

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,
7 Judge Chang-ho Chung and Judge Beti Hohler
8 Trial Judgment - Courtroom 1
9 Thursday, 24 July 2025
10 (The hearing starts in open session at 14.00 p.m.)
11 THE COURT USHER: [14:00:00] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [14:00:44] Good afternoon, everyone.
15 Court officer, please call the case.
16 THE COURT OFFICER: [14:00:50] Good afternoon, 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: [14:01:07] Thank you.
21 I ask for the appearances of the parties.
22 First the Prosecution, please.
23 MR MAME: [14:01:14](Interpretation) Thank you, your Honour, your Honours.
24 The Office of the Prosecutor is represented today by Mr Kweku Vanderpuye, senior
25 trial lawyer; Madam Olivia Struyven, senior trial lawyer; and behind me, Lucio

1 Garcia, senior trial lawyer; Eric Iverson, senior trial lawyer; Madam Maria
2 Berdennikova, senior trial lawyer; Mr Pierre Belbenoit-Avich, senior trial lawyer;
3 Madam Manochitra Prathaban, trial lawyer; Madam Irina Galupa, also trial lawyer;
4 and Mr Louis Rugambage, trial support assistant. (Speaks English) This time I say it
5 in English. (Interpretation) I want to say that in English. Thank you.

6 PRESIDING JUDGE SCHMITT: [14:02:17] Thank you very much.

7 Ms Massidda.

8 MS MASSIDDA: [14:02:19] Good afternoon, Mr President, your Honours.

9 For the victims of other crimes appearing today remotely, Ms Rabesandratana,

10 Mr Fall, Mr Dangabo Moussa, and Ms Douzima-Lawson.

11 In courtroom today, Ms Evelyne Ombeni and myself Paolina Massidda.

12 PRESIDING JUDGE SCHMITT: [14:02:38] Thank you.

13 Mr Suprun.

14 MR SUPRUN: [14:02:42] Good afternoon, Mr President, your Honours.

15 The former child soldiers are represented by Fiona Lau, Anne Grabowski, and myself

16 Dmytro Suprun. Thank you.

17 PRESIDING JUDGE SCHMITT: [14:02:51] I turn to the Defence.

18 First Ms Dimitri for the Defence team of Mr Yekatom.

19 MS DIMITRI: [14:02:57] Thank you. Good afternoon, Mr President. Good

20 afternoon, your Honours. Good afternoon to my colleagues.

21 Mr Yekatom is present in the courtroom this afternoon for his judgment and he is

22 represented by, on my right-hand side, Ms Anta Guissé and Ms Sarah Bafadhel,

23 associate counsel.

24 Behind me, we have, Mr Gyo Suzuki, assistant to counsel, as well as Sabrina Bayssat

25 and Mr Florent Pages-Granier, legal assistant. On my left-hand side, we have

1 Yousra Lamqaddam and Alexandra Baer, case manager, as well as our intern Axelle
2 Schembri. And in the public gallery, we have Maëlle Dalin and Mr Aubed Yamale.
3 From Bangui, Central Africa, following remotely, but not appearing on the camera,
4 we have the investigating team, Mr Régis Tiangaye, Mr Rufin Pabingui,
5 Mr David Doboue, and our linguistic assistant, Mr Lionel Messi Tikpa. And if I'm
6 not mistaken, I believe we also have following remotely Mr Jason Antley, from
7 Nairobi. And myself Mylène Dimitri.

8 PRESIDING JUDGE SCHMITT: [14:04:10] Well, that was quite a lot of names to
9 remember, actually.

10 I turn now to the Defence of Mr Ngaïssona. Mr Knoops, please.

11 MR KNOOPS: [14:04:21] Good afternoon, your Honours. Good afternoon
12 everyone in the courtroom. The Defence team of Mr Ngaïssona today appears
13 before the Chamber with, on my right side, Lauriane Vandeler, Ms Sara Pedroso; on
14 my left side, Ms Carry Knoops-Hamburger, Alexandre Desevedavy and Michael
15 Rowse. The second row, Despoina Eleftheriou, Ms Chiara Giudici, and
16 Barbara Szmatala. And on the public gallery, we have Ms Déas and Ms Haneen
17 Ghali. Thank you.

18 PRESIDING JUDGE SCHMITT: [14:04:54] Thank you very much.

19 Today the Chamber pronounces its judgment on the criminal responsibility of
20 Alfred Yekatom and Patrice-Edouard Ngaïssona for the charges brought against
21 them.

22 The Chamber decided to hear submissions on potential sentencing before issuing
23 a decision under Article 74 of the Statute.

24 As I will elaborate soon, the Chamber finds Alfred Yekatom and Patrice-Edouard
25 Ngaïssona guilty on part of the charges brought against them. For this reason,

1 the Chamber today pronounces its verdict and sentence under Articles 74 and 76
2 of the Statute.

3 As provided for by the law, this shall also include the delivery of a summary of
4 the Chamber's main findings and conclusions.

5 The Chamber will, first, provide such a summary.

6 After that, I will read out the verdict and sentence rendered by the Chamber.

7 This was an exceptionally comprehensive and complicated case, both in terms of
8 establishing the facts, as well as assessing the evidence and the contributions of
9 the accused to the crimes. The Chamber has considered the evidence of a total of 174
10 witnesses and nearly 20,000 items of evidence, which included, among others,
11 documents, photographs, videos, Facebook conversations, audios and satellite
12 imagery. All the details are set out in the written judgment.

13 The written judgment including verdict and sentence has been issued today and will
14 be notified shortly after the conclusion of today's hearing. It contains the full and
15 reasoned statement of the Chamber's findings and conclusions, and remains the only
16 authoritative document.

17 Today, as I said, the Chamber will start with a summary.

18 This case concerns crimes against humanity and war crimes which took place in
19 Bangui and the west of Central African Republic (CAR) between 2013 and at least
20 February 2014. During the course of this trial, the Chamber has heard, from a large
21 number of witnesses, accounts of these events and of the suffering that the civilian
22 population experienced during this time.

23 The case before this Chamber concerned crimes specifically against Muslim civilians
24 or individuals considered as such. However, the Chamber emphasises that in
25 the context of this case, it has also looked at the more recent history of the country.

1 This has shed light on the civilian population in the CAR as a whole suffering, in one
2 way or another, from the conflicts in its country. The Chamber finds it important to
3 emphasise that it has not found the relevant conflict in the CAR to be of a religious
4 nature at the outset. Many witnesses, non-Muslims and Muslims alike, have stated
5 before the Court that before the conflict, they lived together peacefully. However,
6 the different groups and their leaders instrumentalised religion to gain political and
7 economic power.

8 The Seleka, opposing then president François Bozizé, emerged around August 2012.

9 It was led by CAR citizens, was composed mainly, but not exclusively, of Muslims.

10 It also included elements from Chad and Sudan. Michel Djotodia became its leader.

11 In late 2012, the Seleka started advancing towards Bangui.

12 On 24 March 2013, the Seleka took control of Bangui and of power in the CAR.

13 Michel Djotodia proclaimed himself president. The Seleka committed terrible
14 violence and abuses across the CAR, in particular against individuals considered to be
15 associated with François Bozizé and against non-Muslims, mostly Christians, but also
16 animists and others. Due to such violence and abuses, tensions between Muslim and
17 non-Muslim communities increased.

