

Trial Hearing
WITNESS: CAR-OTP-P-0888

(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
5 Patrice-Edouard 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, 12 April 2022
10 (The hearing starts in open session at 10.02 a.m.)
11 THE COURT USHER: [10:02:35] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [10:02:57] Good morning, everyone.
15 Court officer, please call the case.
16 THE COURT OFFICER: [10:03:20] Good morning, Mr President, your Honours.
17 Situation in the Central African Republic II, in the case of The Prosecutor versus
18 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.
19 And for the record, we are in open session.
20 PRESIDING JUDGE SCHMITT: [10:03:35] Thank you.
21 The appearances of the parties.
22 Prosecution first, Mr Vanderpuye.
23 MR VANDERPUYE: [10:03:40] Good morning, Mr President. Good morning,
24 your Honours. Good morning, everyone. Good morning, Mr Beina.
25 Today the Prosecution is represented by Pierre Belbenoit-Avich, Yassin Mostfa, and

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1 myself, Kweku Vanderpuye. Good morning.

2 PRESIDING JUDGE SCHMITT: [10:03:53] Good morning.

3 MR DANGABO MOUSSA: [10:03:55](Interpretation) Good morning, Mr President,
4 your Honours.

5 The victims are represented by Maître Dangabo Moussa and Evelyne Ombeni.

6 Thank you.

7 MS LAU: [10:04:09] Good morning, Mr President, your Honours. Good morning,
8 everyone in the courtroom.

9 Today the former child soldiers are represented by myself, Fiona Lau, associate legal
10 officer at the Office of Public Counsel for Victims. Thank you.

11 PRESIDING JUDGE SCHMITT: [10:04:22] Thank you.

12 Ms Dimitri next.

13 MS DIMITRI: [10:04:24] Good morning, Mr President. Good morning,
14 your Honours. Good morning, everyone. Good morning, Mr Beina.

15 Mr President, Mr Yekatom is present in the courtroom this morning. He's
16 represented by Mr Florent Pages-Granier, Mr Jean-Michel Kola, Ms Anta Guissé,
17 Ms Sabrina Bayssat, and myself, Mylène Dimitri.

18 PRESIDING JUDGE SCHMITT: [10:04:43] And Mr Knoops, of course.

19 MR KNOOPS: [10:04:44] Yes. Good morning, Mr President. Good morning,
20 your Honours. Good morning, everyone in the courtroom. Good morning,
21 Mr Beina.

22 The Defence team of Mr Patrice Ngaïssona appears today before the Chamber with
23 Ms Marie-Hélène Proulx, Ms Camille Stuckel and Barbara Szmatala. Defendant is in
24 the courtroom. And Mr Landry is following the hearing through the field office.
25 Thank you.

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1 PRESIDING JUDGE SCHMITT: [10:05:08] Thank you.

2 I see and welcome back Ms Proulx.

3 And, of course, welcome and good morning, Mr Witness. You have, again, a full
4 day of questioning, I think, that awaits you. And we thank you for coming again to
5 the Court and answering the questions of the parties.

6 WITNESS: CAR-OTP-P-0888 (On former oath)

7 (The witness speaks Sango)

8 PRESIDING JUDGE SCHMITT: [10:05:25] So it is still the turn of Ms Dimitri, and
9 you have the floor.

10 MS DIMITRI: [10:05:33] Thank you, Mr President.

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

12 Q. [10:05:44] Good morning once again, Mr Beina.

13 A. [10:05:48] Good morning.

14 Q. [10:05:49] This morning my first series of questions would seek certain
15 clarifications.

16 You spoke at length about the national coordination set up on 20 June, and you also
17 talk about the meeting of 15 May 2014. I'm not going to have you repeat what you
18 have already said. My objective with my first few questions today is simply to link
19 certain paragraphs of your statements in evidence to videos or meetings.

20 Are you with me, Mr Beina?

21 A. [10:06:39] Yes, of course I'm with you.

22 Even before I answer your question, I would like to point out what I said yesterday
23 relating to training in social cohesion. Yesterday I talked about DRC, but it was
24 actually CRS. CRS. That is the clarification that I wanted to make in relation to my
25 testimony of yesterday. I would want you to replace DRC by CRS.

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1 THE INTERPRETER: [10:07:29] The Sango interpreter did not catch what CRS
2 stands for as given by the witness.

3 MS DIMITRI: [10:07:40] Mr President, I don't know if you heard, but the interpreter
4 says he didn't hear the -- I'm sorry, because I'm listening in French.

5 Q. [10:07:55](Interpretation) Can you repeat what you said about CRS, because the
6 interpreter did not quite catch you.

7 A. [10:08:08] Yesterday I talked about training on social cohesion relating to the
8 statement of Mr Zilabo. I was asked why he was speaking like that. My answer
9 was that it was normal because he had followed some training in social cohesion.
10 And yesterday I talked to you about DRC, that it was DRC that gave that training.
11 Yesterday I reflected and I remembered that it was CRS, that is, Catholic Relief
12 Services. That is the clarification that I wanted to make, replacing the DRC by CRS.

13 Q. [10:09:13] Well noted, Mr Beina.
14 (Speaks English) Just before I continue, I have a technical problem. I'm doing my
15 best not to overlap with interpretation, so I usually have the English transcript on this
16 screen, but unfortunately both channels are French transcript. If -- if it could just be
17 fixed so I could follow and avoid overlapping. Thank you very much.

18 PRESIDING JUDGE SCHMITT: [10:09:36] Well, we have a good French transcript,
19 but it does not even get better if we have it twice, to put it this way.

20 MS DIMITRI: [10:09:51] Thank you very much.

21 Q. [10:09:53](Interpretation) I'm going to show you a video, two videos, and simply
22 want you to confirm to me that it is the meeting of 15 May that you refer to both in
23 your statement and in your testimony.

24 It is tab 35 of the Defence list, CAR-OTP-2084-1331, 4:45, right up to the end.

25 For the interpreters, it is CAR-OTP-2107-1587 -- 86. It will be line 49, right to the end.

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1 The second video is tab 64, *CAR-OTP-2084-1335. We will look at it from
2 36 seconds.
3 It is tab 65 of your file, for the interpreters, D29-0006-1176, lines 4 to 10. If the
4 interpreters can indicate when they are ready. Thank you.
5 THE INTERPRETER: [10:12:20] *Trente-six*, I cannot find *trente-six*.
6 MS DIMITRI: If I can assist the English interpreter, you should have a hard copy
7 binder that was provided by our team, with tab 36 and tab 64.
8 PRESIDING JUDGE SCHMITT: I think --
9 THE INTERPRETER: [10:12:28] Just the line numbers again, if counsel could --
10 PRESIDING JUDGE SCHMITT: No, I think it -- I think it did not go -- he did not
11 hear it.
12 Could you please turn down your microphone.
13 Perhaps you can repeat, Ms Dimitri, for the interpreter.
14 MS DIMITRI: [10:12:55] Of course.
15 If I can assist the English interpreter, I see him searching. You should have a hard
16 copy binder that was provided by our team, and in that binder you should have
17 tab 36 and tab 64 -- 65, sorry. So tab 36 and tab 65. Your colleague had that hard
18 copy binder yesterday.
19 THE INTERPRETER: [10:13:24] And the line numbers, please.
20 The interpreter has found the binder, now the line numbers.
21 THE COURT OFFICER: [10:13:42](Overlapping speakers) If this may assist the
22 interpreters, it's also displayed on evidence 1 channel.
23 THE INTERPRETER: [10:13:49] The interpreter is still asking for the line numbers.
24 MS DIMITRI: [10:14:00](Interpretation) Lines 4 to 10.
25 (No interpretation)

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- 1 (Speaks English) Can I go ahead? Can we ...
- 2 THE INTERPRETER: [10:14:37] I'm sorry, Mr President, the -- tab 34 ends at -- at
- 3 line 49, and that is where I'm being asked to start.
- 4 PRESIDING JUDGE SCHMITT: [10:15:08] Well, I cannot solve this from here,
- 5 so -- but -- but I see that you get assistance and I think we (Overlapping speakers)
- 6 THE INTERPRETER: [10:15:11] Okay. I've seen the ...
- 7 MS DIMITRI: [10:15:20] If I can assist, it's -- it's not 34, it's 36.
- 8 THE INTERPRETER: [10:15:22] Yes, I have found it now. The interpreter has
- 9 found it now.
- 10 MS DIMITRI: [10:15:32](Interpretation)
- 11 Q. [10:15:42] I said I'll show two questions.
- 12 (Viewing of the video excerpt)
- 13 THE INTERPRETER: [10:16:57](Interpretation of the video excerpt)
- 14 "On third place, there is Mr Beina Vivien who was elected as the rapporteur general
- 15 of the Anti-Balaka. I call him to come and introduce himself.
- 16 VB: Good morning everybody. I am the rapporteur general of the Anti-Balaka. I
- 17 am at the service of my country and I am seeking for peace."
- 18 (Viewing of the video excerpt)
- 19 THE INTERPRETER: [10:16:57](Interpretation of the video excerpt)
- 20 "VB: As you know the Central Africans have suffered a lot so the ceasefire and
- 21 violence against the population should end. I thank you.
- 22 PZ: Thank you. And as I said in my opening statement that the minister received us
- 23 yesterday, she gave three points and in consideration of those three points, we
- 24 consulted yesterday, and the rest of the bureau we are going to make the statement
- 25 now. The new ..."

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1 MS DIMITRI: [10:17:32](Interpretation)

2 Q. [10:17:33] Mr Beina, what we have seen, is it indeed the meeting of 15 May 2014
3 in which you participated and which you referred to?

4 A. [10:17:48] Yes, Counsel, that is it, indeed.

5 Q. [10:17:54] And am I correct to say that this meeting did not have only as
6 objective to appoint Sebastien Wenezoui as coordinator general of the south, but also
7 to appeal for peace and reconciliation?

8 A. [10:18:21] Yes, counsel.

9 Q. [10:18:27] And the objective was to appoint an official representative, Sebastien
10 Wenezoui, to act as an interface with the government in order to find a solution and
11 bring peace to the country. Because, as you said yesterday, the country had become
12 ungovernable and some members of the population had become uncontrollable. So
13 the objective was also to have a spokesperson, a representative of the south, in order
14 to discuss with the government and restore peace as quickly as possible. Do you
15 agree with me?

16 A. [10:19:13] Yes, I agree with you, and I can even elaborate on that meeting.

17 In the video that we have just seen, at the foreground, all the people who are seated
18 are of the Mouda association, Célestin Bureau (phon), Valerie Christian (phon), and
19 then the person representing the Mouda association. These were facilitators who
20 came during the meeting to reconcile and bring together Ngaïssona and Yekatom, so
21 that -- they wanted to bring together Ngaïssona and Yekatom. You can see that
22 Mbomon took the floor and talked about peace. * I said that people had suffered too
23 much and the objective was to restore peace. So this was the initiative that we took,
24 that is, to restore peace, and we achieved that initiative.

25 Q. [10:20:32] Thank you, Mr Beina, for your answer.

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1 I would like now to talk about what you referred to as the national coordination, that
2 which was set up on 20 June 2014. You talk about it in paragraph 40 in your
3 statement and you referred to it at length on Friday and yesterday.

4 I'm not going to come back in detail on that coordination, but I simply want to show
5 you a video and I want you to confirm that this video represents to you the time
6 when the national coordination was put in place.

7 It is tab 62 of the Defence list, D -- OTP-2023-2227, dated 28 June 2014, according to
8 metadata of the OTP. The video can be played in its entirety. The transcription is
9 at tab 63, CAR-D29-0006-0985.

10 Mr Beina, you refer to this mediation in paragraph 40 of your statement. I will show
11 you the video and what I want to know is whether it is indeed the meeting that was
12 held to set up the national coordination with Ngaïssona as coordinator -- national
13 coordinator, and deputy coordinator being Sebastien Wenezoui.

14 (Viewing of the video excerpt)

15 THE INTERPRETER: [10:22:47](Interpretation of the video excerpt)

16 "There were many of them who came to participate in the ceremony of the
17 presentation of the new bureau of the Anti-Balaka movement.

18 The ceremony started with the national anthem of the renaissance followed by
19 prayers said by the spiritual counsellor Faustin Konifere.

20 The new bureau of the Anti-Balaka is coordinated by Mr Patrice-Edouard Ngaïssona,
21 and his deputy is Sebastien Wenezoui. In his speech, the national coordinator of the
22 Anti-Balaka, Mr Ngaïssona, indicated that the young Central Africans mobilise
23 themselves into Anti-Balaka groups to fight against the massacres of the population.

24 The time is long past for hostilities, theft and pillaging, he added. For Anna Kete
25 Samba-Panza, president of the Mouda association, which means 'everyone for peace',

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1 has as objective, amongst other things, the reconciliation and mediation between the
2 sons and daughters of the country."

3 MS DIMITRI: [10:24:10](Interpretation)

4 Q. [10:24:11] Mr Beina, this video corresponds to paragraph 40 of your statement,
5 that is, the time at which Patrice-Edouard Ngaïssona was appointed national
6 coordinator, and Sebastien Wenezoui, deputy coordinator, as well as Romaric
7 Vomitiade, treasurer general.

8 A. [10:24:39] Yes, counsel.

9 If you allow, I will make a comment on the video that I have just seen. This video
10 was made on 28 June 2014. Officially, the Anti-Balaka coordination was set up on 20
11 June at the UNDP. So this is only a repetition of the ceremony, that is, before
12 ministers. I was part of that bureau as treasurer general. So when this bureau was
13 set up, that is the post that I occupied. So it was on the 20th that this coordination
14 was made.

15 So you have seen that Samba-Panza, Kete Samba-Panza was the coordinator of the
16 re-enactment on that day. She was one -- the one that coordinated the ceremony.
17 So you had PARETO, you had Madam Andara, the mayor of the 4th arrondissement.
18 She was there. She was one of the facilitators. I saw a few authorities, officers of
19 the gendarmerie, who were present there during that ceremony.

20 PRESIDING JUDGE SCHMITT: [10:26:29] I'm being told that a number of ERNs
21 were incorrectly transcribed, so I correct them now. All in all, they are five:
22 CAR-OTP-2084-1331, 2107-1586, 2084-1335, CAR-D29-0006-1176, and
23 CAR-OTP-2023-2227. Thank you.

24 MS DIMITRI: [10:27:08] Thank you, Mr President.

25 Q. [10:27:12](Interpretation) Thank you, Mr Beina, for your answer.

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1 I want to talk about the composition of the bureau of the national coordination when
2 you were national treasurer. I'm not going to go into details. You have talked
3 about it. I simply want your assistance to confirm to me that all those documents
4 were issued after the date of 20 June 2014. Are you with me?
5 I'm going to show you a certain number of documents with dates, and we will put the
6 dates on the documents. I will start with tab 43, CAR-OTP-2039-0019.
7 Mr Beina, can you see the document displayed on the screen?
8 (Speaks English) Could -- could you zoom out a little bit more, because I want
9 him -- yes, thank you.
10 (Interpretation) Can you see the document on the screen? Number 9, general
11 treasurer, your name is there. And can you see the date? And according to the
12 OTP metadata it is dated 1 January 2014. I simply want confirmation on your part.
13 So this document was indeed issued as from 20 June 2014, when the national
14 coordination was constituted. It was as from that date that Mr Ngaïssona was
15 general coordinator, Sebastien Wenezoui was his deputy, you talked about Romaric
16 Vomitiade as secretary-general, and then yourself as treasurer general.
17 Do you agree with the date of that document?
18 A. [10:30:02] Thank you, counsel. I think that this document, even if the date is
19 unreadable, one can see that the document was prepared on 2014. You can see on the
20 right-hand side the date and signature of Mr Ngaïssona. It is 26/05/2016. You can see
21 at the end on the document there is the signature of Mr Ngaïssona.
22 In order for me to be clear, on 28 June 2014, there was a re-establishment -- a
23 re-enactment of the setting up of the coordination. * So if this list was published, it
24 must have been after the 28, at least in July. So it could not have been published before
25 the office -- the bureau was set up. And then it was expanded during our meeting at

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1 Azimut, because during the creation of the bureau at UNDP it was a restricted bureau.
2 It was expanded during the restitution ceremony at the Azimut Hotel. So this was
3 after 28 June that this document was prepared. Probably in July 2014. Because after
4 the setting up of the bureau, the Government organised thematic groups for the
5 preparation of the cessation of hostilities of -- hostilities meeting in Brazzaville. So the
6 bureau chose, selected certain people to travel to Brazzaville for the meeting on the
7 cessation of hostilities.

