave it to a
20 cabinet member of Yamina Benguigui, who was a minister within the ministry of
21 foreign affairs. I handed the letter to one of her advisors, whose name was Ruiz.
22 So that is what happened with this memorandum.

23 Q. [10:08:28] A couple of things about that meeting. First, was it back at the
24 Hilton hotel, or another location?

25 A. [10:08:44] It was at the Hilton hotel. I met these individuals in no other place

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1 than the Hilton hotel during my stay in Cameroon.

2 Q. [10:09:00] And about how long did the meeting last?

3 A. [10:09:20] While I was there it lasted about half an hour, but I had to leave
4 the meeting, which continued.

5 Q. [10:09:26] And just so that we're clear, I'm given to understand that the same
6 individuals were there as previously, so Ngaïssona, Yakete, Kokate, Gbanga, Bozizé,
7 yourself. And is there anyone else that you can recall at this time that might have
8 been at that meeting?

9 A. [10:10:01] During the second meeting, the former ambassador of our country to
10 Cameroon, Mr Oguere, was also present.

11 Q. [10:10:19] During the course of the meeting, were the views that were expressed
12 at the meeting at the *Hotel des Deputes* at the beginning, were they expressed again?
13 Was there discussion about difference of views on how to go about restoring Bozizé
14 to power, either through political or diplomatic means versus military means, or was
15 that discussion had at the meeting at the Hilton, the second one?

16 A. [10:11:07] The tone of the second meeting was practically the same as that of
17 the first. The main idea was to bring Bozizé back to power using military means.
18 This implied diplomatic endeavours of lobbying among the heads of state of
19 the subregion, as well as in France, the French -- to the French head of state.

20 Q. [10:11:53] You indicated that you had to leave the meeting at some point. Did
21 you come to learn what, if any, further discussion there was in your absence at a later
22 point?

23 A. [10:12:14] I did not enquire about this.

24 Q. [10:12:20] And was there a resolution as to how or what tact Bozizé and his
25 close -- and the people that were close to him would take in terms of restoring him to

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1 power at that time?

2 A. [10:12:47] What I surmised after these two meetings was that Bozizé and his
3 supporters were determined, they were determined to use armed violence using
4 former soldiers from FACA and former members of the presidential guard, many of
5 whom were in Cameroon, and they would do this to bring him back to power. So
6 they would use violence by means of a rebellion or an armed attack. That is
7 the conclusion that I drew from these exchanges.

8 Q. [10:14:01] During the course of the meetings you had where Bozizé was present,
9 and also at the *Hotel des Deputes* where he wasn't, so with him and his supporters in
10 general, was there anyone who participated in those meetings that raised the prospect
11 of potential consequences one might foresee in the context of an armed rebellion?

12 A. [10:14:37] I have no memory of anything like that.

13 Q. [10:14:50] Do you know if consideration was given to the possibility that people
14 could be killed and injured, or widespread damage could result from such an attack?

15 A. [10:15:15] This was not considered. Nevertheless, President Bozizé and
16 his -- and the people close to him wanted to regain power, whatever the cost. And
17 when one considers using means other than democratic ones in order to regain power
18 or to regain control of the state, one must expect there to be damage, to be death, to
19 be -- to have civilian and other victims. Within President Bozizé's group and his
20 supporters, I did not hear anyone voice the possibility of there being civilian victims.

21 Q. [10:16:44] Now, I think at the -- a little bit earlier, maybe it was yesterday, you
22 indicated that you had gone there to do an interview with President Bozizé, that's
23 why you went to Cameroon to begin with. Were you able to complete that interview
24 and did you do it?

25 A. [10:17:15] I completed the interview the day after the second meeting, when I

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1 saw him for *the third time on a one-on-one basis. I did my interview, which I then
2 published in *Afrique Nouvelle*. On top of this interview, the president,
3 President Bozizé, also informed me that he would be going to Paris and he wanted
4 me to help him. He needed my help to carry out public relations or communication.
5 And I accepted his offer because I had a business dealing with public relations,
6 Triangle Com International. And within this -- and with this business I accepted to
7 support his communication. But he didn't want a formal collaboration, so we could
8 sign a contract and with the different goals, that is something he didn't want. He
9 wanted an informal collaboration. He wanted me to help him, to help him in this
10 task. And so after these exchanges he gave me a sum of some \$5,000 as an advance
11 for the fees of this future collaboration.

12 Q. [10:19:39] With respect to your assistance in his communication, what type of
13 communication are you talking about? Are you talking about print communication,
14 or liaising with individuals within -- within your reach that you know? If you could
15 elaborate on that, that would be helpful.

16 A. [10:20:07] It mainly concerned public relations. For example, when
17 President Bozizé arrived in France, I made sure that Carine Franck -- or, rather,
18 Ghislaine Dupont, who has since been killed in Mali, unfortunately. I organised
19 a meeting between them so that she could interview him.
20 I also set up an interview with a South African television channel, whose name I no
21 longer remember. And I also established contacts with Benoît Puga, who was
22 the head of François Hollande's staff, so that he -- so that he could meet him, because
23 he wanted to meet Benoît Puga, who unfortunately did not wish to meet him.
24 So these are the kinds of tasks that I assisted him with.

25 Q. [10:21:35] Thank you.

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- 1 Let me show you a document. It's at tab 48 of the Prosecution binder.
- 2 CAR-OTP-2123-0414. You will have seen it before.
- 3 Okay, we have it up on the screen. I think we'll need to go to page 0421, to start with.
- 4 It can be broadcast, by the way. It's -- it's not confidential.
- 5 You recognise that, sir, I'm sure. And you can see at the bottom of the middle
- 6 column your name. Is this the article that you were referring to moments ago when
- 7 I was asking you about the interview you conducted?
- 8 A. [10:22:51] This is the interview he granted me in Yaoundé at the Hilton hotel.
- 9 Q. [10:23:00] Okay. And, indeed, if you look at the first paragraph you'll see
- 10 a very clear indication of that. It reads that the interview was done, it appears on
- 11 the 15th -- no, no, no. (Interpretation) It states that we had an interview with him on
- 12 15 April in the Hilton hotel suite in Yaoundé.
- 13 (Speaks English) Does that sound about -- that's accurate to your recollection, right?
- 14 A. [10:23:36] Yes, this is correct.
- 15 Q. [10:23:39] All right. I'd like to ask you some questions about the content of this
- 16 interview. We'll need to go to ERN ending 0423. 0423.
- 17 On the right side of the -- of the screen, the third column, you could say, it reads:
- 18 (Interpretation) "At the time".
- 19 (Speaks English) If you could just read that, maybe.
- 20 A. [10:24:20] Yes, it's a question.
- 21 "At the time we carried out this interview, Bangui *was plagued by violence and the
- 22 Seleka were attacking people and property, including the Christian churches. Do
- 23 you fear that the crisis will degenerate and become a religious confrontation."
- 24 Q. [10:24:46] What I want to ask you -- let me just wait a minute.
- 25 Sorry, have I overlapped?

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1 PRESIDING JUDGE SCHMITT: [10:24:53] Yes. Yes, you have. But I think we got
2 it, we have it also in front of us. And the question -- well, this is already a question,
3 yes, but I think you have -- you wouldn't repeat it. You are interested, perhaps, in
4 the answer. Yes.

5 MR VANDERPUYE: [10:25:11] I am interested in the answer, indeed.

6 Q. [10:25:16] In Bozizé's answer he notes -- and this is, looks like it's the second to
7 last sentence, but he says, "*C'était prévisible*." And I think he's referring to the crimes
8 that were committed by the Seleka against persons and property.

9 First of all, do I have that right?

10 A. [10:25:38] You've understood correctly. And I also have to add that two days
11 after this interview was carried out, I think it was -- or, rather, before this interview
12 was carried out, 13 and 14 April, there was an unleashing of violence in Bangui,
13 the Seleka had attacked the Boy-Rabe district. They looted, killed, massacred
14 civilians there. And that is why I asked him this question.

15 Q. [10:26:27] With respect to his answer, was that something that surprised you,
16 that ...

17 A. [10:26:41] It did not surprise me. If you ask me why, why it didn't surprise me,
18 I'd answer that this is a logical consequence of everything else he had already said.
19 This is the direct logical consequence of his reasoning on our country being taken
20 over by foreigners, meaning Muslims.

21 Q. [10:27:25] And I'd like to ask you then about the last sentence in his answer.
22 There he seems to suggest that he is counting on the wisdom and spirit of forgiveness
23 and religious dignitaries to avoid that the -- that the *pays* -- that the country falls into
24 a religious war. I think that's the gist of it. What is your view with respect to
25 the answer that he gave?

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1 A. [10:28:30] As I explained yesterday, as the rebellion evolved -- or, rather, as it
2 moved from the outer regions of the country towards Bangui, Christian churches and
3 religious structures, be they Protestant or Catholic, were looted. Priests and pastors
4 were killed. All the way up until the rebellion's arrival in Bangui.

5 And if I remember correctly, when the Seleka organised the raid on Boy-Rabe on 13
6 and 14 April of that year, they used this opportunity to go to the Catholic Church,
7 the Notre Dame Catholic Church which is close to that part of town, in order to loot it
8 and attack Christians there. This let one -- makes one -- made one think that there
9 could be some vengeful reaction from the Christians. So when President Bozizé
10 states that he's counting on religious leaders, he is alluding to the Protestant and
11 Catholic dignitaries to contain this desire for revenge of their faithful.

12 Q. [10:30:38] I thank you for that explanation.

13 Now if we could go to the far right of the screen here. There's a couple of questions
14 that are posed that I'd like to ask you about.

15 Right at the -- right at the top of the screen, you see the question: (Interpretation)
16 "What do we need to do in order to definitively resolve the political and military
17 conflict under way and ..." (Overlapping speakers)

18 THE INTERPRETER: [10:31:16] Overlapping speakers.

19 MR VANDERPUYE:

20 Q. [10:31:16] And then you can see his answer.

21 PRESIDING JUDGE SCHMITT: [10:31:21] Mr Vanderpuye, the overlapping again,
22 please slow down a little bit.

23 MR VANDERPUYE: [10:31:26](Microphone not activated)

24 PRESIDING JUDGE SCHMITT: [10:31:27] Well, I was told that there was
25 overlapping speakers, but ...

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1 MR VANDERPUYE: [10:31:33] Ah, sorry.

2 PRESIDING JUDGE SCHMITT: [10:31:34] So I simply convey the message, so it's
3 not -- not my own message. No, I'm the messenger, so to speak.

4 MR VANDERPUYE: [10:31:43] I apologise. I'm switching between channels and
5 the floor, and so I apologise.

6 PRESIDING JUDGE SCHMITT: [10:31:48] No problem. No problem.
7 Understandable. Yeah.

8 MR VANDERPUYE: [10:31:53] So I apologise.

9 Q. [10:31:53] I was asking you about the question that you posed and then
10 the answer by President Bozizé.

11 If you could -- because my French is so poor, maybe you can read it to yourself really
12 quickly and then I'll ask you just a couple of questions about that answer.

13 Just let me know when you finish reading his answer.

14 A. [10:32:22] "Everything that is done outside of the democratic framework
15 distances peace. That is to say that the restoration of constitutional order remains for
16 me the first of the conditions. This will enable us to see matters more clearly. One
17 must also concentrate on securing the country. And I would especially call for
18 the organisation of a national conference that would enable" - and if we could please
19 show the rest of the text, there is a follow-on that I can't see - "that would enable us to
20 broach all the difficult subjects and to iron out our differences and reach a national
21 consensus to relaunch the country. Because, in principle, I prefer dialogue to armed
22 confrontation." End of quote.

23 Q. [10:33:44] Thank you very much.

24 With respect to his response, the first thing he says that I'd like to ask you about, is he
25 says: "(Interpretation) "The restoration of constitutional order remains for me the first

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1 of the conditions."

2 (Speaks English) Is that consistent with the views that he expressed, and the people
3 around him expressed already, from Yaoundé, and then continuing through
4 the period of time that you were later in France?

5 A. [10:34:32] This is really the idea that was the founding idea during the meetings
6 that I was in attendance, because he *saw himself as the constitutional order, and so
7 the restoration of constitutional order meant his return to power. He was of
8 the mind that the rebellion had put a stop to his mandate and to constitutional order.
9 So, for him and his supporters, this was the first of the conditions, and that is what he
10 expresses here.