18 The then president François Bozizé, Mr Ngaïssona, Bernard Mokom and others fled to
19 Cameroon. Maxime Mokom, Mr Yekatom and others fled to Zongo in

20 the Democratic Republic of the Congo. François Bozizé, Mr Ngaïssona,

21 Bernard Mokom and others planned immediately steps to respond to the Seleka

22 violence in the CAR. They wanted to ensure François Bozizé's return to power by all
23 means possible, including armed violence. They did so through meetings in

24 Cameroon and communicating with individuals in Zongo, in particular with

25 Maxime Mokom. He, in turn, liaised with persons and armed groups in Cameroon,

1 Zongo and within the CAR. This included his father Bernard Mokom, Mr Yekatom,
2 and groups forming in the provinces, to coordinate their activities and eventual
3 advance onto Bangui.

4 One of the initiatives to achieve the so-called return to the constitutional order, which
5 meant the return of François Bozizé to power, was the *Front pour le retour à l'ordre*
6 *constitutionnel en Centrafrique*, so-called FROCCA. (Interpretation) Front for the
7 return to the constitutional order in the Central African Republic, so-called FROCCA.
8 (Speaks English) It was founded by François Bozizé, Mr Ngaïssona and others in
9 August 2013 in Paris. FROCCA co-existed with other efforts, specifically the
10 galvanisation of armed groups eventually known collectively as the Anti-Balaka,
11 largely composed of Christians.

12 Mr Ngaïssona was actively involved in planning steps to respond to the Seleka
13 violence in the CAR and to ensure François Bozizé's return to power. He met and
14 liaised with François Bozizé, Bernard Mokom and others to discuss strategies and
15 plans. He reached out to individuals in and outside of the CAR to gain support for
16 their cause. He also provided financial assistance to those willing to assist in their
17 activities. Mr Ngaïssona knew and was informed of the advance of the armed
18 groups he supported and of the hostilities during this advance. This included
19 the killings and dislocation of Muslim civilians from various locations. He also
20 knew that an attack would take place on Bangui and provided funds to Anti-Balaka
21 elements that participated in the attack on Bangui on 5 December 2013.

22 At the same time, after a brief stay in Zongo, Mr Yekatom started forming a group
23 with Freddy Ouandjio, also known as Coeur de Lion, and Habib Beina. This also
24 was to plan a response to the Seleka violence and to remove Michel Djotodia and
25 the Seleka from power.

1 In light of the violence committed by the Seleka, and in parallel to the activities in
2 Cameroon and Zongo, self-defence groups formed or reactivated in various locations
3 and localities across the CAR.

4 These groups initially formed separately. But they started out with a common
5 enemy, the Seleka, and increasingly coordinated their activities. Thereby, they
6 essentially formed one movement. This movement came to be known as
7 Anti-Balaka.

8 The armed groups which initially formed in the provinces wanted to defend against
9 the abuses and violence committed by the Seleka. Because of religious and ethnic
10 commonalities, the Anti-Balaka perceived the Muslims in the CAR as collectively
11 responsible for, complicit in, or supportive of the violence and abuses committed by
12 the Seleka. Thus, Anti-Balaka elements targeted the Muslim civilian population,
13 specifically in the west of the CAR.

14 This stood not in isolation. Anti-foreign sentiments and inflammatory rhetoric
15 towards Muslims were openly expressed by François Bozizé and others already
16 before the Seleka takeover. They had primed the implementation and execution of
17 the Anti-Balaka's core objective. Such rhetoric was also reflected in meetings of

18 François Bozizé, Mr Ngaïssona and others in Cameroon. And it was repeated in
19 a radio statement issued by FROCCA on 5 December 2013 regarding the attack on

20 Bangui that day, which called this attack "*le rétablissement de l'ordre fonctionnel*",

21 (Interpretation) the restoration of functional order (Speaks English) and further stated

22 that the Anti-Balaka *sont des Centrafricains pour aller libérer leur pays des jougs des*

23 *djihadistes venus du Darfour, du Tchad, du Soudan*, (Interpretation) are Central Africans

24 who want to liberate their country from the yoke of jihadists from Darfur, Chad and

25 Sudan.

1 It is in the context of anti-Muslim animus that Anti-Balaka groups started their
2 advance towards Bangui. They started engaging in attacks against the Seleka from
3 September 2013 onwards. The groups going to different localities communicated
4 with each other and individuals abroad to coordinate the attacks. These individuals
5 included Maxime Mokom. The attacks were not limited to Seleka forces. Instead,
6 they included attacking localities with Muslim civilians, killing and dislocating many
7 of them.

8 Mr Yekatom knew that the Anti-Balaka perceived, and himself perceived,
9 the Muslims in the CAR as collectively responsible for, complicit in, or supportive of
10 the violence and abuses committed by the Seleka and that the Anti-Balaka targeted
11 the Muslim civilian population, specifically in the west of the CAR. This also
12 applied to Mr Ngaïssona. Mr Ngaïssona made his contributions fully aware that
13 the Anti-Balaka would violently target the Muslim civilian population in the west of
14 the CAR, committing the widespread attack that ultimately took place from
15 September 2013 through February 2014, including the seminal coordinated
16 Anti-Balaka attacks of Bangui and Bossangoa on 5 December 2013.

17 Michel Djotodia eventually had to resign because of events on 10 January 2014.

18 A new transition government was formed in the CAR. In this context,
19 the Anti-Balaka structure started being further formalised. Mr Ngaïssona returned
20 to the CAR on 14 January 2014, he was immediately installed as general coordinator
21 of the Anti-Balaka. In this role, Mr Ngaïssona represented the Anti-Balaka as one
22 entity towards national and international authorities. Catherine Samba-Panza, the
23 transition president at the time, testified that from the Anti-Balaka side, and from
24 January 2014 onwards when she took her position, she had, I cite, "no other person" to
25 contact but Mr Ngaïssona. Mr Ngaïssona was actively engaged in formalising

1 the structure of the Anti-Balaka. He also continued providing financial assistance.
2 Hostilities between the Anti-Balaka and the Seleka continued largely unabated until
3 the end of February 2014. The Anti-Balaka continued to target the Muslim civilian
4 population in 2014 across the western CAR prefectures, specifically in attacks in
5 the second half of January and early February 2014. Hostilities thereafter did
6 continue, but subsided considerably. Eventually, many Muslims were forced to
7 leave their respective areas.

8 Throughout the relevant period, Mr Yekatom retained and exercised full and
9 unrestricted control over his group. This group was seen as and understood to be
10 part of the Anti-Balaka.