8 Q. [10:32:29] Thank you for your answer.

9 I understand well that it's after 28 June 2014. I'm going to ask you the same thing
10 again, but maybe move -- let's move fast because time is against me.
11 I'm going to show you four documents, almost identical, and I'm going to explain
12 why I'm doing this, because sometimes in a case there's a lot of repetition. There are
13 many documents have different references, but in one way or another are the same.
14 So all I want you to do is to show you all the documents and then I'll have one
15 question. Can you confirm that all those documents which represent the bureau of
16 the national coordination were drawn up after 28 June 2014.

17 Do you understand that I'm saying before I show you the four documents?

18 A. [10:33:28] Yes, I understand.

19 Q. [10:33:33] I'm going to show you the first document, which is 44 in the Defence
20 binder, CAR-OTP-2069-3560, and each time if the officer could leave it there so we can
21 see the entire document. So that's the first document, which I think is basically the
22 same as the previous one.

23 And the second one is tab 45 in the Defence binder, CAR-OTP-2124-124 -- sorry, let
24 me -- let me start again. CAR-OTP-2124-1214. It's the second document. I'm
25 going to ask the officer to show you the second page because your name is there as

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1 the general treasurer.

2 The third document is tab 46 in the Defence binder, CAR-OTP-2059-0024.

3 And once again, Mr Beina, you see *Sebastien Wenezoui as deputy *secretary general.

4 And then on the second page you can see your name as general treasurer.

5 And the last document is 47, tab, and the Defence binder CAR-OTP-2101-3611. You

6 can see July 2014, so it's after 28 June 2014. And page 3613, you see the same

7 composition with the deputy counsellor Sebastien Wenezoui and you as general

8 treasurer.

9 And we also see those you refer to in paragraph 40 and 41 in your statement where

10 you see "Romaric".

11 So I repeat my question, do you agree with me that the four documents which we

12 have just seen were drawn up after the date of 28 June 2014?

13 A. [10:36:49] Yes, counsel. I can say to you that some of these documents are

14 copies because some documents have not been signed at the secretariat level. There

15 are duplicates. It's like if somebody took all the documents or all the -- but in reality,

16 these are copies of documents.

17 What I can tell you is that all these documents were drawn up after July 2014, because

18 Vomitiade was on the Bimbo side, so he was included in the group. There was a

19 division between those from the south and those of the north. We had to balance

20 things out. The coordination -- so Vomitiade was included in the bureau from -- on

21 behalf of the south.

22 So after the government requested that we select individuals to enter into the

23 government, Vomitiade had the possibility of being nominated the minister of

24 tourism during the transition of Samba-Panza.

25 PRESIDING JUDGE SCHMITT: [10:38:28] May I shortly.

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1 Mr Witness, since we have now seen on many documents that you have been, let's
2 say at a certain point in time in 2014, the treasure of the -- the general treasurer of the
3 Anti-Balaka, what were your duties as general treasurer, shortly, if I may ask you?
4 THE WITNESS: [10:38:59](Interpretation) Thank you, your Honour. Thank you for
5 your question relating my duties as general treasurer.

6 I think that in my statement which I did with the OTP, I provided details relating the
7 position in the Anti-Balaka. In reality, these were vacant positions because the
8 bureau as you see it didn't have internal regulations or statutes. It's a bureau that
9 was set up fictitiously in order to satisfy the attempt of the government. It was only
10 to respond to the request of the government. Because to set up a bureau, then you
11 would have to have a bureau which responds to legal prerequisites, but this bureau in
12 reality didn't have any money. So it was a fictitious bureau, and therefore I didn't
13 have any particular duties that I had to fulfil.

14 PRESIDING JUDGE SCHMITT: [10:40:13] So I exactly was heading at that, how
15 much money did you have, and you have answered it, so it's simply -- because
16 treasurer, there is the word "treasure" in it, ironically speaking, but obviously there
17 was no money. You have answered that already.

18 Ms Dimitri, please continue.

19 MS DIMITRI: [10:40:32] Thank you, Mr President.

20 Q. [10:40:37](Interpretation) You talked about Romaric Vomitiade, who was
21 nominated minister of tourism, and he was nominated as minister of tourism during
22 the time of prime minister Mahamat Kamoun.

23 A. [10:40:59] That is correct, counsel.

24 Q. [10:41:01] And, Mr Beina, my final question on the coordination before moving
25 to another topic.

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1 There is a witness of the Prosecution who came here, Mr Mokpem Bionli, who said
2 that Mr Yekatom was part of the national coordination because, even if he did not
3 participate at the meetings very often, he sent two members of his group to represent
4 him. And those members reported back to him. And amongst these members,
5 Mr Mokpem Bionli nominates you, Beina, and Mr Zilabo.

6 So my question is as follows, one again is a clarification, Mr Beina: Do you agree
7 with me - because Mr Bionli couldn't give a precise date - do you agree with me that
8 when you went to the meetings of the coordination at a national level, so the national
9 coordination under Ngaïssona as general coordinator, you did -- there were reports
10 that were made to Yekatom. And do you agree with me that this was after June
11 2014?

12 A. [10:42:26] Yes, counsel. I think that after the installation of the coordination we
13 had some meetings. And that was from the month of July. We had meetings then.
14 We participated and we had the duty to report to Bib -- to Yekatom, to the Yekatom
15 group, and also to Habib. That is correct. It is during the month of July.

16 Q. [10:43:07] Thank you, Mr Beina. As I said, I'm now going to change subjects.
17 For the next minute I'm going to talk about several initiatives for reconciliation, but
18 before that I'd like to go back to PK9. You witnessed Mr Yekatom, your brother
19 Habib and you, and Paleon Zilabo had a discussion so that the elements shouldn't
20 enter the Bimbo neighbourhood. You explained to us the discussion and the
21 agreement of Mr Habib and Yekatom.

22 My question is as follows: It is linked to that. In addition to this discussion which
23 you had with him, were there other monuments where you were present when either
24 Mr Yekatom or your brother Habib insisted that the civilian population be protected
25 so that the civilian population would not be in danger and would not be harassed?

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1 A. [10:44:40] Yes, counsel, I can confirm that, because I think you can have that
2 information in the various interviews that Yekatom gave to the press. In his
3 discussions he said - * and I am weighing my words here -- that he was being
4 pressured to abandon the movement and return to his position in the army. And he
5 answered that he could not abandon his group.

6 It is thanks to his group that his men could protect the population. They sacrificed
7 themselves. And if today I have to abandon them, then I will not have a clear
8 conscience.

9 In the discussions he had, he said that even if -- that even if the elements disarmed,
10 we could not resume the activities in the army. It was better to stay with them to
11 avoid all excesses and they could only resume their activities if the group was billeted
12 and disarmed. * And this was a prerequisite before the resumption of any activities
13 within the national army.

14 Q. [10:46:30] Thank you, Mr Beina.

15 Yesterday you said that Mr Yekatom was looking for the mayor of Bossangoa in the
16 bush because he spent three months in the bush after he was chased out by the Seleka.
17 It was on page -- page 49 of the transcript.

18 I just wanted to ask you, do you remember that Mr Yekatom was also there to look
19 for other people in the bush like the -- people of the gendarme who fled at the time of
20 the Seleka, who fled from their posts during the Seleka and sought refuge in the bush
21 or in the forests. Can you remember that -- if Mr Yekatom looked for those people to
22 take them back so that they could resume their previous positions?

23 A. [10:47:32] Thank you, counsel. I think that when he *set himself up in PK9, it is
24 one of the first things that he *did. It was one of the first things he had to do. In
25 Berengo *the Seleka were having problems and he brought them back. There was a

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1 youth in my neighbourhood who was part of the Seleka group. Habib went to look
2 for them and took them back to the neighbourhood, but the population *lynched him.
3 So Habib took him to -- and set him up in Pissmiss until he became *like one of them,
4 one the elements of his group, because Habib said to the Balaka elements that no one
5 must harm this youth. It's a youth. He joined the group, perhaps in the hope of
6 entering into the army. And this youth was rejected by the population and it was
7 even the civilian population who wanted to *lynch him. So Habib found him
8 M'Poko -- another neighbourhood in order to take him to M'Poko for his own
9 protection.

10 I think if the authorities are honest, when Yekatom controlled the region of Lobaye,
11 Mr Yekatom wanted to see the reestablishment when it was put on to paper. But
12 before that, the *Bossongo gendarmerie, in fact of all the areas around, he gave some
13 weapons to the gendarme in *small neighbourhoods so that they could continue their
14 work.

15 So if the authorities of our country, if the gendarme in our country are honest, they
16 would admit that.

17 Q. [10:49:57] When you say that he gave arms, can you -- does this mean that they
18 had no weapons, no materiel, because everything had been pillaged and looted by the
19 Seleka? In order to enable them to do their work properly, Mr Yekatom gave them
20 weapons and put them back in their positions, is that what I am to understand from
21 your statement?

22 A. [10:50:23] Yes, counsel, that's correct. Because the Seleka looted the
23 gendarmerie and the DRC, and they had no armoury, they had no weapons. The
24 government -- even the government of Djotodia, when the government was installed,
25 when there was some sort of intervention in the area, in Bimbo, up to Pissa, the

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1 gendarme could not become involved in those areas. They had to rely on the
2 authority of Yekatom to intervene, to do something against those who had carried out
3 any misdeeds and take them to the gendarmerie.

4 Q. [10:51:13] Could you give me more details on the identity of the youth which
5 your brother protected and took back to Pissmiss. Do you have any further details
6 about his identity? Who was he? Where did he come from? His ethnic
7 background, perhaps.

8 A. [10:51:41] Yes, I can give you more detail. It's a youth who often came to see
9 me, and recognised and was grateful what Habib had done to him. He was part of
10 the Kombo family, his family name is Kombo, but he was known as Koma. He is in
11 the Koma ethnic group. He is a Yakoma ethnically.

12 Q. [10:52:17] Thank you, Mr Beina. You spoke that the population wanted to
13 harm him.
14 Do you have any recollection that the civilian population was on the point of lynching
15 a Peuhl family who came from Lobaye and the Yekatom group protected that person?
16 I don't know if you heard something about it, or if you were present, or you
17 remember something about that occasion.

18 A. [10:52:52] Yes, counsel. I think I mentioned this yesterday. I said to you that a
19 Peuhl was taken to the residence of Habib because Habib left Pissmiss and set up in
20 Zila. The Peuhl was taken there and Yekatom and Beina called Yekatom to come.
21 Yekatom called the journalist called Serefio and the -- and photos were taken before
22 the Peuhl was handed over to the gendarmerie, and he conducted the Peuhl to the
23 gendarmerie.

24 Q. [10:53:45] Do you know anything about the fact that Mr Yekatom sent one of his
25 elements to Kapou to protect the Peuhl who wanted to do some cattle trading? It

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1 was in April 2014 or thereabouts.

2 A. [10:54:11] Yes, I do have information about that, because in the Yekatom group
3 there were Muslims. There was Alcanto (phon), which I mentioned, who was a bit
4 handicapped, who limped. He is a youth from Boali who entered into the army and
5 he was called Alonto (phon) - but I think his real name is Ibrahim Alcanto - and right
6 now I think he's sergeant chief. He was responsible during the meetings with the
7 Muslim brothers simply because not only spoke the same language, but he knew the
8 transhumance patterns. He could go from Damara to Bimon.

9 There were other corridors for the transhumance, and so he knew how they could go
10 from the one area to Boali. He knew that he had connections too with them, so he
11 asked them to go there to manage the situation when necessary.

12 Q. [10:55:33] Thank you, Mr Beina. And when you talked about Bimon, you talk
13 about Moktar as well. Yekatom worked with him. Moktar and his family were in
14 Bimon?

15 A. [10:55:54] No, no, I didn't talk about Bimon. I said that Moktar had a wife in
16 Yamboro. You have to go past Sekia, and after that there is the village of Yamboro.
17 He lived in kilometre 5. He's a Muslim. But he had a wife in Yamboro and he went
18 to Yamboro. He spent nights there. He had a field in Yamboro. And he
19 continued his activities between the two areas, even today.

20 Q. [10:56:36] Thank you. Do you know an individual with the name of
21 Abdurrahman Dodo Saudi (phon), who was president of the committee of route
22 freightage, the BARC?

23 A. [10:57:00] Yes, the name means something to me. It's a man. He is tall and
24 thin. He financially helped the electoral campaign of Mr Yekatom. He gave some
25 materials, salt, so that he could help with the election campaign of Mr Yekatom.

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1 Q. [10:57:40] And he was spokesman of the Muslim community in 2014, if you
2 know?

3 A. [10:57:51] No, I don't know anything about that.

4 Q. [10:57:59] Do you recall - I don't know if you spoke to Habib or even
5 Mr Yekatom about this - Mr Yekatom said to Sauda Dodo (phon) to tell all the
6 Muslims of PK5, all the civilian Muslims of PK5 that he was not against them and that
7 he would -- could -- they could continue their activities along that axis without any
8 problem, the branch PK9-Mbaïki.

9 A. [10:58:39] I remember an event which took place on the axis. They were
10 hungry in Kilometre 5. They were looking for food and they didn't know how to
11 feed their families. He established a false ID card and he put the name Mathurin
12 Koyabade, but Mathurin Koyabade is the name of an artist or a musician who
13 lives -- from Central Africa but who lives in France and is well known. His family
14 name is Mathurin Koyabade.
15 The young Muslim, his name -- his real name is Manu. And he made a false ID card
16 under the name of Mathurin Koyabade in order to help him move around in the zone
17 on the axis. He was identified as a Muslim. The document, the identity card was
18 handed over to Mr Yekatom, and Mr Yekatom asked him to find out that Mathurin
19 Koyabade is a musician who is residing in France, so how could he have the same
20 name as Mathurin Koyabade? And this incident happened, and he said, "Look, we
21 are hungry in Kilometre 5., and I didn't know how to come to the axis so that I could
22 buy something to eat."
23 So all the material which helped him to establish the ID cards were looted in
24 Kilometre 5, and therefore he could get that national ID card. And he gave this as an
25 example of what was done so that they could continue trading on that particular axis.

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1 So the question was, on this axis, were you harmed? No. So in this case you go
2 back, you take your own identity with your own name, and so that you can circulate
3 freely in that axis. And if somebody causes a problem, tell me about it. And it is
4 this example which helped the others to circulate freely. If you like, you can go
5 freely everywhere. And from that moment onwards, they could cross the bridge of
6 PK9 to go to Mbaïki and they could resume their commercial activities on that axis.

7 PRESIDING JUDGE SCHMITT: [11:01:57] Mr Vanderpuye.

8 MR VANDERPUYE: [11:01:59] Thank you, Mr President. It's not an objection. It's
9 just that I heard the witness mention this Maître Mathurin Koyabade at least 15 times,
10 and I can't find it in the transcript, so I want to make sure that it is accurately
11 recorded in there.