11 Q. [10:35:37] He also says here, "Everything that's done outside the context of
12 democracy distances itself from peace." I think. It's how I understand it.

13 But, as you've recounted in your testimony so far concerning the meetings that were
14 held in Cameroon and discussions about an armed rebellion, did that strike you as
15 contradictory or -- hypocritical isn't really the right word, I think contradictory is the
16 right word. What is your view on that answer by President Bozizé?

17 A. [10:36:42] It was contradictory, but it didn't come as a surprise to me, coming
18 from him. *This is not his first renouncement, and he is a politician after all. And
19 politics in the Central African Republic, back home, is the art of saying the contrary to
20 what one believes, what one really thinks.

21 Q. [10:37:28] I don't think that's limited to the Central African Republic. But I take
22 your point.

23 At the very end of this answer that he provides, he says, in principle, that he prefers
24 dialogue to armed conflict.

25 And how did that strike you in light of the meetings that you had just emerged from

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1 in Cameroon before publishing this interview?

2 A. [10:38:15] For me, as I said at an earlier stage, well, I was certain that
3 President Bozizé and his supporters were going to use armed violence with a view to
4 returning to power. When he said to me that as a matter of principle he preferred
5 dialogue to armed conflict, this came to really buttress what I was already thinking.
6 In principle he prefers dialogue, but if there is no dialogue he will resort to armed
7 confrontation.

8 Q. [10:39:21] All right. That's -- that's helpful. I think that's all I ask you with
9 respect to this document.

10 After the meetings that you had in Yaoundé, you returned to France, I take it?

11 A. [10:39:42] Indeed.

12 Q. [10:39:47] And after your return to France, were you in contact with
13 the individuals or some of the individuals you met with while you were in Yaoundé?

14 A. [10:40:09] Yes. I was in constant contact with Socrate Bozizé. And I also was
15 in contact with Joachim Kokate. And those are the ones that I remember.

16 Q. [10:40:40] In the period that you were in France and you were in contact with
17 these individuals, did you receive information as to how things were progressing, or
18 not, with respect to the plan to return Bozizé to power?

19 A. [10:41:15] Between my -- the time of my stay in Yaoundé, and the time of the
20 arrival of President Bozizé in France, in that interval period what we called
21 the Anti-Balaka came into being. And what one should say about that is that, in our
22 entire history in our country, in the provinces there were self-defence groups that
23 *had organised themselves to fight against the shepherds who were moving to
24 summer pastures and whose cattle could destroy the crops of the locals. They were
25 also fighting against those who cut the roads off. That was always in existence in

1 our country.

2 But after the Seleka came into existence and as an answer to the acts of violence
3 committed by the Seleka, in a spontaneous fashion, the young natives organised
4 themselves in self-defence groups with a view to defending their villages against
5 the Seleka looters.

6 However, this situation involved, to the extent that we now had information through
7 the press, notably, that these "Anti-Balaka", in inverted commas, well the Balaka term
8 comes from the region of President Bozizé, it means machete. And even if it is
9 a -- an expression that has two meanings, one can understand it as meaning
10 anti-balaka, which means anti-machete. They had more and more weapons and they
11 were increasingly better organised. I'm talking about between April and
12 the summertime. And they would attack the Seleka.

13 I came to the conclusion that, as I had learned in Yaoundé, those who were close to
14 Bozizé wanted to use armed violence in order to take power. And I came to
15 the conclusion that they would organise these Anti-Balaka militiamen in order to
16 attack the Seleka. I received confirmation of this from Levy Yakete, because I was in
17 Nantes and Levy Yakete was in Nantes with his family, and on occasion we would
18 telephone each other and discuss what was going on in the country. And he told me,
19 which confirmed what I was thinking, that, and I quote him, "We are organising
20 the young men out in the field." End of quote.

21 Q. [10:46:18] When you discussed this with Levy Yakete and you got
22 the confirmation that you've described, did he tell you how these individuals were
23 being organised, who was involved in that organisation? Did you discuss that?

24 A. [10:46:54] We didn't go into detail, because details were not of interest to me.
25 So I wouldn't be in a position to tell you how it happened.

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1 Q. [10:47:13] Do you know if Mr Yakete was in contact with people like Kokate,
2 Ngaïssona, Yambeté, the same group of people that you met with when you were in
3 Yaoundé?

4 A. [10:47:45] One should say that those individuals were very close. Levy Yakete,
5 Mr Ngaïssona, Kokate Joachim Kokate, those individuals would speak to each other
6 on a regular basis, whether it be on the telephone, and they would also meet up.
7 So, I suppose that they had been in contact.

8 Q. [10:48:27] Now you mention this interval period between the time you left
9 Yaoundé and returned to France, and the period when Bozizé found himself in
10 France.

11 In that interval, you said that you spoke to Kokate and to Socrate. Did they tell you
12 about the progression of this plan that was discussed in -- in Yaoundé?

13 A. [10:49:24] The truth be told, knowing Joachim Kokate well and his tendency to
14 tell lies and fabulate, I didn't take it very seriously what he might have told me.
15 However, he claimed that he was heading up an organisation by the name of free
16 officers, of free officers. And he claimed -- and what is more, he said this during one
17 of the meetings with President Bozizé - that these free officers were hell-bent and had
18 enough equipment to launch an attack and that the only thing that they lacked were
19 financial means for to pay for things like food. I didn't take that very seriously, as I
20 said at an earlier stage.

21 And Socrate Bozizé didn't discuss military matters with me. I would say because he
22 was not a military man himself, he was not associated with anything of that matter.
23 And I should also repeat to the Court that military matters were not very interesting
24 for me. I was in favour of a political process and I kept to that.

25 Q. [10:52:04] Do you recall approximately when you became aware that Bozizé was

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1 in France?

2 A. [10:52:23] I believe that it was the end of July or mid-July 2013, around then. I
3 think it was during the summer.

4 Q. [10:52:36] Did there come a time in which you met with President Bozizé in
5 France?

6 A. [10:52:48] Yes, I did meet him on several occasions. But, firstly, when he
7 arrived and telephoned me to tell me that he was in France and that I should go up to
8 Paris and see him, I then went to Paris and we met. And it was on that occasion that
9 we spoke about the need for conducting an interview. I organised for
10 Ghislaine Dupont to come the very next day to interview him at the *club de la presse*,
11 the press club at the Pullman in Montparnasse. And the next day I also made sure
12 that the South African television would be able to meet him and talk to him. Then I
13 went back to Nantes. And it was only much later, I believe about 10 days or two or
14 three weeks later, that I was asked to attend a meeting that he was organising in Paris.

15 Q. [10:54:45] Do you recall where the meeting was to be held and did you attend it?

16 A. [10:55:02] That meeting took place at *either the Novotel or one of the Accor
17 Group hotels not far from Châtelet in Paris. I went to that meeting in the company
18 of Martial Kombo, who was captain at the time, and he was the one who came to pick
19 me up at the *gare* Montparnasse, the Montparnasse train station, and we went to that
20 meeting together. So I was in attendance at that meeting.

21 Q. [10:55:58] With regard to this meeting, can you recall who was present?

22 A. [10:56:10] I do recall some of the individuals in attendance. There was
23 Martial Kombo, Kokate, Mr Ngaïssona, Francis Bozizé, Mr Jean-Serge Wafio. Those
24 are the names that come to mind. And Levy Yakete was also there.

25 Q. [10:56:52] Does the name Yvon Songuet ring a bell?

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1 A. [10:57:03] Yvon Songuet, may he rest in peace, that I know well, was not in
2 attendance, to my knowledge, at that meeting. But he did attend other meetings.

3 PRESIDING JUDGE SCHMITT: [10:57:20] Mr Vanderpuye, are you going -- I
4 assume you're going to ask about the content of the meeting, what ...

5 MR VANDERPUYE: [10:57:27] I'm on the wrong channel again, sorry.

6 PRESIDING JUDGE SCHMITT: [10:57:31] Mr Vanderpuye, I assume that you are
7 going also to enquire the recollection of the witness regarding the content of
8 the meeting.

9 MR VANDERPUYE: [10:57:38] Absolutely. Absolutely.

10 PRESIDING JUDGE SCHMITT: [10:57:39] And since I think we would not finish
11 that before the break, so I would suggest that we have now a coffee break.

12 MR VANDERPUYE: [10:57:45] Absolutely. That's fine. Thank you, Mr President.

13 PRESIDING JUDGE SCHMITT: [10:57:50] Okay. Yeah. Thank you.

14 THE COURT USHER: [10:57:54] All rise.

15 (Recess taken at 10.57 a.m.)

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

17 THE COURT USHER: [11:31:42] All rise.

18 Please be seated.

19 PRESIDING JUDGE SCHMITT: [11:32:03] Mr Vanderpuye, you have the floor.

20 MR VANDERPUYE: [11:32:08] Thank you, Mr President. Good morning, again.

21 Q. [11:32:08] Good morning, Mr Poussou.

22 I think when we broke I was just about to ask you about these meetings that you had
23 in France. And we had gone through a number of names of individuals that were
24 present, at least at the first meeting that you were called to, together with Mr Kombo,
25 at a location in Paris.

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1 So I'd like to ask you if you could describe how this meeting unfolded. What was
2 discussed at the meeting. And, perhaps, what was said by various participants.

3 So let's start with that. Who -- who chaired this meeting, if -- if anyone?

4 A. [11:33:21] It was President François Bozizé who personally chaired the meeting,
5 since this meeting had been presented as a meeting between President Bozizé and
6 the Central Africans, the Central Africans of the diaspora.

7 Q. [11:33:58] To your recollection, approximately -- approximately how many
8 people attended that first meeting?

9 *A. [11:34:13] Approximately, we were 10 or maybe 20 people. No more.

10 Q. [11:34:23] And what was the nature of the discussion which occurred during
11 the meeting?

12 A. [11:34:39] Generally speaking, general -- President Bozizé had presented
13 the situation of the country, according to his viewpoint, as well as the need to set up
14 an organisation, an organisation that would *drive the demands for change. And he
15 asked the participants to make proposals for -- to name or to organise this
16 organisation. In reality, the president and his entourage had already arranged this
17 organisation beforehand, they knew exactly what they wanted. So proposals were
18 made, names were presented. And, after that, he stated, "What if we called this
19 organisation FROCCA?" Front for a return to the constitutional order in Central
20 African. And the participants were unanimous. That is how the name FROCCA
21 was approved.

22 And at the same time, he also made a suggestion. Maybe "suggestion" is not
23 the right word. But he informed the participants of this organisation's bureaus
24 composition. *And we then found out that the person who was acting as his
25 executive director, who was his deputy within the organisation, was Lin Banoukepa,

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1 who was present at this meeting, is Mr Banoukepa. And as far as I remember, one
2 chaired and I was to be the spokesman. I remember that and that's how we -- that's
3 what we parted on.

4 Q. [11:38:10] I have a few questions I'd like to ask you. Maybe I'll show you
5 a document first, which make help jog your memory a little bit.

6 This a document not to be broadcast. It's tab 58 of the Prosecution binder.

7 CAR-OTP-2124-0002. Okay. And we'll just have to page down a little bit on this
8 and, yes, I think the witness can see that now.

9 What this document is, is an email dated 23 August 2013, and it concerns the -- "Le
10 bureau FROCCA", sent by Edouard Serefio.

11 First of all, do you recognise this email?

12 A. [11:39:18] Yes.

13 Q. [11:39:19] Okay. And if we can go down the page a little bit, we see a couple of
14 names that you've mentioned just now. One is *Coordination/Diplomatie*, Banoukepa
15 and Edouard Serefio.

16 And then it says *Porte/Parole*, Yakete Levy, Gounebana Fekeram Simon.

17 And then if we go to the next page, you see *Communication/Presse*, Poussou Adrien,
18 Kopaye Francis.

19 *Interieur/Association* Ngaïssona Patrick Edouard, Tokofesset Dieudonné.

20 And then it describes *Organisation Feminime*, Mazoungou, Madam Mazoungou, and
21 Madam Maboula.

22 *Jeunesse/Mobilisation/Sensibilisation*, Nambo-Bona Michel, Thierry Bongolo.

23 And *Tresorerie*, Maboula and Bozizé Jean Francis.

24 My first question is, were these the assignments that were described and designated
25 during that meeting, or did these arise at a different point in time?

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1 A. [11:41:09] This had to be done beforehand. But during this first meeting of
2 the FROCCA, what I remember is this, there were just a few names that had been
3 made public as belonging to the bureau of FROCCA.

