

Trial Hearing
WITNESS: CAR-OTP-P-2232

(Open Session)

ICC-01/14-01/21

- 1 International Criminal Court
- 2 Trial Chamber VI
- 3 Situation: Central African Republic II
- 4 In the case of The Prosecutor v. Mahamat Said Abdel Kani - ICC-01/14-01/21
- 5 Presiding Judge Miatta Maria Samba, Judge María del Socorro Flores Liera and
- 6 Judge Sergio Gerardo Ugalde Godínez
- 7 Trial Hearing - Courtroom 2
- 8 Wednesday, 28 August 2024
- 9 (The hearing starts in open session at 9.32 a.m.)
- 10 THE COURT USHER: [9:32:29] All rise.
- 11 The International Criminal Court is now in session.
- 12 Please be seated.
- 13 PRESIDING JUDGE SAMBA: [9:32:47] Good morning, everyone.
- 14 Madam Court Officer, can you kindly mention the case.
- 15 THE COURT OFFICER: [9:32:53] Good morning, Madam President, your Honours.
- 16 The situation in the Central African Republic II, in the case The Prosecutor versus
- 17 Mahamat Said Abdel Kani, case reference ICC-01/14-01/21.
- 18 And we are in open session.
- 19 PRESIDING JUDGE SAMBA: [9:33:06] Thank you very much.
- 20 Can I ask for representations, starting with the Prosecution.
- 21 MS MAKWAIA: [9:33:14] Good morning, Madam President, your Honours.
- 22 For the Office of the Prosecutor this morning, Kamran Choudhry,
- 23 Marie-Jeanne Sardachti, Sanyu Ndagire, trial lawyers; Thomas Laugel, trial support
- 24 assistant; and myself, Holo Makwaia, senior trial lawyer.
- 25 PRESIDING JUDGE SAMBA: [9:33:32] Thank you very much, Ms Makwaia.

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1 Ms Pellet for the victims, please.

2 MS PELLET: [9:33:37](Interpretation) Thank you, Madam President.

3 The victims are represented by Tars Van Litsenborgh and myself, counsel OPCV.

4 PRESIDING JUDGE SAMBA: [9:33:49] Thank you very much, Ms Pellet.

5 Ms Naouri for the Defence, please.

6 MS NAOURI: [9:33:54](Interpretation) Thank you, Madam President. Good
7 morning.

8 To my right, Mr Jacobs and Elina Legat. We have Maya Ley-Robertson, a new
9 member of our team. And, as for myself, I am Jennifer Naouri, lead counsel
10 representing Mr Said.

11 PRESIDING JUDGE SAMBA: [9:34:18] Thank you very much, Ms Naouri. And
12 welcome new counsel to the courtroom.

13 And for the record, I do take note that Mr Said is here in court with us.

14 A very good morning to you, Mr Said. I hope you rested well.

15 MR SAID: [9:34:35](Interpretation) Yes, good morning, Madam President.

16 PRESIDING JUDGE SAMBA: [9:34:37] Good morning.

17 Now, we note that the Prosecution is calling P-2232 as its 46th witness.

18 Before starting the testimony, the Chamber must first deal with an objection.

19 On Monday, Defence objected via email to the inclusion of a number of items in the
20 Prosecution's list of materials on the grounds that they are not in their list of evidence,
21 even though the items have been in the Prosecution's custody for several years. In
22 particular, the Defence identifies items numbers 9 to 12, 14 and 17 as falling into this
23 category.

24 After receiving the Defence objections, the Prosecution sent an updated list of
25 materials yesterday, which still includes the items to which the Defence objects. The

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1 Prosecution did not address the Defence's objections.

2 The Chamber notes that these items are indeed not on the Prosecution's list of

3 evidence. The same is true for item number 18. The Chamber further notes that the

4 Prosecution did not seek to introduce these items as associated materials when it

5 requested the introduction of P-2232's prior recorded testimony in its motion of

6 27 June 2022, as in filing number 376.

7 Under these circumstances, the Chamber finds that the Prosecution is not allowed to

8 rely on items numbers 9 to 12, 14, 17 and 18 of their list of materials with P-2232.

9 Now, this ends our oral decision.

10 Turning back to P-2232, it is the Chamber's understanding that this witness will be

11 testifying in Sango. I remind everyone of the importance of the need to speak slowly

12 and to observe the five-second rule between questions and answers.

13 Before commencing, the Chamber notes briefly that protective measures are

14 confirmed for this witness by virtue of decision numbered 481.

15 Madam Court Officer, can we please have the witness in court.

16 (The witness enters the courtroom)

17 PRESIDING JUDGE SAMBA: [9:38:28] A very good morning to you, Mr Witness. I

18 hope you rested well.

19 WITNESS: CAR-OTP-P-2232

20 (The witness speaks Sango)

21 THE WITNESS: [9:38:43](Interpretation) Good morning, Madam President. I feel

22 very well today.

23 PRESIDING JUDGE SAMBA: [9:38:47] Good. Now, Mr Witness, you're going to

24 testify before the International Criminal Court, so on behalf of this Chamber, I

25 welcome you to the courtroom.

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1 You should have in front of you, Mr Witness, the solemn undertaking that any
2 witness who appears before this Court must agree to.

3 Can you please read that out loud for us.

4 THE WITNESS: [9:39:26](Interpretation) I solemnly declare that I shall tell the truth,
5 the whole truth and nothing but the truth.

6 PRESIDING JUDGE SAMBA: [9:39:35] Thank you very much.

7 And, Mr Witness, do you understand and agree to what you just read out?

8 THE WITNESS: [9:39:50](Interpretation) Yes.

9 PRESIDING JUDGE SAMBA: [9:39:52] Good.

10 So we will continue.

11 Mr Witness, let me explain to you the protective measures we have put in place for
12 the duration of your testimony. We have put in place for you voice and face
13 distortion. Now, this means that no one outside the courtroom can see your face or
14 hear your real voice during your testimony.

15 There will also be the use of pseudonym. In accordance with that, we will all refer to
16 you only as "Mr Witness" to make sure that the public does not know your name.
17 When you answer questions that will not give away who you are, we will do so in
18 open session, which means that the public can hear what is being said inside the
19 courtroom.

20 When you are asked to describe anything that relates specifically to you or that will
21 reveal your identity, we will do so in private session.

22 I also have a few practical matters you should have in mind when giving your
23 testimony.

24 Everything we say here in this courtroom is written down and interpreted. It is
25 therefore important to speak slowly and clearly. Please speak into the microphone

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1 that you have before you and only start speaking when the person asking you the
2 question has finished.

