

Trial Hearing
Witness: CAR-OTP-PPPP-0151

(Open Session)

ICC-01/05-01/08

1 International Criminal Court
2 Trial Chamber III - Courtroom 2
3 Situation: Central African Republic
4 In the case of The Prosecutor v. Jean-Pierre Bemba Gombo - ICC-01/05-01/08
5 Presiding Judge Sylvia Steiner, Judge Joyce Aluoch and
6 Judge Kuniko Ozaki
7 Trial Hearing
8 Thursday, 20 October 2011
9 (The hearing starts in open session at 9.35 a.m.)
10 THE COURT USHER: All rise. The International Criminal Court is now in session.
11 Please be seated.
12 THE COURT OFFICER: Good morning, your Honours, Madam President. We are in
13 open session.
14 PRESIDING JUDGE STEINER: Good morning. Could, please, court officer call the
15 case.
16 THE COURT OFFICER: Situation in the Central African Republic, in the case of The
17 Prosecutor versus Jean-Pierre Bemba Gombo, case reference ICC-01/05-01/08.
18 PRESIDING JUDGE STEINER: Thank you very much. Good morning Prosecution
19 team, legal representatives of victims. Good morning to the Defence team,
20 Mr Jean-Pierre Bemba Gombo. Good morning to our interpreters, court reporters. We
21 will continue and probably conclude this morning the testimony of Witness 151, and for
22 that purpose I ask, please, the court usher to bring the witness in.
23 (The witness enters the courtroom)
24 WITNESS: CAR-OTP-PPPP-0151 (On former oath)
25 (The witness speaks Sango)

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- 1 PRESIDING JUDGE STEINER: Good morning, Mr Witness.
- 2 THE WITNESS: (Interpretation) Good morning, your Honour.
- 3 PRESIDING JUDGE STEINER: Are you feeling better today?
- 4 THE WITNESS: (Interpretation) Yes, your Honour, I'm fine.
- 5 PRESIDING JUDGE STEINER: We hope you are going home very soon, Mr Witness.
- 6 Are you ready to continue with your testimony?
- 7 THE WITNESS: (Interpretation) I'm ready to continue.
- 8 PRESIDING JUDGE STEINER: Mr Witness, I need to remind you that you are still under
- 9 oath; do you understand that?
- 10 THE WITNESS: (Interpretation) Yes, I do understand.
- 11 PRESIDING JUDGE STEINER: The Defence will continue with its questioning, and for
- 12 that purpose I give the floor to Maître Kilolo.
- 13 MR KILOLO: (Interpretation) Thank you, your Honour, for allowing me to proceed.
- 14 QUESTIONED BY MR KILOLO: (Interpretation) (Continuing)
- 15 Q. Mr Witness, good morning.
- 16 A. Good morning, Counsel.
- 17 Q. We shall now continue the cross-examination this morning and no doubt we will be
- 18 finished quite soon. I would like to take you back to a statement that you made, a
- 19 statement to the Office of the Prosecutor, and this is to be found in the second document
- 20 on the Defence's list, page CAR-OTP-0052-0541.
- 21 You said the following: "I don't remember any particular mission, but one must not
- 22 forget that in Bangui security was provided by the Presidential Guard. We were
- 23 responsible for that. For example, we were in charge of several important spots in the
- 24 town or important offices."
- 25 Witness, can you confirm this statement?

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1 A. Yes, that is what I said, but I would like to specify something about the context in
2 which I said that. I said that the mission assigned to presidential security was also to
3 protect and ensure the safety of people at certain strategic points, certain
4 institutes -- correction, institutions of the republic, strategic points such as banks, public
5 buildings, and it was the duty of the presidential security to ensure the protection and
6 security of those strategic points so as to prevent any theft, any looting, any destruction of
7 property.

8 Let me repeat: The presidential security forces were protecting the points that were
9 considered to be national assets. That was the specific point that I wanted to add.

10 Q. In the same document, the second document on the Defence's list of documents, and
11 on the very same page CAR-OTP-0052-0541 you said the following: "On 10
12 December 2002 I was appointed commander of the 5th Combat Company within the
13 Presidential Guard."

14 Witness, can you confirm this statement?

15 A. Well, that was the work that I was doing. I was asked what I was doing, and I
16 replied saying that I was the commander of the 5th Commander -- of the 5th Combat
17 Company. That is what I was doing and that is what I was -- that's what I said when I
18 was asked the question.

19 Q. Now, once again, the same document. Here is the next question that was put to
20 you: "Thank you, that clears things up. Colonel, as the commander of the 5th Combat
21 Company within the Presidential Guard, did you have soldiers under your command?"
22 And your answer was: "Of course, yes. As commander, I did have men under my
23 command."

24 Witness, can you confirm this statement?

25 A. I can confirm that that is what I said.

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1 Q. In the second document on the Defence's list, at page CAR-OTP-0052-0542, you were
2 asked a question: "When you were the commander of the 5th Combat Company within
3 the Presidential Guard, who was your direct superior?" And your answer was: "As I
4 said yesterday, at that time the man who commanded the Presidential Guard was
5 Lieutenant-Colonel Bombayake. Nowadays he is a general."