4 Q. [11:41:49] During the course of the meeting, of this first meeting, was there any
5 discussion about the development of the Anti-Balaka as you described it before?
6 Previously you described that the Anti-Balaka had become better organised, I think
7 you said better armed, in the interval between the time you left Yaoundé and the time
8 that Bozizé arrived in France.

9 So my question is: Your own observations about what was happening with
10 the Anti-Balaka, is that something that was discussed during the course of the first
11 FROCCA meeting?

12 A. [11:42:43] No. These issues were not publicly discussed. The meeting that set
13 up the FROCCA was a public meeting. And for this reason, this issue was not
14 brought up. But what I notice was this, there were discussions, private discussions
15 between -- within the inner circle of President Bozizé. They were speaking together
16 and I did not know what they were talking about. But after this meeting, they were
17 to meet together within this inner circle of the president and his supporters. They
18 were supposed to meet.

19 Q. [11:43:55] Just directly then, was Mr Ngaïssona within that inner circle?

20 A. [11:44:06] Indeed he was.

21 Q. [11:44:17] And you said that they had these -- well, they were already
22 organising or had already organised what they would do before this meeting. How
23 did you come to know that?

24 A. [11:44:44] As soon as President François Bozizé pulled the name of
25 the organisation out of his hat, if -- the name FROCCA, this was proof that he and his

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1 supporters had met beforehand, had held discussions as to the contents of
2 the meeting, and that they were simply there to -- for the formal approval of
3 this -- these decisions.

4 And when I got the email from Mr Serefio, who was also present at this meeting, and
5 this email presented the different topics and the members that would make up this
6 bureau, I realised that these were issues that they had been discussing together.

7 Q. [11:46:19] Thank you for that elaboration. And before I forget, when you
8 became aware that President Bozizé was in France, did you discuss or did you know
9 what the reasons were that he left Cameroon? Or the circumstances under which he
10 left Cameroon?

11 A. [11:47:01] What I know is this, in Yaoundé he had told me that he was coming to
12 France. He was coming in France in order to carry out lobbying activities, in order
13 to try and convince the French authorities as to the necessity of his return to power.
14 He was looking for allies and alliances.

15 As to the circumstances surrounding his departure from Cameroon, I don't remember
16 how that happened.

17 Q. [11:47:49] Did you ever hear that he was the subject of an arrest warrant issued
18 by the Central African authorities in that interim period?

19 A. [11:48:11] This information was public since the transitional authorities had
20 issued warrants for President Bozizé and people close to him. Or that, rather, they
21 had started proceedings against them and then they issued arrest warrants against
22 these people. This was information that was available to everyone.

23 Q. [11:48:53] Did you hear or learn that the Cameroonian authorities were
24 displeased, to say the least, with the activities he was alleged to have engaged in
25 while on Cameroonian territory, in particular in respect of meetings he had with

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1 military from the Central African Republic, in particular at the embassy of the Central
2 African Republic?

3 PRESIDING JUDGE SCHMITT: [11:49:39] Mr Knoops.

4 MR KNOOPS: [11:49:40] Mr President, I cannot recall any more leading question
5 than this one.

6 PRESIDING JUDGE SCHMITT: [11:49:45] Well, what do you have -- let me -- let me
7 reformulate.

8 Do you have any knowledge about any reactions of the Cameroonian authorities with
9 respect to the conduct of the former president, Bozizé, on Cameroonian territory?

10 So I think, Mr Knoops, that's open enough, I would say. Well, it is.

11 THE WITNESS: [11:50:27](Interpretation) I don't remember. I was not aware of
12 the situation.

13 MR VANDERPUYE: [11:50:38]

14 Q. [11:50:38] Did you discuss with President Bozizé at any point the public
15 information concerning the arrest warrant that had been issued by the Central African
16 authorities while you were in France?

17 A. [11:50:59] As far as I know, we never talked about it. In any case, for him, this
18 was a nonevent, since he contested the legitimacy of the transitional authorities,
19 believing that he himself represented the constitutional order.

20 Q. [11:51:25] Did it play any part in the communication strategy that you described
21 before? In terms of outreach, trying to get in contact with French officials, and others,
22 to meet with him, did the fact that there was public information concerning his
23 activities while in Cameroon, and certainly the arrest warrant, have an impact on -- on
24 those efforts?

25 A. [11:52:07] From what I know, the language points that were used stated that

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1 the constitutional order was President Bozizé and that this constitutional order had to
2 be re-established and so he had to be brought back to power. He was -- or, he
3 wished to go back to the Libreville Agreement and these agreements would have
4 allowed him to fulfil his term in office. So if we went back to
5 the Libreville Agreements, he would be able to go back -- regain power and finish his
6 term in office. But I don't know and I cannot assess what impact the arrest warrant
7 that were issued by the transitional authorities, what effect they would have had on
8 the PR campaign, or the -- or the communication that we were to broadcast on his
9 return to power.

10 Q. [11:53:51] Okay, that's helpful as well.

11 In the context of this meeting, there is one question I wanted to ask you and it relates
12 to this email that I showed you before, so I'd like to put that back up on the screen, if
13 I can, if it's not there.

14 It's tab 58, CAR-OTP-2124-0002. And if we can go down the page.

15 There's a question that Serefio seems to put to you, which says: (Interpretation) "Do
16 we need to define the remit of these military entities?"

17 (Speaks English) And I wondered if you can -- first of all, if you can see it? And then,
18 if you can, if you could explain what that is about, what that means, in the context of
19 the FROCCA office.

20 A. [11:55:05] This email was sent by Mr Serefio long after the first meeting. And
21 this was a follow-up. It followed up on a second meeting that took place in a hotel
22 near the Champs-Élysées. During that meeting, allusions were made to military
23 activities on the ground, that were being carried out on the ground.

24 So someone had to have told Mr Serefio that this meeting's goal was to set up
25 a military organisation. But to my knowledge, that was not the case. So I do not

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1 think I touched upon this aspect of his question in the answer I gave to him, in
2 the reply I sent to him.

3 Q. [11:56:25] Do you recall what your response was?

4 A. [11:56:39] No.

5 Q. [11:56:40] Okay. Now let me return to the first meeting.

6 During the course of that meeting, were divergent views on how to return Bozizé to
7 power discussed?

8 A. [11:57:12] To my knowledge, during this first meeting these issues were not
9 brought up. However, they would be brought up in the meetings that would follow.

10 Q. [11:57:31] What was the conclusion, then, of this first meeting? Was it
11 the establishment of the bureau, of FROCCA?

12 A. [11:57:50] Well, we were -- we had to set up an organisation that would drive
13 President Bozizé's demands. This was set up. And afterwards, they were to
14 meet -- or, he was to meet with his supporters, and I do not know what happened in
15 those subsequent meetings. It is only afterwards -- it is only afterwards that I would
16 be led to understand that, in reality, the organisation that had been established was
17 only a showcase for actions and activities that were being carried out underground,
18 things that were being done that were hidden to us and to the general public.

19 Q. [11:59:01] All right. Let me just show you very quickly a document. It's at
20 tab 22 of the Prosecution binder. CAR-OTP-2091-1804.

21 (Microphone not activated) This is a document that's dated 10 August 2013. You see
22 the title there.

23 I believe it is the document which -- or the interview, rather, in which Bozizé
24 announced the creation of FROCCA.

25 If we go down the page, he's asked about his ambitions. And at the very bottom of

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1 the page - if we can blow that up - there's some questions. Maybe we can blow that
2 up so he can see it. All the way down.

3 There's a question concerning how he intends to come back to power. He talks
4 about the *retour*, (Interpretation) "the restoration of constitutional order."

5 (Speaks English) And he explains that that -- that means retaking of power.

6 And then he's asked: (Interpretation) "By political means or by weapons?"

7 "By political means because by weapons only comes into play when a political
8 solution is not found. It's always been like that."

9 (Speaks English) First is, in the context of establishing FROCCA, is that something
10 that he expressed?

11 A. [12:01:41] I should specify that this is indeed the interview that I organised with
12 Ghislaine Dupont. And I should say that the aura floating in these meetings was
13 that the political solution was not the favourite. We were talking about political
14 action, but not many people believed in it, at least within the President Bozizé clan.
15 What was really the -- the better choice for this clan was armed action.

16 Q. [12:02:56] Thank you for that explanation.

17 If we can go to the next page, there's another question put to Bozizé.

18 It reads: (Interpretation) "Well, Bangui suspects that you deployed soldiers on
19 the other side of the Oubangui river in the DRC, namely Captain Eugene Ngaikosset
20 who is said to be there. Do you today have military forces?"

21 To which he answered: "No, that's pure invention. For the time being, Ngaikosset
22 is -- has sought refuge in the DRC, that's all that I know. But these are only
23 suppositions."

24 (Speaks English) Something like that. You can read it.

25 Let me ask you about whether the discussion of military, or military persons at the

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1 disposal of the FROCCA was something that was had in setting up the group or
2 during the course of your meetings?

3 A. [12:04:42] When the FROCCA was set up, at least on that day, to my knowledge
4 there was no question of any action or military project on that day. It was only
5 subsequent to that first meeting when we met with President Bozizé in a hotel near
6 the Champs-Élysées that this became apparent as something that was obvious.
7 And if my memory serves me correctly, Mr Ngaïssona wanted to inform us that
8 *their organisations were advancing out in the field. Well, Francis Bozizé then
9 stopped him short, saying that those problematic issues will be broached at a later
10 stage.

11 And President Bozizé's clan were dealing with all these relations with former
12 elements of the Central African Republic, so it was like a defence secret for them.

13 Q. [12:06:50] (Microphone not activated)

14 THE INTERPRETER: [12:06:52] Microphone, please.

15 MR VANDERPUYE: [12:06:53]

16 Q. [12:06:54] Were you aware about what the basis was for these apparent
17 suspicion that there were militaries on the other side of the Oubangui River in -- in ...

18 A. [12:07:32] As the Anti-Balaka evolved, there were former elements of
19 the presidential guard and of the Central African forces who joined them and who
20 organised them in concrete terms out in the field. This was common knowledge in
21 the press that these people were close to President Bozizé. And some of them did
22 not hesitate to say that he was backing them, in view of the fact that most of them
23 were nationals of his ethnic group.

24 Ghislaine Dupont put a question on Eugene Ngaikosset, who was one of his close
25 entourage, a former officer of the presidential guard, who had made a name for

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1 himself by violent acts in the Paoua region and elsewhere, and during the *coup d'état*
2 he had found refuge on the other side of the river. I wouldn't be able to tell you
3 whether he was in Congo-Brazzaville or Congo-Kinshasa, but whatever the case may
4 be he had gone over the river. And that situation might have led people to believe
5 that those close to Bozizé were on the other side of the river. There you have it.

6 Q. [12:09:50] All right. I want to ask you a bit about this meeting that was at
7 a hotel close to the Champs-Élysées that you describe. Do you remember
8 approximately when that meeting took place after the -- the announcement of
9 FROCCA?

10 A. [12:10:22] I believe that it was in the month of August 2013.

11 Q. [12:10:28] Okay. And can you tell us who was present at that meeting.

12 A. [12:10:43] To my knowledge, there was Francis Bozizé, François Bozizé, Socrate
13 Bozizé, Tokofesset. I no longer recall his first name. Patrice-Edouard Ngaïssona,
14 Levy Yakete, Lin Banoukepa, and also Yvon Songuet. Joachim Kokate was also
15 there.

16 Q. [12:11:24] Can you tell the Chamber what the purpose of that meeting was.

17 A. [12:11:40] It was to take stock of *what needed to be done to facilitate
18 the restoration of constitutional order. That is to say, the return of President Bozizé
19 to power.

20 Q. [12:12:13] I think you mentioned a little bit earlier that Mr Ngaïssona spoke
21 during the course of that meeting concerning the situation on the ground. Can you
22 elaborate a bit on what he said.

23 A. [12:12:40] At that time, nearly all Central Africans, with the exception, of course,
24 of the supporters of Seleka, acknowledged that the situation was catastrophic in
25 the country. So, during these meetings, there was an exchange of information as to

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1 what was going on there, saying that in such-and-such a place, in such-and-such

2 a town, such an exaction could be contributed to the Seleka, et cetera, et cetera.