3 To allow for the interpretation, we all have to wait a few seconds before starting to
4 speak.

5 Now, if you have any question yourself or if you need a break, raise your hand so we
6 know that you want to say something to us.

7 Do you understand all that I have said, Mr Witness?

8 THE WITNESS: [9:42:37](Interpretation) Yes, I've understood, Madam President.

9 PRESIDING JUDGE SAMBA: [9:42:41] Good.

10 So we are going to start taking your testimony and I'm going to invite the Prosecution
11 to put questions to you in chief. Thanks for your cooperation.

12 Mr Prosecutor, your witness, please.

13 MR CHOUDHRY: [9:43:01] Thank you very much, Madam President, your
14 Honours.

15 Perhaps we can begin in private session, please.

16 PRESIDING JUDGE SAMBA: [9:43:06] Madam Court Officer, can we go into private
17 session briefly, please. Thank you.

18 (Private session at 9.43 a.m.)

19 THE COURT OFFICER: [9:43:20] We are in private session, Madam President.

20 PRESIDING JUDGE SAMBA: [9:43:22] Thank you very much.

21 Mr Choudhry, please put questions.

22 QUESTIONED BY MR CHOUDHRY:

23 Q. [9:43:28] Good morning, Mr Witness. I will be asking you questions today on
24 behalf of the Office of the Prosecutor. And before I start, I want to give you an idea
25 of the topic areas that we will focus on. And we will focus on three areas.

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1 I will start by asking you questions about yourself.

2 The second area that I will ask you questions about are about any knowledge you
3 may have about the conflict in the Central African Republic in the year 2013.

4 PRESIDING JUDGE SAMBA: [9:44:17] Yes, Mr Jacobs.

5 MR JACOBS: [9:44:22] (Interpretation) Yes, good morning, Madam President.

6 Now, regarding mentioning the topics, the -- my colleague made mention of a word
7 such as "conflict" and I believe it would not be appropriate to describe the events in
8 these terms, and perhaps counsel could use more neutral language.

9 PRESIDING JUDGE SAMBA: [9:45:00] Mr Jacobs -- I'm sorry. Mr Choudhry,
10 please.

11 MR CHOUDHRY: [9:45:06] Your Honours, your Honours will be aware, unless my
12 learned friend is contesting that there was a conflict, that one of the entitlements that
13 parties were allowed to do during the course of preparation, witness preparation, was
14 to suggest the general areas. In this case, I have worded the general topic as any
15 knowledge the witness may have. It doesn't presume a fact. The witness may or
16 may not have any knowledge and may in fact still refute knowledge. But it would
17 be my submission that I would be entitled to explain to the witness, so that it
18 facilitates his evidence in court, the general subject areas that he may be questioned
19 about. But if my learned friend wishes, I'm happy to rephrase and use the word
20 "events" in 2013.

21 PRESIDING JUDGE SAMBA: [9:46:08] I'm thinking that, you know, it's common
22 knowledge that we all know that something happened in the CAR in 2013. But to
23 forge ahead so that we don't cause any delay, maybe just rephrase the topic that you
24 would want to discuss in 2013 to the witness so that we don't cause any further delay.
25 Thank you.

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1 MR CHOUDHRY: [9:46:36]

2 Q. [9:46:37] Mr Witness, I'm going to be asking you questions about events in the
3 Central African Republic and, in particular, events that commenced in the month of
4 March 2013.

5 The final topic I'm going to ask you about, Mr Witness, is about any knowledge you
6 may have about the Anti-Balaka.

7 Now, I'll start, Mr Witness, by just asking you a few questions about yourself.

8 Can you please give the Court your full name.

9 A. [9:47:27] Yes.

10 Q. [9:47:33] What is your full name, please?

11 A. [9:47:39] My name is (Redacted)

12 (Redacted)

13 THE INTERPRETER: [9:47:55] Says the witness, in French.

14 THE WITNESS: [9:47:57](Interpretation) My father is (Redacted), and my
15 mother's name is (Redacted), and she is a (Redacted). My father is working -- was
16 working (Redacted), and he died when I was six years old. (Redacted), the new
17 husband of my -- well, the spouse of (Redacted) -- correction, the spouse of (Redacted),
18 who raised me, and he works (Redacted).

19 MR CHOUDHRY: [9:48:42]

20 Q. [9:48:45] What is your religion, please?

21 A. [9:49:05] I am a (Redacted).

22 Q. [9:49:07] What is your ethnicity, please?

23 A. [9:49:20] I am from the (Redacted) and I am a (Redacted). My mother is
24 (Redacted).

25 Q. [9:49:36] Mr Witness, what school did you go to in the Central African Republic?

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1 A. [9:49:53] I began primary school at the (Redacted), and then I studied at the
2 (Redacted). After that, I went to (Redacted) and I studied there, I studied
3 (Redacted).

4 Q. [9:50:20] What age did you leave school?

5 A. [9:50:34] I stopped going to school at 18. After my (Redacted) and after my
6 father died, you see, after that, (Redacted) as well, my mother was not working either
7 and so I was obliged to find work and support my brothers and sisters and help my
8 mother.

9 Q. [9:51:03] Can you please tell the Court what work you did after you left school?

10 A. [9:51:26] After I left school, I (Redacted)
11 (Redacted)
12 (Redacted)

13 Q. [9:51:45] Now, I'd just like to focus on (Redacted). When
14 did you (Redacted)?

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

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8 (Redacted)

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10 (Redacted)

11 Q. [9:55:30] (Redacted)

12 (Redacted)

13 (Redacted)

14 * A. [9:56:10] It was when the Seleka arrived, that's what caused the president to be

15 ousted, I believe. They began the rebellion in 2012, and they advanced as far as

16 Bambari. And then from Bambari they stopped at the red line. Bozize asked for

17 dialogue and they went to Gabon to engage in dialogue. After that, they demanded

18 positions within the government as ministers. And people started to work within

19 the government and on 26 -- 24 March, they went back into the bush. And

20 ultimately they drove Bozize from power, they ousted him and they took power.

21 Q. [9:57:14] Who were the Seleka?

22 A. [9:57:28] The Seleka were a mixed group. There were people from the Central

23 African Republic, from Chad, from Sudan. They were all part of the Seleka. It was

24 a mixture of people.

25 Q. [9:57:48] What was the primary religion of the Seleka?

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1 A. [9:58:00] The main religion was Islam. For the most part, the Seleka were
2 Muslims, even the ones that (Redacted). After the Seleka took power, they were
3 wearing military uniforms and they were armed.

4 Q. [9:58:28] Now, you've mentioned 24 March, Mr Witness, and you've stated that
5 the Seleka went into the bush. Where else did the Seleka go on 24 March?