12 In addition to that, I just noted that the corrections that you had made with respect to
13 the ERNs a little while ago, there are still some errors in the transcript. I don't know
14 if you want to go back to them. There were the five that you gave and two of them
15 are not --

16 PRESIDING JUDGE SCHMITT: [11:02:29] Were the ones that I gave wrong or are
17 they still -- are they now --

18 MR VANDERPUYE: [11:02:34] They're incomplete. One was CAR-D29 and has
19 006-1106. So there's a digit missing. And the first one that you gave, I still see that
20 there were some asterisks placed in the record.

21 PRESIDING JUDGE SCHMITT: Okay. So then --

22 MR VANDERPUYE: [11:02:49] But it will have to be corrected at some point, but I
23 just wanted to flag it.

24 PRESIDING JUDGE SCHMITT: [11:02:55] No, no, if we do it now it's better, because
25 it's difficult afterwards.

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1 So the first one that I gave, or wanted to give, is CAR-OTP-2084-1331.

2 And what was the other one that was incomplete or wrong?

3 MR VANDERPUYE: [11:03:10] The one that I could see was CAR-D29.

4 PRESIDING JUDGE SCHMITT: [11:03:15] Yeah, I have it here.

5 CAR-D29-0006-1176.

6 And since we had this interruption, I suggest that we continue until 11.30, have a
7 break until 12. Then have the second session until half past 1, and a shortened lunch
8 break until half past 2.

9 MS DIMITRI: [11:03:47] Thank you, Mr President.

10 Q. [11:03:49](Interpretation) Just a small point of clarification, Mr Beina. Thank
11 you for your very detailed answer.

12 When you say that it was after the discussion between Mr Yekatom and that Muslim,
13 that made it possible for the others to move about freely. When you say "the others",
14 I assume that this includes the Muslims; is that correct?

15 A. [11:04:17] Yes, I was talking about the other Muslims. As you know, in the
16 CAR, most transporters are Muslims. In the transportation sector, there are not
17 many Christians. So at that time the Muslims were afraid to go out. And when
18 they did not go out, the Christians also had difficulties moving about because they
19 used the means of transports of the Muslims to move about.
20 After his discussion with Manu, who had taken the name of Mathurin Koyabade, the
21 other Muslims started coming out again to move about in the zone.

22 Q. [11:05:08] Thank you, Mr Beina.

23 Now I would like to show you a photograph. I would like to ask you whether you
24 do -- you know the person.

25 For the court officer, it should not be made public. It is tab 51, CAR-D29-0010-0011.

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1 Can you see the photograph in front of you? It is Obougna Sariratou who at one
2 point sought refuge in Bimbo. Do you remember her? She is a Muslim and she
3 was living in PK5.

4 A. [11:06:07] Yes, I know her.

5 Q. [11:06:10] And do you remember that when she left PK5 and sought refuge in
6 Bimbo, Mr Yekatom asked the population to leave her in peace and not to harass her?

7 A. [11:06:33] Yes. I think that this lady that we called Hadja is a Muslim of Mbat
8 origin. Her brother, who was an ex-customs officer, Majilo (phon) was in PK9.

9 And this lady was in the Gbaya neighbourhood, in the PK5 neighbourhood. This
10 woman lived in PK5 and she had a lot of wild peppers that she had bought in the
11 Mongoumba market. She had a stock of more than nine months. And with the
12 villagers, the produce started deteriorating. She did not know how to deal with this
13 product. So when she decided to go, she was part of a team. And so when she
14 arrived there, all the products had deteriorated. She said that she had spent more
15 than 2 million, because she had bought those products in Nigeria.

16 Despite those losses, she gave a lot of -- she gave a little money to the villagers so as to
17 regain their trust. And after that she returned. We went back together.

18 PRESIDING JUDGE SCHMITT: [11:08:24] May I shortly.

19 Unfortunately, again an ERN number, but this one is really a difficult one, so I have to
20 concentrate myself, CAR-D29-0010-0011. So it's -- a slip is understandable here.

21 Please.

22 MS DIMITRI: [11:08:44] Thank you, Mr President.

23 Q. [11:08:50](Interpretation) Mr Beina, do you remember that Hadja regularly
24 contacted Mr Yekatom so that he should help the Muslims who were being
25 threatened by the population?

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1 A. [11:09:24] Yes, I remember that. This same lady brought some Muslims to the
2 office, because during the time, coming to Bimbo, they were afraid of coming there.
3 One day he came with two or three other Muslims, even four, to Bimbo. They also
4 testified that they had been afraid, that they thought they would be attacked in Bimbo.
5 And Hadja them, no, they should not be afraid.

6 So you know, during that period, people could go easily to PK5. One needed an
7 invitation. Danger could come at any moment. And progressively, some people
8 who had the courage to go to other areas were able to realise, with the support of the
9 NGOs, that it was possible to visit each other. And it was progressively in this way
10 that, from on one side and the other, people started going to other respective zones.

11 MR VANDERPUYE: [11:10:59] Mr President, I have one observation.

12 PRESIDING JUDGE SCHMITT: [11:11:00] Yeah, please.

13 MR VANDERPUYE: [11:11:03] And maybe my -- my colleague can help me out here.
14 I'm not -- I'm not clear on what the time frame is that we're speaking about with
15 respect to this incident or these -- or these events. Maybe you could clarify that --

16 PRESIDING JUDGE SCHMITT: [11:11:15] It would help -- would assist us too. So
17 perhaps you can address this -- address it with the witness, Ms Dimitri.

18 MS DIMITRI: [11:11:20] Of course.

19 Q. [11:11:22](Interpretation) Mr Beina, are you in a position to tell us
20 approximately when Hadja decided to come to Bimbo and to carry out her trading
21 activities in peppers? That is, if you know.

22 A. [11:11:52] I can say that it was as from 2015. But I still continue seeing her, this
23 lady, but I think it was as from 2015.

24 Q. [11:12:11] You have talked a lot about the population, Muslims who were
25 frightened by the population. Were you ever a witness of Mr Yekatom trying to

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1 speak to the population, telling them to accept the return of the Muslims, whether
2 these were statements made by Mr Yekatom or by your brother Habib?

3 A. [11:12:55] Thank you, counsel. I think that Yekatom never chased away a
4 Muslim. Yekatom's objective was to fight against the Seleka. This wrong
5 comprehension of the CAR problem is that people assimilated Christians to the
6 Anti-Balaka and they conflated the Muslims with the Seleka. And suddenly, when a
7 Christian saw a Muslim, they thought it was a Seleka. And if a Muslim saw a
8 Christian, he considered them as an Anti-Balaka.

9 It is the media that brought about all this. It was not the leaders of those various
10 movements who arranged that, no. At one point, Christians considered Muslims as
11 Seleka, and all Muslims considered Christians as Anti-Balaka. It had become
12 something of an ethic problem.

13 But in Mr Yekatom's fight -- in fact, I would like to tell you this: He had a strong
14 collaboration, he had a very good relationship with Muslims. Even up to till today
15 he is still in contact with his acquaintances of the Muslim faith.

16 Q. [11:14:34] Thank you for your answer, Mr Beina. And I perfectly understand
17 what you say when you say that at one point Christians considered Muslims as
18 Seleka.

19 You told us yesterday that it was very important to have social cohesion in order to
20 re-educate and reconcile the population.

21 Now, apart from what you have told us about Mr Yekatom, at any one time in your
22 presence did you see him trying to tell the members of the population to accept the
23 return of those Muslims?

24 A. [11:15:31] Yes. I think that he held meetings of that type even at the mayor's
25 office in Bimbo. He organised meetings asking the population to leave, to allow

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1 people to move about freely. And during that meeting there were Sangaris elements
2 who were present. They were there to observe whether the Christians were
3 continuing to hunt down the Muslims. * He was the one who was in charge of the
4 security of the road. Sometimes he went to Pissa. He took a vehicle, he went to
5 Pissa to see whether there was insecurity. So even if he was called at 9 p.m. or
6 10 p.m., he was ready to come and resolve the problem.

7 Every time there was a small problem on that road, he would intervene and refer the
8 matter to the gendarmerie to do its work. So, in any case, I can say he was not at all
9 against the Muslims because he had an excellent relationship with the Muslims.

10 Q. [11:17:04] Thank you, Mr Beina.

11 Have you ever heard talk of the fact that in 2014 Mr Yekatom took Muslims to the
12 MISCA so that they should be kept in a secure place?

13 A. [11:17:25] Yes.

14 Q. [11:17:33] And still in regard to the reconciliation actions, I would like to speak a
15 little bit about Boda.

16 Do you remember having gone to Boda with Mr Yekatom, Paleon Zilabo -- well, I'm
17 not sure whether you are present. Mr Yekatom, Paleon Zilabo, all of you went to the
18 Muslim neighbourhood of Boda. The Muslims welcomed you, you prayed with
19 them and you made a speech on social cohesion.

20 Does that ring a bell or were you not present?

21 A. [11:18:34] Thank you, counsel. I think -- well, in fact, during that meeting with
22 the Muslims, I was the one who spoke. The meeting took place behind the
23 purchasing office of Batika (phon), in Boda, in the Muslim neighbourhood. The
24 meeting took place at that location. When we arrived at their place, we prayed.
25 They asked us to raise your hands. And after the prayer, we gave them the floor.

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1 There were Christians and Muslims, because we found the -- the leaders, Bolo and
2 Kishmala (phon), that is the leaders of the Anti-Balaka at Boda, we found them. *

3 Kichman was the president of the youth in the Kitcha (phon), and we found the
4 representative of the Muslim youth. We understood ourselves. We met with the
5 Muslims. We had the meeting. We talked to them about social cohesion.

6 Mr Yekatom told them that he had come to Boda to reassure them that no one should
7 deceive them. That he had heard that MINUSCA was taking them out while hiding
8 them under tarpaulins. That was bad. That was something incorrect. He,
9 Yekatom, was there to provide security, who -- he even gave them their phone
10 number. My number and Zilabo's number were given to them. We gave them all
11 our numbers and we asked them that, in case of difficulty between Mbaïki, PK9, and
12 all along that axis, they should call us to assist us. They should not continue to
13 follow the guidelines of the MINUSCA who were hiding them under tarpaulins to
14 enable them to move about.

15 Subsequently, we met them again on 13 August, and that is the day of the
16 proclamation of the Central African Republic. And I told them that this was the
17 national holiday. I told them that they should come out to participate in that
18 ceremony to the raising of the flag of the country -- of their country. So I called on
19 them to participate because that was their country.

20 So I confirm that there was that meeting in Boda. I was present there. In fact, there
21 were -- there are photographs and the video excerpts that exist. That is what I can
22 say about that.

23 Q. [11:21:56] Thank you, Mr Beina. And during that visit to Boda, is it correct that
24 it was so important for you, Mr Zilabo and Mr Yekatom, that the Christian and
25 Muslim communities reconcile amongst themselves and that money was left so that

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1 the two communities should arrange a football match to reconcile the two
2 communities in Boda?

3 A. [11:22:34] Yes, counsel. Before going on that mission, we had a mission order
4 which was signed by Mr Patrice-Edouard Ngaïssona. He was the one who
5 facilitated the logistics for the means of travel. I went and saw him in the office and
6 he gave me some footballs. So we brought the presidents of the Muslim and
7 Christian youths, and I handed over two footballs to them with an amount of 30,000
8 francs. It was the day of the proclamation of independence and we were returning
9 to Bangui, but they had to organise a football match to celebrate reconciliation. So
10 we gave them that amount of money and the two footballs and we returned.

11 Q. [11:23:45] Thank you, Mr Beina.

12 And still about Boda, do you remember that in 2014 Mr Yekatom had provided
13 security for the transportation of cattle from Bangui to Boda? It was the Muslim
14 population that had bought that cattle to assist the Muslim community in Boda,
15 which was in difficulty. Did you hear about that?

16 A. [11:24:15] Yes, I heard about that.

17 Q. [11:24:19] Now I would like to change subject, but still on reconciliation
18 initiatives.

19 Were you aware of a meeting held on 30 January 2014 at the *Sainte Jeanne d'Arc*
20 church Mbaïki? And in that meeting your brother Habib was present. That
21 meeting had been organised, amongst others, at the initiative of Mr Yekatom,
22 Monsignor Réno, Sangaris, and there were also certain representatives of the Muslim
23 community. It took place in Mbaïki 30 January 2014. Your brother was present.
24 So this is something that your brother and Mr Yekatom talked to you about; is that
25 correct?

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1 A. [11:25:20] Yes, counsel. If you look at the archives, they made that trip. I was
2 not there, but it is documented. There is a video. And there were religious
3 authorities present in Mbaïki. You had the imam, the priests, and even the company
4 commander of the gendarmerie at the time. He can confirm. Currently, he is the
5 commander of UME (phon). He can confirm that. I believe that such an event took
6 place. It was a reconciliation ceremony which took place in Mbaïki.

7 Q. [11:26:12] And do you remember, because I don't know how you heard about
8 that, but based on what you were told about that meeting, or based on the video that
9 you might have seen, do you remember that Mr Yekatom tried during that meeting to
10 reassure the Muslim civilian population that his arrival in Lobaye had as objective to
11 chase out the Seleka and to protect the population?

12 A. [11:26:47] Yes.

13 Q. [11:26:55] And do you remember that during that visit to Mbaïki, once again he
14 emphasised his intention to make sure that there was a free movement in the Lobaye?

15 A. [11:27:13] Yes. As you know, in the Lobaye, what caused the departure of
16 Muslims from Lobaye is the fact that there were indeed hostilities. There were
17 confrontations between -- with the Seleka group. And after that, the Chadian
18 President Idriss Déby Itno sent more than 80 trucks of the Chadian army. He sent
19 those trucks, which left N'Djamena. They entered in -- into Lobaye and evacuated
20 all the Muslims in Lobaye. It was a large convoy of the Chadian army.

21 All the others became afraid and they were wondering, well, if the others are going
22 away, if I do not seize that opportunity, maybe I will be killed. So all the Muslims
23 boarded the trucks of the Chadian army and they left voluntarily.

24 So that was the cause of the departure of the Muslim population from the Lobaye. It
25 was the Chadian army that came and transported them in trucks and were evacuated.

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1 They were not chased away. They left voluntarily, because Chad was aware that the
2 acts perpetrated by Chadian soldiers would have repercussions and that it was
3 necessary to evacuate the Muslims.

4 It was the international community that worsened the situation because they
5 transported Muslims right up to Bambari. They relocated the Muslims from Bangui
6 in Bambari.

7 PRESIDING JUDGE SCHMITT: [11:29:33] Well, we have the break now until
8 12 o'clock and then we continue.

9 THE COURT USHER: [11:29:39] All rise.

10 (Recess taken at 11.29 a.m.)

11 (Upon resuming in open session at 12.04 p.m.)

12 THE COURT USHER: [12:04:02] All rise.

13 Please be seated.

14 PRESIDING JUDGE SCHMITT: [12:04:26] So, Ms Dimitri, you still have the floor, of
15 course.

16 MS DIMITRI: [12:04:32] Thank you, Mr President.

17 Before I continue, I am told that the ERN you gave -- the ERN you corrected is still
18 wrong in the French transcript. It's CAR-D29-0010-0011.

19 I'll say it in French because I think there's a -- the court reporter is struggling a bit.

20 (Interpretation) CAR-D29-0010-0011.

21 Q. [12:06:01] My apologies, Mr Beina. There are some technical problems which
22 we have to resolve. So I'm going back to my questions now.