3 So once we had shared this information and analysed the situation, the catastrophic

4 situation that the country was in, we then came to what had to be done. And during

5 that meeting, Mr Ngaïssona wanted to say to us that whatever the situation, we are

6 organised out in the field. Unfortunately, he was not able to say anything more,

7 because Francis said that this was a subject that would be broached at a later stage.

8 Q. [12:14:19] And how did you understand Mr Ngaïssona's statement that "we are
9 ready on the ground"?

10 A. [12:14:38] I understood because, as I said here, I already suspected those close to

11 President Bozizé to be behind the Anti-Balaka, or at least be supporting them

12 financially, so those utterances merely reinforced my conviction.

13 And I would go on to add that during one of the meetings, if my memory serves me

14 correctly, I said that the military solution was not the right solution to solve the crisis

15 and that, rather, diplomatic and political actions should be favoured.

16 Q. [12:15:47] And is it -- did you receive information that would suggest to you that
17 his reference was to something other than military action, or preparedness?

18 A. [12:16:26] I should add that when we finished with President Bozizé and when

19 they met once again with President Bozizé, when they had finished their meeting, we

20 met, Yvon Songuet, myself, and Mr Ngaïssona, in a Parisian cafe in order to discuss

21 matters. And during our discussions, Mr Ngaïssona informed us that he was

22 financing the children out in the field and he considered these Anti-Balaka

23 combatants out in the field as being his children. So he said to us that he was

24 responsible for their upkeep.

25 Q. [12:17:56] Okay. And in the course of this meeting, that's the first -- the one

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1 you first participated in at the -- near the Champs-Élysées, do you remember if
2 Ngaïssona said anything else more particular with respect to the preparedness of
3 these elements in the field, on the ground?

4 A. [12:18:36] In concrete terms, no.

5 Q. [12:18:47] My fault. Concretely that you don't remember or concretely that he
6 didn't say anything else?

7 A. [12:19:02] In concrete terms I do not recall.

8 Q. [12:19:05] All right, then.

9 In your statement - we don't need to display it - you indicate at paragraph 88 that
10 Ngaïssona gave us a brief account of field -- of its field contacts with the soldiers of
11 the presidential guard who were in Cameroon, but also the elements that were in
12 Bangui and in Bossangoa, which is the region of Ngaïssona.

13 That's at paragraph 88.

14 At paragraph 89, you say Ngaïssona explained that the elements were determined
15 and motivated to fight the Seleka and regain power. You said they were missing
16 weapons and ammunition. And that's when Francis Bozizé interrupted him.

17 Does that refresh your recollection as to what Ngaïssona said during the course of
18 that meeting?

19 A. [12:20:26] Yes, indeed. But that was during another meeting, because there
20 were a number of meetings. At least three in that hotel near the Champs-Élysées.
21 And I can confirm the content of what I said.

22 Q. [12:20:48] Apologies. Thank you for clarifying that -- for that, it's a different
23 meeting.

24 You indicated just not too long ago that Ngaïssona said that he financed these
25 elements. Do you recall specifically what he said to give you that impression?

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1 A. [12:21:32] I do not specifically recall what he said. However, he explained to us
2 that he was handing out a lot of money to -- for their upkeep. And when he said that,
3 he was slightly reproachful to President Bozizé, to the extent that it was he that was
4 forking out money and he was responsible for the upkeep of these men out in
5 the field.

6 Q. [12:22:24] And that was during the course of the meeting that this -- that he said
7 this?

8 A. [12:22:36] No, no, it's when myself and he and Songuet met together that he said
9 that.

10 Q. [12:22:53] I'd like to ask you about another meeting. Do you recall the next
11 meeting that took place?

12 A. [12:23:15] As I said, during the month of August we met on a -- on quite
13 a regular basis with short intervals between our meetings.

14 Q. [12:23:36] Aside from Ngaïssona indicating that he provided money for
15 the purposes of these elements, was anyone else involved in providing money?

16 A. [12:24:06] Yvon Songuet also said that he was putting a lot of money, according
17 to what he said, into that project, into the project *for Bozizé's return to power. And
18 we would talk, we were quite close the two of us, and he said that anything regarded
19 money -- regarding money, that President Bozizé would rather act with his children,
20 with his closed clan, but that that project had already cost him a lot of money.

21 Q. [12:25:18] Did Songuet indicate to you how money was transmitted or sent to
22 the elements or fighters and where they were?

23 A. [12:25:45] He showed me as evidence, in order to convince me that he was
24 paying out of his pocket money to send to Cameroon, he was -- he showed me
25 receipts of money transfers from Western Union.

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1 Q. [12:26:19] With respect to Mr Ngaïssona, did you learn how it is that he
2 transferred money or provided money for the purposes of these elements?

3 A. [12:26:43] I learnt - I do not remember from whom - that he also, when he was in
4 France, he would send Western Union -- he would send money via Western Union
5 out into the field.

6 Q. [12:27:16] Do you know where this money -- who this money went to and what
7 the purposes of it was?

8 A. [12:27:35] I wouldn't be able to tell you who the money was sent to in concrete
9 terms, because I do not know those elements and what were the reasons. But,
10 generally speaking, it was said that it was for the upkeep of the elements out in
11 the field.
12 Western Union receipts, of which I became aware subsequently when I was in
13 government, well, I recognised some of the names of Central African soldiers on those
14 money slips.

15 Q. [12:28:34] All right. Let me ask you then a bit more about this meeting, just so
16 that -- I'm sure that we're talking about the same meeting.

17 At a certain point you were nominated to go to New York. So just to confirm that
18 the meeting we're discussing now, is this the meeting in which you were nominated
19 to go to New York?

20 A. [12:29:31] I do believe that it was during that meeting.

21 Q. [12:29:37] Can you tell us about how that designation came about. How is it
22 that you were nominated in particular to go to New York and what was the object of
23 that trip?

24 A. [12:29:57] I had been nominated with Yvon Songuet to go to New York. In
25 New York, the mission was essentially of a communicational nature. It was

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1 lobbying. We were due to see a certain number of individuals in order to advocate
2 Bozizé's cause. Aside from the fact that I personally knew the ambassador or
3 the representative of the Central African Republic to the UN, *Charles-Armel
4 Doubane, whom I stayed with during my stay in New York, I believe that all those
5 elements together meant that I was chosen. And especially by virtue of the fact that
6 I was attempting to sensitise others with regard to the need to favour political and
7 diplomatic solutions to the crisis that was ongoing.

8 Q. [12:31:39] During the course of that meeting, do you recall or can you tell us
9 what was the role of Francis Bozizé in respect of the project, as you describe it, to
10 return François Bozizé to power?

11 A. [12:32:20] It was an important cog in the machine. As my friend Yvon Songuet
12 said, President Bozizé would deal with financial matters and military matters,
13 together with his son, Francis Bozizé, who *was minister with special responsibility
14 for defence.

15 So anything to do with the army, with the military, was dealt with together with
16 Francis.

17 Q. [12:32:58] So at that point, is it fair to say that it was explicit that there was a
18 military component to this strategy?

19 A. [12:33:18] This clearly seemed to be the case, that there was a military branch,
20 even though there was no formal link between this military branch and FROCCA as
21 such.

22 Q. [12:33:46] Okay. Let me just ask you -- I want to show you a document very
23 quickly. It's at tab 52 of the binder. CAR-OTP-2123-0454. I think I said tab 52.
24 I think this is fine to be public, because it's a public document.
25 Of course, you recognise yourself on the -- on the screen.

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1 I'd like to take you to page ending 0455. Okay.

2 The first thing is you will recall that this is an interview of you, yes?

3 A. [12:35:08] Yes, indeed.

4 Q. [12:35:14] And it appears to be from the beginning of January 2014?

5 A. [12:35:25] Yes, indeed.

6 Q. [12:35:30] The first thing I'd like to draw your attention to is the question that's
7 put to you: (Interpretation) "You maintain that François Bozizé is leading
8 the Anti-Balaka forces. What proof do you have?"

9 (Speaks English) And there's your answer, which says: (Interpretation) "We know
10 that Bozizé and his son send money via Western Union to their accomplices.

11 Positions were taken, in the days to come you will hear more about this."

12 (Speaks English) So the first question I have, obviously, is what is the basis of your
13 information as you convey in this interview?

14 A. [12:36:35] Before giving this interview to RFI, which actually followed
15 a previous interview the day before, an interview that was carried out with
16 President Bozizé - so this is a response to that previous interview - I exchanged with
17 President Michel Djotodia, who had a series of files that he showed me. He showed
18 me the money orders that I mentioned where I *recognised names of soldiers and the
19 former presidential guard. These names were on these money orders. *So he
20 showed me that Bozizé, President Bozizé was continuing to destabilise the country.
21 So when the question was put to me, I simply repeated what President Djotodia had
22 just told me.

23 Q. [12:37:50] And did you have any information independently of what Djotodia
24 told you, to inform whether what he was telling you was correct, incorrect, fantasy, or
25 legitimate?

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1 A. [12:38:11] As I just told you, I saw the Western Union receipts. That's one thing.
2 And secondly, when I say that measures have been taken and that in the days to come
3 journalists will hear of them, this means that proceedings would be launched against
4 certain individuals who were presumed to be the accomplices of the Bozizé
5 movement.

6 Q. [12:38:56] Let me ask more directly then, would that include Mr Ngaïssona?

7 A. [12:39:08] How do you mean? Do you mean was he close, was he close to
8 Bozizé? Or do you mean in the -- whether proceedings were launched against him,
9 whether he was one of the people who was going to be prosecuted?

10 Q. [12:39:27] Yes, in the latter sense.

11 A. [12:39:36] In any case, proceedings were to be launched against him as well.

12 Q. [12:39:45] Let me ask you about the question which precedes that, which is:
13 (Interpretation)

14 "François Bozizé believes that leaving the crisis in Central Africa necessarily includes
15 the toppling of Michel Djotodia. What do you respond to that?

16 "These proposals are irresponsible, scandalous, dangerous and suicidal, given
17 the current context of Central African."

18 (Speaks English) What I would like to ask you about your answer is, first, if you can
19 explain it, what did you mean, why did you say these things and assess the situation,
20 as indicated here, as irresponsible, dangerous and suicidal?

21 A. [12:40:46] Mr Prosecutor, you're asking me this question 10 years later.

22 Already in the country, after the 5 December attacks during which President Bozizé
23 supporters attacked Seleka, at that time there were already confrontations, *there was
24 already intercommunity violence. There were Central Africans who considered
25 themselves to be Christians and they were killing Muslims, especially in Bangui.

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1 There were also cases of cannibalism. And so the situation was terrifying. Such
2 a situation called for a captain to steer the country, for a head of state, a head of state
3 who would give the right impetus to be able to create the conditions for national
4 reconciliation.

5 So when a former head of state who was suspected of being behind those who had
6 launched the attacks, who was suspected of setting fire to the country, when such
7 a man asked for the current head of state to leave his office, this was something
8 irresponsible. And if Djotodia had left office at that point, who was he supposed to
9 give the power to? To Bozizé? That was dangerous because it would exacerbate
10 the tensions within the country and the community violence would not end, would
11 not stop. So that is why I expressed myself in this manner.

12 Q. [12:43:32] Okay. That's helpful. Just one quick question before I leave this
13 article, and that goes -- we need to go to page 0456, at the fourth to bottom paragraph.
14 Yes.

15 Here you can see the question that's put to you. It says: (Interpretation) "Can we talk
16 about calmness, when we can count around a thousand deaths within the last month,
17 and hundreds of thousands of people have been displaced in Bangui and within
18 the country?"

19 (Speaks English) And I want to ask about this part your answer, which is:

20 (Interpretation) "These populations that have been displaced, a large part of them has
21 been instrumentalised by François Bozizé and those close to him."

22 (Speaks English) What I'd like to ask you is what do you mean by that, particularly
23 what do you mean by this population being instrumentalised by Bozizé and his -- and
24 people close to him?

25 A. [12:44:55] Two things. Firstly, before joining the government, I had already

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1 *listened in to a phone conversation, where -- in which I heard Levy Yakete informing
2 people who had stayed in the country, or telling them to go to the site of the airport
3 where the displaced people were in order to buff up the ranks of these displaced
4 people, to show that the Djotodia government was not in control of anything. That's
5 a first point.

6 Second, lesser point, is that Mr Ngaïssona had forwarded an email to me that he had
7 received from someone, someone who was in Bangui. And this person was telling
8 him, more or less, telling him in this email that he was distributing pamphlets, that
9 they were organising on the ground in order to destabilise the regime.