11 After this short overview, I am now turning to the specific charges. These are
12 discussed in five sections:

13 First and second, the advance of the Anti-Balaka groups in 2013 and hostilities on
14 the way that culminated in coordinated attacks in Bangui and Bossangoa on
15 5 December 2013. Third, the Chamber addresses the crimes committed during
16 events at the Yamwara school in Bangui at the end of December 2013. Fourth,
17 crimes committed in the context of the advance of Mr Yekatom's group along
18 the PK9-Mbaïki axis. Fifth and finally, the Chamber gives its view on the charge
19 brought against Mr Yekatom under Count 29.

20 First the attacks on Bangui and Bossangoa on 5 December 2013.

21 In the early morning hours of 5 December 2013, the Anti-Balaka mounted
22 a coordinated attack on Bangui, including in Boeing and Cattin. The plan to mount
23 an attack on Bangui existed at least as of 30 November 2013. Anti-Balaka elements
24 and groups travelled from the provinces to arrive close to Bangui before 5 December.
25 During their move from the provinces to Bangui, Anti-Balaka chiefs communicated

1 across their groups. They kept and maintained records or lists of elements, armed
2 themselves, waited at common locations and prepared for an attack on Bangui.
3 Mr Ngaïssona provided funds to Anti-Balaka elements that participated in the attack
4 on Bangui on 5 December. By the beginning of December 2013, several thousand
5 Anti-Balaka elements had arrived at the outskirts of Bangui to participate in the attack.
6 News about an impending attack on Bangui circulated in various circles within
7 the Anti-Balaka leadership.
8 Anti-Balaka groups that reassembled close to Bangui prior to the attack were each
9 assigned a specific target within Bangui. They were instructed to begin the attack on
10 the respective targets at 5 o'clock on 5 December 2013. The attack was carried out as
11 planned, resulting in clashes between the Anti-Balaka and Seleka in several locations
12 in Bangui, including Boeing. The Anti-Balaka began to retreat at around 10 o'clock
13 that day.
14 Mr Yekatom's group coordinated with other Anti-Balaka groups to participate in
15 the attack on Bangui. In the afternoon of 4 December 2013, Mr Yekatom chose some
16 elements and instructed them to move towards Bangui. Mr Yekatom instructed his
17 elements to fight the Seleka, which included targeting sectors where generally
18 speaking Muslims were to be found.
19 On the night of 4 December 2013, Mr Yekatom and some of his elements visited
20 the market in Boeing for reconnaissance. That same night, Mr Yekatom instructed
21 his elements to target Seleka positions along the Boeing-Cattin-PK5 direction. This
22 encompassed attacking the Muslim traders at the market in Boeing.
23 In the early morning of 5 December 2013, Mr Yekatom launched the attack in Boeing
24 by firing an automatic pistol into the air when his group reached the market.
25 The group advanced and fired at the Muslim traders at the market. Those who were

1 inside the shops fled.

2 At the market in Boeing, three Muslim traders were killed. They were Hassan

3 Mahamat, as well as two unnamed persons. That day, Mr Yekatom's elements also

4 attacked the mosque in Boeing. Witness Salehou Ndiaye described how

5 the memories of the Boeing mosque emotionally affected him. I quote:

6 "It's difficult to explain what I feel within. It's difficult to describe what I feel,

7 because I don't see why. When there is a problem, why is it that religious buildings

8 are destroyed? For what reason? No matter what the problem might be, these are

9 places where people take refuge when there are problems. And when I see this, it's

10 true, it hurts. It's very [...] sad to see the house of God destroyed. This is my

11 opinion. I might be wrong, but if there are problems and if someone goes to

12 a religious place, a church or a mosque, in principle, the action should stop. But to

13 destroy it, a church or a mosque, to my mind, that makes no sense. That's what I feel.

14 When I see it, it brings back all the memories of everything that was destroyed."

15 Elements of Mr Yekatom's group moved on to attack Cattin, where they clashed with

16 the Seleka. During this attack, one unnamed Muslim man was killed.

17 From 5 December 2013 onwards, Muslims of Boeing and Cattin fled to PK5 in Bangui.

18 Some others fled to other parts in the CAR. With the influx of Muslim fleeing

19 the attack on 5 December 2013, PK5, this region of Bangui, became overcrowded,

20 uninhabitable, and unsafe. As a result, some Muslims, including the already

21 mentioned Salehou Ndiaye and Witness P-2682, fled to neighbouring countries

22 fearing for their safety.

23 Witness Salehou Ndiaye described the emotional impact the events had on him:

24 "But anyway, you take life as it come[s]. And you had to save your skin. And

25 that's what we did. But, you know, all these events, I think it's very difficult. It's

1 very, very difficult to forget all that happened. [...] And even to this day, when my
2 mind rakes over it, it's a source of pain. And this is why I even avoid going to where
3 I used to live. I avoid going there, because as soon as I go in the area, all this comes
4 flooding back to me, and so I would spend a sleepless night then."

5 On the same day, 5 December 2013, in coordination with the Anti-Balaka attack on
6 Bangui, Anti-Balaka elements carried out an attack on the town of Bossangoa, roughly
7 300 kilometres north of Bangui. The Anti-Balaka elements were divided into two
8 groups, led by Florent Kema and Théophile Ndangba. The attack started at
9 approximately 13:00 hours and lasted until the late afternoon or early evening.

10 During the attack, the Anti-Balaka targeted residential areas, including the Boro
11 neighbourhood. This was the generally known as the Muslim neighbourhood in
12 Bossangoa. The intention was to show that the Anti-Balaka were attacking not only
13 in Bangui, but also in the provinces, and to so-called "free" the town from the Seleka
14 and all Muslims. As such, the Anti-Balaka targeted Muslim civilians. During
15 the attack, the Anti-Balaka was well armed, with some AK-47s and RPGs, as well as
16 hunting weapons.

17 During the attack, an Anti-Balaka element forced Witness P-2462 into sexual
18 intercourse. He blindfolded and undressed her, after the group of five Anti-Balaka
19 elements he was in had threatened her with their weapons.

20 The evidence shows that the Anti-Balaka killed, at least, the following 18 persons in
21 the course of the attack:

22 Khadidja Adjaro; Koursi Abdelrahim; Abdel, also known as Adaye, Abakar; Atahir
23 Abou; "C-17", a taxi driver; Atahir Djime (or Djimet); Halima Hisseini; Hamadou
24 Bouba; Ousman Abacar; Ousman Abacar's mother; Abdallah Mahamat; Abdelkhadir;
25 Mariam Yamwha; Amadou Oumarou; Abakar; Ismael; Salamatou, a Peuhl; and Sale

1 Adim.

2 At some point between 5 and 8 December 2013, the Anti-Balaka burned and
3 destroyed residential structures. This happened in the immediate vicinity of
4 the imam's residence. They were lived in by Muslims at the time of the attack.
5 During the attack, the Muslim civilian population of Bossangoa fled the attacked
6 neighbourhoods and tried to seek shelter at the *École de la Liberté*. Their numbers
7 there rose into several thousand. These Muslim civilians remained confined to the
8 school many weeks and even months for fear of threats by the Anti-Balaka.