6 Witness, can you confirm that this is what you said?

7 A. I can confirm that that is indeed what I said.

8 Q. If I could go back to the previous page, once again we are talking about the second
9 document on the Defence's list, page CAR-OTP-0052-0541, you made the following
10 statement about the Presidential Guard: "There were many companies and each one had
11 its own particular mission. If necessary, we were deployed to ensure safety at a number
12 of strategic points within the town of Bangui."

13 Witness, is this an accurate reflection of your words; the words you used when you spoke
14 to the Office of the Prosecutor?

15 A. Yes, that is what I said to the Office of the Prosecutor. Now, I would like to add
16 something to give you an idea of the general context in which I made that statement. In
17 the town of Bangui, if there were a crisis our direct superior would designate a number of
18 officers, telling them to supervise or oversee points where soldiers were already deployed;
19 for example, the Central African Republic radio station, the electricity company, the
20 Bimbo transmitting centre. So these officers would be deployed to those strategic points
21 to supervise the soldiers who had been deployed there to ensure protection. This is just
22 an example that I'd given. So that's the context in which I made those statements to the
23 OTP.

24 Q. I would like to go to another statement that you made, once again second document
25 on the Defence list, CAR-OTP-0052-0555. You said the following -- well, the question

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1 was put to you: "Was the Presidential Guard also deployed throughout the entire
2 country?" And your answer was: "Yes, for the most part the Presidential Guard was
3 deployed at more forward positions in relation to the FACA troops." Question: "How
4 do you know this?" And your answer was: "It was obvious. When they were
5 deployed, we could see them." The following question was: "Would you go out into
6 the countryside to meet with the troops?" And the answer was: "They were deployed
7 from Bangui. That was where their base was located."
8 Witness, is this a faithful reflection of your own words; the words you uttered when you
9 spoke to the Office of the Prosecutor?
10 A. I'd like to add one specific point. The posts that were held by soldiers from the
11 Presidential Guard, some of them were slightly outside of Bangui. Let me give the
12 example of Boali, where there was a detachment of Presidential Guard soldiers. There
13 also were posts at Bossembélé held by the Presidential Guard. So there were posts at
14 Bangui and at some of these places I've mentioned. That's the specific point I wanted to
15 add. There was a distinction, really, between the posts that were held by the Presidential
16 Guard and those that were held by the FACA troops on an ongoing basis.
17 Q. Witness, I'd like to remind you that in the first document to be found on the
18 Defence's list, page CAR-OTP-0052-0551, you said that: "Basically, there were two troops
19 among -- that were called upon the most to intervene in the field during the entire period
20 of the events that are of concern to us." Of course you were talking about the Congolese
21 forces on one hand and, on the other hand, the troops from the Presidential Guard. Can
22 you confirm this statement?
23 A. I'd like to ask Counsel to briefly read out my statement so that I can understand
24 properly. I want to understand what part of my statement this is, so that I can give an
25 appropriate answer. It is very important for Counsel to ask his question in a succinct

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1 manner so I can understand and I can understand the context so that I can answer
2 properly.

3 Q. Very well, Witness. This is the first document on the list of the Defence documents,
4 which I mentioned a few moments ago. In the first document on the Defence list, page
5 CAR-OTP-0052-0532, you made the following statement: "The forces that were called
6 upon the most to defend the country were the Presidential Guard and the Congolese
7 forces."

8 Witness, is this an accurate reflection of your words; the words that you used when you
9 spoke to representatives from the Office of the Prosecutor?

10 A. Yes, that's right.

11 Q. Witness, could you tell the Chamber specifically who was making these decisions
12 about the deployment of Presidential Guard troops throughout the country, the Central
13 African Republic, at the time of the events?

14 A. Thank you for that question. The person who was giving orders about deployment
15 of the men of the Presidential Guard in the field was General Bombayake, who was the
16 director-general. All the soldiers belonging to presidential security came under the
17 command of that general. He was the one who had the power to issue orders regarding
18 their deployment in the field.

19 Q. Witness, I would like to hark back to another statement that you gave to the OTP,
20 and this is to be found in the second document on the list of the Defence documents, page
21 CAR-OTP-0052-0552. You said the following: "But well before that, national troops
22 were based in various locations in the country, in particular at Bossembélé, Bozoum and
23 all along, all the way to the northern part of the country. So when the rebels tried to
24 invade Bangui, the Head of State asked the Congolese troops to come and help the loyalist
25 troops that were already in the field, as I've already said, to drive the rebels back."

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1 Witness, can you confirm this statement?