10 And there's a third point here, it was well known. In any case, all eyes were on
11 Bozizé when the fifth -- the attacks that happened on 5 December took place,
12 following which more than a thousand deaths were counted.

13 There was also the *communiqué* published by the FROCCA after this attack that
14 claimed responsibility for the -- for this attack that was carried out against
15 the transitional government.

16 So all of this pushed me to say that people had been instrumentalised by people from
17 President Bozizé's clan.

18 Q. [12:47:59] Do you recall more or less when you received this email from
19 Mr Ngaïssona concerning destabilising the government and the actions taken to that
20 end?

21 A. [12:48:16] I think that it was in the month of August or September 2013.

22 Q. [12:48:28] It would have been during the course of the period where you were
23 meeting with FROCCA, members of the FROCCA?

24 A. [12:48:42] That is correct.

25 Q. [12:48:48] And, of course, are you able to recall more specifically what

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1 the content of that email was?

2 A. [12:49:13] I couldn't remember precisely, but I know or I remember the name of
3 who sent the -- the person who sent the mail. It was someone called Ngaya, who
4 then became lead of the Anti-Balaka at Boy-Rabe. He claimed to be a pastor. And
5 this was a sort of report that he had addressed to Mr Ngaïssona.

6 Q. [12:50:01] (Redacted) tab 60 of the Prosecution binder. It's
7 CAR-OTP-2130-3303.

8 And also I don't think this needs to be -- this can be public.

9 I think, as you can see here, it's an email here from Mr Ngaïssona to you. It's in
10 August 2013. And it refers to -- it appears that it was forwarded from an email he
11 received from Mr Ngaya, who you just described.

12 Do you recognise this?

13 A. [12:51:13] The email was sent to Mr Ngaïssona.

14 Q. [12:51:19] Yes, it was -- it was sent to Mr Ngaïssona by Mr Ngaya.

15 A. [12:51:26] Indeed.

16 Q. [12:51:28] And that it appears at the very top that Mr Ngaïssona forwarded it or
17 sent it to you?

18 A. [12:51:36] That is indeed correct.

19 Q. [12:51:37] Is this the email that you were referring to just now?

20 A. [12:51:44] It is indeed.

21 Q. [12:51:49] And I'd like to show you the second page of this document, which
22 refers to an "*Appel Patriotique*". I don't know if you've seen that as well. I believe it
23 was an attachment to this email.

24 A. [12:52:16] That is indeed the case.

25 Q. [12:52:20] Okay. I'm not going to ask you about specifics, because I think

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1 the email speaks for itself, as does your explanation of your understanding of it and
2 its purpose. But do you know why Mr Ngaïssona forwarded this particular
3 document to you?

4 A. [12:53:02] I was supposed to be a member of the PR team, of the FROCCA
5 communications team. That's the first -- a first reason. And secondly, it was also
6 a means of telling me that they were organising -- or that he was organising things on
7 the ground, that he was in touch with people on the ground and that they were
8 carrying out activities, they were working. That's how I understood it.

9 Q. [12:53:39] One last question, if I can ask. What did you do with this
10 information in this particular email? How did you treat it? How did you handle it?

11 A. [12:53:55] I did nothing with it.

12 Q. [12:54:01] Okay. I'd like to ask you about another meeting in respect of
13 FROCCA. I believe this occurred at the Mayflower hotel as well. Do you recall
14 a third meeting that you had?

15 A. [12:54:36] As I said at the beginning, I don't remember the sequence of events, or
16 the timeline, but in any case there were several meetings, at least three, at this hotel
17 near the Champs-Élysées.

18 Q. [12:55:07] Do you recall a meeting in which Ngaïssona provided information on
19 the status of the elements on the military side?

20 A. [12:55:39] These are probably the elements he already mentioned when he was
21 describing his contacts with what was happening on the ground. And Francis
22 Bozizé must have then interrupted him. I think that's -- that's it.

23 Q. [12:56:04] Do you recall a meeting in which Minister Albert Besse was present?

24 A. [12:56:21] Yes.

25 Q. [12:56:22] In the context of that meeting, was it -- rather, was it in the context of

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1 that meeting that Mr Ngaïssona spoke about elements on the ground?

2 A. [12:56:38] That is indeed correct.

3 Q. [12:56:47] Now, you mentioned at some point that this hotel was near
4 the Champs-Élysées. Do you recall if you had an exchange involving Mr Ngaïssona,
5 Mr Songuet, after that meeting?

6 A. [12:57:15] What I remember is this, after one of the many meetings that we had
7 in Paris, we met up. I met with Yvon Songuet, Ngaïssona, and myself. We met in
8 a cafe to talk, in a friendly manner.

9 Q. [12:57:49] And as you're recalling a very specific informal exchange or friendly
10 exchange, do you recall if Mr Ngaïssona was -- or provided information concerning
11 matters, military matters occurring in the field?

12 A. [12:58:20] Apart from saying that he was financing, I have no other recollections.

13 Q. [12:58:30] All right. Well, let me show you paragraph 98 of your statement.
14 Or I can just read it.

15 At that paragraph you indicate --

16 MR KNOOPS: [12:58:43] Mr President, I believe the witness answered the question,
17 and it shouldn't be put to the witness any paragraphs in this regard.

18 PRESIDING JUDGE SCHMITT: [12:58:54] No, I disagree. The witness clearly does
19 not have a full recollection of what has happened and what has been said. And in
20 his former statement it was also clearer when exactly this exchange took place. You
21 may put it -- you may put it to the witness.

22 It's 98.

23 MR VANDERPUYE: [12:59:19] Yes, paragraph 98.

24 PRESIDING JUDGE SCHMITT: [12:59:21] Yeah. Okay. Then continue, simply.

25 MR VANDERPUYE: [12:59:22] Okay. Thank you, Mr President.

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1 PRESIDING JUDGE SCHMITT: [12:59:24] Well ...

2 MR VANDERPUYE: [12:59:29]

3 Q. [12:59:29] At paragraph 98 of your statement you indicate that you prepared to
4 go to New York, Yvon Songuet and myself. Before leaving, Songuet, Ngaïssona and
5 I had a coffee not too far from the Champs-Élysées, which you recalled. And you
6 say it was at that point that Songuet asked Ngaïssona how things progressed and
7 Ngaïssona called Maxime Mokom in front of me. Ngaïssona used a French prepaid
8 number, asking for the point of the situation. After the conversation with
9 Maxime Mokom, Ngaïssona told us that things, military side, were of course
10 advancing on the terrain, but that when Ngaïssona would go to Cameroon he would
11 have more details.

12 Does that refresh your recollection of the exchange that you had with Yvon Songuet
13 and Mr Ngaïssona at that time?

14 A. [13:00:27] Yes, indeed.

15 Q. [13:00:28] And having had your recollection refreshed, can you recall anything
16 further about that conversation?

17 A. [13:00:43] Well, what I remember is what I repeated to the investigators of
18 the OTP, to the effect that during one of our meetings, Mr Ngaïssona and myself, well,
19 he called an individual whom he said was Maxime Mokom. And that person was on
20 the other end of the line, so I cannot say for sure that the person he was talking to was
21 Maxime Mokom. But he was introduced to us as such. And there we have it.

22 Q. [13:01:31] Just so I understand, it's Mr Ngaïssona who told you that he was
23 speaking to Maxime Mokom, or had spoken to Maxime Mokom in your presence?

24 A. [13:01:43] That is the case.

25 Q. [13:01:47] Did he say anything more about Maxime Mokom? For example,

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1 where he was.

2 A. [13:02:03] Well, the generic term at the time was that they were out in the field.

3 Q. [13:02:10] Did you know who Maxime Mokom was at the time that

4 Mr Ngaïssona presented -- had said that he was -- he was speaking to him?

5 A. [13:02:27] At that moment in time, I did not know who he was yet. But I did

6 get to know him in Bangui, in the sense that I will get to know who he was

7 specifically when I was in Bangui. However, Maxime Mokom, from what I know,

8 was a former taxi driver who went to President Bozizé's church and who is a relative.

9 MR VANDERPUYE: [13:03:24] I have just two questions, if I could, Mr President,
10 before the break?

11 PRESIDING JUDGE SCHMITT: [13:03:27] Yeah. Yeah. I think -- I just wanted to
12 ask you if they are connected, of course.

13 MR VANDERPUYE: Yes. Yes.

14 PRESIDING JUDGE SCHMITT: [13:03:34] Yeah. Please continue.

15 MR VANDERPUYE: [13:03:35] I'll put it in a compound way, maybe.

16 Q. [13:03:38] One, had Mr Ngaïssona mentioned Maxime Mokom before this
17 conversation that occurred after you were assigned to go to New York?

18 And two, in either context, either before or at this stage, did he say what

19 Maxime Mokom was doing in -- on the ground?

20 A. [13:04:09] The only time when Maxime Mokom was mentioned, to my
21 knowledge, is when we were discussing with Yvon Songuet, who said that he was
22 talking to him. Before that, I did not hear speak of that individual.

23 Q. [13:04:37] And I'm sorry, because it was a compound question, in the context of
24 the conversation with Songuet, Ngaïssona, in your presence, did you learn, or did,

25 more particularly, did Mr Ngaïssona say what Maxime Mokom was doing in the field,

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1 on the ground? That is, his role.

2 A. [13:05:08] No, he did not tell us. All that he said was that he would have
3 further details subsequently.

4 Q. [13:05:18] Okay. Thank you very much.

5 PRESIDING JUDGE SCHMITT: [13:05:19] Thank you for the moment. And we
6 have now the lunch break until 2 o'clock.

7 THE COURT USHER: [13:05:24] All rise.

8 (Recess taken at 1.05 p.m.)

9 (Upon resuming in private session at 2.36 p.m.)

10 THE COURT USHER: [14:36:09] All rise.

11 Please be seated.

12 (Redacted)

13 (Redacted)

14 (Redacted)

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16 (Redacted)

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13 (Open session at 2.43 p.m.)
14 THE COURT OFFICER: [14:44:02] We're back in open session, Mr President.
15 MR VANDERPUYE: [14:44:11]
16 Q. [14:44:12] Good afternoon, Mr Poussou. Good afternoon, everyone.
17 I wanted to pick up on something that I'd asked you a little bit earlier. The first
18 thing I wanted to ask you about is, I had asked you to give an account of what
19 Mr Ngaïssona said during the course of one of these meetings about what was
20 transpiring with the elements that were in the field. And I recalled your statement
21 and when you -- in which you indicated that he had contacts with the soldiers of
22 the presidential guard in Cameroon, and also elements in Bangui and in Bossangoa.
23 And that's at paragraph 88 of your statement.
24 I wanted to ask you with respect to elements in Bossangoa, was that something that
25 was discussed during the course of the FROCCA meetings? And can you give any

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1 further detail about that: Where in Bossangoa? How many elements? That type
2 of thing.

3 A. [14:45:40] That issue was not dealt with, to my knowledge, during the meetings
4 of the FROCCA. All the same, it was common knowledge that many of the former
5 elements of the presidential guard were (indiscernible) and constituted the majority of
6 the Anti-Balaka in that town.

7 THE INTERPRETER: [14:46:16] They were -- correction: That former elements of
8 the presidential guard were in Bossangoa.

9 MR VANDERPUYE: [14:46:21]

10 Q. [14:46:21] To that extent, can I ask you, have you heard of a location referred to
11 as Gobéré? Gobéré.

12 A. [14:46:37] Perhaps the way you're pronouncing the word, that does not ring
13 a bell.

14 Q. [14:46:44] All right. I think that's fair.

15 Next thing I wanted to ask you about was, you had described a phone call that
16 Ngaïssona made to provide you and Mr Songuet with some information concerning
17 the status of the elements on the field where you describe that Mr Ngaïssona told you
18 that he had spoken to Maxime Mokom.

19 A. [14:47:33] (Overlapping speakers)

20 Q. [14:47:33] I wanted to ask you if you were able to overhear that conversation.
21 And, if so, what do you recall of it?

22 A. [14:47:57] In light of the fact that the telephone that Mr Ngaïssona was using
23 was not in broadcast mode, it was on -- not on speaker, so I was not able to hear
24 the conversation. It was not on loudspeaker mode.

25 Q. [14:48:25] Thank you. I'd like to show you a document. It's a document that's

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1 an attachment to an email that was sent to Mr Ngaïssona, so I'll first show you
2 the -- the email. It's at tab 64 of the Prosecution binder and it is CAR-OTP-2124-0851.