9 The school was totally overcrowded with Muslim refugees. Conditions there were
10 absolutely inhumane. The Muslim civilians depended on the protection of
11 international forces and could not leave the school premises without risk to their life.
12 Because of the prevailing insecurity caused by the Anti-Balaka and the dire and
13 cramped conditions at the school, all Muslims staying there were eventually
14 transported away to Chad. These persons were CAR residents and considered
15 Bossangoa to be their home. Following this deportation, Bossangoa was emptied of
16 its Muslim population.

17 Witness P-2049 testified, I quote:

18 "I really have that desire to return home. My country remains my country. Today
19 [...] I am suffering. My town is Bossangoa. [...] I would like to return to
20 Bossangoa, but peace has not been restored [...] If I go back there now, I do not have
21 a home. I have no way to survive. [...] When security would have been restored
22 in my country, it will be with joy that I would return and resettle in my native town of
23 Bossangoa."

24 Following the attack on Bangui on 5 December 2013, Mr Yekatom's group established
25 a base at the Yamwara school in Bangui.

1 On 24 December 2013, following the death of a member of the Lapo-N'Gomat family,
2 several members and friends of this family, including Saint Cyr Lapo-N'Gomat, three
3 other men, and three women, were on their way to find a taxi. This group included
4 witnesses P-0967, P-1074, P-1705, P-1716 and P-1811.

5 Elements from Mr Yekatom's group, led by a person named Alkanto, apprehended
6 these seven persons at a checkpoint close to Yamwara. Alkanto pointed to the
7 women in the group as belonging to the family of General Mamour and
8 Michel Djotodia, and being Muslim. The elements in Alkanto's group thus
9 perceived the seven persons as Muslims.

10 They started to threaten the group with death, saying they would be, I quote,
11 "skinned like a papaya". This expression was used by elements in Mr Yekatom's
12 group in relation to the treatment of captured persons suspected of being Seleka.

13 Witness and victim P-0967 explained what this phrase meant to her when she heard
14 it:

15 "[...] somebody who carries a machetes and doesn't have any fruit in his hands, it's an
16 image which shows that the fruit or, rather, the plant which should be sown today
17 would have been us. [...] It's an image, a very strong image. It was quite clear to us
18 that it meant that we would be buried that day."

19 Alkanto ordered his elements to search the male captives. The elements also beat
20 witnesses P-1704 and P-1716. Alkanto ordered his elements to take the seven
21 persons to Yamwara.

22 At Yamwara, in Coeur de Lion's - the deputy of Mr Yekatom - presence, elements of
23 Mr Yekatom's group interrogated the four men of the group on their identity,
24 ethnicity, and reasons for being there with the women. When Saint Cyr was unable
25 to speak the dialect of the ethnicity he said was his, elements in Mr Yekatom's group

1 accused him of being Goula, and therefore associated with Michel Djotodia.
2 The elements kept the women apart from the male captives, but close by.
3 Following the men's interrogation, elements in Mr Yekatom's group forced them to
4 undress, searched them again, and threatened them with death. They took
5 the women inside Coeur de Lion's house.
6 In the meantime, Saint Cyr's interrogation continued outside. Elements in
7 Mr Yekatom's group beat Saint Cyr. Coeur de Lion observed the mistreatment,
8 encouraged the elements, and ordered them to continue. He said the victims were
9 Muslims and Seleka, and that the elements should, I quote, "do the job properly".
10 Elements in Mr Yekatom's group beat Saint Cyr's legs, broke them, and tied him up in
11 arbatachar manner, which must have been unimaginably painful. Then, one element
12 cut off his toes, fingers and an ear.
13 Thereafter, elements in Mr Yekatom's group took Saint Cyr away. His relatives
14 never saw him again and his body was never recovered.
15 Witnesses P-1704, P-1705 and P-1716 were present when Mr Yekatom's elements
16 interrogated and beat Saint Cyr and cut off parts of his body. Elements in
17 Mr Yekatom's group also beat these witnesses and threatened them with death.
18 Meanwhile, elements in Mr Yekatom's group searched the female captives inside
19 Coeur de Lion's house. They forced the female captives to undress to their
20 underwear, searched them again and threatened them with death. At this time,
21 the female captives could hear the interrogation and mistreatment of Saint Cyr.
22 They could hear his cries. Imagine how they must have felt. At some point, they
23 could no longer hear him crying.
24 Mr Yekatom met the female captives inside Coeur de Lion's house later that evening.
25 He introduced himself as "Rombhot" and "the chief". Mr Yekatom interrogated

1 the female captives about their ethnicities and family background. He knew they
2 were Muslim.

3 After Mr Yekatom came to know about the details of the incident, Mr Yekatom told
4 an element in his group that the element who had cut off Saint Cyr's toes, fingers and
5 an ear had done a good job. Mr Yekatom considered Saint Cyr a traitor and in
6 cahoots with the Seleka, and therefore that they could not, I quote, "keep him".

7 When Mr Yekatom was asked about Saint Cyr's treatment at a later stage, he said in
8 Sango "*eforolo tonga na papai*", meaning "they peeled the papaya".

9 In the evening of 24 December 2013, Witness P-1654, Saint Cyr's father, who did not
10 know of the fate of his son at that time, came to meet Mr Yekatom at Yamwara.

11 Mr Yekatom, with Coeur de Lion, questioned Witness P-1654 for hours about his
12 family and ethnicity, and threatened him and his family with death.

13 Elements in Mr Yekatom's group brought the three female captives, together with
14 witnesses P-1704 and P-1705, to another location at Yamwara and kept them there at
15 gunpoint. The female captives were threatened and again told they would be peeled
16 like a papaya.

17 The following morning, however, Witness P-1716 was released.

18 The other members of the group were brought to a location close to M'Poko airport.

19 After mediation by various actors, they were eventually released on or about
20 27 December 2013.

21 Starting on 10 January 2014, Mr Yekatom and elements under his control left

22 Yamwara and advanced from Bangui on the road towards Mbaïki along

23 the PK9-Mbaïki axis. During the advance, the group took over a number of villages
24 in the Lobaye prefecture, which is located in the south-western part of the CAR.

25 These localities included Sekia, Ndangala, Bimon, Kapou, Bossongo and Pissa.

1 At the time of the group's presence on the Mbaïki road, Mr Yekatom, Coeur de Lion
2 and Alkanto instructed the elements to kill all the Muslims in their area.

3 Mr Yekatom's group took over checkpoints at PK9, Sekia, Bimon, Bossongo and Pissa.
4 It also set up new bases at PK9 and Sekia. By taking over these checkpoints,
5 Mr Yekatom and his group aimed at searching and identifying Muslims in the area
6 and raising money to finance the group.

7 Due to and in fear of the advance of Mr Yekatom's group along the PK9-Mbaïki axis,
8 a significant proportion of the Muslim population fled their towns and villages along
9 the axis. At least 1,000 Muslim civilians who fled from locations along the axis and
10 in the Lobaye prefecture went to Mbaïki. This substantially increased the Muslim
11 population of the town. Muslims in Mbaïki at the time lived in great difficulty,
12 under conditions of overcrowding, hunger and fear of death from the Anti-Balaka.