2 A. That was my statement.

3 Q. In another statement in the same document, document number 2 on the Defence list,
4 on page CAR-OTP-0052-0552, at the beginning, at the top of the page, you say -- firstly,
5 the question put to you on the previous page in fine, at the bottom of the page, that is at
6 the bottom of CAR-OTP-0052-0551, at the end of that page, with the answer on the
7 following page, CAR-OTP-0052-0552, at the top of that page, this was the question then:
8 "Who was fighting the rebels at the front?" And your answer: "It's difficult to say
9 because we were here in Bangui, and the people who were in the countryside, who were
10 engaged -- the people who were engaged in the campaigns, correction, in particular the
11 FACA troops who were based here and there were trying in vain to halt the rebel
12 advance."

13 Witness, is that an accurate reflection of your statement to the Office of the Prosecutor?

14 A. That is correct.

15 Q. During the operations in the field, was the base of the FACA troops and the base of
16 the Presidential Guard forces in the same place?

17 A. Thank you for that question. The FACA base, as I've already said -- the FACA, the
18 FACA's mission was to provide ongoing protection to the population, so they were based
19 throughout the country, and the FACA already had permanent positions in the
20 countryside and in times of crisis soldiers were deployed to those bases to ensure security
21 and in times of crisis it was those same positions that were occupied by the FACA troops,
22 whereas the presidential security troops had their separate positions because they were
23 part of a different division.

24 Q. During the time of these events, where were the Presidential Guard troops based in
25 Bangui? Whereabouts?

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1 A. There were various positions held by the presidential security in the town of Bangui.
2 There was the palace, there was the former residence of President Patassé, the
3 headquarters of the Central African radio station and then the various strategic positions
4 in the town of Bangui, and even in Bangui they had -- sorry, correction, in Boali they had
5 also a permanent position.

6 They also monitored -- they also were positioned at the entrance to various camps, the
7 Camp de Roux and the camp where the High Command was stationed. There were
8 various positions where they were stationed and I can't remember all the names. They
9 were also deployed at the airport to ensure the security of the airport.

10 Q. Thank you, Witness. You've cited various bases, various positions occupied by the
11 Presidential Guard troops during the events in the town of Bangui. Could one of these
12 positions or one of these bases be considered their headquarters or their main base?

13 A. No, not at all. The headquarters of the Presidential Guard was in Camp de Roux.
14 Everything was there. That's where the gatherings were held, and that is also where all
15 decisions were taken about deployments to the various positions. All the main decisions
16 were taken in Camp de Roux on deploying troops to positions where they were necessary,
17 and the command might also have been in Patassé's former residence, which is opposite
18 the Hotel Deux Mille Place, and a group was deployed to that position but the troops
19 were deployed to the various positions where they were necessary.

20 Q. Thank you. Witness, what about the bases; can you speak now about the bases
21 occupied by the FACA troops during these events in the town of Bangui?

22 A. Thank you. I'll repeat it again, so that this is quite clear: The expression "base" in
23 the FACA terminology corresponds to the different corps, like the air force which had its
24 own base where they would muster, and the gendarmerie - the police force - also had
25 their base where they would muster their troops.

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1 The support battalion also had its base and, as I said, the air force had its base where it
2 organised its daily musters, and the Presidential Guard had its own base as well. That is
3 how the bases were distributed, but the -- the positions occupied by the FACA were
4 positions which were defined on a permanent basis. For example Bozoum, that was a
5 permanent base.

6 Damara, and many other localities, were positions which the FACA occupied previously,
7 and as these localities had permanent -- troops permanently deployed there. In case of
8 need, or where it was in case of crisis, the troops previously deployed there had to face up
9 to the situation.

10 That is the explanation I wanted to give so that you could understand the difference
11 between the permanently occupied positions and the bases. That is what I'd say for the
12 moment.

13 THE INTERPRETER: Correction, there is a name missing which sounded like "Poua"
14 (phon) in the list of bases.

15 MR KILOLO: (Interpretation)

16 Q. Thank you, Witness. You explained that Damara -- in Damara there was a
17 permanent FACA position in Damara and another permanent FACA position in Bozoum.
18 Do you know whether there was also a permanent FACA position in PK12?

19 A. Yes, PK12 is one of the strategic positions where there were joint corps. There was
20 the gendarmerie - the police force - on the one hand and the various services on the other
21 hand; services like the police, a section of the FACA. There were various units
22 represented there. There was the gendarmerie on the one hand, there was the FACA,
23 there was also the forestry and water bodies, there was the veterinary service of the army,
24 they were all there, so PK12 group brought together several units. It was a place where
25 you would find joint corps stationed.

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1 Q. Apart from the FACA, did the troops in the Presidential Guard also have a position
2 in PK12?

3 A. The presidential security troops were there as well and, indeed, they are still there
4 now.

5 Q. At the time of the events, Witness, do you remember the name of the commander of
6 the Presidential Guard unit which was operating in this sector near PK12, the position at
7 PK12?

8 A. No, I don't know. I can't tell a lie.

9 Q. You also said there was a gendarmerie position in PK12. Do you remember the
10 name of the commander of the gendarmerie position there at the time of these events?