6 A. [9:59:01] Yes. They began the dialogue in Gabon and it was decided that there
7 would be a red line. They were added to the government, included in the
8 government, and there was talk about a -- about disarmament. Djotodia was
9 appointed, Dhaffane as well. One month after taking up his duty, he claimed he was
10 going to talk with the armed groups. When he got there, he said that he had been
11 taken hostage. The government negotiated and despite that, they crossed the red
12 line that was being held by international forces. And so they attacked the red line,
13 they attacked the front held by the South Africans and ultimately they took power on
14 24 March.

15 Q. [10:00:19] Did the Seleka ever go to Bangui on 24 March?

16 A. [10:00:49] Yes, it was 24 March 2013. That is when they drove Bozize out and
17 they took power. Bozize then went to Cameroon. (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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2 (Redacted)

3 Q. [10:02:26] (Redacted)

4 (Redacted) what I would like you to do is just to focus your mind on the Seleka

5 arriving in Bangui.

6 Can I please clarify, where were you when the Seleka first arrived in Bangui?

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

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16 (Redacted)

17 MR CHOUDHRY:

18 Q. [10:06:40] Mr Witness, you talked about the Seleka fighting. Who did the

19 Seleka fight against in the lead-up to their arrival in Bangui on 24 March?

20 A. [10:07:12] When they arrived in Bangui in March, all the soldiers had fled.

21 There was no one to confront them. They had the monopoly on the entire country,

22 so they did whatever they wanted. They pillaged and they killed.

23 After the killings and everything else that they did to the population, including rape,

24 raping women, that is how the Balaka were then forced into existence.

25 Q. [10:08:05] Now, I want to ask you about your comment that when the Seleka

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1 arrived, the president went to Cameroon and you used -- you stated that the
2 (Redacted)
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20 (Redacted)

21 (Redacted)

22 Q. [10:14:15] Who else did you learn was in Cameroon with him?

23 A. [10:14:26] When he was in Cameroon, many people were there as well. Many
24 people had gone there, including Eric Danboy, Colonel Mboya, who was the *chef de*
25 *corps* in Bouar. Then there was Steve Yambete, Agoudomo Olivier, Gbangouma,

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1 Mokom Bernard. And there were also several other military officers and
2 personalities.

3 Now, those who had sought refuge in Congo-Brazzaville were Vianney, Vianney
4 Semdiro. Vianney was Bozize's former driver. There was also Semdiro. Vianney
5 subsequently became a senior official. (Redacted)
6 (Redacted)

7 Q. [10:16:06] I just want to ask you about some of the people that you've mentioned
8 who were in Cameroon. Who was Bernard Mokom, please?

9 A. [10:16:24] Bernard Mokom is Bozize's brother. They belong to the same family.

10 Q. [10:16:32] What job did Bernard Mokom do before the Seleka arrived in Bangui?

11 A. [10:16:53] Bernard Mokom worked as the chief of cabinet to President Bozize.

12 But he embezzled some money and he was imprisoned by Bozize and he was
13 dismissed. But after he was released, Bozize posted him to work as a sub-prefect in
14 a bordering town called Amadagaza bordering Cameroon.

15 Q. [10:17:32] You also mentioned Steve Yambete. Who is Steve Yambete, please?

16 A. [10:17:48] Steve Yambete was a lieutenant, he was a member of Bozize's
17 presidential guard. He is the one who organised the pillaging of the Ecobank branch
18 in Garam-Boulai. He was arrested and detained in Cameroon.

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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21 Q. [10:25:31] Who is Ngaikosset, please?

22 A. [10:25:41] Captain Eugene Ngaikosset and then there is also Claude Ngaikosset.

23 The captain is a soldier, of course.

24 Q. [10:26:10] Who is Claude, please?

25 A. [10:26:24] Claude, Claude was a tax inspector. He worked as a tax inspector.

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9 (Redacted)

10 Q. [10:27:43] Now, I want to ask you a few questions about Maxime Mokom.

11 Who is Maxime Mokom?

12 A. [10:28:02] Maxime Mokom is Bernard Mokom's son, who is Bozize's brother.

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 Q. [10:28:40] Mr Witness, I just want to just confirm something that's come up on
17 the translation. It's written that Maxime Mokom is Bernard Mokom's son who is
18 Bozize's brother. What do you mean by Bozize's brother?

19 A. [10:29:06] It's his brother. It's his brother.

20 THE INTERPRETER: [10:29:10] The witness says that in French.

21 THE WITNESS: [10:29:13](Interpretation) Well, what can I say, (Redacted)

22 (Redacted)

23 PRESIDING JUDGE SAMBA: [10:29:18] I think his evidence before now is that

24 Bernard Mokom is or was Bozize's brother and Maxime Mokom is the son of Bernard
25 Mokom.

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1 Can you confirm that, Mr Witness?

2 THE WITNESS: [10:29:43](Interpretation) Yes, that is correct.

3 MR CHOUDHRY: [10:30:02]

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 Q. [10:31:37] And when you use the word "Anti-Balaka", what does Anti-Balaka
15 mean?

16 A. [10:31:46] Anti-Balaka, they were a self-defence group that fought against the
17 Seleka because of the acts of violence and the abuse that they committed against the
18 population. The young people from the villages organised themselves into groups
19 to fight the Seleka and ultimately that led to the resignation of Michel Djotodia and
20 they drove out the Seleka from the capital. So the Anti-Balaka were
21 groups -- self-defence groups organised on a village-by-village basis. And I can give
22 you more details about the birth of the Anti-Balaka movement and how they began to
23 manoeuvre.

24 Q. [10:32:47] Could you please tell the Court how the Anti-Balaka was born?

25 PRESIDING JUDGE SAMBA: [10:33:00] Yes, Mr -- hold on, Mr Witness, please.

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1 Yes, Mr Jacobs.

2 MR JACOBS: [10:33:06] (Interpretation) It's not an objection. It seems that we are
3 dealing with some topics that could be dealt with in open session. And some other
4 things seem to be reminiscent of testimony from the Yekatom, Ngaïssona trial, so I
5 believe it may be possible for us to go into open session.

6 (Redacted)

7 (Redacted)

8 (Redacted)

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11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 MR CHOUDHRY: [10:34:31]

17 Q. [10:34:32] Mr Witness, just to ask the question again, you told us that you were
18 able to explain how the Anti-Balaka were born. You also stated that the Anti-Balaka
19 was forced into existence. Can you please tell the judges how the Anti-Balaka was
20 born?