23 * Yesterday, imam *de* Mbaïki, who came to witness here, to give his testimony, had
24 said that Yekatom had made it possible for peace to return to Lobaye.

25 What I'd like to know from you, Mr Beina, I don't know whether you had an

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1 opportunity to discuss with people of Mbaïki, it was during the events where the
2 people of Mbaïki who were talking about it or people from Mbaïki who went to PK5
3 or even when there were elections taking place. And if that is the case, if you had
4 the possibility to discuss with the people of Mbaïki, the imam's statements, do they
5 correspond to the views expressed by the population of Mbaïki * so that the peace
6 returns.

7 PRESIDING JUDGE SCHMITT: [12:07:14] Mr Vanderpuye.

8 MR VANDERPUYE: [12:07:15] Thank you, Mr President.

9 I don't know what it means to suggest what the views were expressed by the
10 population. That seems to me an extremely general question. And I also don't see
11 that, as I said before, that there is a basis of knowledge that's yet been established to
12 pose the question to the witness to begin with. So on those two bases, I would object
13 to the question.

14 PRESIDING JUDGE SCHMITT: [12:07:38] Well, one part I think is right, it's very
15 general. On the other -- on the other part, I think in the, if I recall it correctly, the
16 beginning of the sentence you were talking about if the witness has talked with
17 people from the region. So I think we can let this pass, and perhaps you can -- but
18 it's also a specific incident that you are speaking of. So I think I will let it pass.

19 MS DIMITRI: [12:08:05] Thank you, Mr President. I'm looking at -- my question
20 was, did you have -- I'll say it in English: Did you have the occasion to speak with
21 people from Mbaïki --

22 PRESIDING JUDGE SCHMITT: [12:08:18] Yeah, it's okay.

23 MS DIMITRI: -- either --

24 PRESIDING JUDGE SCHMITT: [12:08:19] I think that's okay. We can --

25 MS DIMITRI: Thank you.

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- 1 PRESIDING JUDGE SCHMITT: [12:08:21] -- we can (Overlapping speakers)
- 2 MS DIMITRI: [12:08:22] Thank you, Mr President.
- 3 Q. [12:08:29] (Interpretation) Would you like me to repeat my question, Mr Beina?
- 4 A. [12:08:38] Yes, I've understood the question, and I'll try and answer. It's not
- 5 necessary to repeat it, but I'd like to specify one thing. I don't have the habit of going
- 6 to Mbaïki or to collaborate with the population of Mbaïki. We went to Boda and we
- 7 had the possibility of having some exchanges with the population of Boda.
- 8 If you are talking about Mbaïki, we only were passing through. I didn't really spend
- 9 much time in Mbaïki, no.
- 10 PRESIDING JUDGE SCHMITT: [12:09:17] Okay. Thank you.
- 11 I think this confirms, Mr Vanderpuye, the witness -- there might be witnesses who
- 12 feel, I know that, psychologically under pressure to say something, and also in a
- 13 generic manner this witness fully understands the implications that he only provides
- 14 us with information that he really has, and I think that's okay in that way.
- 15 Ms Dimitri, please continue.
- 16 MS DIMITRI: [12:09:41] Thank you, Mr President.
- 17 Q. [12:09:45] (Interpretation) Thank you, Mr Beina.
- 18 I now want to move on to another initiative of reconciliation. I would like to know
- 19 whether you heard anything being said or whether you were present, to jog your
- 20 memory, although I think it's probably something you remember. I would like to
- 21 talk about a meeting which took place in March 2014 in the Omnisport. And I am
- 22 going to show you the video extract. It's a ceremony in the Omnisport stadium in
- 23 March 2014. I'm going to show you some extracts very briefly because it's very long,
- 24 but only to jog your memory, and afterwards I have some questions on that.
- 25 It is tab 52, CAR-OTP-2023-1831. We are going to show you three extracts from the

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1 beginning to 20 seconds, then 1:7 to 1:13, and then 35:17 to 35:58. So it's very brief.
2 For the interpreters, the French transcript is tab 53 in your binder,
3 CAR-OTP-2127-6561. And for the interpreters again in your binder, 53. They are
4 lines 328 to 336. If they can -- if interpreters can give me a sign once they have found
5 it.

6 THE INTERPRETER: [12:12:11] The English booth is ready.

7 (Viewing of the video excerpt)

8 THE INTERPRETER: [12:12:37](Interpretation of the video excerpt)

9 "Indeed, we had a prayer this morning in the parish which I call the stadium of
10 Bangui, Omnisport [...]"

11 (Viewing of the video excerpt)

12 THE INTERPRETER: [12:13:33](Interpretation of the video excerpt)

13 "[...] it's return of the peace and solidarity and fraternity [...]"

14 (Viewing of the video excerpt)

15 THE INTERPRETER: [12:13:59](Interpretation of the video excerpt)

16 "[...] the person who lost his member of his family to talk about them, you have to talk
17 about him slowly, slowly, so he will end up by understanding. But they have come
18 to meet us, and I don't know who asked them to go towards them. But God must
19 give them the strength so that they can complete their mission. Us and our Muslim
20 brothers, when we will meet together, and don't hesitate to greet us [...]"

21 MS DIMITRI: [12:14:46](Interpretation)

22 Q. [12:14:47] Mr Beina, you heard Sebastien Wenezoui speak. I suppose you also
23 recognise Mr Yekatom, who was present. Do you remember this meeting in the
24 Omnisport stadium in the presence of Mr Wenezoui, Yekatom, Imam Kobine, the
25 minister of reconciliation and your Muslim brothers?

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1 A. [12:15:20] Yes. I do remember this occasion well. I remember this type of
2 meeting, but I wasn't there because I was in Cameroon. So I was in Cameroon at this
3 moment that this meeting took place because the stadium where you see is Wenezoui
4 who is speaking. He was speaking. So he was talking about social cohesion.
5 Alfred was there. He was in the hall. The lady that Wenezoui was talking about, it
6 was the Minister Montaigne, who was the minister of reconciliation at that time. It
7 was the minister of reconciliation, communication and reconciliation who was
8 responsible to organise this meeting. * And that is why Wenezoui said that he didn't
9 know who had spoken to her about a movement of the Anti-Balaka, for her to come
10 right to them; and that we, the Anti-Balaka should raise awareness so that the black
11 sheep who were present in the movement should be kicked out. That -- that was
12 said during that meeting.

13 And in that movement, Wenezoui -- which Wenezoui set up, there were many
14 Muslims. So he worked to make people more aware about social cohesion and work
15 towards peace.

16 Q. [12:17:22] We spoke about various reconciliation initiatives. In all the
17 discussions which you had with your brother Habib, did Habib also support these
18 initiatives of reconciliation and social cohesion with the Muslim community?

19 A. [12:17:45] Yes, Counsel. I think that the aim of Habib was getting rid of
20 Djotodia. He didn't have any problem with the Muslims. He also knew Muslim
21 brothers. He also had Muslim sisters who was part of his family. So the aim of
22 Habib was to get rid of the mercenaries and Djotodia so that the Central Africans
23 could resume their normal life.

24 Q. [12:18:34] Thank you, Mr Beina.

25 Now, I still want to continue talking about Mr Wenezoui. In paragraph 83 of your

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1 statement, of your second statement, you refer in particular to the opening up of the
2 Muslim cemetery. And you say that Wenezoui agreed with the Muslim brothers to
3 open up the route, but others were against it. And they went against him to block
4 the road. There was a witness who came here before you and said that during these
5 initiatives, to open up the route to the cemetery, Wenezoui joined the group of the
6 south and Yekatom offered him some protection against those who were against
7 Wenezoui because of his initiatives to open up the route to the cemetery.

8 Is that something you're aware of?

9 A. [12:19:48] Thank you, Counsel. I can answer this question because I've got
10 details which I can provide you. Wenezoui called Alfred. Alfred didn't want to go
11 from Bimbo to Boeing. He therefore asked me and Paleon to go to the meeting and
12 to then give him the feedback. So we went there. We went to Mr Wenezoui's
13 residence in Boeing. We held a meeting.

14 I think we had three meetings over there, and a day after the meeting, we reported
15 back so that together we could sign. The Prosecutor on Friday showed me a
16 document where at the bottom, I found my signature, and I talked about Balalou
17 Christian who also signed on behalf of the MOUDA association. There was also the
18 signature of some *adjudant chef* Moude (phon) or something like that, and there was
19 Yekatom and also Wenezoui. There were several signatories. Paleon Zilabo was
20 there, I was there, Balalou Christian was also there.

21 During that meeting, Wenezoui and Alfred agreed to meet our brothers from
22 Kilometre 5, and since Wenezoui lived in Boeing and it is through that that you have
23 the route to the cemetery, they had to organise them in such a way that they could
24 reopen the route towards the cemetery. * In that way, the bodies at Km 5 would no
25 longer be buried in kilometre 5, where there is the population. The odour could infect

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1 the population and cause them harm. That is why we organised it in such a way
2 that this project could be carried through.
3 Unfortunately, in -- on that day, when we arrived at the airport, Muslims of Kilometre
4 5 were called to come, and some of the Seleka officers who were based in PK11, they
5 were invited to participate in this action.
6 Suddenly, some of our brothers who were not in favour of this project regarded
7 Wenezoui as a traitor and said that his men were his enemy. Therefore, why were
8 they dealing with him? And therefore they boycotted the situation.
9 When we arrived at the airport, we called and we informed them that we were
10 crossing the road to go to the meeting. And suddenly, they answered us by saying
11 that we must stay there because an incident had occurred and we would maybe fall
12 prey to an attack.
13 So we had -- he had to take refuge somewhere because his life was threatened. He
14 also told us that he crossed the road and found himself somewhere else. Since he
15 was threatened, since he was in a difficult situation, Paleon, who had the number, the
16 telephone number of Colonel Didier of the Sangaris, we took advantage of that and
17 we met some of the French in the airport, and we informed them of the situation, the
18 dangerous situation which was happening on our side of the airport. We asked the
19 gendarme to intervene. They said they could not do that. Paleon told us he had the
20 telephone number of a Sangaris officer, and the gendarme asked him if he had the
21 number, and he said yes. * They used their walkie talkies to call colonel Didier.
22 And the latter said he would call in a helicopter to watch over the airport and assist
23 those who were in danger. Paléon did in fact call the Colonel, who issued some orders,
24 and we saw the helicopter fly above the area.
25 * A little later, Wenezoui phoned us and told us what his position was. He asked us

1 to return to the ASECNA area where beer was sold. we went there and met Wenezoui.
2 He told us what had happened and he told us some of our comrades were not in
3 favour of the project and considered him as a traitor, who was working with the
4 enemies who had maltreated us. And that they were against his project of opening
5 up the route to the cemetery. There were people who came with vehicles, and they
6 destroyed those vehicles.

7 Wenezoui, we realised, was in a very dangerous situation, and therefore we decided
8 to return back. And we reported this back to Alfred, that we met Wenezoui, but we
9 were faced with a very dangerous situation. Given that he was in difficulty, a
10 decision had to be taken to make sure that he was safe. So we called Wenezoui. He
11 said where he was. We asked him to join us in Bimbo. Alfred asked him to join
12 him. * And in the Pissmiss house where Habib slept, he was given a room, and that
13 is how he left Boeing permanently, until today, he came joined Habib and they spent
14 months in the house in Pissmiss.

15 This is the answer I can give to the question that you've just put to me. And despite
16 all that, Wenezoui fought for the opening up of the route to the cemetery route. And
17 today they can peacefully bury their dead over there.

18 Q. [12:27:05] Just to be clear - because sometimes the lawyers are very punctilious,
19 that's one of their faults - your brother Habib agreed with this initiative of opening up
20 the Muslim cemetery and also Yekatom was in agreement with that; is that correct?

21 A. [12:27:29] Counsel, I think it's in the main vision as what I've said. If
22 Mr Yekatom did not agree with the project, he couldn't have allowed us meet
23 Wenezoui to hold the meeting, and he wouldn't have allowed Wenezoui to go to
24 Bimbo for his personal security. If he accepted Wenezoui, this means that he agreed
25 that the cemetery access would be opened so that the Muslims could bury their dead

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1 over there.

2 Q. [12:28:12] Thank you, Mr Beina.

3 And in your second declaration at paragraph 88, you say that the inhabitants of
4 Boeing didn't want the route to be opened because the Seleka had harmed the people
5 of Boeing.

6 Could you explain a bit more about what you mean about the population of Boeing,
7 the people of Boeing, who are against and don't want the route to be opened, on the
8 one hand; and also, what are you referring to when you say that the Seleka had
9 harmed people in Boeing?

10 A. [12:29:02] Thank you. If you do a bit of research in our history and the history
11 of the CAR, Boeing is one of the neighbourhoods which suffered a lot of exactions.
12 Even the Chadian who were in Bangui were afraid of this area. They even destroyed
13 a church there at some stage. What the Chadians did meant that the Muslims in
14 Boeing were faced with all the consequences of those actions. * And that is why the
15 people do not like them.

16 When the Muslims and the Chadians harmed the population, the Muslims of the
17 neighbourhood looked at them, looked at them doing this, and suddenly the
18 inhabitants started to regard the Muslims of the areas as accomplices and that's why
19 the Christians of that neighbourhood regarded them as enemies.

20 When those people committed those misdeeds, they were regarded as enemies of the
21 people. And when these thugs withdrew, they remained in a very dangerous
22 situation in the neighbourhood.

23 Q. [12:30:48] Thank you, Mr Beina.

24 Am I to understand that initially it was the Boeing population who had taken
25 measures to block access to the cemetery?

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1 A. [12:31:08] Yes, it was the population of Boeing. Because the population of
2 Boeing is a population that had been marginalised. They are close to Kilometre 5,
3 and it is their international airport that separates Boeing from PK5.
4 At one point the PK5 population had a lot of difficulty to survive because Boeing is a
5 neighbourhood where there is a lot of trading. And so you had the inhabitants of
6 Boeing selling vegetables and foodstuffs to the Muslims of PK5, but when they
7 realised that there was an impact and that the population was hostile against them,
8 they refused to go and sell food. They were asking themselves how is it that we are
9 going to sell them food and they are then hosting the people who come and harm us?
10 So there was that feeling against the population. That impact because the
11 population of Boeing refused to sell foodstuffs to the Muslim population. That was
12 an impact.

13 Q. [12:32:47] Thank you, Mr Beina.

14 I'm going to change topics. Several times during your testimony you talked about
15 elections during which Mr Yekatom was elected a member of parliament in the
16 National Assembly. I would like to have some clarification from you, because you
17 explained the process to us yesterday. You said that you were involved.
18 Is it correct -- I am going to present to you a document. Is it correct that -- that after
19 that entire process, there were contestations and there was a decision of the
20 constitutional council, 14 March 2015, proclaiming the results of the legislative
21 elections?

22 It is CAR-D29-0001-0291, and it is page 0297. That is tab 56 of the Defence list. The
23 entire page could be displayed, please.

24 Mr Beina, is it correct that even though the elections were cancelled in certain
25 constituencies, that was not the case in Mr Yekatom's constituency and the decision of

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1 the constitutional council confirmed the validity of his election?

2 A. [12:35:18] Yes, Counsel, that is correct. I believe I talked about that yesterday.

3 I think I was his representative. I supervised the elections in two communes, Pissa

4 and Alessa (phon) -- and Lesse. I compiled the results. ANE compiled the results,

5 so I understood the results. And in fact, he was elected. It is an election that was

6 organised three times. The results had been rejected three times. Him, Paleon and

7 myself had been at his home -- or, rather, at President Touadera's place. And

8 President Touadera advised him to take a lawyer. I think -- I really don't know, I do

9 not remember the name of his lawyer. The president told him that it was necessary

10 to have a lawyer. Given that he was not a politician, he needed to have a lawyer.