11 A. I'm sorry, but I was -- I did not have radar at the time of these events to see what
12 was going on there. The national gendarmerie had a brigade opposite the checkpoint at
13 PK12, so at the checkpoint at PK12, as I said, there were joint forces there and I can't give
14 you the names of the various commanders who were supervising - who were in charge
15 of - the different units deployed at the checkpoint at PK12.

16 Q. Could you help the Chamber? What is -- how many people, how many forces, are
17 in a brigade in the Central African Republic?

18 A. The question you've just put does not result from my declaration, from my
19 statement. I have no information about that. I'm not in a position to give you the
20 information you require.

21 Q. Witness, I'm not necessarily putting questions to you relating to your previous
22 statement. It's just -- I'm just asking for some help from you, given your expertise, your
23 knowledge about military matters. You are speaking here to the uninitiated. Since you
24 spoke of a gendarmerie brigade, which was at PK12, could you give the Chamber some
25 idea, an estimate, about the number of troops who would be in the gendarmerie brigade

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1 in PK12?

2 A. "Brigade" is an expression used in the gendarmerie. The gendarmerie's brigade is
3 different from the army's brigade. Put me questions, for example, about the composition
4 of a section, the composition of a company, those are military matters which -- where I
5 could give you the information, but if you ask me questions about the gendarmerie and
6 about a gendarmerie brigade, it would be a position where there are members of the
7 gendarmerie working. Put me -- put questions about an army section, or an army
8 company, and then I could answer you.

9 Q. Very well, Witness. Starting from PK12, when you move -- when you advance on
10 the Damara road, you've already explained that there was a position with FACA troops in
11 Damara. Do you know at the time of the events there was also -- there were also
12 Presidential Guards deployed in Damara?

13 A. I have no information on that point. During the events, the troops were moving. I
14 don't know whether FACA troops were deployed there, or whether it was Presidential
15 Guard troops which were deployed there. I cannot give you any information about that.
16 I don't remember clearly. However, I do know that during these events there were
17 military forces in Damara.

18 Q. Are you talking about Central African military forces?

19 A. Yes.

20 Q. Let me come back to another statement that you made to the Office of the Prosecutor.
21 In the second document on the Defence list, on page CAR-OTP-0052-0553, you say the
22 following: "The troops were organised in such a way that they could protect strategic
23 points on the road going north, in particular Bozoum, Bossangoa, Bossembélé, et cetera,
24 but at one point you might -- you could find loyalist troops and at another point
25 Congolese troops as from PK12, but the Congolese helped the loyalist troops."

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1 Witness, do you remember that statement?

2 A. That was my statement. However, I'd like to clarify one point. What I myself saw
3 in PK12, there was a detachment of our brothers in arms from the Congo in PK12. They
4 had their own base and their base was different from the FACA base. Our brothers in
5 arms from the Congo had come to assist the loyalist troops.

6 Q. Very well, Witness. Now, starting from PK12, let's try and take it step-by-step so
7 that we can understand. We are in PK12. We have four bases, or four positions.
8 There's one MLC position, there's a FACA position, there's a Presidential Guard position
9 and there's a national gendarmerie position, and if I'm not mistaken there is a fifth
10 because you also spoke about the police force.

11 My question is as follows: You say in one position you have loyalist troops and in
12 another position you have Congolese troops. Can you enlighten the Chamber to explain
13 in the area of PK12 what is the approximate distance between the different bases, or the
14 different positions, that we have just cited? How far were they from each other?

15 A. Thank you. Let me repeat myself so as to explain what happened in PK12, and I'm
16 speaking of the check-point, the barrier at PK12. It's just a small hangar, this small
17 hangar at the check-point, and there were the various services in that hangar, but when I
18 talk of after the check-point there was the bases of the MLC forces.

19 So from the check-point to the advanced position of the MLC forces there was about one,
20 one kilometre, but as regards the check-point under the hangar there that is where the
21 other units, the small units, were stationed. That's where these other units were. Then
22 about one kilometre past the check-point was the detachment of our brothers in arms
23 from the Congo, but it was under -- in this small hangar that the various national units
24 were positioned, and I hope that's clear now.

25 Q. Mr Witness, Central African military hierarchy existed at the time of the events, and

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1 we have already referred to this hierarchy several times. At the very top there was the
2 Head of the State, President Patassé, and there was also a military officer directly under
3 the authority of the President of the Republic, General Bombayake. There was the Chief
4 of General Staff, General Ernest Mbeti-Ti-Bangui. There was a Deputy Chief of the
5 General Staff, General André Mazi.

6 May we consider that all of these people were what you call the high military command at
7 the time of the events?

8 A. I understand your question very well. You have just given us a description of the
9 High Command. There was the president and the General Staff, the General Staff chief
10 and his deputy, as well as the various branches, but the Presidential Guard was a military
11 unit that came directly under the authority of the presidency.