21 A. [10:34:53] The Anti-Balaka group was after Bozize fled to Cameroon. He
22 brought together all the soldiers who were present in Cameroon and it was decided
23 that they would go back home. They set up something called the FROCCA, that was
24 from a legal point of view. The FROCCA was led by Banoukepa, who is a lawyer.
25 And within this organisation, there was an inner circle, a smaller group, staff, Colonel

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1 Mboya, the Mokom senior, Ngaïssona, Levy Yakete -- the late Levy Yakete. They
2 organised themselves so that they could go back home to the country. There were
3 two options, there was the political option and then there was the military option.
4 The objective was to take Garam-Boulai and Bouar and then force Djotodia to enter
5 into dialogue and allow everyone to go back home. But the dialogue didn't work.
6 They were in Cameroon, you see, and the soldiers had been separated from the
7 civilians. After the attack organised by Steve Yambete in Garam-Boulai, during that
8 attack, they pillaged the Ecobank and because of that, the group scattered and Bozize
9 left Cameroon. There was only Bernard Mokom, Ngaïssona in Cameroon. They
10 were the only ones who remained. And they transferred the command to Zongo, to
11 Maxime Mokom who was there. And during the swearing-in ceremony of Djotodia,
12 that was the very first operation led by Maxime Mokom because the Central African
13 Republic government had stated that Ngaikosset, close to the capital, was a
14 threat -- having him close to the capital was a threat to the government in Bangui
15 (Redacted)
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5 And the powers relationship was not to their favour, or the balance of power, and

6 they retreated to Gobere. And in Gobere they began to mobilise young people and

7 that is why Gobere is thought of as the starting point of the Anti-Balaka movement.

8 From Gobere they contacted Maxime Mokom, who gave them instructions about

9 operations in the field. And from there, each village would set up a group of

10 self-defence, a militia, and that is how the Anti-Balaka movement was born.

11 In the provinces, everything was coordinated by Dedane, who reported directly to

12 Maxime Mokom, who was responsible for operations. Dedane was chosen to be the

13 head of military staff. (Redacted)

14 (Redacted)

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1 MR CHOUDHRY: [10:43:06]

2 Q. [10:43:06] Mr Witness, you've given the Court a lot of information. What

3 I would like to do is go through what you have told us in small portions.

4 And if I could kindly ask you to please, when you're giving your answers, speak

5 slower so that the interpreters can capture everything that you say, okay?

6 So the first --

7 PRESIDING JUDGE SAMBA: [10:43:32] Mr Choudhry, before you do that, having

8 listened to all that he has said and in anticipation that your questions in parts are

9 going to be about what he has just testified to, can I ask that we go into open session

10 for that?

11 MR CHOUDHRY: [10:43:54] Your Honours, for this portion, yes.

12 PRESIDING JUDGE SAMBA: [10:43:57] Yes.

13 Madam Court Officer, can we go into open session, please.

14 (Open session at 10.44 a.m.)

15 THE COURT OFFICER: [10:44:05] We are back to open session, Madam President.

16 PRESIDING JUDGE SAMBA: [10:44:25] Yes, thank you very much.

17 Mr Choudhry, please continue.

18 MR CHOUDHRY: [10:44:29]

19 Q. [10:44:30] Mr Witness, you started off by explaining that Steve Yambete went to

20 Garam-Boulai. Could I please ask you what date did that happen? And if you can't

21 remember the exact date, can you please tell us approximately how soon after the

22 Seleka arrived in Bangui did that event happen?

23 A. [10:44:57] I think it was one month after the arrival of the Seleka. He was

24 already in Cameroon before. One month or a month and a half, something like that.

25 But I no longer remember the exact date.

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1 Q. [10:45:31] You also told us that the Seleka then went to Boy-Rabe. Can you
2 please tell us the same, the date on which that occurred? And if you can't remember,
3 approximately how soon after the Seleka arrived in Bangui that that event happened.

4 A. [10:46:09] I believe it was -- well, I don't really remember the date. Djotodia
5 was supposed to swear his oath of office, but there was an attempt, and after that
6 attempt, which failed, that attempt to keep the swearing-in from happening, that
7 same day, the next day they entered Boy-Rabe. They had attacked Boy-Rabe.
8 Djotodia was present and there were several authorities there. After that, the
9 swearing-in ceremony of the president took place.

10 Q. [10:46:52] Do you remember the month?

11 A. [10:46:59] I would say it might have been in April or after because he swore his
12 oath of office after he took power. It was after that. Before he swore his oath of
13 office, there was that attack and then after that, he swore his oath of office.

14 Q. [10:47:28] Mr Witness, I want to talk to you about a Defence group in Bozoum,
15 you said that one was created. Can you please tell us when that happened? And
16 again, if you can't remember, approximately how soon after the Seleka arrived in
17 Bangui.

18 A. [10:48:38] I believe that I -- I've forgotten the date. Many events occurred and I
19 can't remember all the dates. I believe it was after the Seleka had taken power, one
20 month or two months after, that is when the movement emerged. The Anti-Balaka
21 movement began after that.

22 Q. [10:49:15] You stated that Gobere was thought of as the starting point of the
23 Anti-Balaka movement. At what date or what time frame are you speaking about
24 there? And again, if you can't remember the date or the month, if you can give an
25 estimate as to how soon approximately this occurred after the Seleka arrived in

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1 Bangui, please.

2 A. [10:49:59] It wasn't -- they didn't assemble in Gobere. They had attacked
3 Bozoum, and after, the Seleka had superior numbers and they withdrew to Gobere.
4 They withdrew to Gobere. From Gobere there were some people from the villages
5 who began to join them so as to expand the movement. The coordinator in Gobere,
6 as the coordinator, he had Dedane, there was Richard Bozouan, Azounou, Achille
7 Godonam, Achille Godonam.

8 From that point on, the movement began to expand and they began to mobilise one
9 village at a time, one village after another.

10 Q. [10:51:10] Mr Witness, I want to understand the structure of the Anti-Balaka.
11 Who created, which individual created the Anti-Balaka?

12 A. [10:51:38] The person who created the Anti-Balaka movement was
13 Maxime Mokom. They weren't -- the movement was -- he was not in the field. The
14 movement was created in the bush and the people in Brazza entrusted him with
15 command of the movement. He was the one who was providing strategies to
16 implement in the field, strategies and principles for fighting in the field. That's how
17 the movement was created. A number of soldiers joined the movement. Those
18 soldiers were professionals so they taught combat, they gave combat training up until
19 5 December.