11 So we went to the president's house. There were three people, Mr Sarandji, the

12 president, and Mr Moloua. And I was with him and Paleon. And the president

13 advised him to take a lawyer to follow up the process at the level of the constitutional

14 council.

15 Q. [12:37:07] Thank you, Mr Beina.

16 To your knowledge, were there any notables of the area or the sector called to ensure

17 that the Muslims can vote in security or safely?

18 A. [12:37:34] During those elections, as I have told you, the Chadian soldiers

19 evacuated the majority of the Muslims from Lobaye, and so during those elections,

20 there were practically no Muslims in the Lobaye. Even the Christians amongst the

21 population who had Islamised themselves refused to vote simply because they were

22 afraid, and they did not *pay as they had been doing normally.

23 Q. [12:38:26] Thank you. I would like to move on to another topic.

24 In paragraph 51 of your statement, you said that "troublemakers" was the general

25 term that was used to refer for the -- to the Anti-Balaka of the south. Can you

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1 elaborate on that?

2 A. [12:39:06] No. I generalised. I did not talk about the south region. Can you
3 be more specific?

4 Q. [12:39:21] The paragraph is on the screen, Mr Beina. It is written. I will allow
5 you to read it, and I wanted you to give me more details why they were known as the
6 "troublemakers".

7 A. [12:39:41] Yes, now I understand, and I will answer your question.

8 During that period, when the team of the Prosecutor took my statement, they
9 presented a document, a FIDH document to me. It must have been an interview of
10 Mr Emotion Namsio, and he pronounced -- he mentioned the name Vivien Beina, he
11 mentioned my name and referred to me as a troublemaker. So the OTP showed that
12 excerpt to me and I answered them.

13 I told them that I was not a troublemaker. I had never been prosecuted by the justice
14 system. I never received any summons at all. And I do not know why they were
15 referring to me as a troublemaker.

16 The reason is probably because, when we set up the ad hoc coordination committee
17 on 20 May, we had sent out invitations. He was still the spokesperson of the
18 Anti-Balaka. And instead of attending that meeting, he said that, for us, it was a way
19 of making trouble within the movement; whereas, at that time, our initiative was an
20 attempt to bring the -- all the movements closer together. And it was for that reason
21 that he referred to us as troublemakers, because Wenezoui and us had taken the
22 initiative to set up the ad hoc committee.

23 Q. [12:41:50] Thank you, Mr Beina.

24 I think you are referring to an article of a journalist network talking about Mr Namsio
25 who had been appointed spokesperson in 2014 and who was contesting that

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1 designation of the Anti-Balaka of the south; is that correct?

2 A. [12:42:20] Yes, that is correct. That is because he was appointed, and he felt
3 that those of the north -- that we wanted to exclude those of the north. But to be
4 more specific, he generalised. And despite all that, he remained the spokesperson of
5 the coordination up until they took the initiative to send foodstuffs to Bambari. He
6 was arrested at the checkpoint at PK12 and sent to prison.

7 Q. [12:43:08] Thank you, Mr Beina. Now to another topic.

8 Do you remember a sensitisation and social cohesion project? I think you talked
9 about it a bit when talking about Mr Wenezoui. It was a long project prepared on a
10 document which had been sent to the authorities and to Archbishop Nzapalainga and
11 Imam Kobine of the central mosque. It is CAR-OTP-2079-0065. That is tab 54 of the
12 Defence binder.

13 THE INTERPRETER: [12:44:02] And the name of the imam was Kobine.

14 MS DIMITRI: [12:44:21](Interpretation) If we can see the entire page, please. A
15 little bit more. Thank you.

16 Q. [12:44:32] I will ask you to look at pages 0066. I don't know whether you can
17 see, there is the stamp of the Bangui archbishop at the bottom.

18 Then page 0067, you can see the various stamps of the government authorities. A
19 copy was also sent to Imam Kobine.

20 Now, does that remind you of anything, this initiative?

21 A. [12:45:32] Yes, Counsel. I believe that this is an authentic document. It was at
22 the time of the national transitional council. So all the institutions that were
23 operational at the time signed.

24 You know that in the Central African Republic all the governments that have
25 succeeded Djotodia did not support all the reconciliation initiatives. Even if there

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1 are projects to be implemented, there are always problems. There are always
2 obstacles. And they stopped there. At one point, people took the time to reflect, to
3 propose an initiative for peace, but there is always a point for that.
4 So this document is authentic, because at that time the Archbishop Nzapalainga,
5 Pastor Nicolas Guerekoyame and others, the imam and others, these were people
6 who were really working for peace. They were being listened to by all the entities to
7 restore peace in the republic. All -- those three people traveled through the entire
8 country to sensitise people for this initiative of peace. And it is for that reason that
9 their names figure on this document.

10 But anyone who did not want peace could not have gone through this entire process
11 and had all these signatures. So this coordination was the very first coordination to
12 want peace and stability in the country. The will was there, but there was no real
13 support to crystallise that will.

14 Q. [12:47:57] Thank you, Mr Beina.

15 Now, did you have a direct or indirect role to play in this sensitisation project,
16 including -- included in this written document?

17 A. [12:48:21] I think I played the role of anyone who is committed to peace, because,
18 as far as I'm concerned, I was in favour of peace. During the nine months of
19 Djotodia. But before that, people had started killing Central Africans, from the
20 provinces right up to Bangui. And we were already tired at that stage, we needed
21 peace. You can see we were living in a state of trauma. We were traumatised.
22 Anything could happen at any point. So I was a main player in the peace initiatives.

23 Q. [12:49:15] Thank you, Mr Beina.

24 Last question on the reconciliation initiatives, and the initiatives for social cohesion.

25 You have shown that you have a phenomenal memory, remembering dates and other

1 details. Now, let me ask you this: Were there any other initiatives for
2 reconciliation or social cohesion? Were there any -- can you give us any factual
3 examples between Mr Yekatom -- * you have talked of Mr Yekatom and Hadja, and
4 Mr Yekatom and Dodo. Do you have any examples, any further examples showing
5 that Mr Yekatom showed a desire to restore peace and cohesion with Muslims, or
6 even examples relating to your own brother Habib?

7 A. [12:50:26] I believe that at one point, the country was still under pressure.
8 People were very cautious of each other. And at that time Yekatom took his courage
9 in his hands and went to a field in Sagbado in the 3rd arrondissement, close to his
10 father's house. It was very hot there. Every day, every day there were Muslims
11 and Christians around there. So he went there to talk about peace.
12 During that time, the population considered him a hero, because just when they saw
13 him, he had the courage to demand the departure of Djotodia. Whenever he came,
14 he asked for Djotodia's departure. And whenever he came there, people would rush
15 to try to -- to salute him. This means that he was very active on this issue of peace.
16 He was considered as a hero, and people were trying to see him and meet with him.
17 So each time he went somewhere, there were people who moved about, who followed
18 him in order to film him and take photographs with him.
19 When we went to Brazzaville, when we came -- alighted from the aircraft, we went to
20 the hotel. And when we left the hotel, there were many Central African Republic
21 citizens. I don't know who informed them of the presence of Mr Yekatom in
22 Brazzaville, but the young people came from everywhere. They were with him, they
23 took photographs. They were very emotional, and we were forced to return quickly
24 to the hotel. It was unexpected. There were a lot of people, young people who
25 were there to take photographs with him. And we were asked to return to the hotel.

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1 So this is someone who has worked a lot for peace. His goal, his objective was to
2 drive Djotodia out so that the population should find peace again. And this was
3 because the international community exerted pressure on Djotodia, that he was
4 compelled to leave. If he had stayed in power, I myself, I may not be here before you
5 today. I would have been somewhere else, probably.

6 Q. [12:53:31] Thank you, Mr Beina.

7 And when you refer to the match between Christians and Muslims in Sagbado, and if
8 I'm not mistaken it is on the Cattin road in the 3rd arrondissement, just before you
9 arrive PK5; is that correct?

10 A. [12:53:54] When you leave the 6th, you go past the Fatima church, and on your
11 way to PK5, there is a junction with a road going to Cattin and there is a football pitch
12 to your right, so about 200 metres away from the family house of Yekatom. So he is
13 very familiar with that sector.

14 Q. [12:54:28] Thank you, Mr Beina.

15 Now I'm going to show you a document that concerns you. I simply want to have a
16 confirmation from you. Do you agree with me that you never played the role of
17 ComZone? Personally, you were never a ComZone, do you agree with me?

18 A. [12:54:57] That is correct. That is true. If you look in all your documents, you
19 are not going to see anywhere where it is mentioned that I am appointed ComZone.
20 No, you are not going to see that anywhere in your documents.

21 Q. [12:55:25] Thank you, Mr Beina.

22 I would like to show you -- not to contradict you. I want to show you a document.
23 I suspect that the information in that document is incorrect. I just want your
24 confirmation. It is tab 55 of the Defence list, CAR-OTP-2030-0232.

25 (Speaks English) Now if we could stay there. Yeah, thank you.

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1 (Interpretation) Mr Beina, you can see at the top of the document, "List of Anti-Balaka
2 ComZones." I would call on you to look at the page 0237. You can see numbers 94
3 and 96 -- 95 and 96. You have your name and Mr Paleon Zilabo's name. Do you
4 agree that at no point were you or Mr Zilabo ComZones?

5 A. [12:57:14] No, I never was a ComZone. That makes me laugh when I see that
6 list. You will never find my name anywhere amongst the ComZones. I have never
7 been bearing any weapons. I have -- I'm not a ComZone, and I have never been one.

8 Q. [12:57:35] Thank you, Mr Beina.

9 Once again, I will move on to something else. I want to talk about the incident that
10 led to the death of Oscar Seda. You talked about it in detail last Friday, so I do not
11 want you to come back to the entire incident, because it was very detailed. I have
12 questions simply for clarification from you.

13 The first question, Mr Beina, am I correct to say that you took Dawili to the general
14 hospital?

15 A. [12:58:27] Yes, that is correct.

16 Q. [12:58:29] My second question, Mr Beina, is simply to clarify, there were only
17 two men who lost their lives on that -- on that day: The soldier whose name you no
18 longer remember, I put it to you that his name is Fadal, and he is said to have died of
19 his injuries the next day, not the very day; and Oscar Seda, who died I believe two
20 weeks afterwards. Is that correct?

21 A. [12:59:08] Yes, that is correct.

22 Q. [12:59:16] And so you agree with me - it may be obvious to you, but it is
23 important to confirm this - three people did not die on that day. The third person,
24 Dawili, was immediately transported to the hospital. He was injured in the leg, and
25 he was taken to the hospital. Is that correct?

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1 A. [12:59:48] No, that is not true. Dawili is my brother. He went back to his
2 position in the army, and he continues to work as a sergeant. Dawili Chrisostome is
3 the son of my aunt. And when he came out of the hospital, I took him in a hospital
4 taxi and brought him to my home. He spent three months in my house before
5 leaving my house. He's still alive.

6 Q. [13:00:21] Thank you, Mr Beina. When you say, "No, it is not true," you mean
7 that it is not true that three people died on that day; is that correct?

8 A. [13:00:37] No, it was not three people. As you have just said, Fadal died in the
9 morning and Seda died two weeks later. Dawili is alive. He continues to work.
10 Currently his boss is Colonel Patasse. That is his commander within his battalion.

11 Q. [13:01:09] Thank you, Mr Beina.

12 (Speaks English) Mr President, for your reference it's relevant for P-0954,
13 CAR-OTP-2048-0171, at paragraph 87. And it's also relevant for P-1858,
14 CAR-OTP-2063-0050, paragraph 88.

15 PRESIDING JUDGE SCHMITT: [13:01:40] Mr Vanderpuye.

16 MR VANDERPUYE: [13:01:42] Thank you, Mr President.

17 I don't know whether my colleague intends to clarify with the witness, but my
18 understanding from his previous testimony was with respect to the people that died,
19 the information came from his brother. He wasn't a witness to that, although he was
20 a witness to Mr Dawili's hospitalisation and recovery. So I don't know whether my
21 colleague intends to address that, but to the extent that it bears in other evidence or
22 other testimony, I think that --

23 PRESIDING JUDGE SCHMITT: [13:02:10] I think -- I think the easiest way is if I -- if
24 I would --

25 MR VANDERPUYE: Thank you, Mr President.

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1 PRESIDING JUDGE SCHMITT: [13:02:10] -- put this question shortly to the witness.

2 So actually I have understood it also this way, but we can clarify that.

3 Mr Witness, what you told us on Friday and today about this event, let's put it this
4 way, this is information you got from your brother; is this correct?

5 THE WITNESS: [13:02:44](Interpretation) Thank you, your Honour. I think what I
6 told you on Friday -- well, when I was put the question on this event, how I knew this,
7 Dawili and my brothers told me this. You can even ask Dawili. Fadal, Seda died,
8 but Dawili is alive. You can ask him yourself. It's my small brother, my little
9 brother.

10 PRESIDING JUDGE SCHMITT: [13:03:14] Thank you.

11 MS DIMITRI: [13:03:15] Mr President, for your reference, on Friday as well he said
12 that he got the information from the victim Dawili and from his brother Habib.

13 PRESIDING JUDGE SCHMITT: [13:03:26] I have understood it this way, yeah.

14 MS DIMITRI: [13:03:35](Interpretation)

15 Q. [13:03:36] Mr Beina -- sorry, I was on the wrong channel.

16 In the hope of getting some clarification, when you said they insulted Mr Yekatom
17 and asked him to end up that -- saying that they have to finish today, that we finish
18 today, am I to understand that Seda and acolyte wanted to end with Yekatom; is that
19 correct?

20 A. [13:04:34] Yes, that's correct. * You know why Yekatom succeeded *shooting
21 them? It was because he was faster than them. If he wasn't faster, then it was he
22 who would have fallen. They were all soldiers, but since he was faster and that's
23 why he was able to shoot them dead. The aim was what? Dawili, after having
24 drunk a lot of alcohol, was to kill him. They *wanted to kill Habib, but Habib was in
25 a vehicle. They were on a motorbike. *If they had succeeded in catching up with

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1 him, they would have killed him, even with a grenade.

2 If they had succeeded in catching Habib on the way, he would have killed him
3 without any problems.

4 Q. [13:05:29] And when you said on Thursday, you used the term a "duel", and you
5 just said that Mr Yekatom was faster, if he hadn't been faster, quicker, then he would
6 have fallen. Am I to understand that what you told us about what happened, that
7 Seda and his acolytes wanted to kill Yekatom, he was -- they were on the point of
8 killing Yekatom during that duel and --

9 MR VANDERPUYE: (Overlapping speakers)

10 MS DIMITRI:

11 Q. [13:05:59] -- Yekatom was quicker?

12 PRESIDING JUDGE SCHMITT: [13:06:01] Mr Vanderpuye.

13 MR VANDERPUYE: [13:06:04] Thank you, Mr President. I object because, again,
14 the witness is relating second, if not third-hand information, and the question is being
15 put to him as if he was standing there while the -- while the incident occurred. I
16 don't think that's appropriate and (Overlapping speakers)

17 PRESIDING JUDGE SCHMITT: [13:06:20] Now, I have, actually -- actually, I think it
18 is now clear where the -- where the witness has his information from.

19 Secondly, I think the witness has answered the question, and it is relatively clear what
20 he says is what his informant, so to speak, his brothers, have told him.

21 So I -- first, a verification, I think it's a repetition. He has clearly stated that if

22 Mr Yekatom had not been quicker -- and we can imagine the situation that he has
23 been told by his brothers, so we have to take it as that.