12 So there were different forces making up the General Staff. You cannot confuse the
13 General Staff with the various other forces and the Presidential Guards, but indeed at the
14 very helm you find the president of the republic, then the General Staff, the various forces
15 making up the General Staff, but the Presidential Guard is an entirely different branch
16 that came directly under the president of the republic.

17 Q. Mr Witness, are you also trying to tell us that the Presidential Guard was in fact
18 different or rather independent from the General Staff of the Central African armed forces
19 commanded by General Ernest Mbeti-Ti-Bangui and his deputy André Mazi?

20 A. Thank you. In the army's structure the Presidential Guard is a different unit
21 directly dependent upon the president of the republic, hence the director-general of
22 presidential security is placed directly under the authority of the president of the republic,
23 but within the FACA you have the Chief of General Staff, the Deputy Chief of General
24 Staff and the various other forces or corps. They are different.

25 The Chief of General Staff could not give any instructions to the Director-General of the

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1 Presidential Guard as the Presidential Guard was totally independent from the Central
2 African armed forces, the FACA. I hope I have given you the necessary clarification.

3 Q. That is very clear, Mr Witness, I have understood your answer very well. Sir, when
4 you mentioned the different towns, in fact you mentioned three of them beyond PK12,
5 you spoke of Bozoum, you spoke of Bossangoa and of Bossembélé and you were
6 explaining how the various troops were deployed in the field, the loyalists who were
7 protecting the population and were trying to push back the rebels.

8 So my question is a very specific one. Let's go to the point that is farthest away, Bozoum.
9 You said that the FACA were there, but could you please enlighten the Chamber and tell
10 us whether the Presidential Guard was also to be found there?

11 A. Thank you for this question, which in my opinion is very clear. There, only the
12 FACA were present, that is to say the loyalists. There were no forces belonging to the
13 presidential security, only the loyalist FACA at Bozoum, at Poua. The only forces you
14 would find were the armed forces of the Central African Republic, the FACA, and there
15 was no Presidential Guard there.

16 Q. If I take the other road then, also leaving from Bossembélé, and the most distant
17 point is Bossangoa, which you also mentioned, when you mention Bossangoa, Witness,
18 what other troops that were found there at the time of the events? Are you speaking
19 about the FACA, or the Presidential Guard, or both of them?

20 A. At Bossangoa only the FACA were present.

21 Q. Mr Witness, obviously before moving forward along either one of the two roads
22 going on to Bozoum or Bossangoa, you have to go through Bossembélé and you
23 mentioned that name, "Bossembélé." I should like to know which were the Central
24 African troops during the events that were to be found there? Was it the FACA, was it
25 the Presidential Guards, or was it both of them?

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1 A. No, that was not the case. During all that time only the FACA were present,
2 because that was their position. It was the FACA that were there.

3 Q. Very well, sir. Then beyond Bossembélé, to try to go back down towards PK12,
4 you necessarily have to go via Boali. Could you tell us which were the Central African
5 troops that were found there at the time of the events that we are interested in, between
6 October 2002 and March 2003? Were they the FACA, the Presidential Guard, both of
7 them?

8 A. Not at all. The positions around Bangui were held by the Presidential Guards.
9 Boali had a base, or a station, a central -- an electric -- a power station, a power station.
10 Boali had a power station and security there was provided by the Presidential Guards.

11 Q. Thank you very much, Mr Witness. Now, this time, when you leave PK12 and you
12 take the road to Damara, you can move forward until the most distant point, which is
13 Sibut. There specifically, during the events from October 2002 to March 2003, would you
14 know whether it was the FACA, the Presidential Guards or both that were found there?

15 A. I'm afraid I don't have a very clear memory of the situation in that particular locality.
16 What I do know is that there were soldiers in that town. What happens generally is, if
17 the town already has some soldiers that form a permanent detachment there, in case of a
18 crisis other soldiers are sent to reinforce the detachment.

19 I do know, however, that there were soldiers at Damara but I'm afraid I cannot give you
20 any further details, so as not to make any mistake. All of the various towns that you
21 have mentioned were provided with a military detachment.

22 Q. Thank you very much for enlightening us in this way, Mr Witness. I have here a
23 map, a map of the Central African Republic, and I should like to show it to you and ask
24 you to be kind enough to identify the various towns that we have just mentioned and
25 every time to put down an "F" if it is a town where the FACA were to be found and I

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1 would ask you later to take the selfsame towns and to put down a "GP" for those towns
2 where the Presidential Guards were to be found as well. Now, obviously I can help and I
3 can co-operate no doubt with the assistance of the court officer to locate precisely on this
4 map the towns that were mentioned. Does that seem to you to be a feasible exercise, sir?

5 A. I think that the statement that I already made suffices. Questions were put to me,
6 to which I have given replies which in my opinion would seem to be both satisfactory and
7 sufficient.

8 PRESIDING JUDGE STEINER: I think we could -- the Defence could consider difficulties
9 from the part of the witness first because of his eye problems and, second, apparently he's
10 not wearing his glasses, so do you think that this exercise is really necessary? It cannot
11 be replaced by oral questions?