20 Q. [10:53:02] What were the names of the leaders, other than Maxime Mokom, of
21 the Anti-Balaka?

22 A. [10:53:11] There was Achille Godonam, 12 Puissances, Thierry Lebene, he was
23 also known by that name, then there was Andjilo, Commander Gustave, there was
24 the coordinator Ngaïssona. Papa Dier is the uncle of Andjilo. There was Dier, the
25 younger brother, he was called Colonel. There was General Mori. There was also

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- 1 Yekatom. Lieutenant Donoh. Captain Herve Ganazoui, he was a lieutenant.
- 2 There was Godan, Kossi. There were -- there are many names. It would be difficult
- 3 to give all the names. There were -- there were quite a few people, quite a lot of
- 4 names.
- 5 MR CHOUDHRY: [10:54:42] Your Honours, with that I would ask to go into private
- 6 session, please.
- 7 PRESIDING JUDGE SAMBA: [10:54:48] Can we go into private session, please,
- 8 Madam Court Officer.
- 9 (Private session at 10.54 a.m.)
- 10 THE COURT OFFICER: [10:54:58] We are in private session, Madam President.
- 11 PRESIDING JUDGE SAMBA: [10:55:11] Thank you.
- 12 Mr Choudhry, please carry on.
- 13 MR CHOUDHRY: [10:55:14] Thank you.
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
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13 MR CHOUDHRY: [11:01:09] Your Honours, I note the time.

14 PRESIDING JUDGE SAMBA: [11:01:12] Yes, definitely.

15 But before we go away, Mr Witness, you've told us about Mr Djotodia's inauguration

16 which took place and you say that the inauguration took place after the attack

17 in -- there was an attack in Bangui and, you know, after that, then the inauguration

18 took place. Do you know approximately when that inauguration took place? I

19 know you mentioned April for the attack in Boy-Rabe -- sorry, Boy-Rabe, but do you

20 know approximately when Djotodia's inauguration took place?

21 THE WITNESS: [11:02:02](Interpretation) I think it was after those months.

22 Because, you know, when it comes to dates and months, I've kind of forgotten.

23 Djotodia took power and he wanted -- he was supposed to swear his oath of office

24 and (Redacted) trying to prevent the ceremony from happening. When the

25 operation failed, that same day that the operation failed at 3 in the morning, at 6 in the

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1 morning they got to Boy-Rabe and they began to kill people and loot in Boy-Rabe.

2 After that, Djotodia went off for his swearing-in ceremony. So there was no delay of

3 one or two days or a few weeks, no. The operation was at night. The next day the

4 Seleka was in Boy-Rabe, and then after that, Djotodia was at the National Assembly to

5 swear his oath of office. The operation -- those things happened one after another.

6 There was no delay.

7 There was no delay of one or two days, no.

8 PRESIDING JUDGE SAMBA: [11:03:18] Okay. Thank you very much for that

9 clarification.

10 We're going to go away for a short break and we'll be back after 30 minutes.

11 So I rise the Court for 30 minutes.

12 THE COURT USHER: [11:03:34] All rise.

13 (Recess taken at 11.03 a.m.)

14 (Upon resuming in open session at 11.35 a.m.)

15 THE COURT USHER: [11:35:48] All rise.

16 Please be seated.

17 PRESIDING JUDGE SAMBA: [11:36:00] Good morning again, everyone.

18 Mr Witness, we're going to continue with your testimony and I'm going to ask

19 Mr Choudhry to continue putting questions to you in-chief.

20 Mr Choudhry, please

21 MR CHOUDHRY: [11:36:21] Your Honours, perhaps I could begin in private session

22 for three questions. After that, I anticipate that I'll be able to do a large chunk in

23 public session.

24 PRESIDING JUDGE SAMBA: [11:36:34] Certainly.

25 Madam Court Officer, can we go into private session, please.

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1 (Private session at 11.36 a.m.)

2 THE COURT OFFICER: [11:36:42] We are in private session, Madam President,
3 your Honours.

4 PRESIDING JUDGE SAMBA: [11:36:47] Thank you.

5 Mr Choudhry, continue, please.

6 MR CHOUDHRY: [11:36:52]

7 (Redacted)

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18 Q. [11:38:30] Did the Seleka carry out any attacks during that period?

19 A. [11:38:46] Yes. They launched several attacks - for example, the attack on
20 Ndjo - and they made several incursions into Boy-Rabe. They attacked some sectors
21 in PK12, and several villages and prefectures were also attacked.

22 Q. [11:39:16] Mr Witness, I just want to make sure because my translation was
23 talking about Anti-Balaka attacks. What I'm interested in are attacks carried out by
24 the Seleka.

25 Did the Seleka carry out attacks, please?

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1 A. [11:39:35] Yes. They conducted several attacks on Boy-Rabe, for example, in
2 Berberati. They attacked several locations such as Bambari and Bria, several attacks.

3 Q. [11:40:03] And when the Seleka carried out those attacks, who were those
4 attacked against?

5 A. [11:40:10] After Bozizé fled, the Seleka, who came to power, attacked the
6 population and pillaged their property. That is how the Anti-Balaka movement
7 came into existence, because people wanted to protect themselves from excessive
8 abuses by the Seleka. For example, when they came upon a man, they would kill
9 them. They would loot homes and shops. The leaders of Seleka no longer had
10 control over their troops, they had distributed weapons to almost all Muslims and
11 those who had weapons were doing whatever they wanted to do, almost across the
12 entire country.

13 MR CHOUDHRY: [11:41:22] Your Honours, with that, we can go into public
14 session.

15 PRESIDING JUDGE SAMBA: [11:41:26] Madam Court Officer, can we go into open
16 session, please.

17 (Open session at 11.41 a.m.)

18 THE COURT OFFICER: [11:41:33] We are back to open session, Madam President.

19 PRESIDING JUDGE SAMBA: [11:41:42] Thank you.

20 Mr Choudhry, please continue

21 MR CHOUDHRY: [11:41:49] Thank you, your Honour.

22 Q. [11:41:51] Mr Witness, before the break you told us that the Anti-Balaka began
23 to expand. You also told us that young people from villages organised themselves
24 into groups and that self-defence groups were organised on a village-by-village basis.
25 What I would now like to ask you, please, are questions about how the Anti-Balaka

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1 expanded after it started.

2 PRESIDING JUDGE SAMBA: [11:42:36] Sorry, Mr Witness. Can I hear Mr Jacobs,
3 please.

4 MR JACOBS: [11:42:42](Interpretation) Yes, Madam President. I'm not rising on an
5 objection as such, but just clarification on the various elements that have been
6 mentioned so that we have clear vocabulary in order to understand whether
7 the -- what my learned colleague says is exactly as what is presented here in the
8 transcripts here. This would be very useful, madam, so that we understand clearly
9 what is being said.