3 That's just the email.

4 Yeah. *Voilà*, there it is.

5 And it's dated 24 September 2013. It is sent from an email address "ndikissi Ella",
6 which is denoted as ndikissi2008@yahoo.fr. Let me first ask if you recognise that
7 email address?

8 A. [14:50:10] I don't see it on the screen, Mr Prosecutor.

9 PRESIDING JUDGE SCHMITT: [14:50:18] Exactly.

10 Madam court usher, perhaps we can have a look at it. And perhaps it's on
11 the wrong channel, no?

12 THE WITNESS: [14:50:28](Interpretation) It's just come up on the screen. It's just
13 come up.

14 PRESIDING JUDGE SCHMITT: [14:50:32] Fine.

15 So, Mr Poussou, do you recognise the email address ndikissi2008yahoo.fr?

16 THE WITNESS: [14:50:45](Interpretation) I'm not familiar with that email address.

17 MR VANDERPUYE: [14:50:56] Very good.

18 Q. [14:50:59] In this email there's an attachment referring to "Accord FROCCA" that
19 I want to show you.

20 Before I do, let me ask you, does the name Jean-Serge Wafio mean anything to you?

21 I think you mentioned it before. But in the context of FROCCA, does that mean
22 anything to you?

23 A. [14:51:28] Yes. Jean-Serge Wafio is the president of the Central African
24 Republic democratic party. He was thought of as someone being close to
25 President Bozizé, and his party, actually, was part of the presidential majority group.

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1 He was also a Gbaya person from the same region as Bozizé.

2 Q. [14:52:04] Just for the record and for the Chamber's information, the association
3 between that individual and this email address can be found in a document that's
4 been submitted before the Chamber under CAR-OTP-2124-0939.

5 Let me show you the document that I'm interested in, though, the attachment. And
6 that's at tab 65 of the binder, CAR-OTP-2124-0852.

7 This can be broadcast. It's not confidential.

8 Maybe can zoom out so he can see the -- the witness can see the whole page. That's
9 good. Thanks.

10 Have you seen this document before, Mr Poussou?

11 A. [14:53:22] This is the first time I've seen it.

12 Q. [14:53:26] I'd like to show you some things about it.

13 It's an unsigned document. It appears to be a draft of some nature. Let me first
14 take you to page 0859 of this document.

15 PRESIDING JUDGE SCHMITT: [14:53:53] Which is the reason why you show it
16 anyway to -- to the witness, I assume.

17 MR VANDERPUYE: [14:53:58] Yes. There's more.

18 PRESIDING JUDGE SCHMITT: [14:53:59] There might be more, but otherwise we
19 would have asked ourselves why show it to this witness. Or Mr Knoops would have
20 asked that, perhaps.

21 MR VANDERPUYE: [14:54:11]

22 Q. [14:54:12] Here we can see what purports to be the *Composition de la Coordination*
23 *Politique et Diplomatique*, for FROCCA, and you can see various individuals that are
24 assigned to these posts. The first, of course, is the coordinator -- *coordonateur politique*,
25 Lin Banoukepa. Does that accord with your information, knowledge at the time?

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1 A. [14:54:45] It is in keeping with the decision that was taken during the first
2 meeting establishing the FROCCA.

3 Q. [14:54:57] In this particular document, at the very bottom you can see your
4 name here, and it says, *Responsable de la Communication*. You can see Mr Ngaïssona's
5 name, *Responsable des Affaires Intérieures et des Associations*.

6 And I can see you nodding. What -- what was your understanding of that role,
7 (Interpretation) responsible for domestic affairs and associations?

8 A. [14:55:40] I'd like to specify once again that this is the first time that I've seen this
9 document, so I don't know why it was drawn up at that time and * I don't know why
10 those who drafted it placed my name here. If you ask me what I think is the role
11 that was attributed here to Mr Ngaïssona, responsible for domestic affairs and
12 associations, I would say in response that that is related to the activities that he was
13 carrying out, since he said -- he would say that he was in regular contact with
14 a number of people who had remained in the country.

15 In any event, from my point of view, domestic affairs is a reference to that. And it
16 also says associations. That's a reference to the groups that were in the field, such as
17 the COAC. That group can be considered to be one of those associations. That is
18 my interpretation of this document.

19 PRESIDING JUDGE SCHMITT: [14:57:32] Mr Vanderpuye, please allow me.
20 Mr Poussou, you said that you saw this -- you see this document for the first time.
21 And you see that there is some role inside of FROCCA attributed to you. Is that
22 correct? Did you have at any time, point of time hold this post as *responsable de la*
23 *communication*?

24 THE WITNESS: [14:58:00](Interpretation) That was decided on the day that
25 the FROCCA was established. The day that the group was established, I was

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1 entrusted with that responsibility, namely, to take care of FROCCA's
2 communications.
3 PRESIDING JUDGE SCHMITT: [14:58:26] Thank you.
4 I just wanted to clarify that, Mr Vanderpuye.
5 MR VANDERPUYE: [14:58:32] Thank you, Mr President.
6 Q. [14:58:34] Now it's not really possible, I think, with the equipment we have here
7 to display the individuals that were assigned to the posts that appear in the email that
8 was sent to you by Serefio on 8 August. That's tab 58 of the Prosecution binder.
9 CAR-OTP-212 -- you can leave what's on the screen there. It's okay. But just for
10 the reference, 2124-002.
11 But, in that email, what is described as the position of a *coordonateur* indicates
12 Lin Banoukepa and Edouard Serefio. And you can see on this document it just
13 indicates Lin Banoukepa.
14 For the position of *porte-parole* it indicates Levy Yakete, which we see here, but also
15 Gounebana Fekeram Simon.
16 In the next position -- or, rather, with respect to communication, in the email that you
17 received it indicated your name, obviously, and Kopaye François.
18 For *interieur/association*, it indicates in the email Ngaïssona Patrick Edouard, which we
19 talked about, and Tokofesset Dieudonné, which is different than here, but, of course,
20 Ngaïssona is here.
21 *Responsable de la Mobilisation de la Jeunesse et Sensibilisation*, in the email (Interpretation)
22 youth and outreach officer (Speaks English) you -- in the email you received it's
23 indicated Thierry Bongolo, which you see here, but also Michel Nambo-Bona.
24 And then in this document we have an indication of (Interpretation) finance and
25 logistics officer. (Speaks English) I suppose that means Ancienne TG

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1 KNK -- Ancienne TG KNK. Do you know who that person is?

2 A. [15:01:20] No, I did not know who was the Ancienne TG of KNK.

3 Q. [15:01:32] In the email that you received, under *Tresorerie*, there's a Madam

4 Maboula. Do you know who that is?

5 A. [15:01:50] I have heard of this name before. It would appear, if my information
6 source is right, it's one of Bozizé's mistresses.

7 Q. [15:02:24] And the acronym -- or, rather, the -- yes, the acronym TG, would that
8 stand for *trésorerie* -- *trésorerie général*?

9 A. [15:02:41] It would appear that that's the case. Treasurer. *Trésorière générale*,
10 the treasurer.

11 Q. [15:02:51] All right. Well, we have the two documents there. But there's
12 something also I wanted to ask you about it substantively. So let me quickly --

13 PRESIDING JUDGE SCHMITT: [15:03:00] Let me ask you something.

14 MR VANDERPUYE: [15:03:02] Yes, Mr President.

15 PRESIDING JUDGE SCHMITT: [15:03:02] Perhaps you know when this -- this
16 protocol, which we discuss now, was produced. Because the email is from, I think, if
17 I recall it correctly, 8 August 2013. So the email might be the more realistic one, or
18 this one here might be the draft. You see? Obviously we don't know that, is my
19 understanding.

20 MR VANDERPUYE: [15:03:25] It's a very fair question.

21 PRESIDING JUDGE SCHMITT: [15:03:27] Yeah.

22 MR VANDERPUYE: [15:03:27] As far as I'm aware, we're not able to date
23 the attachment. Maybe some forensic thing can be done, I don't know that.

24 PRESIDING JUDGE SCHMITT: [15:03:35] I don't know how important it is,
25 but -- but since you mention also that the names do not accord one-on-one, it would

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1 have been, perhaps, of a little bit of interest to -- to look what is

2 the -- the one -- the final one, so to speak.

3 MR VANDERPUYE: [15:03:49] Indeed. Indeed. But -- but the attachment at least
4 is from an email dated 24 September, which follows the -- the initial one.

5 PRESIDING JUDGE SCHMITT: [15:03:58] That's -- that's a point, actually.

6 MR VANDERPUYE: [15:04:03] Let me just quickly go to page 0858, which indicates,
7 at least unsigned, the suggested *partis politiques*.

8 Q. [15:04:19] First thing is, obviously, you've mentioned already François Bozizé
9 under -- and his association with the KNK, in fact, characterise it as his party. But
10 then you see Lin Banoukepa there, PDI. Do you know what that -- what that stands
11 for?

12 A. [15:04:48] It doesn't ring a bell at all.

13 Q. [15:04:53] And what about Jean-Serge Wafio, where you see an indication of
14 PDCA?

15 A. [15:05:12] It's the *Parti Démocratique Centrafricain*, the Central African democratic
16 party.

17 Q. [15:05:22] And to your knowledge, in the course of the formation of
18 the FROCCA, was there ever an idea to associate these different parties?

19 A. [15:05:43] I think that Jean-Serge Bokassa Wafio - I'm sorry, it's Jean-Serge
20 Wafio - took part in the meeting that established the FROCCA. As the president of
21 the PDCA, he was the member of the former presidential movement.

22 Q. [15:06:16] I'd like to ask you some questions about the substance of this
23 document. Just bear with me one second.

24 We'll go to ERN page 0855. And here you can see a sort of ethos or a plan, which
25 refers to *Le Front pour le Retour à l'Ordre Centrafrique -- à l'Ordre*

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1 *Constitutionnel - FROCCA, afin d'obtenir les objectifs* (Interpretation) to obtain
2 the -- achieve the objective that is set out, it is proposed to carry out the following
3 actions.
4 (Speaks English) One is the political plan, which talks about gaining the adhesion of
5 political parties, organisation -- nongovernmental organisations, intellectuals, and so
6 on, you see here, including the *Responsables Confessionnel ou Spirituels*, which we saw
7 that Bozizé talked about a little bit earlier in our -- in the examination.
8 And then it talks about a *plan diplomatique*, (Interpretation) diplomatic plan.
9 (Speaks English) Then it talks about a *plan stratégique*, (Interpretation) the strategic
10 level, (Speaks English) strategic plan. And it refers to the FROCCA, to using all
11 means, human, material, financial to obtain the objectives that were set out.
12 To find communication, apparently, devices to avoid decrypting intelligence services,
13 including the --
14 PRESIDING JUDGE SCHMITT: [15:08:45] Mr Vanderpuye, the question please.
15 MR VANDERPUYE: [15:08:49] -- the use of Thurayas.
16 Let me stop here and pose the question, which is --
17 PRESIDING JUDGE SCHMITT: [15:08:53] Well, and anyway, and also for everyone,
18 Mr Knoops specifically also, this is -- it's not a very long document.
19 MR VANDERPUYE: [15:09:04] No.
20 PRESIDING JUDGE SCHMITT: [15:09:05] But the document entails a lot of
21 different -- also we, Mr Knoops specifically, we will also look into article 1, *Des*
22 *Objectifs*, so this does not escape our attention. So, the -- it's a document which
23 stands for itself, but you have certain questions, perhaps. And this is legitimate,
24 because Mr Poussou is, on the last page, is mentioned as one of those who might have
25 to do something with the document. So, but please put your question to the witness.

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1 What I want to say about that is simply that we -- that any document, any wording of
2 document does not escape our attention.

3 MR VANDERPUYE: [15:09:44] Thank you, Mr President.

4 PRESIDING JUDGE SCHMITT: [15:09:45] In its complexity and in its completeness,
5 to simply under -- to simply stress that.

6 MR VANDERPUYE: [15:09:51] That's reassuring. Thank you, Mr President.

7 PRESIDING JUDGE SCHMITT: [15:09:55] Well, I -- actually, I tend to repeat that
8 every once in a while, because sometimes I have the little bit of a fear that you don't
9 believe us. No, but you can -- you can really trust the Chamber in that regard.