24 Please move on. We don't need further clarification there.

25 And by the way, on Friday already, he has used the word "duel", so what do we need

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1 more to understand how the witness understood what he had been told, to be

2 more -- perfectly precise, also that Mr Vanderpuye does not object.

3 MS DIMITRI: [13:07:41] Thank you, Mr President. I understand. I'll move on on

4 that specific point. I have, however, three or four other issues on this incident that I

5 need to clarify, a name and who was beaten up.

6 And just to prevent any objection by Mr Vanderpuye, he went at length, the

7 Prosecution went at length on this subject on Friday, knowing very well that the

8 witness got the information from the victim Dawili and from his brother Habib. It

9 was the same thing with -- at the PK9-Mbaïki axis. Mr -- the Prosecution knew that

10 the witness didn't go on the axis on a regular basis, but despite that, established

11 roadblocks, zone of control, et cetera.

12 So respectfully, the Prosecution opened the door. He has a 68(3) witness, plus four

13 hours of examination. He can't now stop me on the same -- I'm using the same

14 witness on the same information and expanding. I have a series --

15 PRESIDING JUDGE SCHMITT: [13:08:53] May I say something. Has anybody

16 stopped you yet?

17 MS DIMITRI: [13:08:57] No. I'm preventing further objections on the Seda incident

18 based on the fact that, you know, the Prosecution will stand up and say he was not

19 present. Yes, but from his knowledge (Overlapping speakers)

20 PRESIDING JUDGE SCHMITT: [13:09:08] For the record -- the record now, we

21 have -- this is really -- it's not addressed negatively to anybody here in the room, but

22 it is objectively a waste of time. We know the sources of the witness in that regard

23 now and it does not have to be repeated every time when a question is asked. So

24 this is the, so to speak, the foundation for every question, and please continue on that

25 matter.

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1 MS DIMITRI: [13:09:34] Thank you, Mr President.

2 Q. [13:09:43] (Interpretation) Mr Beina, you talked on Friday that somebody was
3 beaten up. Am I to understand that Habib was beaten up, his driver, Beffio, or both
4 of them?

5 A. [13:10:07] We -- Beffio, the driver, was beaten up, the driver of Habib. He was
6 attacked and then the head of the village intervened to separate them.

7 You know that Seda was the same rank as Habib, the same class. So when Seda
8 assaulted him, he said, "Don't do this. Just give the man back what is his due. Just
9 bring back what you did, but what you've kept here, you have to give the two
10 animals to the owner and also to the gendarmerie." And Seda wanted to fight with
11 me, the head of the village, and the owner of the cattle intervened and begged me to
12 stop. And they beat up the driver. And the leader of the area said, "If it's like this,
13 that you have to -- we go through the compound to continue our journey." And it's
14 from that moment onwards that they left onwards.

15 So I confirm, they beat up the driver.

16 Q. [13:11:40] Thank you, Mr Beina. And do you remember that that gendarme,
17 who had had the cattle stolen, after this incident, do you remember that he went to
18 the radio to explain how Yekatom intervened to take -- to support him or defend him?

19 A. [13:12:11] I am not aware of that statement, but that gentleman made a lot of
20 steps to get his animal back. He even went to Habib to thank him that he helped in
21 getting his animals back. The gentleman even said that if ever this goes to the court,
22 then he too has to be questioned, because they were taken from him. I don't know
23 whether he still lives, whether he died. I don't know anything. * Whether he was
24 questioned or not, I just don't know.

25 MS DIMITRI: [13:13:01] Mr President, just to save time, I wanted to establish a date,

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1 a specific date. I don't need to show it to the witness, unless Mr -- the Prosecution
2 insists. It's tab 7 of the Defence binder, CAR-OTP-2053-1341. It's -- it's the death
3 certificate. It's just important for -- for obvious reasons related to legal points. It
4 was important for me to establish a date, but I'll move on.

5 PRESIDING JUDGE SCHMITT: [13:13:32] So we have -- we can put it on the record.
6 This is indeed the death certificate for a certain Alphonse Seda. And it declares that
7 he died on the -- if I see it correctly, on 2 May 2014. Yeah. And I think that that's
8 what you wanted to establish, yeah.

9 MS DIMITRI: [13:13:59] Thank you, Mr President.

10 PRESIDING JUDGE SCHMITT: [13:14:11] I'm interested, really, it might have
11 nothing to do with it, where did you get this from? You don't have to tell me, but
12 I'm really interested because it's so specific.

13 MS DIMITRI: [13:14:24] I'll make my memory jog and the Prosecution can correct
14 me if I'm wrong. I think it's an attachment -- an associated exhibit to a 68(3)
15 upcoming Prosecution witness. But I stand to be corrected.

16 PRESIDING JUDGE SCHMITT: [13:14:42] I -- really I was interested because it
17 seems to be not easy to find this in all the documents. But no matter what. But it's
18 there.

19 Please continue.

20 MS DIMITRI: [13:14:54] Thank you, Mr President.

21 Q. [13:15:07](Interpretation) Mr Beina, I still have four questions on the subject of
22 Seda, and you can easily say "yes" or "no". It is important for the records that we
23 have an answer, but we have all the details of the incident itself.
24 So, am I right to say that this incident didn't happen in a house; is that correct? It
25 was outside in PK9.

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1 A. [13:15:44] Yes, it was near Pissmiss. It was near the house, at the entrance of
2 Pissmiss.

3 Q. [13:16:11] Thank you. According to what you heard after Dawili and Habib, if
4 somebody came to Yekatom and wanted to kill them because they wanted to take all
5 the goats, all the animals of the gendarme, do you agree that that person didn't make
6 an exact description or full description of what happened?

7 PRESIDING JUDGE SCHMITT: [13:16:41] Mr Vanderpuye.

8 MR VANDERPUYE: [13:16:44] Again, Mr President, this has to do with the
9 witness's basis of knowledge versus the knowledge of the witness that he's being
10 asked to compare his evidence to, which he shouldn't be asked to do in the first place.

11 PRESIDING JUDGE SCHMITT: [13:16:56] I agree -- no, no, but this is different than
12 your other objections. I agree with you on that point. The witness cannot compare.
13 And again, we have the evidence of the witness, and the Chamber, if I may say so, is
14 able, really, to assess what a witness says.

15 MS DIMITRI: [13:17:16] Thank you, Mr President. Last question on this subject.

16 Q. [13:17:23](Interpretation) Is it correct, Mr Beina, according to what you know,
17 whether Mr Yekatom, when he pulled the trigger, he was not on water; is that
18 correct?

19 MS DIMITRI: (Overlapping speakers) the last two questions for --

20 THE WITNESS: [13:17:52](Interpretation) No, no, he was on the ground.

21 MS DIMITRI: [13:17:58](Overlapping speakers) -- if it can assist so the last one is
22 P-2475, paragraph 175 -- I'm sorry if the -- I think one of the interpreters (Overlapping
23 speakers)

24 PRESIDING JUDGE SCHMITT: [13:18:07] At the moment we have no interpretation.
25 I assume that you are giving the foundation for your last question, because "on water"

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1 is not actually -- is not immediately understandable, the question, to put it this way.

2 MS DIMITRI: [13:18:26] Indeed, Mr President. So the "on water" question, the
3 relevance for your Honours' reference is P-2475, paragraph 175. And the question
4 about was it inside a house is relevant to P-2233, CAR-OTP-2118-5817, line 709 to 717.
5 And I'll move on from there.

6 PRESIDING JUDGE SCHMITT: [13:18:55] We don't know yet, but that might be
7 helpful, so we can compare it then. Thank you. We compare it.

8 MS DIMITRI: [13:19:10](Interpretation)

9 Q. [13:19:11] Mr Beina, again on Dawili, but I'm not talking about the incident
10 anymore relating to Seda, in paragraph 40 of your second statement, you said Dawili
11 was seen in a video. I'm not going to show it to you again. And it is a
12 FACA -- Dawili is a FACA.

13 A. [13:19:36] Yes, Dawili is a FACA, and he has the rank of sergeant.

14 Q. [13:19:44] And at that time he was older than 18, because you had to be older
15 than 18 to be a FACA.

16 A. [13:19:59] Yes, he was more than 18. Dawili is between 30 and 40 years of age.
17 In order to be recruited in the army, you have to have a minimum age of 18. If you
18 are 17, you can't be recruited for the army.

19 Q. [13:20:24] Thank you, Mr Beina. I want to show you a photo. Can you
20 confirm whether this is Dawili or not. It's tab 8 of the Defence binder,
21 CAR-D29-0010-0017. I simply want confirmation whether it's Dawili or not that you
22 see on the photo, and that he had more than 18 years of age at that stage.

23 A. [13:21:09] It is Dawili, and at that time he was older than 18. At that time he
24 was already caporal and he was from the 2006 batch. He was in the same batch as
25 Habib.

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1 Q. [13:21:43] Thank you. I'd like to change subjects now.

2 You mentioned yesterday when you talked about Mr Yekatom, you mentioned the
3 fact that at some point he wanted to have cameras present so that he wasn't falsely
4 accused or that he was accused of killing a person. I think it was Peuhl, if I
5 remember correctly. I would like to talk about another occasion, which involved
6 cameras. It is the moment where there was Sergeant Konzi, he was sent to the CRC.
7 You -- I believe you were present when he was handed over to the CRC in the
8 presence of Yekatom and that there were cameramen present, is that correct, when
9 you went to the CICR?

10 A. [13:22:55] Sergeant Konzi? No. I was not present at such an event. Perhaps
11 Paleon was. Where did this happen? Could you perhaps give me some more
12 details?

13 PRESIDING JUDGE SCHMITT: [13:23:17] I think the witness doesn't know. You
14 can move on.

15 MS DIMITRI: [13:23:25](Interpretation)

16 Q. [13:23:26] I will change subjects. Sometimes I can confirm -- confuse your presence
17 with Paleon, it's true. But since you weren't present, I'm going to change topics.
18 I want to talk about another incident. You referred to the media who discredited.
19 You spoke of the Bimbo mosque where Mr Yekatom was accused of
20 having -- destroying part of the mosque where you were present and it wasn't him
21 and it was destroyed before.

22 I want to talk of another incident which hit the media, namely, the Raman. Raman,
23 it is a youth of Petevo who was called Bienvenue Tako (phon) alias Raman. His
24 family denounced his kidnapping on the Radio Ndeke Luka, and there were some
25 witnesses of the Prosecution who implies your brother Habib directly in his

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1 kidnapping, the kidnapping of Raman. Is this an incident which you have heard
2 something about?

3 * A. [13:25:08] Regarding the kidnapping, I do not have information about it,
4 because Habib moved a lot, and he went to places where I didn't go.

5 THE INTERPRETER: *The Sango interpreter did not catch the name.

6 THE WITNESS: [13:25:19](Interpretation) I don't know that person.

7 Q. [13:25:33] I'm now going to change subjects again. Do you remember that one
8 day you accompanied Mr Yekatom to the Grand Cafe in Bangui, and he met a former
9 combatant, a woman called Lina Dib, and there was a small argument relating to the
10 fact that the number of Mr Yekatom was given to several individuals? Do you
11 remember this particular incident?

12 A. [13:26:21] Yes, I do remember this incident. We went to the Grand Cafe. We
13 saw Lina and this gave rise to some agitation because he refused to greet Lina. He
14 started to talk to *Lina. So I tried to calm *him. To calm down -- ask things to be
15 calmed because *Lina is a girl who fled the violence who they had *met and she had
16 followed into the bush, and he took care of Lina. He protected Lina. And there
17 was a moment in time where Lina was bought. That's to say, she received money in
18 order to infiltrate the Yekatom group. And Kamezolaï was involved in this, because
19 Lina was someone who knew Yekatom well. Lina spent several months with
20 Yekatom, and he was also aware of what Lina was doing and the information that
21 Lina was passing on. So that when he saw Lina, he got angry, because he had
22 protected Lina during the violence, during moments of violences, but now she has
23 become corrupted and was giving information regarding Yekatom. I think it's for
24 this reason that he became angry, and it was me who asked him to calm down.

25 PRESIDING JUDGE SCHMITT: [13:28:17] May I shortly.

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1 Mr Witness, do you have a recollection when this might have happened? Again,

2 again, nobody expects a date from you. But which year, perhaps which month?

3 THE WITNESS: [13:28:37](Interpretation) No, your Honour. I haven't got a date in

4 mind, so I can't say anything on that.

5 PRESIDING JUDGE SCHMITT: [13:28:47] So we have now the lunch break until

6 2.30, I would say, yeah.

7 THE COURT USHER: [13:28:53] All rise.

8 (Recess taken at 1.28 p.m.)

9 (Upon resuming in open session at 2.31 p.m.)

10 THE COURT USHER: [14:31:21] All rise.

11 Please be seated.

12 PRESIDING JUDGE SCHMITT: [14:31:53] Before we continue, the much dreaded,

13 and the question by the Presiding Judge, what is your estimate? When do you think

14 you will finish?

15 MS DIMITRI: [14:32:06] Thank you, Mr President. Don't hold it against me, but I'm

16 doing every effort to finish at 4. I'm confident. But if there is a bit left, it's not going

17 to be long. But I'm -- I'm quite confident that I can finish by 4.

18 PRESIDING JUDGE SCHMITT: [14:32:26] Okay. Good.

19 And then shortly, Ms Proulx, of course, who already knows that she will be the next

20 to be asked.

21 MS PROULX: [14:32:36] Thank you, Mr President. It's still a work in progress, but I

22 would think I will need most of tomorrow, but I will be finished tomorrow.

23 PRESIDING JUDGE SCHMITT: [14:32:41] Okay. So -- so that I think we can - it's

24 not fixed yet - but we can assume that we finish tomorrow. Even we have also the

25 possibility to extend hours a little bit, so. Which does not mean that you should take

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1 this as a given already, as I always say, because if you, you know, if you are too

2 indulgent with that, parties, everybody, every party, tend to use the time.

3 But without further ado, Ms Dimitri.

4 MS DIMITRI: [14:33:13] Thank you, Mr President.

5 Q. [14:33:18](Interpretation) Good afternoon, Mr Beina. I just wanted to come

6 back to this dispute at the Grand Cafe. I understand that you've encouraged

7 Mr Yekatom to stop fighting. It was an oral fight, obviously, a verbal fight, if I

8 understand you well?

9 A. [14:33:49] Yes, it was an oral argument.

10 Q. [14:33:56] And it's true that there was just heated exchange of words and

11 Mr Yekatom did not point his weapon?

12 A. [14:34:12] No, he did not point his weapon. This was a public place, and he did

13 not point his weapon.

14 Yes, he was annoyed, but he wasn't actually -- he did not have his weapon on that

15 day. He had -- he had shorts and he was not armed.

16 Q. [14:34:44] So if someone said that Mr Yekatom would have pointed his pistol at

17 the Grand Cafe on Lina Dib, and you, Mr Beina, would -- you would have -- you

18 would told Mr Yekatom that you should not have done it, that would have been

19 completely untrue, if I understand you well?

20 A. [14:35:11] No. I will not accept this version of facts because I was witness to

21 the facts. The facts happened before me.

22 Q. [14:35:29] Thank you, Mr Beina, for your answer. And the last question on this

23 subject, at no point of time, wherever it be, Mr Yekatom pointed his weapon in front

24 of you to -- at Lina Dib, and you've never asked -- and you -- you asked Yekatom to

25 not do that. So this never happened anywhere; am I right?