10 PRESIDING JUDGE SAMBA: [11:43:14] Yes, Mr Choudhry.

11 MR CHOUDHRY: [11:43:18] Your Honours, the question that I will start with occurs
12 at the end of page 34 and 35, where the witness states, "Dedane mobilised in the bush
13 and the Anti-Balaka began to expand as well."

14 Q. [11:43:34] Mr Witness, can you please tell the judges how the Anti-Balaka
15 expanded its membership after it had started?

16 A. [11:44:00] At the beginning of the Anti-Balaka movement, those villages that
17 had come under Seleka pillaging and abuses, started to mobilise themselves village
18 after village, prefecture after prefecture, with each locality creating its own
19 self-defence groups in order to defend itself against the abuses and the actions by the
20 Seleka. So, along the way, these self-defence groups became pro-Anti-Balaka and
21 then joined the Anti-Balaka movement. You see, when each group was formed, the
22 members of the group would select their leader. They owned machetes and arrows
23 for their self-defence. For example, someone who was breeding goats, for example,
24 would find that the Seleka would come in and take their goats and if the individual
25 wanted to protest, then the Seleka would kill them.

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1 They would also, for example, take off the shoes from people who were wearing nice
2 shoes, and if they met any resistance, they would kill the person. And that is how
3 the villages got together, or mobilised, in order to defend themselves against such
4 abuses that were being committed by the Seleka.

5 Then they contacted Dedane's Anti-Balaka movement, which was also coordinated by
6 Mokom. Each village then mobilised itself in self-defence and this is what enabled
7 the Anti-Balaka movement to expand. That's what I can say.

8 Q. [11:46:07] When you say "villages", can I just clarify, where were these villages
9 located, which country, please?

10 A. [11:46:28] The villages -- the villages were in Berberati, Lobaye, Bambari. Most
11 of the villages in the Central African Republic actually came together in self-defence
12 groups in order to defend themselves against the aggressor.

13 Q. [11:47:01] You've just told us that these groups in the village contacted Dedane's
14 Anti-Balaka movement which was also coordinated by Mokom.

15 How did these groups communicate with Mokom?

16 A. [11:47:32] You see, the movement at the time of its creation, they would be in
17 villages. And Dedane would call them and together they would exchange
18 information by telephone and the information would go all the way to Mokom who
19 would then contact the leaders, and then with other information they were in
20 a position to strengthen other leaders, and all of that would be communicated all the
21 way to Mokom.

22 So whenever the Seleka attacked, they would call on other villages to come in as
23 reinforcement. When those villages received the information, they would find out
24 what was happening, they would ask what was going on, and then some form of
25 coordination developed as various persons exchanged their phone numbers, and

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1 that's how it happened.

2 Q. [11:48:39] When you say that they selected a leader, what would the leader of
3 these defence groups be called?

4 A. [11:48:53] They were called ComZone.

5 Q. [11:49:08] What does the term "ComZone" mean, please?

6 A. [11:49:20] Region or zone commander, I think -- military region commander, I
7 think. That would be a commander of a military region. So ComZone would be
8 commander of a zone, a region, Lobaye, and so on and so forth, depending on the
9 zone.

10 Q. [11:49:49] Where did the term "ComZone" come from?

11 A. [11:49:58] I think they copied that from the military model. The minister of
12 defence had appointed some ComZones in various Central African departments and
13 in prefectures, so there were military officials there and the Anti-Balaka copied that
14 model in order to set up its own various groups in its -- in various sectors. So they
15 copied the model from the general staff model of the Central African Republic.

16 Q. [11:50:49] Approximately how many ComZones were in existence before 5
17 December 2013?

18 A. [11:51:00] Ah, there were many of them, very many of them, I'm not able to
19 provide an estimate, because if I attempted to mention every group that created
20 a self-defence group, well, that would -- there were so many groups, so many
21 ComZones.

22 Q. [11:51:31] Can you please name some of the ComZones?

23 A. [11:51:37] There was 12 Puissance Lebene, he was a ComZone. Then there was
24 Andjilo. He, too, is a ComZone. Tchakpa Blaise, he was also a ComZone. Junior
25 Bayo, Yekatom, who was a ComZone in Lobaye. Lieutenant Donoh, Yakouzou, he's

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1 a Cordo ComZone in Combattants. And then there was Ngoyas (phon). He's a
2 Cordo ComZone in Boeing. There was Marabout Leroi, who was also a ComZone.
3 So there were many ComZones and I'm not able to mention all of them here; there
4 were many of them.

5 Q. [11:52:50] And would these ComZones communicate with each other?

6 A. [11:53:00] Yes, there was very good communication between them.

7 PRESIDING JUDGE SAMBA: [11:53:11] Yes, Mr Jacobs?

8 MR JACOBS: [11:53:17](Interpretation) Madam President, I let go when some very
9 general questions were put to the witness, but I think now he's beginning to ask some
10 questions without laying any foundation in relation to the knowledge of the witness.
11 How can you talk about the communications of ComZones whom he doesn't know,
12 whom he hasn't mentioned? So I think that we are now delving into territory where
13 we need to lay a foundation about the knowledge of the witness before asking any
14 questions. {ICR: (Redacted)
15 (Redacted)} So I think the learned colleague has couched his question in too
16 broad terms.

17 MR CHOUDHRY: [11:54:05] Your Honours, before I respond, perhaps we can go
18 into private session.

19 My learned friend has already mentioned something that might require
20 redactions.

21 PRESIDING JUDGE SAMBA: [11:54:16] Madam Court Officer, can we go into
22 private session, please.

23 (Private session at 11.54 a.m.)

24 THE COURT OFFICER: [11:54:22] We are in private session, Madam
25 President.

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24 MR CHOUDHRY: [11:56:50] your Honours, with that I think I can go back into

25 public session.

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1 PRESIDING JUDGE SAMBA: [11:57:01] Madam Court Officer, can we go back to
2 open session, please.

3 (Open session at 11.57 a.m.)

4 THE COURT OFFICER: [11:57:16] We are back to open session, Madam President.

5 PRESIDING JUDGE SAMBA: [11:57:19] Yes, thank you.

6 Mr Choudhry, please continue.

7 MR CHOUDHRY: [11:57:22]

8 Q. [11:57:22] Mr Witness, you have told us that Maxime Mokom was a coordinator.

9 Can you, please, explain the types of things that he coordinated with these
10 ComZones?

11 A. [11:57:36] Yes. He was the operations coordinator for the Anti-Balaka. He
12 had some ComZones. He prepared them for the attacks and he taught them combat
13 tactics on the phone. Whenever they came under attack, they would call him and
14 ask for ammunition and weapons, then he would tell them what to do, whether to
15 retreat or to advance, or whether to call for reinforcement from such-and-such
16 a person. And if there was such a need, he would call those persons and coordinate
17 the operations. You see, these people had very few weapons, but he organised all of
18 these things in order to ensure that everything unfolded well.