10 MR VANDERPUYE: [15:10:07] Thank you, Mr President.

11 Q. [15:10:09] Just for your acquaintance, Mr Poussou, since this is the first time
12 you've seen this document. What I've been going through and reading of it, is
13 that -- does the substance of what it says sound familiar to you in the context of your
14 interaction with members of FROCCA, or in the context of the meetings that were had
15 in developing it, and indeed thereafter? Does this sound like something you
16 discussed or you heard in that context?

17 A. [15:10:51] I can say that this is the very core of what was said in the FROCCA
18 meetings, the essence of what was said in the FROCCA meetings.

19 Q. [15:11:13] And can I ask you in particular about the -- you see just at the bottom
20 of the screen right now you can see *Au Plan Communicationnel*, and in that it refers to
21 it being very important in a communication strategy.

22 One moment. Well, perhaps you can just read it yourself, which would be a lot
23 faster than me. And --

24 A. [15:11:53] I've already read it.

25 Q. [15:11:57] Does what is written here correspond likewise to discussions that

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1 were had in the formation of FROCCA?

2 A. [15:12:15] As I previously said, and I'm repeating it again, this is exactly it.

3 Q. [15:12:26] The very last sentence under the *Plan Communicationnel* says:

4 (Interpretation) "Consequently, it is fundamental to avoid any statements

5 encouraging division and hatred."

6 A. (Overlapping speakers)

7 Q. [15:12:46] Is that language -- well, let me put it this way, is that a position that

8 you advocated during the course of your interaction with the FROCCA, or is this

9 coming from somebody else?

10 PRESIDING JUDGE SCHMITT: [15:13:09] Ms Dimitri.

11 MS DIMITRI: [15:13:10] Yes, you probably didn't hear the witness, but he asked you

12 to scroll down. He asked the court officer to scroll down, because it wasn't on

13 the screen. Neither could I see it.

14 PRESIDING JUDGE SCHMITT: [15:13:21] Thank you very much, Ms Dimitri.

15 THE WITNESS: [15:13:25](Interpretation) Yes, that's right.

16 I saw that.

17 MR VANDERPUYE: [15:13:42]

18 Q. [15:13:43] Actually, the sentence I'm reading is just above that. Right there.

19 (Interpretation) "Consequently".

20 (Speaks English) Have you had an opportunity to read that, Mr Poussou?

21 PRESIDING JUDGE SCHMITT: [15:14:05] Yes, obviously he has. He's a very quick

22 reader. So we can -- we can trust the witness that it is -- yeah, absolutely. Thank

23 you, Mr Poussou.

24 THE WITNESS: *C'est bon.*

25 MR VANDERPUYE: [15:14:17] Okay.

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1 Q. [15:14:17] So my question then was, the origin of that particular phrase, that
2 particular admonishment, if you want to put it that way, or caution, with respect to
3 the strategic communication plan. Do you have any -- is that something that you
4 advocated? Is that something someone else advocated? To your knowledge, if you
5 can remember.

6 A. [15:14:48] This was always my objective. I would each time remind
7 the members of the FROCCA that it was important to not have a rhetoric of hatred,
8 because the general -- the tendency of certain FROCCA members, and I'm specifically
9 referring to Levy Yakete and Lin Banoukepa, they -- they were vindictive
10 individuals and they were -- they had a feeling of vindictiveness to our Muslim
11 citizens. So it was very important to mellow down their feelings and get them to
12 listen to the voice of reason. So, I could have very well drafted the sentence myself.

13 Q. [15:16:14] Okay. I think that's all I have for this document at the moment.
14 Can you explain, as you may have drafted that sentence, or certainly encompasses
15 your view on how communication should have been handled, can you explain why
16 you would consider that it was fundamental to avoid declarations generating or
17 engendering hatred, vengeance and division?

18 A. [15:17:16] I think I've already said that before, but I will repeat it again. In
19 the country, clashes, internal clashes between communities had already started. We
20 could clearly see Christians attacking Muslims and vice versa. And this jeopardised
21 national cohesion in a very dangerous way and the very unity of the country was
22 threatened, so it was important to preserve the -- the feeling of being able to live
23 together amongst the various communities. So you really had to avoid a civil war.
24 Personally, I feared that the situation could lead to a situation like in Rwanda, where
25 there will be large-scale massacre. * So you had to calm people's ardour, so that they

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1 were not adding fuel to the fire and preserve the calm in the country.

2 Q. [15:18:59] In respect of the establishment of FROCCA, do you have recollection
3 about press *communiqués* that were issued in August, September and so on, of 2013?

4 * A. [15:19:26] I remember this communiqué and the subsequent communiqués that
5 were drafted. And the -- the content was basically going against what I was
6 favouring, so basically saving the unity of the country and the cohesion in
7 the country.

8 Q. [15:20:11] Okay. Sorry I appeared distracted, but what I hear in -- in my
9 headphones is you're talking about memos, but I think you're talking about
10 *communiqués*, press *communiqués*?

11 A. [15:20:30] Yes, it was press releases, absolutely.

12 Q. [15:20:33] Okay. Thank you.

13 Can you recall approximately how many press releases were issued by the group?

14 A. [15:21:01] I remember three press releases. The first one was drafted by me
15 and the two other press releases was -- I mean, the first one was drafted by me and
16 validated by the group, and the two others were signed by *Maître* Lin Banoukepa.
17 And I remember these press releases.

18 Q. [15:21:36] All right. Let me show you a document. It's at tab 57 of the binder.
19 CAR-OTP-2123-0473.

20 This a public document, so it shouldn't be a problem to display it.

21 First, do you recognise the -- the document?

22 A. [15:22:17] Yes.

23 Q. [15:22:19] And maybe we can blow it up so we can see more clearly the text.

24 Perfect.

25 Here you can see it refers to the creation of FROCCA. And then it refers to

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1 *Communiqué de press No. 001.*

2 Is this the press release that you refer to having drafted?

3 A. [15:22:57] Yes. This was the first press release that talked about the -- setting
4 up the FROCCA. And this is the press release that I drafted.

5 Q. [15:23:26] Thank you for that. I think -- let me ask you: Were there
6 fundamental differences between the *communiqué* that you drafted that we see here,
7 it's dated 5 August 2013, and the subsequent *communiqués* that were issued by
8 the group, which were penned by Lin Banoukepa?

9 A. [15:24:02] If I may, the difference basically lies in the content. I think this press
10 release is less vindictive with regard to our Muslim fellow citizens, which is not
11 the case with the other subsequent press releases published by *Maître* Lin Banoukepa.
12 PRESIDING JUDGE SCHMITT: [15:24:55] Actually, also from the wording you can
13 see that there are different drafters. From the -- not only from the content, but on
14 how well it -- if I may say so, you might detect here that an experienced journalist has
15 made this one. Let me put it this way.

16 MR VANDERPUYE: [15:25:20] Indeed.

17 Q. [15:25:20] With respect -- let me show you a different one then. Let me show
18 you CAR-OTP-2091-1711. That's at tab 14. And I just want to ask you quickly
19 about this one and then I have a few more that I'll ask you about.

20 Okay, I think we have this one now.

21 This one is indicate -- indicates *Communiqué No. 004 du FROCCA*, August 24, 2013. It
22 can also be broadcast. It's a public document.

23 What I'd like to refer you to is toward the bottom of the page, where
24 the paragraph begins explaining the position of FROCCA as: "*Le Front pour le Retour*
25 *à l'Ordre Constitutionnel en Centrafricaine dénonce et condamne* (Interpretation)

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1 "denounces these barbaric crimes that constitute crimes that were planned against
2 the Central African people or against humanity according to the qualification in
3 international criminal law."

4 (Speaks English) In the following paragraph it refers to -- it says: (Interpretation)
5 "We recall that these crimes reflect the criminal nature and the outrageously brutal
6 character of this anti-democratic and Islamic regime ..."

7 (Speaks English) I want to ask you -- I stop there because I want to know what your
8 understanding is of this reference to this Islamic regime. Obviously it's talking about
9 Djotodia and the Seleka, but what about it, to your knowledge, would qualify it as an
10 Islamic regime? If at all.

11 A. [15:28:00] Now, this is indeed the vocabulary used by Maître Banoukepa.
12 Now, if he describes the transition regime as Islamic, it's because Djotodia is Muslim
13 and the majority of the people making up the Seleka were Muslims. They also
14 availed themselves of the support of Sudanese and Chadian mercenaries who are also
15 Muslims. So in his mind this is how he conceived the whole thing.

16 Q. [15:28:56] Tiangaye was part of that regime, isn't that right, and transitional
17 government?

18 A. [15:29:04] He was the prime minister.

19 Q. [15:29:08] To your knowledge, was he a Muslim?

20 A. [15:29:17] Not at all.

21 Q. [15:29:24] Now, you indicated in the document I showed you earlier, when I
22 asked you some questions about why it was important, what the importance of
23 the messaging was from FROCCA with regard to inflammatory, divisive or even
24 bigoted language. Did you object to the language that Banoukepa was using in
25 the context of FROCCA *communiqués*?

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1 A. [15:30:08] To speak very bluntly, we actually were at loggerheads at several
2 instances.

3 Q. [15:30:26] (Microphone not activated)

4 PRESIDING JUDGE SCHMITT: [15:30:29] Microphone, please.

5 MR VANDERPUYE: [15:30:31]

6 Q. [15:30:32] That would be helpful.

7 Only half an hour to go.

8 Were there people within FROCCA, or among the members of FROCCA that, well,
9 subscribed to the position that Banoukepa was taking in these press releases?

10 A. [15:31:03] One can say that the other members of FROCCA thought along
11 the same lines as Banoukepa since they may have let those releases go by and they
12 allowed them to be sent out, but they did read them. And, in a way, they did buy
13 into it, did subscribe to such views.

14 Q. [15:31:42] Did you -- okay, that's -- that is certainly one way to look at it. But
15 did you hear anything, let's say, concretely -- affirmatively regarding the views that
16 were expressed? In other words, other than remaining silent or doing nothing,
17 which obviously has its own meanings, did you actually see someone or hear
18 someone do something affirmative in demonstrating their support or -- or their
19 agreement with what was being stated in these FROCCA *communiqués*?

20 A. [15:32:42] Throughout this entire testimony, I have said that within the inner
21 circle of President Bozizé, the prevailing rhetoric was, first of all, to say that we, and
22 that meant Christians, we were being robbed of our own country by Muslim invaders.
23 And it just so happens that the Seleka regime was made up of our fellow citizens of
24 the Muslim faith. So I can only reiterate that, in a way, this was the sort of language
25 that was floating around within that group, within such circles. That's what they

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1 would say. So 10 years after the fact I can't tell you who said what, but people were
2 saying things like that.

3 Q. [15:34:10] Was Mr Ngaïssona among the people saying things like that, to your
4 recollection?

5 A. [15:34:29] Yes, that was his kind of rhetoric.

6 Q. [15:34:37] Let me show you another document. This is at tab 56 of
7 the Prosecution binder. It's CAR-OTP-2123-0469. This is an interview with
8 Mr Banoukepa. This one dates to 22 August 2013. And you see the title,
9 (Interpretation) "Bozizé's FROCCA response subsequent to events in Boy-Rabe".
10 (Speaks English) And I think the Chamber has heard evidence, and you probably are
11 aware, of Seleka activities in relation to the inauguration of President Djotodia in
12 August 2013, particularly targeting the Boy-Rabe area, which you described as
13 the fiefdom of Mr Ngaïssona.

14 But let me ask you about what I see here in the answer to the second question. If we
15 can just scroll down a little bit we see the second question, which talks about what
16 happened in Boy-Rabe and the deaths that occurred there.

17 But in Banoukepa's answer, which is the second paragraph following the question, he
18 says: (Interpretation)

19 "Everyone knows that the Seleka has a hidden agenda (ethnic and religious cleansing)
20 with a view to imposing Islam upon the people of the Central African Republic.

21 That is what their sponsor wants, Mr Déby, who believes that in this manner he will
22 be able to protect his regime against the Chadians from the south who are challenging
23 him in his crimes."

24 Now, the foregone conclusion in his answer there is that everyone knows that there's
25 a hidden agenda of the Seleka which entails ethnic cleansing, ethnic and religious

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1 cleansing, with a view towards imposing Islam on the Central African -- on Central
2 Africa.

3 To your knowledge and given your experience and involvement, is there any truth to
4 that?

5 * A. [15:37:39] That statement is based on nothing. This is just really Banoukepa
6 trying to outbid others when making a statement.