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1 A. [14:35:57] Yes. When we reached, he -- we were actually at the bar, the counter.
2 We were standing, and she smiled and she wanted to greet him, and he said that,
3 you -- you -- he said that he did not want her to come and speak to him. She gave
4 his number to people, people started calling him, and I knew that he was extremely
5 annoyed. He was very cross. Even the Lebanese pastry maker was a bit
6 intimidated, so that's why I went near him and I tried to calm him down. I don't
7 know if it was -- there was someone, I don't know if it was Lina's friend. After
8 having bought some pastries, we just left in our vehicle.

9 PRESIDING JUDGE SCHMITT: [14:36:57] I think that's enough on that incident,
10 Ms Dimitri.

11 MS DIMITRI: [14:37:01] Yes, I was moving on, Mr President. Do you want the
12 reference or ...

13 PRESIDING JUDGE SCHMITT: [14:37:07] If you have one, yes, yes.

14 MS DIMITRI: [14:37:09] Yes, I do.

15 PRESIDING JUDGE SCHMITT: [14:37:10] I assume you wouldn't have asked if it
16 you wouldn't have found something, in the depths of whatever, that could contradict
17 this version.

18 MS DIMITRI: [14:37:20] P-1839, Mr President. CAR-OTP-2072-1101 to 1124.

19 PRESIDING JUDGE SCHMITT: [14:37:31] Thank you.

20 MS DIMITRI: [14:37:40] You're welcome.

21 Q. [14:37:40](Interpretation)I'm just changing the subject now, Mr Beina.

22 Did Habib, or someone, already tell you that when the group was based in Yamwara,
23 Coeur de Lion had taken some sheep and he -- and he -- and Coeur de -- and he
24 wanted them to be given back? And Coeur de Lion pointed -- he refused and he
25 pointed his weapon on Habib?

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1 A. [14:38:21] Yes, there was something like that, something happened like that
2 when they were at Yamwara. It is true that such an incident did take place.
3 After the fight with the Seleka, Coeur de Lion, when they were in the same place, he
4 started using force. He started taking things that did not belong to him, that
5 belonged to others. And there were misunderstandings between him and Yekatom.
6 He actually took a vehicle, and it's Captain -- Captain Kamezolaï. It was the vehicle
7 of the director general of -- and -- and he actually changed the administrative
8 document of this vehicle. He rented it out to Oxfam, and currently he has a back-up
9 vehicle -- a pick-up vehicle, sorry.
10 He also forcefully took a vehicle belonging to Enerca and he put the face of a lion on
11 the vehicle. Yekatom took this vehicle after he passed away. He had also taken a
12 vehicle from the administration. It was a Suzuki. After his death, Yekatom
13 returned the vehicle to the family and -- of the deceased.

14 Q. [14:40:28] Thank you, Mr Beina. I just wanted to come back to the story of
15 moto at Yamwara. I understand that you -- Habib asked him, asked Coeur de Lion
16 to return the motorbike. And Yekatom asked Coeur de Lion to return the motorbike,
17 and Coeur de Lion refused, in spite of the fact that Mr Yekatom had asked him to do
18 so.

19 A. [14:41:09] Yes. I -- yes, this is -- I am just going to say it again. When he
20 started forcefully take -- he started forcefully taking things that did not belong to him,
21 that belonged to others. And they actually took a sermon before going to the bushes
22 to -- to fight with the Seleka. He -- they had actually sworn and they were -- they
23 were under an oath to not rob, to not forcibly take things that belong to others, to not
24 rape. And there was an entire ritual, and none of the lions respected this ritual, this
25 oath that they'd taken.

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1 Coeur de Lion did not respect the commitment he had taken. After having taken
2 these things, he threatened Habib. And Habib -- the person who was covering
3 Habib was Petit (phon). And there was Kaepex as well, and Kaepex was extremely
4 nervous, and this is why Coeur de Lion would avoid him. He really did not
5 threat -- want to threaten Habib when Kaepex was around.

6 PRESIDING JUDGE SCHMITT: [14:42:46] Can we move on to another subject?
7 Not yet? Because we have -- yeah, we have understood, and I -- and I know that
8 somewhere in the record there are these incidents or such incidents, but it's -- well,
9 the case is not about thefts or something like that.

10 MS DIMITRI: [14:43:08] Mr President, I'm sorry, but I have a few incidents that I
11 need to establish, and not because it's about theft, but you have a pending motion in
12 your hands. So there are some issues that I need to address.

13 PRESIDING JUDGE SCHMITT: [14:43:28] Okay. Then I try -- I try --

14 MS DIMITRI: [14:43:31] I apologise.

15 PRESIDING JUDGE SCHMITT: [14:43:32] No, no, no, you don't have to apologise.
16 I simply, because I thought it's going on length now, but perhaps this incident is now
17 sufficiently covered with Coeur de Lion, I would say.

18 MS DIMITRI: [14:43:51](Interpretation)

19 Q. [14:43:51] Mr Beina, you said that Coeur de Lion threatened Habib. To the best
20 of your knowledge, did Coeur de Lion also threaten Yekatom?

21 A. [14:44:11] Thank you so much. I can't invent something to tell you. I don't
22 know what was happening between them. At that point of time, Yekatom was
23 Coeur de Lion's superior. Coeur de Lion had a very -- was very agitated. That was
24 his nature. He was very agitated.

25 Q. [14:44:43] Did Habib, or someone from the group, like Kaepex, did they also tell

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1 you that Coeur de Lion robbed the trolley of the former ambassador Lima Ojanda
2 (phon)?

3 * A. [14:45:11] With respect to Coeur de Lion, he visited the houses of people from
4 the Gula ethnic group in order to steal movable goods.. And this is how it happened.
5 They were together, but every time he would draw back. They used some young
6 people who were with them to go and steal. He would send them to steal things and
7 bring back the bounty. And this is why he could not get along with the others.

8 THE INTERPRETER: [14:45:53] And he'd actually stolen the trailer of the former
9 ambassador, the interpreter would like to just like to correct himself.

10 MS DIMITRI:

11 Q. [14:46:06](Interpretation) So when you say he could not get along with the
12 others, you're talking of Coeur de Lion, who could not get along with Mr Yekatom,
13 Habib and the others. This is how I understood what you said. Is that true?

14 A. [14:46:27] Yes. Yes, that's exactly what I said. The -- their objective was
15 already achieved. He wanted to also get the -- get the belongings of people, but the
16 others did not encourage him. So he created a subgroup that was faithful to him,
17 that was loyal to him. And why the members of this group are faithful to him,
18 because they would also get a share of the bounty.

19 MR VANDERPUYE: [14:47:13] Mr President, I have a small observation.

20 PRESIDING JUDGE SCHMITT: [14:47:14] Yes.

21 MR VANDERPUYE: [14:47:15] Just in terms of the timeline that we're talking about,
22 it seems to me unclear in the record. Maybe I've missed it. But I don't know what
23 period we're talking about.

24 PRESIDING JUDGE SCHMITT: [14:47:24] You haven't missed it. No. It's not
25 clear, simply.

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1 MS DIMITRI: [14:47:28] The first incident, Mr President, I specifically said when
2 they were -- the incident about the motorcycle, I was referring to the time where they
3 were in Yamwara, so prior to.

4 The second incident about the ambassador, I was going to ask two questions,
5 including the timeline.

6 Q. [14:47:58](Interpretation) So Coeur de Lion died around 3 February 2014. How
7 much time before his death did the trailer incident take place, the theft of the trailer
8 incident? If you know the answer, that is, you can say.

9 A. [14:48:27] Thank you for the question. I do not remember the date. This is an
10 incident that took place in Yamwara and I could not retain the date. I wasn't there,
11 so it's really hard for me to remember the dates of all the events.

12 Q. [14:48:54] Last question on the ex-ambassador's trailer, Limanga (phon). Do
13 you know -- did you know that Mr Yekatom met Coeur de Lion and asked him to
14 return the vehicle, and Coeur de Lion refused? Are you aware of this?

15 A. [14:49:17] Yes, that's true. I told you at some point of time that he wanted
16 to -- he -- he opposed Yekatom's authority. Why? Because he wanted the
17 belongings, material things. He wanted to -- wanted to make the most of the
18 situation and milk the situation, so to speak. So that really created a lot of tension
19 between him and the others.

20 Q. [14:50:00] You spoke about the vehicle of Enerca. Now, have you been told
21 that Mr Yekatom once again went to see Coeur de Lion and asked him to return
22 Enerca's vehicle, and Coeur de Lion refused?

23 A. [14:50:22] Yes, that's true too. Because after his death, Yekatom could recover
24 the vehicle and give it back to Enerca.

25 Q. [14:50:40] Thank you, Mr Beina.

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1 Last Friday, transcript 120, page 1 -- 37, you said that certain elements did not share
2 Mr Yekatom's vision, and you refer to Davy, who was the first -- who were amongst
3 the first elements to leave Yekatom's group. And from your answer, I understood
4 there were others as well. And a few minutes ago you mentioned that Coeur de
5 Lion had created his own subgroup that was loyal to him.

6 Now I'm going to name a list of individuals. I just wanted to know if, to the best of
7 your knowledge, he was part of the many people who left Mr Yekatom's group, like
8 Davy.

9 And for the interpreters, and the court reporters, we're going to send you the list of
10 names after the hearing.

11 Ngoulondji Sylvain. Fe-ingmona Yvon, who's dead. Zemajoka Boris. Kalenada
12 Hervé. Ndoutingai Bienvenue, this is Mr Yekatom's pronunciation. Kalenada
13 Hervé was the child of Kamezolaï's younger sister. Danboy Mack Foy. Bouckane
14 Baudouin. Azou Heritier. Mavode Morin.

15 PRESIDING JUDGE SCHMITT: [14:52:58] May I shortly.

16 MS DIMITRI: Yes.

17 PRESIDING JUDGE SCHMITT: [14:52:55] These are a lot of names. There might be
18 some that the witness remembers, and some not, but the more -- the longer the list
19 gets, the more difficult it is for him to -- to give an answer.

20 MR KNOOPS: [14:53:14] I completely agree with you, Mr President, but I -- I was
21 relying on two things. First, he seems to have quite a good memory and I have the
22 pressure of time. So I thought by giving them, he could tell me which one he
23 remembers.

24 PRESIDING JUDGE SCHMITT: [14:53:29] Okay. So we -- then we --

25 MS DIMITRI: [14:53:31] But we could do it your way. I -- I --

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1 PRESIDING JUDGE SCHMITT: [14:53:33] No. Then -- then let's continue with the
2 exercise, but -- okay. We will --

3 MS DIMITRI: [14:53:38] I don't have many left.

4 PRESIDING JUDGE SCHMITT: [14:53:39] Okay, good. Then please, please, finish.

5 MS DIMITRI: [14:53:43] Thanks.

6 Q. [14:53:45](Interpretation) Otto Joachim. Brawe Bodios. Mokosset Guimel.
7 Nzango Kizima Franck.

8 Four more to go: Lekate Hilaire. Temo Hermann. Goniam Fiacre, and Ngombe
9 Gauthier Cyril?

10 A. [14:54:37] Yes, counsel, I did hear all the names you just read out. I know most
11 of these people. I can recognise them, that is. Goliatha -- sorry, Gothios -- Bodios, I
12 know him. I also know the other one, Pudan (phon). Yes, yes, I know him, yes I
13 know him. Kalenada as well. It's -- he's the -- he's not the nephew of Kamezolaï.
14 He is -- he's considered as the young -- as Kamezolaï's younger brother, Kalenada.
15 Hervé is Habib's contemporary. Both of them were trained by Kamezolaï in
16 Bossembélé. So he is the son of Kamezolaï's father. So most of these people are the
17 people I can recognise by face. Kalenada, Davis -- Davios (phon) are people I know.
18 But most of the others, I don't know the names, but I can identify them. I know them
19 by face. And if I see them, I can say that I know them.

20 * And may I also add that these are people he led to Boda, and this -- in Boda is where
21 he died. After his burial, they actually left the group and went back to the districts
22 and they went and created other movements in the Fatima, Babe (phon) and other
23 sectors. You see, when they went back to the districts, they created their own
24 subgroups to commit exactions.

25 Q. [14:56:58] Just a small clarification. You said -- you used the word "he led them",

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1 "he" to Boda, "he" died there. And then you say "he", you mean Coeur de Lion, right?

2 A. [14:57:15] Yes, of course. I'm speaking of Coeur de Lion. He was the head of
3 the group. He headed the group that was led to Boda.

4 Q. [14:57:34] And these -- the last question on the subject, and I think it's quite clear,
5 but I just want a small confirmation. After Coeur de Lion's death, the people who
6 left the group created their own subgroups in Cattin, Fatima, and they left for the
7 same reasons as Davy you spoke about last Friday. Is that right, Mr Beina?

8 A. [14:58:09] Yes. But when they left, they set up the subgroups in the district in
9 Fatima, for instance.

10 * Now, it was hard for them to cross through PK9 again and get back to their men.
11 So they -- it was difficult and they were afraid. So they remained there. They created
12 their subgroup with people like Davy to perpetrate exactions. They were also
13 accused of creating tension in PK5. They would actually send people to rob the
14 property of Muslims and get a reaction from them and provoke them. You know, at
15 one point, the owners of all the shops which were on that road leading to KM 5 were
16 armed, and whenever the thieves arrived, the owners would shoot at them; they
17 would fire gunshots, and pursue them right up to the Fatima church, and that equally
18 caused them to shoot at the general population.

19 Q. [14:59:22] Thank you, Mr Beina. I'm just going to change the subject now. I
20 would like to -- just a question on a different subject. Your -- your -- he -- your
21 brother Aristide Beina had never been to Bossangoa like ComZone?

22 A. [14:59:55] No. Aristide, after his training in Bossembélé, was together with
23 Habib. He was actually -- they were actually contemporaries. Aristide was sent on
24 a mission to Bossembélé, and he was trained *in the armoury section and he was sent
25 to be part of Bozizé's close *protection and he was part of this department. *Later on,

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1 he was appointed to the close protection unit of the armoury service by Mr Touadéra.

2 He never served in Bossangoa. And may I also add that he was never a ComZone.

3 Q. [15:00:44] Thank you, Mr Beina.

4 I'm now going to show you a video. I know that in your statement you identified

5 Manoumana in the video CAR-OTP-2094-7618. Now I would like to show you

6 another video, and we're going to stop and freeze the image. This is tab 9 of the

7 Defence binder, *CAR-OTP-2065-3448.

8 And Mr Beina, all I want to know from you is that you can confirm that the individual

9 you see is not Manoumana. Manoumana is the one who you identified which the

10 Prosecution presented. I'm going to show you another, and you can confirm that it

11 is not Manoumana on this particular video.

12 (Viewing of the video excerpt)

13 THE INTERPRETER: [15:01:53] This is section 10 of Lobaye.

14 MS DIMITRI: [15:02:02] Can the court reporter -- I'm sorry, just one second.

15 (Counsel confer)

16 MS DIMITRI: [15:02:22] Mr President, if I can just have a moment, please.

17 PRESIDING JUDGE SCHMITT: [15:02:25] Of course.

18 (Counsel confer)

19 (Viewing of the video excerpt)

20 THE INTERPRETER: [15:02:45](Interpretation of the video excerpt) "I don't know

21 how many we are. The *chef* is the only one who knows. We the elements of this

22 division, we're only in the section.

23 Move, move."

24 MS DIMITRI: [15:03:03](Interpretation)

25 Q. [15:03:04] Mr Beina, you see the individual at 30 seconds, if I'm not mistaken.

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1 And 40 seconds, for the records, you can see the individual on the left of the video
2 who has a red T-shirt on and also has military pockets. Am I correct in saying this is
3 not Manoumana?

4 A. [15:03:39] No. He is a civilian. Manoumana is a soldier, and so far he's still
5 military. I don't know the name, but his first name is Masona (phon). This person
6 is a civilian. Manoumana is a soldier and is still a soldier today.