19 Q. [11:58:41] And would the ComZones do what they were told by Maxime
20 Mokom?

21 A. [11:58:48] Yes. When he pointed out which tactic was to be adopted, they
22 would follow the instruction. Then they would report back to him after -- after the
23 attacks. They would report back to him after the attacks and then he would ask
24 them questions as to who may have been killed, who may have been injured, and
25 then they would provide a report on the number of wounded and so on and so forth.

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1 Then he would tell them, "Going forward, please identify your needs and then be
2 mindful of what needs to be done."

3 Q. [11:59:47] The groups and individuals that joined the Anti-Balaka, what religion
4 were they primarily, please?

5 A. [12:00:01] There were Muslims amongst the Anti-Balaka groups, Marabout Leroi,
6 for example, he was a Muslim. There were Muslims amongst the Anti-Balaka
7 because they, too, were subjected to acts of violence and abuse by the Anti-Balaka, so
8 they rallied to the Anti-Balaka. And, you see, the Anti-Balaka were not just
9 Christians as some people say. There were Muslims amongst the Anti-Balaka.
10 There was General -- a general in Bouar, he was a Muslim.

11 Q. [12:00:56] What was the primary religion of the members of the Anti-Balaka?
12 Or, perhaps, Mr Witness, I can rephrase.

13 What was the religion of the majority of the members of the Anti-Balaka?

14 A. [12:01:15] The majority were Christian.

15 Q. [12:01:27] And what was the majority ethnicity of the members of the
16 Anti-Balaka?

17 A. [12:01:33] The majority were from the Gbaya ethnic group. Many of the
18 members of the Anti-Balaka members were from the Gbaya ethnic group.

19 Q. [12:01:58] And after the Anti-Balaka began to expand, what was the primary
20 objective of the Anti-Balaka?

21 A. [12:02:18] The main objective was to fight the Seleka and drive them out of the
22 country, including their leader. Now, at one point, was it difficult for the people?
23 The objective was to drive them out, all of them, the very last one, and then regain
24 power.

25 Q. [12:03:06] Mr Witness, you told us a few moments ago that the Seleka had very

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1 few weapons. How did the -- sorry, the Anti-Balaka had very few weapons. How
2 did the Anti-Balaka obtain its weapons?

3 A. [12:03:41] The weapons were taken back in the field after clashes with the Seleka,
4 and some Muslims fled their houses and in their houses they had hidden weapons; so,
5 you see, the young people would get these weapons to continue the fighting. Each
6 time they fought, if they won the battle, they would take the ammunition and the
7 weapons from the enemy.

8 {PFR : (Redacted)}

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25 PRESIDING JUDGE SAMBA: [12:14:12] Mr Choudhry, if you could allow us to get

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1 some clarification from Mr Witness.

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25 PRESIDING JUDGE SAMBA: [12:23:29] Yes, Mr Jacobs?

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1 MR JACOBS: [12:23:33](Interpretation) This is not an objection, just a housekeeping
2 matter. Would it be possible to show the passage that my learned friend has read
3 out, because in the version that we received, the telephone number was redacted.
4 It -- the redaction was not lifted, but obviously this is an important piece of
5 information for the Defence. Could we have a look at the unredacted version, so
6 that we can double-check this number.

7 PRESIDING JUDGE SAMBA: [12:24:11] Mr Choudhry, the copy we also have, the
8 numbers for (Redacted) are redacted.

9 MR CHOUDHRY: [12:24:20] Your Honours, with that, that can be redacted on that
10 basis. I wasn't aware of that.

11 I'm happy to do that now or over the lunch break with my learned friend.

12 PRESIDING JUDGE SAMBA: [12:24:33] Yes, you can do that later. That said, I
13 don't think the witness has answered the earlier question in respect of the numbers,
14 whether he recalls those were (Redacted) numbers.

15 MR CHOUDHRY: [12:24:50]

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22 (Redacted)

23 Q. [12:25:43] Thank you.

24 And with that, your Honours, we can move back into public session.

25 PRESIDING JUDGE SAMBA: [12:25:48] Yes, Madam Court Officer, can we go back

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1 into open session, please.

2 (Open session at 12.26 p.m.)

3 THE COURT OFFICER: [12:26:04] We are in open session, Madam President.

4 PRESIDING JUDGE SAMBA: [12:26:07] Go on, Mr Choudhry.

5 MR CHOUDHRY: [12:26:09]

6 Q. [12:26:09] Mr Witness, the final area that I want to ask you questions about

7 relate to Anti-Balaka attacks in the Central African Republic against the Seleka.

8 And I would again like you to focus your mind on the period between 24 March 2013

9 up until 5 December, 2013, so the period -- that in-between period, please. You've

10 told us that the Anti-Balaka carried out attacks against the Seleka. Can you

11 remember the names of locations where the Anti-Balaka carried out such attacks?

12 A. [12:27:02] I certainly remember the places where the Anti-Balaka carried out

13 their attacks. I can give you the example of the Ndjo attack. After the massacre of

14 the Anti-Balaka perpetrated by the Anti-Balaka, those who got away or injured, they

15 were taken to President Djotodia, who called prime minister Tiangaye and right in

16 front of the TV cameras, he said, "Look at what the Christians have done". It was

17 quite ferocious fighting. There were victims on each side. Women had been killed,

18 children too. It was a major attack. The other attack -- the other major attack was

19 the Ngoy attack. It was also a large one and many people died. Many Peuhl

20 people were killed, many Muslims were killed as well. Many Seleka members were

21 killed and Anti-Balaka died too, Christians died as well. Those were the two major

22 attacks I can tell you about.

23 I also mentioned the reaction by Djotodia subsequent to those attacks, because he said,

24 "Look at what the Christians have done." These were well-coordinated attacks.

25 The Ndjo attack was well-coordinated by the coordinator of operations. It was

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1 a major attack, it was a large attack.

2 The attack that wasn't coordinated was the Ngoy attack. His younger brother was
3 part of the attackers. He called his younger brother and said to withdraw and he
4 said, "I didn't tell you to attack that location." He even called his father and said to
5 him, "Look at what my younger brother has done, tomorrow, he -- he is the one who
6 will be -- appear before the courts." I think it was his younger brother who was
7 killed with the white woman. He said to his father, "Look at what my younger
8 brother has done. Tomorrow he may find himself before the courts. He carried out
9 that attack without my approval".