12 MR KILOLO: (Interpretation) No problem at all, Madam President. We shall pursue
13 now a line of questioning which will take us to 11 a.m.

14 Q. Mr Witness, I'm going to make an effort in order to myself draw up a picture, as it
15 were, on the basis of the answers that you have provided. Mr Witness, you specified that
16 the loyalist troops - the Central African forces - fought, or began to fight, the rebel troops
17 of President Bozizé even before the arrival of the MLC troops, and I shall try with you to
18 walk through the various points that we have already mentioned and we'll ask you, sir, to
19 confirm which were the towns where fighting occurred between October 2002 and
20 March 2003, opposing the Central African troops and the rebel troops of President Bozizé
21 at that time?

22 A. Perhaps we need some clarifications that I may provide you with. These
23 clarifications are necessary for us to understand the situation well. At the time, or the
24 time to which my statement refers, is a time at which the road was free, was unblocked.
25 There had been a first incursion from the rebels and they were fought back with the

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1 support of our Congolese brothers, but those rebels only withdrew in what I would call a
2 tactical withdrawal and they reassembled. From that point of reassembly of the rebels
3 they reorganised themselves in order to be able to fight the FACA again, but the FACA
4 did not have the necessary weaponry to drive the rebels back. At the time the road was
5 unobstructed, the CEMAC troops wouldn't even patrol the area, and it was within that
6 context that the rebels renewed their offensive and the loyalists did not have the necessary
7 fire-power to prevent them from advancing. This is why reinforcements were required
8 from the MLC. Those events occurred at the various positions that were held by our
9 loyalist troops. The rebels had organised themselves so as to launch a multi-pronged
10 attack on the various positions held by the loyalist troops, which provoked a retreat of our
11 men.

12 If you have any other questions, please put them to me so that then I will have a chance to
13 provide you with further clarifications.

14 Q. Mr Witness, do you know Colonel Albert Ouadane, who to my knowledge - and I
15 stand to be corrected by you, sir - was General Ferdinand Bombayake's deputy during the
16 events?

17 A. Thank you. Colonel Ouadane was the deputy of General Bombayake.

18 Q. Do you know what his role was; what role he played?

19 A. According to you and me, or more specifically according to you, what would you
20 say the role of a deputy is? So to avoid making any mistakes, let me tell you that a
21 deputy generally takes on such specific tasks as are attributed to him. A deputy is
22 someone, for instance, who replaces the person he is the deputy for when that person is
23 absent, but I would not know how to further describe the powers of a deputy. You know
24 that there are some duties to which some specific attributions are attached, which I would
25 not be able to describe here. The only thing I know is that he was the deputy to the

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1 director-general of the presidential security and I wouldn't like to go beyond that so as to
2 not make any mistakes.

3 Q. Are you acquainted with Colonel Kuwai (phon) of the Presidential Guard, who at
4 the time of the events and to my knowledge was the man responsible for the
5 communication centre of the USP and he was in fact in charge of managing radio
6 frequencies in order to facilitate communications among the various troops deployed in
7 the field?

8 A. I know him very well.

9 Q. And what role did he play during the events we're interested in?

10 A. Thank you. I should like to apologise, but again, sir, I would appeal to you not to
11 ask me questions about the details of the duties of people that you have been referring to,
12 over and beyond which you should know that that gentleman is already deceased.

13 Q. Are you acquainted with Mr Zefarin Mamadou, who to my knowledge was the
14 director of co-ordination of transmissions of the FACA at the Central African National
15 Defence Ministry at the time of the events? Would you be able to confirm this?

16 A. I know Mamadou and that was precisely his duty. Now, I would not know
17 whether he was present during the events. I had -- I have already left the army and I
18 don't know exactly what he is doing nowadays, but I know that before he used to work
19 for the transmissions centre of the FACA, at the communications directorate of the
20 Defence Ministry.

21 Q. Are you acquainted with Mr Mohumbhai Paul Toni (phon), who at the time of the
22 events and to my knowledge was the man who managed the various national
23 gendarmerie stations throughout the Central African Republic at the time of the events?

24 A. I have no special knowledge of this person. All those who worked for the national
25 gendarmerie are unknown to me.

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1 Q. The final question before the break. How about Mr Barsin Bruno, who to my
2 knowledge was the man in charge of the equipment of the national army - of the Central
3 African national army - at the time of the events? He was in charge of ammunition,
4 ammunition depots and weapon store-houses, et cetera, throughout the territory of the
5 Central African Republic from October 2002 to March 2003.

6 A. I know him very well.

7 Q. Would you confirm his job, that was the role he played during the events?

8 A. That was correct. That was his job.

9 MR KILOLO: (Interpretation) Thank you very much, Witness. We shall have just
10 some more 15 minutes after the break. That should be enough to go to our final
11 question.

12 PRESIDING JUDGE STEINER: Mr Witness, we'll have half-an-hour break. You can
13 have a coffee, a cup of tea, take some rest. After the break, we will resume at 11.30. We
14 hope you can conclude your testimony.