13 Witness Diakité Aboubakar described the situation at the time as follows, I quote:

14 "When the evacuees arrived in M[baïki], prices of everything went high. There was
15 not enough meat for the people. There was a general shortage of food including
16 vegetables like coco, aubergines, peanuts, manioc [...]. Some of the evacuees had
17 brought food but that was all finished. The reserve in the city was all depleted. By
18 the time they left the city, there was nothing left. Life was very difficult. They
19 must have remained in M[baïki] for about two weeks before the trucks came and took
20 them. At this time, the women were even scared to go to the market because the
21 Anti-Balaka were walking around armed with knives and machetes. We had never
22 seen anything like this."

23 Similarly, Witness P-2353 testified that, I quote:

24 "it was hunger and the death threat that weighed on the populations. When you are
25 hungry, when you've got nothing to eat and you've got the death threats as well, life

1 becomes terrible."

2 Mr Yekatom and elements under his control entered Mbaïki on 30 January 2014.

3 That day, a meeting was held at the St Jeanne d'Arc church in Mbaïki to discuss

4 the way forward under these circumstances. Mr Yekatom and elements of his group,

5 representatives of the Mbaïki civilian and religious authorities, international

6 organisations and NGOs, as well as Sangaris - these are the French forces deployed to

7 the CAR - attended. Already before this meeting, the removal of the Muslim civilian

8 population of Mbaïki was a foregone conclusion. At this meeting, it was then

9 decided.

10 Mr Yekatom's group settled in at least one base in Mbaïki. During this time,

11 elements of Mr Yekatom's group threatened and harassed Muslim civilians in Mbaïki,

12 telling them to leave the area. The Anti-Balaka also attacked a gendarme patrol in

13 Mbaïki which was there to protect the population.

14 On 6 February 2014, Chadian forces transported a first group of Muslim civilians

15 from Mbaïki to Chad and other locations in the CAR. These Muslim civilians left

16 Mbaïki in fear of the Anti-Balaka and, in particular, due to the arrival of

17 Mr Yekatom's group in Mbaïki. The total number of Muslims removed from Mbaïki

18 at the time amounted to at least 3,000. A second group of Muslims was transported

19 away from Mbaïki to Bangui and other locations thereafter. These were all citizens

20 of the CAR and they considered Mbaïki or their villages along the axis as their home.

21 As a result, very few Muslim civilians remained in Mbaïki.

22 Witness P-1666 described how he felt:

23 "When I left Mbaïki it was extremely difficult. I had tears in my eyes. [...] We

24 didn't expect this departure. We didn't think that one day we would [have to] leave

25 from this town. You must remember, we invested a lot. We built a lot up and all of

1 a sudden we had to abandon everything and leave. It was really with great sadness
2 because we were forced to abandon everything which we had shared as we grew up,
3 so there was a lot of sadness. It was difficult. It was very hard to bear."

4 Djido Saleh, second deputy mayor of Mbaïki, and his family were among the very
5 few remaining Muslims in Mbaïki. Djido Saleh himself made clear at the time that
6 he would not leave as he was in his country and had nowhere else to go. This
7 refusal to leave would cost him his life. Elements of Mr Yekatom's group threatened
8 Djido Saleh.

9 On 28 February 2014, a group of individuals attacked Djido Saleh's house. As he
10 tried to flee, the group pursued him and threw stones at him. The group, which
11 included at least three elements of Mr Yekatom's group, one of them being Honorine
12 Gbafalo, killed Djido Saleh as he tried to reach the gendarmerie.

13 The Chamber received a video depicting the particularly gruesome treatment of
14 the dead body of Djido Saleh, a Muslim civilian mistreated and humiliated even
15 beyond his death. This video shows the unbelievable cruelty with which Saleh's
16 dead body was treated. Honorine Gbafalo cut off Djido Saleh's genitals. Other
17 individuals beat his dead body and cut parts of his body, including one of his ears
18 and his neck, partly severing his head.

19 Following the death of Djido Saleh, Mr Yekatom told the then mayor of Mbaïki,
20 Raymond Mongbandi, that the killing was, I quote, "an accident", and that he would
21 pay for the burial, which he did not.

22 As a direct consequence of Djido Saleh's killing, MISCA, another assistance force
23 deployed to the CAR to protect the civilian population, ordered Mr Yekatom and his
24 elements to leave Mbaïki, which they immediately did.

25 In relation to be the above events, the Chamber has found that Mr Yekatom

1 committed a number of war crimes and crimes against humanity in connection with
2 the attack on Bangui, the events at Yamwara, and the advance of Mr Yekatom's group
3 along the PK9-Mbaïki axis.

4 Similarly, the Chamber has found that Mr Ngaïssona aided, abetted or otherwise
5 assisted the commission of a number of war crimes and crimes against humanity in
6 connection with the attacks on Bangui and Bossangoa, the events at Yamwara, and
7 the advance of Mr Yekatom's group along the PK9-Mbaïki axis. This is by majority
8 in relation to the war crime of torture and the war crime and crime against humanity
9 of murder concerning the killing of Saint Cyr. Judge Kovács dissents in this regard.

10 Judge Kovács is of the view that the personal and specific nature of the motives of
11 Mr Yekatom's elements that contributed to the commission of these crimes created
12 a break in what one would consider the ordinary course, as legally required by
13 Article 30(3) of the Statute. He therefore considered that this test is not satisfied in
14 this specific instance in respect of Mr Ngaïssona.

15 However, the Chamber has not upheld the charges against Mr Ngaïssona of the war
16 crimes of pillaging and directing an attack against a building dedicated to religion in
17 connection with the attack on Bossangoa. The Chamber has also not found
18 Mr Ngaïssona responsible for the rape that took place in Bossangoa.

19 The Chamber now turns to its conclusions regarding the charge 29 against
20 Mr Yekatom of conscripting and/or enlistment of children under the age of 15 in his
21 group at various locations, and the assignment various tasks to them, between at least
22 December 2013 and August 2014.

23 The Chamber by majority, Judge Chung dissenting, concluded that the Prosecution
24 presented no reliable evidence showing the presence of children under the age of 15
25 within Mr Yekatom's group during the relevant period.

1 The Chamber concluded unanimously that witnesses P-2475, V45-0001 and V45-0002
2 were wholly unreliable. The Chamber by majority, Judge Chung dissenting, also
3 found Witness P-2476 wholly unreliable.

4 Having considered the evidence before it, the Chamber concluded that no evidence
5 supported the alleged presence of children under the age of 15 within Mr Yekatom's
6 group in Bangui or locations on the PK9-Mbaïki axis, including Pissa, Batalimo and
7 Sekia.

8 The Chamber by majority, Judge Chung dissenting, also found that the evidence did
9 not support the alleged presence of children under the age of 15 within Mr Yekatom's
10 group in Mbaïki. Judge Chung considered that Witness P-2476 was a member of
11 Mr Yekatom's group in Mbaïki and under the age of 15 at the relevant time.