10 Q. [12:30:18] I want to start with the Ndjo attack, please. What date and when
11 was that attack carried out, the Ndjo attack?

12 A. [12:30:43] Did say Ngoy or Ndjo? Ndjo, well, that was the first large-scale
13 attack after Gobere. I do not recall the exact date.

14 Q. [12:31:05] Can you estimate approximately how soon after the Seleka's arrival in
15 Bangui that that attack took place?

16 A. [12:31:18] No. You see, many events occurred and I do not recall -- I'm not able
17 to recall the date and I'm not going to invent something here before the Court. So
18 many things happened, so many events occurred and I don't have all the dates in
19 mind. What we could remember or what we were focused on was to conquer and
20 not to remember the dates.

21 Q. [12:32:04] Mr Witness, it's understandable that you may not remember an exact
22 date. But can you remember roughly how many weeks or months this attack took
23 place after the Seleka arrived in Bangui in March 2013?

24 A. [12:32:27] It must have been three months or four months, or thereabouts, after
25 their arrival in Bangui.

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25 Q. [12:50:30] Thank you very much, Mr Witness.

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1 That ends my questioning for you.

2 MR CHOUDHRY: [12:50:39] Thank you, your Honours.

3 PRESIDING JUDGE SAMBA: [12:50:41] Thank you very much, Mr Choudhry.

4 And, Mr Witness, thanks a lot and we are sorry about what happened to you.

5 But I want to ask, just for clarification, in respect of something you said in your

6 testimony, going back to the areas of attack by the Anti-Balaka.

7 You did say that Ndjo was the first large-scale attack after Gobere. I'm interested in

8 what happened in Gobere. When you say after Gobere, I'm interested in what

9 happened in Gobere.

10 THE WITNESS: [12:51:30](Interpretation) Well, Gobere was the place we -- where

11 the gathering took place after the attack on -- after the failed attack in Bozoum. So

12 after the attack, everybody went back to the bushes and then a group was again

13 constituted with a view to attacking Ndjo.

14 PRESIDING JUDGE SAMBA: [12:52:11] Are you saying there was an attack in

15 Bozoum; if so, by who? Who attacked in Bozoum?

16 THE WITNESS: [12:52:25](Interpretation) The -- the attack on Bozoum, well,

17 involved Dedane, Hypolite Come Azounou, Marabout -- and that's their group, as

18 well as volunteers who joined them to attack Bozoum, but they lost that battle. They

19 were not able to capture the gendarmerie and, therefore, had to retreat to Gobere and

20 reassemble in Gobere. Some young persons then began to join the movement. That

21 is why the name of that village became famous and the password was "Gobere

22 Borongo". That was the password that the Anti-Balaka were using.

23 PRESIDING JUDGE SAMBA: [12:53:36] Okay.

24 You did also say in your testimony that -- you named another area called

25 Yanike (phon), Yanike. Do you recall mentioning Yanike in your testimony as an

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1 area of attack?

2 THE WITNESS: [12:54:01](Interpretation) Yes. I talked about Gueng. I said that
3 after the Ndjo battle, there was an attack on Yaloké, because the Yaloké self-defence
4 had already organised themselves for an attack. So it went from village to village, all
5 the way to the events of 5 December.

6 PRESIDING JUDGE SAMBA: [12:54:38] All right. Thank you very much. So it's
7 my understanding that when you say "attack" on these areas, these were attacks by
8 the Anti-Balaka? Am I correct?

9 THE WITNESS: [12:54:54](Interpretation) Yes, but the Seleka were also attacking
10 Anti-Balaka positions, so each time the two groups would clash and fight, and the
11 stronger would take over the village and vice versa.

12 You see, sometimes the Seleka would lead the attack; and, if not, it would be the
13 Anti-Balaka leading an attack.

14 PRESIDING JUDGE SAMBA: [12:55:34] Do you recall some of those areas which
15 were attacked by the Seleka? The Anti-Balaka locations which were attacked by the
16 Seleka, do you recall any of them?

17 THE WITNESS: [12:55:50](Interpretation) Yes, I do remember. I can mention
18 Benzambe, for example, which came under attack. They attacked Benzambe. The
19 Balaka fled and then they profaned, so to speak, the tomb of the former president, and
20 they torched houses and killed several people.

21 THE INTERPRETER: [12:56:24] Rather, correction from the interpreter --

22 THE WITNESS: [12:56:26](Interpretation) The mother of the former president's
23 tomb.

24 I think the tomb of the mother of the former president was -- was desecrated. So
25 they torched houses and they took several people.

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1 PRESIDING JUDGE SAMBA: [12:57:01] Yes, and maybe finally, is it your testimony
2 that all of these attacks which you've now mentioned, those by the Anti-Balaka and
3 those by the Seleka against Anti-Balaka locations, they happened before 5 December
4 2013; is that your testimony?

5 THE WITNESS: [12:57:29](Interpretation) Yes. That was before 5 December, well
6 before 5 December, several attacks had taken place in several localities.

7 Now, after 5 December, the Anti-Balaka had advanced on a number of locations and
8 that is how -- that is how Maxime Mokom had scheduled those attacks for
9 5 December.

10 So (Redacted) just settle at fighting in the province and leave them in power.

11 (Redacted) descend on Bangui to drive out the Sudanese and other
12 mercenaries.

13 PRESIDING JUDGE SAMBA: [12:58:28] Okay. Thank you very much, Mr Witness.

14 Now, the time has far gone. The Defence is supposed to put questions to you in
15 cross-examination, and we will expect you to cooperate with them in giving your
16 answers, much as you did with the Prosecution. I've used this opportunity to put
17 those questions so as to give the Defence time, because we still have not received the
18 binders. Maybe you were not expecting that the Prosecution would finish at this
19 time.

20 So what we're going to do, I'm going to adjourn this hearing till tomorrow. But,
21 Mr Witness, I'm going to ask you that do not discuss your testimony here today with
22 anybody when you leave this courtroom. You will still be on oath to testify
23 tomorrow.

24 Madam Court Officer, can we go into open session, please.

25 (Open session at 12.59 p.m.)

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- 1 THE COURT OFFICER: [12:59:30] We are back to open session, Madam President.
- 2 PRESIDING JUDGE SAMBA: [12:59:42] Thank you very much.
- 3 So I'm going to adjourn this matter until tomorrow at 9.30 in the morning.
- 4 Thank you.
- 5 THE COURT USHER: [12:59:54] All rise.
- 6 (The hearing ends in open session at 12.59 p.m.)