7 Q. [15:38:06] Let me show you another press *communiqué*. This one is at tab 54 of
8 the Prosecution binder. CAR-OTP-2123-0466.

9 Just for the Chamber's knowledge, this is a duplicate -- it is essentially a duplicate of
10 tab 15.

11 PRESIDING JUDGE SCHMITT: [15:38:39] Yeah. And the typo is getting smaller
12 and smaller, but still readable with glasses.

13 MR VANDERPUYE: [15:38:44] I'm going to be struggling with this, to be honest, but
14 indeed.

15 Q. [15:38:49] You would be familiar with this document, yes, Mr Poussou?

16 A. [15:38:56] Yes, I've already seen it.

17 Q. [15:39:04] In this document there is a -- an allusion to the Seleka's apparent
18 commission of genocide. And you'll see that in about three or four
19 paragraphs down.

20 So if we could just page down a little bit, you'll see the sentence that begins "*Le*
21 *FROCCA prend à témoin*".

22 Do you see that sentence?

23 (Interpretation) "The FROCCA calls upon the international community to see
24 the genocide that is under way and condemns in the strongest possible language this
25 cowardice and this extreme violence."

1 (Speaks English) Again, the suggestion here that there's a genocide *en cours*

2 (Interpretation) under way (Speaks English) on 27 August 2013, was that something
3 that was discussed among the members of FROCCA? Is it something that has any
4 basis in truth?

5 A. [15:40:40] The only truthful thing here is that, during the FROCCA meetings,
6 regret was expressed for the fact that Seleka elements were attacking civilians. But
7 they attacked civilians in a general way. No specific community was targeted. So
8 here one cannot speak of genocide. The Seleka killed, engaged in looting, stole, but
9 without making any distinction amongst their victims, * without knowing which
10 region people came from or who people were close to. So, once again, this is another
11 example of Mr Banoukepa using exaggerated language; we are talking of genocide
12 here. He's really just ratcheting things up.

13 Q. [15:42:06] At the very end of that paragraph it refers to the Seleka killing,
14 pillaging resources, natural resources. And then he refers to this notion of *Islamiser*
15 *de force le peuple Centrafricain*.

16 Can you tell us about that notion, is that something that was also discussed during
17 the course of these FROCCA meetings, and what the positions were within the group
18 concerning those characterisations or statements?

19 A. [15:43:01] One thing for sure here is that the transitional regime never did
20 anything that could be likened to Islamisation of our country. That's the first thing.
21 Secondly, these arguments were being evoked within FROCCA. Islamisation of
22 the country was deemed to be one of the Seleka's objectives within FROCCA. But I
23 would say that this is political rhetoric, and even those who were saying these things
24 I'm quite sure were not convinced of them, because the Seleka were not taking any
25 actions that would lead the country to become an Islam state, an Islamic state.

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1 Q. [15:44:15] When you say that those who were saying those things perhaps were
2 not even convinced of them, first of all, who do you mean? Who were saying those
3 things and -- and who -- why do you think they were not convinced of what they
4 were saying?

5 A. [15:44:39] Because that was not so. * When I said that, I was referring to
6 Mr Banoukepa of course. I'm also thinking of President Bozizé, Levy Yakete. These
7 people were saying such things. Even in public.

8 Q. [15:45:12] What about Mr Ngaïssona, was he saying those things? Whether
9 public or private.

10 A. [15:45:24] I did not hear any talk about Islamisation of the country.

11 Q. [15:45:33] From him? From Mr Ngaïssona?

12 A. [15:45:39] From him, no.

13 Q. [15:45:44] And you said that the people that were saying these things were not
14 convinced of them. Do you know or was there talk of what you said before, that
15 there were Christians that were also in the Seleka? Did you discuss that within
16 the FROCCA group?

17 A. [15:46:28] That was never discussed within the FROCCA. * Namely, Christians
18 being part of the Seleka coalition. But there were Christians within the Seleka,
19 there's no doubt about that.

20 Q. [15:46:47] And do you believe that that was known to the members of FROCCA
21 that discussed this or otherwise espoused the language that is found in these press
22 releases?

23 A. [15:47:15] That was well known, particularly since the spokesperson of
24 the government at the time, the former minister of state. He is now -- Christophe
25 Gazambeti, who is now deceased, he was a Catholic. Éric Nériss Massi, who was

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1 the spokesperson of the Seleka overseas, he was a practicing Catholic. So those
2 things are well known. That's what I can tell you.

3 Q. [15:48:04] Let me show you another document. This one is at tab 55 of
4 the Prosecution binder. It is CAR-OTP-2123-0467. It is essentially a duplicate of
5 what appears at tab 16 of the Prosecution binder, in substance at least.

6 This one is dated 20 September 2013. It's *communiqué* press -- *Communiqué No. 006*
7 *du FROCCA*. I may have neglected to say what the previous one was, but if I did,
8 0466, that was press *communiqué* number 5.

9 Anyway, in this one we can see right off the bat it refers directly to the (Interpretation)
10 "Islamisation of the Central African Republic is taking on tragic proportions."
11 (Speaks English) Again, we see the same language of Islamisation in this press
12 release.

13 I don't think there's a need to get into the detail of it, but this is consistent with what
14 you've been saying with respect to the other ones, is it?

15 A. [15:49:36] Yes, exactly so.

16 Q. [15:49:41] All right. Now this one is dated from September 2013, 20 September.
17 Do you recall when it was that you travelled to New York?

18 A. [15:50:09] That was in September. Which part of September, I don't remember.
19 It was when, when the UN general assemblies usually are held. It was that part of
20 September.

21 Q. [15:50:34] I'll just note that in this document, the second paragraph, it refers to
22 the Seleka destroying, methodologically destroying public buildings, churches,
23 temples and so on, but it says: (Interpretation) "... with its only political purpose being
24 to de-Christianise the Central African Republic with a view to introducing the Koran
25 and bringing about forcible Islamisation."

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1 (Speaks English) And I can see by the expression on your face that you have some
2 doubt as to the accuracy of this information that is being published by Mr Banoukepa
3 and the FROCCA, in fact.

4 PRESIDING JUDGE SCHMITT: [15:51:25] Well, yeah, do you want to elaborate on
5 that, Mr Poussou? Or do you simply agree with the proposition that
6 Mr Vanderpuye made?

7 THE WITNESS: [15:51:39](Interpretation) I agree with what Mr Vanderpuye has just
8 said, because as I said, this is groundless. That's why I'm smiling and I have so
9 many doubts. This is -- this is grotesque.

10 MR VANDERPUYE: [15:52:03]

11 Q. [15:52:03] If I could ask, from your perspective, what was the point of this
12 rhetoric, what was the point of the dissemination of this kind of - and I'm
13 characterising it here - incendiary comments?

14 A. [15:52:38] I think I would have used the same adjective, incendiary, because I
15 told you in the other document I could have also drafted the sentence which
16 contained the warning against hate speech or hateful language. The goal, the goal of
17 such rhetoric, such hate speech, is to step up the antagonism between Christians and
18 Muslims. And how should I put this, to push Christians to defend their country
19 against the invaders, to resist by violent means, otherwise I don't see why such -- such
20 inflammatory remarks would have been made.

21 Q. [15:54:09] (Microphone not activated)

22 PRESIDING JUDGE SCHMITT: [15:54:17] We are closely before 4 o'clock, but still
23 microphone would be helpful.

24 MR VANDERPUYE: [15:54:23] It's harder and harder to push it.

25 PRESIDING JUDGE SCHMITT: [15:54:26] Well, I understand that, really. I really

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1 understand that.

2 MR VANDERPUYE: [15:54:32]

3 Q. [15:54:32] With respect to -- again, with respect to this particular press
4 *communiqué*, the members of FROCCA that you describe before, Yakete, Banoukepa,
5 and some others that were close to Bozizé, did they voice any objection, let's put it this
6 way first, to this language? At any point, whether in this press *communiqué*, now
7 that I think about it, or any other that was issued along the same lines?

8 A. [15:55:12] Not to my knowledge.

9 Q. [15:55:14] Did Ngaïssona voice any such objection or complaint about the tenor
10 of these press releases?

11 A. [15:55:27] Not to my knowledge.

12 Q. [15:55:31] And in the context of their release, was this something that was made
13 available to the members of FROCCA, either before or upon their release? In other
14 words, would they have been made aware of the fact that these documents were
15 being released publicly?

16 A. [15:56:04] Going by what I know about the functioning of the Bozizé clan at the
17 time, Mr Banoukepa would draft the releases. * He would share them by mail with
18 others who were close to Bozizé. Usually they were group emails, so I was not able to
19 know who the mail was sent to -- but to Francis Bozizé, to Bozizé, so that he could
20 read it before it was published. Knowing my opposition to such language, these
21 drafts were never shared with me. But, in advance, he would send them to FROCCA
22 members. But when these releases were published, I would call him on the telephone,
23 personally, and I would express my indignation. I did that rather regularly.

24 Q. [15:57:50] Let me just go back to a document that I showed you before. It's at
25 tab 60. CAR-OTP-2130-3303.

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1 We need to go to the next -- this is the email that I showed you that Ngaïssona
2 forwarded to you that came to him from Alfred Ngaya. We spoke about that earlier.
3 If we can just go to the next page, you will see this *Appel Patriotique*, and in this
4 document there are obviously some references to the democratic opposition. If you
5 go down the page, you'll see some familiar names. But I want to ask you
6 about -- perfect, what we have on the screen in front of us, which talks about crimes
7 committed by the Seleka, killings, pillaging, stealing, rape, kidnapping, torture.
8 Again, (Interpretation) "... with as their final objective not admitted, but yet their final
9 objective, the Islamisation of the Central African Republic.
10 Against this background, the following actions are scheduled or carried out by
11 Djotodia and his lackeys."
12 (Speaks English) You see the list there. It talks about modifying the flag to insert an
13 Islamic symbol, changing the national hymn, changing the name of the -- of the army,
14 the *Force Armées Centrafricaines*, and prohibiting the raising of pork.
15 This is a document that was sent to Mr Ngaïssona by Mr Ngaya. And it was sent,
16 apparently, in July 2013.
17 Is this consistent with the language that was adopted and promulgated or passed on
18 by Lin Banoukepa in the context of FROCCA's activities?
19 A. [16:00:52] I would say that it is -- it's along the same lines as the releases issued
20 by Banoukepa. And I'm sure you've noticed my smile. I can't not point out
21 the fertile imagination of the people who drew up such a document. This really is
22 completely not corresponding to reality.
23 PRESIDING JUDGE SCHMITT: [16:01:40] I think we have reached 4 o'clock, even
24 a little bit further. And you're -- I think you will know my next question. Do you
25 have already an idea how long examination will last tomorrow?

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- 1 MR VANDERPUYE: [16:02:01] I think (Overlapping speakers)
- 2 PRESIDING JUDGE SCHMITT: [16:02:02] Mr Knoops is very attentive.
- 3 MR VANDERPUYE: [16:02:07] I think I can do it in a session, I think.
- 4 PRESIDING JUDGE SCHMITT: [16:02:13] Yeah. Okay.
- 5 MR VANDERPUYE: [16:02:14] Yeah, I think I can do it in a session.
- 6 PRESIDING JUDGE SCHMITT: [16:02:16] Yeah. Okay. So that we have an idea.
- 7 And if not something very unforeseen happens, Ms Dimitri will not question
- 8 the witness? Yeah, Ms Dimitri.
- 9 MS DIMITRI: [16:02:27] No, Mr President, we don't have any questions. Thank
- 10 you.
- 11 PRESIDING JUDGE SCHMITT: [16:02:30] And, Mr Knoops, we can talk about
- 12 tomorrow then, how we go forward. I gave normally leeway to counsel for
- 13 the reasons also for your preparation. So, but it depends a little bit, of course, on we
- 14 have then, I think, we have the Thursday, Monday, Tuesday, we would have
- 15 definitely three full days, if we count tomorrow half day or one session or two session,
- 16 three days, one, two session. So you can think about it, simply.
- 17 So, that's for it, today. Thank you very much, everyone.
- 18 Thank you, specifically, Mr Witness, for patiently asking all the questions today, but
- 19 we have to continue tomorrow at 9.30.
- 20 THE COURT USHER: [16:03:16] All rise.
- 21 (The hearing ends in open session at 4.03 p.m.)