12 The Chamber by majority, Judge Chung dissenting, has thus not upheld the charge
13 against Mr Yekatom of the war crime of conscription, enlistment and use of children
14 under the age of 15 years to participate actively in hostilities. Judge Chung would
15 have concluded on Mr Yekatom's responsibility in this regard.

16 It is already nearly an hour, but this is only the oral summary of the Chamber's
17 findings and the Chamber will now proceed to pronounce the verdict and sentence as
18 detailed in the written judgment. Specifically, the written judgment discusses
19 extensively the factual and legal considerations of the Chamber for the criminal
20 responsibility of the accused. The verdict in this case, which concerns two accused,
21 and many charges and related sentence, are very long and complex. The accused
22 may remain seated.

23 Trial Chamber V of the International Criminal Court, for the reasons set out in detail
24 in the judgment, and on the basis of the evidence submitted and discussed before
25 the Chamber at trial and the entire proceedings, pursuant to Article 74(2) of

1 the Statute, finds Alfred Rombhot Yekatom:
2 under Count 1 of the charges, guilty of the war crime of attack against the civilian
3 population as such, pursuant to Articles 8(2)(e)(i) and 25(3)(a) of the Rome Statute,
4 committed on 5 December 2013 in Bangui, including in Boeing and Cattin;
5 under Count 2 of the charges, guilty of the crime against humanity of murder,
6 pursuant to Articles 7(1)(a) and 25(3)(a) of the Rome Statute, committed on
7 5 December 2013 in the market in Boeing and Cattin, Bangui;
8 under Count 3 of the charges, guilty of the war crime of murder, pursuant to
9 Articles 8(2)(c)(i) and 25(3)(a) of the Rome Statute, committed on 5 December 2013 in
10 the market in Boeing and Cattin, Bangui;
11 under Count 4 of the charges, guilty of the crime against humanity of forcible transfer
12 and deportation, pursuant to Articles 7(1)(d) and 25(3)(a) of the Rome Statute,
13 committed starting from 5 December 2013 in the context of the attack in Boeing and
14 Cattin, Bangui;
15 under Count 5 of the charges, guilty of the war crime of displacement, pursuant to
16 Articles 8(2)(e)(viii) and 25(3)(a) of the Rome Statute, committed starting from
17 5 December 2013 in the context of the attack in Boeing and Cattin, Bangui;
18 under Count 6 of the charges, guilty of the war crime of directing an attack against a
19 building dedicated to religion, pursuant to Articles 8(2)(e)(iv) and 25(3)(a) of the
20 Rome Statute, committed on 5 December 2013 in Boeing, Bangui;
21 under Count 8 of the charges, guilty of the crime against humanity of persecution, on
22 religious grounds, of Muslim civilians perceived by the Anti-Balaka as supporters of
23 or affiliated with the Seleka, by attack against the civilian population as such, murder,
24 forcible transfer and deportation, displacement and directing an attack against
25 a building dedicated to religion, committed starting from 5 December 2013 in

1 the context of the attacks in Boeing and Cattin, Bangui, pursuant to Articles 7(1)(h)
2 and 25(3)(a) of the Rome Statute;
3 under Count 11 of the charges, guilty of the crime against humanity of other
4 inhumane acts, pursuant to Articles 7(1)(k) and 25(3)(a) of the Rome Statute,
5 committed on or about 24 December 2013 at Yamwara in Boeing, Bangui;
6 under Count 12 of the charges, guilty of the crime against humanity of torture,
7 pursuant to Articles 7(1)(f) and 25(3)(a) of the Rome Statute, committed on or about
8 24 December 2013 at Yamwara in Boeing, Bangui;
9 under Count 13 of the charges, guilty of the war crime of cruel treatment concerning
10 the six persons and guilty of the war crime of torture and of one other, pursuant to
11 Articles 8(2)(c)(i) and 25(3)(a) of the Rome Statute, committed on or about
12 24 December at Yamwara in Boeing, Bangui;
13 under Count 14 of the charges, guilty of the crime against humanity of imprisonment
14 and other forms of severe deprivation of physical liberty, pursuant to Articles 7(1)(e)
15 and 25(3)(a) of the Rome Statute, committed on or about 24 December 2013 until on or
16 about 27 December 2013 in Boeing, Bangui;
17 under Count 15 of the charges, guilty of the crime against humanity of murder,
18 pursuant to Articles 7(1)(a) and 25(3)(a) of the Rome Statute, committed on or about
19 24 December 2013 at Yamwara in Boeing, Bangui;
20 under Count 16 of the charges, guilty of the war crime of murder, pursuant to
21 Articles 8(2)(c)(i) and 25(3)(a) of the Rome Statute, committed on or about
22 24 December 2013 at Yamwara in Boeing, Bangui;
23 under Count 17 of the charges, guilty of the crime against humanity of persecution,
24 on ethnic and religious grounds, of civilians perceived by the Anti-Balaka as
25 supporters of or affiliated with the Seleka, by other inhumane acts, torture, cruel

1 treatment, imprisonment and other forms of severe deprivation of physical liberty
2 and murder, committed on or about 24 December 2013 until on or about
3 27 December 2013 in Boeing, Bangui, pursuant to Articles 7(1)(h) and 25(3)(a) of
4 the Rome Statute;
5 under Count 24 of the charges, guilty of the crime against humanity of forcible
6 transfer and deportation, pursuant to Articles 7(1)(d) and 25(3)(a) of the Rome Statute,
7 committed between on or about 10 January 2014 and on or about 6 February 2014 in
8 the context of the Anti-Balaka's advance through and takeover of villages along
9 the PK9-Mbaïki axis, including Sekia, Ndangala, Bimon, Kapou, Bossongo, Pissa and
10 Mbaïki;
11 under Count 25 of the charges, guilty of the war crime of displacement, pursuant to
12 Articles 8(2)(e)(viii) and 25(3)(a) of the Rome Statute, committed between on or about
13 10 January 2014 and on or about 6 February 2014 in the context of the Anti-Balaka's
14 advance through and takeover of villages along the PK9-Mbaïki axis, including Sekia,
15 Ndangala, Bimon, Kapou, Bossongo, Pissa and Mbaïki;
16 under Count 26 of the charges, guilty of the crime against humanity of murder,
17 pursuant to Articles 7(1)(a) and 25(3)(a) of the Rome Statute, committed on
18 28 February 2014 in Mbaïki;
19 under Count 27 of the charges, guilty of the war crime of murder, pursuant to
20 Articles 8(2)(c)(i) and 25(3)(a) of the Rome Statute, committed on 28 February 2014 in
21 Mbaïki;
22 under Count 28 of the charges, guilty of the crime against humanity of persecution,
23 on religious grounds, of Muslim civilians perceived by the Anti-Balaka as supporters
24 of or affiliated with the Seleka, by forcible transfer and deportation, displacement and
25 murder, committed between on or about 10 January 2014 and on or about

1 6 February 2014 and on 28 February 2014 in the context of the Anti-Balaka's advance
2 through and takeover of villages along the PK9-Mbaïki axis, including Sekia,
3 Ndangala, Bimon, Kapou, Bossongo, Pissa and Mbaïki, pursuant to Articles 7(1)(h)
4 and 25(3)(a) of the Rome Statute;
5 by majority, under Count 29 of the charges, not guilty of the war crime of conscripting
6 or enlisting children under the age of 15 years into an armed group and using them to
7 participate actively in hostilities, pursuant to Article 8(2)(e)(vii) and Article 25(3)(a) of
8 the Rome Statute, between at least December 2013 and August 2014 in Boeing, Sekia,
9 Pissa and Batalimo.