15 I ask, please, court usher to take the witness outside the courtroom.

16 (The witness stands down)

17 PRESIDING JUDGE STEINER: We'll resume at 11.30 a.m.

18 THE COURT OFFICER: All rise.

19 (Recess taken at 11.02 a.m.)

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

21 THE COURT USHER: All rise. Please be seated.

22 PRESIDING JUDGE STEINER: Welcome back. Could, please, court usher bring the
23 witness in.

24 (The witness enters the courtroom)

25 PRESIDING JUDGE STEINER: Mr Witness, welcome back.

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1 THE WITNESS: (Interpretation) Thank you, your Honour.

2 PRESIDING JUDGE STEINER: Are you feeling well and ready to continue with your
3 testimony, sir?

4 THE WITNESS: (Interpretation) I feel fine and I'm ready to continue giving testimony.

5 PRESIDING JUDGE STEINER: Thank you very much. Then I'll give back the floor to
6 Maître Kilolo.

7 MR KILOLO: (Interpretation) Thank you, your Honour, for allowing me to proceed once
8 again.

9 Q. Witness, why was it so necessary at the time of the events, between October 2002
10 and March 2003, why was it so necessary to have a liaison officer from the Presidential
11 Guard within the operational command post?

12 A. Well, from my vantage point, I would say that the initiative came from the
13 authorities, it came from the authorities. They knew the importance of that and that is
14 why they decided to set up such a unit. It was only the authorities that decided to
15 establish this unit. They are the only ones who could answer that question.

16 Q. Witness, in the second document on the Defence's list, page CAR-OTP-0052-0555,
17 we see that you were asked a question: "Was the Presidential Guard also deployed
18 throughout the entire country?" And your answer was: "Yes. Most often the
19 Presidential Guard was deployed at the post that there were more -- that were the furthest
20 in advance in relation to the FACA troops."

21 Now, in light of this statement, Witness, are we to understand that the troops of the
22 Presidential Guard at the time of the events were deployed at the advanced post of
23 Bozoum, Bossangoa and Sibut?

24 A. I believe it's important to answer properly. The Presidential Guard had a number
25 of duties, including ensuring the safety of the Head of State. They had to ensure the

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1 safety of the Head of State, his surroundings. They were also responsible for keeping an
2 eye on various locations, and this was for the presidential security. And during a crisis
3 their mandate was to ensure the safety of national assets or strategic points, such as the
4 electricity company, the national assets, that sort of thing. So, you see, it was the Central
5 African forces, and this is just an example. They were more advanced, as I said, in
6 relation to the national army which was in charge of protecting the territory of the
7 country.

8 So, you see, these were the duties of the Central African Republic army. In Bozoum and
9 other locations the FACA were posted. There were some -- you see, posts were assigned
10 and there was a limited number of such posts, and those posts were under the authority of
11 the presidential security. That's what I can tell you, and I don't know whether this
12 answer has been satisfactory to you or not. If not, you can ask you -- you can ask me
13 more questions and I will reply to the best of my knowledge.

14 THE INTERPRETER: Interpreter's correction: One of the strategic points mentioned
15 was Radio Bangui.

16 MR KILOLO: (Interpretation)

17 Q. Witness, for how many years did you work within the Central African Republic
18 army?

19 A. I joined the army in 19 -- in 1970 and I retired on 21 December 2009, so you can do
20 the math to determine exactly how many years I spent in the army.

21 Q. I'd like to turn to another statement that you gave to the OTP, and this is to be found
22 in the first document on the Defence's list, page CAR-OTP-0052-0530. The first question,
23 the initial question, was: "You mentioned the support and service battalion, the BSS."
24 Did this battalion exist at the time of the events of concern to us, between October 2002
25 and March 2003?

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1 A. That's right.

2 Q. Now, you were asked: "Could you explain to us what the BSS is?" And your
3 answer: "It's a large corps. It is a support corps that includes technicians, radio
4 operators, drivers, transmission officers and so on and so forth. There are several units.
5 That is why it is called 'the service battalion.' There are several sections. When officers
6 in other sections needed someone, or if they needed a service provider, the BSS would
7 provide the service to the party that made the request."

8 Witness, is this an accurate reflection of your statement to the OTP?

9 A. Yes, that does reflect my own words, that's right. The support and services
10 battalion was a corps, an army corps. You see, there was the engineering corps, there
11 were the -- there was the fire-fighting corps and various other groups, and then there were
12 people who were seconded, who worked at the army headquarters or in other units and
13 were part of that particular corps. I do believe that I was correct to describe the unit in
14 that way.

15 Q. Could you also confirm that this service and support battalion, the BSS, did make a
16 contribution during the events that are of concern to us in the Central African Republic
17 between October 2002 and March 2003?