7 Q. [15:04:03] Description. That one is the individual on the video; is that correct?

8 A. [15:04:15] Yes, Marsola (phon), the one who has the red T-shirt. And the heads
9 is Marsola. Manoumana is -- is shorter.

10 Q. [15:04:42] I'm now going to change subject.

11 On Friday explained, and you saw a series of documents on Friday with names of
12 soldiers for -- for -- receiving a promotion, and you gave some examples of some
13 persons who did not participate in the movement but who wanted to benefit from
14 higher stripes or ranking. Do you remember that?

15 So my question is -- is another subject, but slightly different. Am I right in saying
16 that the same phenomenon happened with the list of civilians for the DDR, and the
17 same phenomenon happened with the demobilisation programme for child soldiers
18 initiated by UNICEF?

19 PRESIDING JUDGE SCHMITT: [15:05:38] Mr Vanderpuye is rising. You've missed
20 the foundation for that question.

21 MR VANDERPUYE: [15:05:48] Sorry, Mr President?

22 PRESIDING JUDGE SCHMITT: You missed the foundation for that question.

23 MR VANDERPUYE: That's correct. That's correct.

24 PRESIDING JUDGE SCHMITT: [15:05:48] Yeah. So, yeah.

25 Well, we can -- I think you can -- you can ask the question and we think, as I said, we

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1 have -- the witness knows if he has any information about demobilisation or about the
2 child soldier who has been the child soldier, then he will tell us.

3 You have heard -- you have heard me, Mr Beina. So do you have any information
4 about the DDR process, about inflating numbers, potentially, allegedly? And the
5 same with the number of child soldiers. But, really, only if you have information on
6 that, if you know something about it.

7 THE WITNESS: [15:07:01](Interpretation) Thank you. I think on Friday I touched
8 upon this. There's a list that was given to me, and I provided you with the source.
9 I told you that Captain Kamezolaï drew up that list because I saw the name of
10 Chantal Sarangba and I said that was the older sister of Alfred Yekatom. She works
11 in the gendarmerie and was not part of the movement.
12 I saw the name of my old brother Beina Boris, who was not part of the movement, he
13 was a gendarme. I saw his name and I said he wasn't in the movement. Habib and
14 Aristide were part of the movement. I also gave names which did not appear on the
15 movement.

16 But when there's a question of compensation, you had to have a list and they had to
17 have a certain ranking, in order to be able to add different names, more names.

18 These are people who were not in the group. And Captain Kamezolaï established
19 the list and included the name of certain captains and others -- and other sub-officials.
20 But as regards the demobilisation of child soldiers, you also showed me a list and you
21 asked me whether -- you gave me a list of child soldiers. I asked you for the
22 authentication of the signature because you talked about 150 children in Pissa. And
23 I asked for the original of that document.

24 I think I said something along those lines last Friday.

25 MS DIMITRI: [15:09:14] I'll move on, Mr President, on my last subject. I see hope

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1 in our eyes.

2 PRESIDING JUDGE SCHMITT: [15:09:21] Last -- no, no. Okay. Yeah. But you
3 nurture my hope, so to speak.

4 MS DIMITRI: [15:09:36](Interpretation)

5 Q. [15:09:37] Final subject. I thank you for your patience. This is my last series
6 of questions.

7 As far as you know, your brother Habib, was he already based in a base called
8 Copianda (phon)?

9 A. [15:10:05] This is new for me. It was in which sector? You are talking about a
10 base, in which sector in particular? Copia?

11 No, no, no, perhaps it's your pronunciation. But in any case, I don't know that
12 particular base, I don't recognise that name.

13 Q. [15:10:28] No problem, Mr Beina. Do you agree with me that your brother
14 Habib was not based with elements in the *Hôtel Ville de Kapou*?

15 A. [15:10:57] No, it's not correct. Because Kapou is a small place, and Kapou is in
16 the Pissa district and the town hall is in Pissa and the name of the mayor is Ronjay
17 (phon). Kapou doesn't have a mayor, doesn't have a town hall. And Habib was
18 never in Kapou. He didn't have a base. There wasn't -- he wasn't at a base in
19 Kapou.

20 Q. [15:11:39] Just to be clear, was there -- there was never a base in Kapou, but do
21 you agree with me that Habib did not stay in Kapou with the Anti-Balaka for a long
22 period? Do you agree with that, as far as you know?

23 A. [15:12:00] No, it's not correct. Because when they left Yamora (phon), Habib
24 stayed in Pissmiss. He left to go back home in Zila, but he was never in Kapoula
25 (phon). He never stayed in Kapoula.

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1 Q. [15:12:34] As far as you know, is it correct that in the Habib group and the
2 Yekatom group, there was no general? No one had the rank of general. No one
3 gave himself the ranking of general.

4 A. [15:12:58] Yes, that's correct. No one had the ranking of general. At that time,
5 Alfred was *caporal chef*. The highest ranking was one of his sub-officers, was
6 Momokama was a *caporal chef*. Habib, Aristide, Apex (phon) and all the others were
7 *caporals*. The highest ranking in the group, but who -- he detached himself in the
8 group later on, but he was Kamezolaï. But there was no general.

9 Q. [15:13:46] Thank you, Mr Beina.

10 I'm going to show you a photo now. I know it's sometimes difficult to see your
11 brother again, but could you quickly confirm that on the right it is Habib, your
12 brother Habib.

13 It is tab 61, CAR-OTP-2001-8194.

14 Mr Beina, is it Habib that you see on the right-hand side of the photo?

15 A. [15:14:49] Yes, that is Habib.

16 Q. [15:14:55] You can withdraw the photo from the screen. Thank you.

17 Mr Beina, I'm sorry for the next set of questions, but it's important for me to establish.
18 Do you have any memory of the date of death of Habib and the circumstances
19 surrounding his death?

20 A. [15:15:34] Habib died on 17 June 2017, after a car accident, a road accident. * He
21 was coming from Bossangoa to go to Bangui. He was with his fellow batch member,
22 Yangana, and they entered - they crashed into a bus. Habib died on the spot and
23 Yangana sustained some injuries. He was transported to the hospital, but he is still
24 alive.

25 Q. [15:16:26] Thank you very much. I'm sorry that I have to ask you these questions.

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1 As far as you know, apart from your brother Habib, is it correct that Mr Yekatom
2 never had another deputy, another ComZone or chief with the name Habib or Habi
3 who died from a car accident after 2014?

4 A. [15:17:07] No. I think that when Habib died, the movement no longer existed
5 as such. Habib, even when he was alive, Mr Yekatom was already deputy, and
6 Habib controlled the soldiers, the child soldiers who were in Sekia, to settle incidents
7 that could happen on the axis. You know, they were soldiers or elements who
8 committed exactions. Habib, as an -- was then there because the entity as such did
9 no longer exist.

10 When we looked at his availability so that he could be elected as deputy, we were
11 with him. I was with him. Paleon and I discussed and said to him to draft a
12 request of availability, and Zilabo signed it. And we gave this to Mrs Koyora (phon),
13 which enabled him to go to the elections.

14 But after that, after Habib, there was no chief. There were not two of them. There
15 weren't two Habibs.

16 Q. [15:18:56] Thank you, Mr Beina. There are not two Habibs, and as far as you
17 know there were never two Habibs or Habi in the Yekatom group who had a role of
18 *chef* or ComZone; is that correct? There is not another who carries the name of Habi
19 or Habib?

20 PRESIDING JUDGE SCHMITT: [15:19:18] Mr Vanderpuye.

21 MR VANDERPUYE: [15:19:20] Two things. One is he's answered the question
22 already. The second thing is it's unclear as to what time frame my -- my colleague is
23 referring to.

24 PRESIDING JUDGE SCHMITT: [15:19:26] Perhaps you can clarify the second issue,
25 so what we are talking about ...

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1 MS DIMITRI: [15:19:35] Yeah. Sure, Mr President. I thought it was clear before
2 2017, but I'll -- I'll clarify. I'll clarify.

3 PRESIDING JUDGE SCHMITT: [15:19:40] That seemed to me also the case, but so
4 that we ...

5 MS DIMITRI: [15:19:54](Interpretation)

6 Q. [15:19:55] Mr Beina, in 2013, 2014, even 2015, do you agree with me, as far as
7 you know, there was never in the group another ComZone, another chief, or *chef*, who
8 had the name Habib or Habi?

9 A. [15:20:28] No. No, no, no. There was only -- only one single Habib, and that
10 was Habib Beina. There weren't two Habibs in the movement. There was only
11 Habib, my younger brother, who died. After him, there was not another chief or *chef*
12 who had a name of Habib or Habi.

13 MS DIMITRI: [15:20:58] Mr President, for my last series of questions, out of
14 precaution, I would like to go into private session, please.

15 PRESIDING JUDGE SCHMITT: [15:21:10] Private session.

16 (Private session at 3.21 p.m.)

17 THE COURT OFFICER: [15:21:24] We are in private session, Mr President.

18 MS DIMITRI: [15:21:37](Interpretation)

19 Q. [15:21:38] Mr Beina, I'm going to ask you the next set of questions. There's an
20 individual, I won't mention the name, but who says that a young woman of 15 years
21 at least, with the name (Redacted) was raped by a ComZone called Habi and
22 that that ComZone (Redacted). And also says that she gave birth to a child, after this
23 alleged rape, in the hospital.

24 (Redacted) Do you have any information that this is referring to your
25 brother Habib?

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1 A. [15:23:03] No, it's right now, here, that I learn this information. And it makes

2 me laugh, because Habib died in 2017. (Redacted)

3 (Redacted) And also, all the children that Habib put into the world, he had four

4 children with his legitimate wife, and he had two children with another woman. All

5 the children are under my tutelage.

6 No, I've never heard of any rape. Habib never raped anyone. It's the first time that

7 I hear this. This is a lie, completely, if you say that Habib had a child. If that was

8 the case, I think we are in front of a court of law and we can have DNA tests to

9 compare it to the children I have under my guardianship to see if it's true. But I'm

10 telling you that, in the movement, (Redacted) and I'm telling you

11 again. And Habib Beina was not a ComZone. He was a deputy of Alfred Yekatom.

12 He was never a ComZone.

13 Q. [15:24:36] A final question, Mr Beina.

14 You passed some time with your brother Habib. Is it correct that at no moment you

15 saw your brother Habib have an affair with a young woman of less than 15 years of

16 age?

17 PRESIDING JUDGE SCHMITT: [15:24:58] I think, Mr -- without hearing

18 Mr Vanderpuye, but, please.

19 MR VANDERPUYE: [15:25:04] Well, there's two -- there are two --

20 PRESIDING JUDGE SCHMITT: [15:25:05] You have to be heard, of course.

21 MR VANDERPUYE: [15:25:07] Well, I mean there's two things. One is that -- I

22 don't think that the question is appropriately put to the witness. One. The second

23 thing is that the preceding questions weren't appropriately put to the witness either,

24 because the statement to which counsel is referring to doesn't actually name his

25 brother, and she knows that.

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1 PRESIDING JUDGE SCHMITT: [15:25:25] But, first of all, the first -- the first
2 question I did let pass because it was worded in a way if he ever had heard something
3 in that regard, had any information. And he gave an answer, what -- whatever it's
4 worth.

5 The second question indeed asks a little bit -- I think is -- I agree with Mr Vanderpuye.

6 MS DIMITRI: [15:25:47] Mr President, if I may respond to both points. I don't
7 know if there was a mistranslation, but I asked him: Did you ever see - see - your
8 brother having a relationship with a young girl who was less than 15 years old.
9 And second, I completely understand Mr Vanderpuye's point that the statement
10 doesn't name the brother, but I'm not the only one who made the conclusion that it's
11 brother. The Prosecution investigator showed the witness the picture of Habib Beina.
12 There was a reason behind that.

13 PRESIDING JUDGE SCHMITT: [15:26:19] But, again -- again, we don't entertain
14 now further discussion here. The first question we let pass. And the second, so let
15 me take it over so that we can finish that.

16 So, Mr Witness, Mr Beina, you have heard that, so -- so simply to, yeah, to get -- to
17 come to the end here with the examination. Did you -- do you have any information
18 or did you ever observe that your brother, Habib Beina, had such a relationship that
19 was mentioned by Defence Counsel? I think you can simply answer with "yes" or
20 "no". This is nothing to elaborate upon.

21 THE WITNESS: [15:27:29](Interpretation) Thank you, your Honour. I cannot
22 answer with a yes or a no. If you're talking about Habib and anything that affects
23 Habib, also affects me because it's my brother and I have to answer.

24 (Redacted) Habib died in 2017. (Redacted)

25 (Redacted) So it is a lie.

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1 You know, in our country, there are people in my country who lie, who make up
2 stories, because they heard it said that the investigators come to Bangui and they
3 want to have some food. (Redacted) even his legitimate wife -- Habib, listen to what
4 I'm saying, he said, which was initiated, and that it was a taboo to sleep with a
5 woman. He did not want to break that taboo, and it is us in the family and we told
6 him to give up the *gris-gris*, to have an intimate relationship with his wife.
7 I'm here standing in front of the Court. You can call upon all the children of Habib
8 whom I'm looking afterwards. You can examine the DNA of those children to see
9 that -- whether the DNA corresponds, because I think this is a lie. And this annoys
10 me, it angers me.

11 MS DIMITRI: [15:29:27](Interpretation)

12 Q. [15:29:28] Thank you, Mr Beina. I have no questions. Thank you very much
13 for your patience.

14 PRESIDING JUDGE SCHMITT: [15:29:33] Mr Vanderpuye.

15 MR VANDERPUYE: [15:29:35] Mr President, this is precisely why I objected to the
16 question. Counsel knows that the witness to whom she's referring to did not
17 identify his brother as the perpetrator of that crime. She did not name his brother as
18 the perpetrator of that crime. The witness is upset about it, and he's right to be upset
19 about it, because what was put to him is a distortion of what is in the statement that
20 founded the question.

21 PRESIDING JUDGE SCHMITT: [15:30:03] However, I -- understandably, I fully
22 understand that the witness is upset about the question, I understand that. However,
23 if somebody was to draw the conclusion, at whatever stage of the proceedings, that
24 the brother of this witness might be involved in that, in hindsight, it would have been
25 good to ask this witness about the incident. And with this we finish it.

Trial Hearing
WITNESS: CAR-OTP-P-0888

(Private Session)

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- 1 Ms Proulx, I think you can start tomorrow and still finish tomorrow.
- 2 MS PROULX: [15:30:43] Yes, I'm confident that I can. Thank you.
- 3 PRESIDING JUDGE SCHMITT: [15:30:46] Thank you very much.
- 4 So --
- 5 MS DIMITRI: [15:30:48] Mr President, can I just --
- 6 PRESIDING JUDGE SCHMITT: [15:30:50] Yeah.
- 7 MS DIMITRI: [15:30:51] I just want to apologise if I upset the witness. It was --
- 8 (Interpretation) Mr Beina, I'm terribly sorry. It was two very long days. Thank you
- 9 for your patience. I knew that sometimes it was rather emotional. I really would
- 10 like to apologise, but that's just part of my work. Thank you.
- 11 PRESIDING JUDGE SCHMITT: [15:31:12] Thank you, Ms Dimitri.
- 12 And, Mr Witness, you have heard what -- my last remark, so -- and you can fully put
- 13 this into perspective, I think.
- 14 Mr Witness, we -- we conclude for today, and tomorrow we start at 9.30 again. And
- 15 let me put this way, I think I can assure you that tomorrow will be the last day of the
- 16 questioning.
- 17 THE COURT USHER: [15:31:36] All rise.
- 18 (The hearing ends in private session at 3.31 p.m.)