10 Patrice-Edouard Ngaïssona:

11 under Count 1 of the charges, guilty of the war crime of attack against the civilian
12 population as such, pursuant to Articles 8(2)(e)(i) and 25(3)(c) of the Rome Statute,
13 committed on 5 December 2013 in Bangui, including in Boeing and Cattin;

14 under Count 2 of the charges, guilty of the crime against humanity of murder,
15 pursuant to Articles 7(1)(a) and 25(3)(c) of the Rome Statute, committed on
16 5 December 2013 in the market in Boeing and Cattin, Bangui;

17 under Count 3 of the charges, guilty of the war crime of murder, pursuant to
18 Articles 8(2)(c)(i) and 25(3)(c) of the Rome Statute, committed on 5 December 2013 in
19 the market in Boeing and Cattin, Bangui;

20 under Count 4 of the charges, guilty of the crime against humanity of forcible transfer
21 and deportation pursuant to Articles 7(1)(d) and 25(3)(c) of the Rome Statute,
22 committed starting from 5 December 2013 in the context of the attack in Boeing and
23 Cattin, Bangui;

24 under Count 5 of the charges, guilty of the war crime of displacement pursuant to
25 Articles 8(2)(e)(viii) and 25(3)(c) of the Rome Statute, committed starting from

1 5 December 2013 in the context of the attack in Boeing and Cattin, Bangui;
2 under Count 6 of the charges, guilty of the war crime of directing an attack against
3 a building dedicated to religion, pursuant to Articles 8(2)(e)(iv) and 25(3)(c) of the
4 Rome Statute, committed on 5 December 2013 in Boeing, Bangui;
5 under Count 8 of the charges, guilty of the crime against humanity of persecution, on
6 religious grounds, of Muslim civilians perceived by the Anti-Balaka as supporters of
7 or affiliated with the Seleka, by attack against the civilian population as such, murder,
8 forcible transfer and deportation, displacement and directing an attack against
9 a building dedicated to religion, committed starting from 5 December 2013 in the
10 context of the attack in Boeing and Cattin, Bangui, pursuant to Articles 7(1)(h) and
11 25(3)(c) of the Rome Statute;
12 under Count 11 of the charges, guilty of the crime against humanity of other
13 inhumane acts, pursuant to Articles 7(1)(k) and 25(3)(c) of the Rome Statute,
14 committed on or about 24 December 2013 at Yamwara in Boeing, Bangui;
15 by majority, under Count 12 of the charges, guilty of the crime against humanity of
16 torture, pursuant to Articles 7(1)(f) and 25(3)(c) of the Rome Statute, committed on or
17 about 24 December 2013 at Yamwara in Boeing, Bangui;
18 under Count 13 of the charges, guilty of the war crime of cruel treatment concerning
19 the six persons, pursuant to Articles 8(2)(c)(i) and 25(3)(c) of the Rome Statute, and, by
20 majority, guilty of the war crime of torture of one other, pursuant to Articles 8(2)(c)(i)
21 and 25(3)(c) of the Rome Statute, committed on or about 24 December 2013 at
22 Yamwara in Boeing, Bangui;
23 under Count 14 of the charges, guilty of the crime against humanity of imprisonment
24 and other forms of severe deprivation of physical liberty, pursuant to Articles 7(1)(e)
25 and 25(3)(c) of the Rome Statute, committed on or about 24 December 2013 until on or

1 about 27 December 2013 in Boeing, Bangui;
2 by majority, under Count 15 of the charges, guilty of the crime against humanity of
3 murder, pursuant to Articles 7(1)(a) and 25(3)(c) of the Rome Statute, committed on or
4 about 24 December 2013 at Yamwara in Boeing, Bangui;
5 by majority, under Count 16 of the charges, guilty of the war crime of murder,
6 pursuant to Articles 8(2)(c)(i) and 25(3)(c) of the Rome Statute, committed on or about
7 24 December 2013 at Yamwara in Boeing, Bangui;
8 under Count 17 of the charges, guilty of the crime against humanity of persecution,
9 on ethnic and religious grounds, of civilians perceived by the Anti-Balaka as
10 supporters of or affiliated with the Seleka, by other inhumane acts, torture, cruel
11 treatment, imprisonment and other forms of severe deprivation of physical liberty
12 and murder, committed on or about 24 December 2013 until on or about
13 27 December 2013 in Boeing, Bangui, pursuant to Articles 7(1)(h) and 25(3)(c) of
14 the Rome Statute;
15 under Count 24 of the charges, guilty of the crime against humanity of forcible
16 transfer and deportation, pursuant to Articles 7(1)(d) and 25(3)(c) of the Rome Statute,
17 committed between on or about 10 January 2014 and on or about 6 February 2014 in
18 the context of the Anti-Balaka's advance through and takeover of villages along
19 the PK9-Mbaïki axis, including Sekia, Ndangala, Bimon, Kapou, Bossongo, Pissa and
20 Mbaïki;
21 under Count 25 of the charges, guilty of the war crime of displacement pursuant to
22 Articles 8(2)(e)(viii) and 25(3)(c) of the Rome Statute, committed between on or about
23 10 January 2014 and on or about 6 February 2014 in the context of the Anti-Balaka's
24 advance through and takeover of villages along the PK9-Mbaïki axis, including Sekia,
25 Ndangala, Bimon, Kapou, Bossongo, Pissa and Mbaïki;

1 under Count 26 of the charges, guilty of the crime against humanity of murder,
2 pursuant to Articles 7(1)(a) and 25(3)(c) of the Rome Statute, committed on
3 28 February 2014 in Mbaïki;
4 under Count 27 of the charges, guilty of the war crime of murder, pursuant to
5 Articles 8(2)(c)(i) and 25(3)(c) of the Rome Statute, committed on 28 February 2014 in
6 Mbaïki;
7 under Count 28 of the charges, guilty of the crime against humanity of persecution,
8 on religious grounds, of Muslim civilians perceived by the Anti-Balaka as supporters
9 of or affiliated with the Seleka, by forcible transfer and deportation, displacement and
10 murder, committed between on or about 10 January 2014 and on or about
11 6 February 2014 and on 28 February 2014 in the context of the Anti-Balaka's advance
12 through and takeover of villages along the PK9-Mbaïki axis, including Sekia,
13 Ndangala, Bimon, Kapou, Bossongo, Pissa and Mbaïki, pursuant to Articles 7(1)(h)
14 and 25(3)(c) of the Rome Statute;
15 under Count 30 of the charges, guilty of the war crime of an attack against the civilian
16 population as such, pursuant to Articles 8(2)(e)(i) and 25(3)(c) of the Rome Statute,
17 committed on 5 December 2013 in Bossangoa;
18 under Count 31 of the charges, guilty of the crime against humanity of murder,
19 pursuant to Articles 7(1)(a) and 25(3)(c) of the Rome Statute, committed on
20 5 December 2013 in Bossangoa;
21 under Count 32 of the charges, guilty of the war crime of murder, pursuant to
22 Articles 8(2)(c)(i) and 25(3)(c) of the Rome Statute, committed on 5 December 2013 in
23 Bossangoa;
24 under Count 33 of the charges, guilty of the war crime of destructing the adversary's
25 property, pursuant to Articles 8(2)(e)(xii) and 25(3)(c) of the Rome Statute committed

1 on 5 December 2013 and in the days thereafter in Bossangoa;
2 under Count 34 of the charges, not guilty of the war crime of pillaging, pursuant to
3 Articles 8(2)(e)(v) and 25(3)(c) of the Rome Statute, committed on 5 December 2013 in
4 Bossangoa;
5 under Count 35 of the charges, not guilty of the war crime of directing an attack
6 against a building dedicated to religion, pursuant to Articles 8(2)(e)(iv) and 25(3)(c) of
7 the Rome Statute, committed on 5 December 2013 and in the week following in
8 Bossangoa;
9 under Count 37 of the charges, guilty of the crime against humanity of forcible
10 transfer and deportation, pursuant to Articles 7(1)(d) and 25(3)(c) of the Rome Statute,
11 committed starting from 5 December 2013 in the context of the attack on Bossangoa;
12 under Count 38 of the charges, guilty of the war crime of displacement, pursuant to
13 Articles 8(2)(e)(viii) and 25(3)(c) of the Rome Statute, committed starting from
14 5 December 2013 in the context of the attack on Bossangoa;
15 under Count 39 of the charges, guilty of the crime against humanity of imprisonment
16 and other forms of severe deprivation of physical liberty, pursuant to Articles 7(1)(e)
17 and 25(3)(c) of the Rome Statute, committed on 5 December 2013 and in the weeks
18 following in Bossangoa;
19 under Count 40 of the charges, not guilty of the crime against humanity of rape,
20 pursuant to Articles 7(1)(g) and 25(3)(c) of the Rome Statute, committed on
21 5 December 2013 in Bossangoa;
22 under Count 41 of the charges, not guilty of the war crime of rape, pursuant to
23 Articles 8(2)(e)(vi) and 25(3)(c) of the Rome Statute committed on 5 December in
24 Bossangoa;
25 under Count 42 of the charges, guilty of the crime against humanity of persecution,

1 on religious grounds, of Muslim civilians perceived by the Anti-Balaka as supporters
2 of or affiliated with the Seleka, by attack against a civilian population as such, murder,
3 destruction of the adversary's property, forcible transfer and deportation,
4 displacement, and imprisonment and other forms of deprivation of physical liberty,
5 committed starting from 5 December 2013 in the context of the attack on Bossangoa,
6 pursuant to Articles 7(1)(h) and 25(3)(c) of the Rome Statute.

7 On the basis of its analysis of evidence submitted and discussed at trial, and as set out
8 in the judgment, the Chamber has therefore convicted Alfred Yekatom of a total of 20
9 crimes, comprising both crimes against humanity and war crimes. The Chamber has
10 also convicted Patrice-Edouard Ngaïssona of a total of 28 crimes, comprising both
11 crimes against humanity and war crimes.

12 As specified in detail in the verdict rendered by the Chamber, Alfred Yekatom has
13 been found guilty of a number of crimes he committed in the context of the attack on
14 Bangui, the events at Yamwara, and the during the advance of his group on
15 the PK9-Mbaïki axis, namely attacks against the civilian population as such, murder,
16 forcible transfer/displacement and deportation, directing an attack against a building
17 dedicated to religion, torture, cruel treatment, other inhumane acts, imprisonment
18 and other severe deprivation of physical liberty, and persecution.

19 Further, and as specified in detail in the verdict and in the judgment, Patrice-Edouard
20 Ngaïssona has been found guilty of a number of crimes he aided, abetted or otherwise
21 assisted to in the context of the attacks on Bangui and Bossangoa, the events at
22 Yamwara, and during the advance of the Anti-Balaka on the PK9-Mbaïki axis, namely
23 attacks the civilian population as such, murder, forcible transfer/displacement and
24 deportation, directing an attack against a building dedicated to religion, torturing,
25 cruel treatment, other inhumane acts, imprisonment and other severe deprivation of

1 physical liberty, destruction of property and persecution.

2 As alluded to before, except for a Chamber proceeding under Article 65 of the Statute,
3 admission of guilt, this is the first time that a Chamber is pronouncing sentences at
4 the same time as its verdict.

5 As required by the law, the Chamber has entered individual sentences for each crime
6 for which a conviction has been entered. A lot of factors had to be considered. This
7 includes the assessment -- all relevant considerations in this regard are outlined in its
8 written decision. This includes the assessment of the individual contributions to
9 the crimes by the accused and which aggravating and mitigating factors, if any,
10 the Chamber took into account. The decision also outlines the basis for
11 the Chamber's conclusion on the respective joint sentences.

12 In that respect, I recall that the Prosecution has requested for Mr Yekatom a sentence
13 not less than 22 years in prison, and for Mr Ngaïssona a sentence not less than
14 20 years in prison. The victims legal representatives have requested a sentence of
15 30 years for both accused. The Defence of Mr Ngaïssona and Mr Yekatom have
16 requested that, in case of a conviction, the maximum potential sentence should be
17 time served in detention.

18 I will now pronounce the joint sentences for the accused on behalf of the Chamber.

19 Mr Yekatom, please rise.

20 Mr Yekatom, having considered all the relevant factors for the determination of
21 the sentence, the Chamber sentences you to a total of 15 years of imprisonment. You
22 may sit down.

23 Mr Ngaïssona, please rise.

24 Mr Ngaïssona, having considered all the relevant factors for the determination of
25 the sentence, the Chamber sentences you to a total of 12 years of imprisonment. You

1 may sit down.

2 Well, as I said, all the details of the really complex and complicated decision on

3 sentencing - in this regard we had also to, of course, consider that there is a huge

4 factual overlap between the many convictions we had - will be -- could be seen and

5 could be read in the written judgment which is very comprehensive in that regard.

6 This concludes today's hearing for the delivery of the judgment in the case

7 of the Prosecutor v Alfred Yekatom and Patrice-Edouard Ngaïssona. The Court is

8 adjourned.

9 THE COURT USHER: [15:21:02] All rise.

10 (The hearing ends in open session at 3.21 p.m.)