18 A. No, that's not how it was. Please listen carefully to the answers that I'm giving you.
19 It wasn't the entire battalion, or all the units, that operated in the field. If there was a
20 need, for example if someone needed a driver or a technician, the request would be made
21 to the head of the corps to provide that particular service. It wasn't the entire battalion
22 that went off to battle. If necessary, for example if a military engineer was needed, one
23 particular soldier would be designated, not the entire group or the entire battalion taking
24 part in the manoeuvre.

25 So, you see, it was something like of a house - like a house - and you would ask one

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1 member of the family to go and do a particular thing, or provide a particular service. So
2 this is to say that the -- this battalion had several different units providing different
3 services and, when a need was -- existed, someone would ask for a driver, or a technician,
4 or whatever to provide the service.

5 Now, I'm not sure if I've made myself understood, but that is what I wanted to explain to
6 you about the BSS. Now, if you've understood me, I would be most happy.

7 Q. Well, in practical terms, do you remember any particular case in which it was
8 necessary to turn to the head of the BSS for needs in the field during the events that are of
9 concern to us? Could you give us a specific example that you remember?

10 A. No, I can't give you a specific case. I think you should realise that these are
11 examples I'm giving you. I had my duties, my work. I wasn't in a position to know
12 what kind of things were done there. They were soldiers that didn't come under my
13 authority. Those are details and I really can't give you the details. I've described the
14 corps and I've given you some examples, but I wasn't on-site and so I can't tell you what
15 they were doing. I would like to avoid speculating.

16 Q. Did the BSS have a special status? Was it particularly important?

17 A. The BSS was a corps, like any other army corps. It was important, because it
18 included technical staff of the army. It was just as important as any other one; for
19 example, just as important as the Presidential Guard, the military engineers' battalion, the
20 military gendarmerie. It depended on the resources, on the ability to take action. It was
21 a corps that included staff who were sent out, who were seconded, so it was a corps that
22 would manage, that would list, that would supervise. Even the Head of General Staff
23 depended on that corps, because that corps had a number of technical staff. So it wasn't
24 about the ability to work. It really was a unit that provided human resources.

25 Q. Witness, to your knowledge, during the events that are of concern to us, between

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1 October 2002 and March 2003, did the military engineering battalion exist at that time?

2 A. I think that you're asking the same questions. That corps has existed ever since the
3 army was created. It has existed ever since the Central African Republic army was set up.
4 I can't imagine -- you see, these are army corps that have existed. The army is structured
5 in this way.

6 Q. Could you shed some light on something for the Chamber? What was the role of
7 the military engineering battalion in the Central African Republic?

8 A. The military engineering battalion had the mandate of building roads, building
9 barracks and other buildings. They would use their heavy machinery to repair roads, or
10 to do construction work in military camps. The military engineering battalion would
11 repair roads, and this was done in order to ensure easier movement of troops belonging to
12 the national army.

13 Q. Now, do you know if this was the battalion that also would set up tents for soldiers
14 during times of conflict, or help set up military camps in various places that the troops
15 might have been deployed to?

16 A. No. You asked me earlier, and I explained to you what the role of the military
17 engineering battalion was. That battalion usually did that kind of work, but it didn't set
18 up tents for the Congolese troops as you have just said. When troops were moving about,
19 if soldiers were deployed or seconded, they would take their own equipment and sleeping
20 bags, and that sort of thing, or sleeping equipment but, no, the military engineers didn't
21 set up tents. I've defined the role of the military engineers to you, so I've defined this
22 role. The military engineers didn't take part in that kind of work.

23 Q. At the time of the events that are of concern to us, between October 2002 and
24 March 2003, did the National Centre for Research and Investigation exist?

25 A. At the time, no, that centre did not exist. It had been dissolved. That centre did

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1 not exist.

2 Q. I'd like to refer to another statement that you made to the Office of the Prosecutor in
3 the second document on the Defence list, on page CAR-OTP-0052-0552. This is what you
4 said: "In a word, when the rebels pulled back to the north, they occupied many places."
5 Witness, can you confirm that?

6 A. I can confirm that.

7 Q. Witness, we've already referred to a number of towns and localities in the north.
8 Can you give us the names of the different -- the various localities in the north which you
9 said were occupied by Bozizé's rebels at the time?

10 A. Thank you. First, as far as I know, after their tactical withdrawal they set up their
11 base in Sidhu. That was in the north. They were in a locality known as Sidhu, and it
12 was from that locality that they -- that they reorganised in order to be able to come back
13 and attack the town.

14 Q. You spoke of many places. Can you cite any other places? For example, at some
15 stage did they -- did they set -- did they set up a base at PK12?

16 A. After they fell back, they were driven out of Bangui. So they left the capital to take
17 refuge in these other localities. They engaged in a tactical withdrawal, as I said, but
18 before that they were -- they were positioned at the border and then they reorganised
19 their forces to come back, in particular, Bambari, Bossangoa and other places, and those
20 places were no longer held by the FACA, so the road was free and they took advantage to
21 engage in a counter-offensive. They had engaged in a tactical fall-back in order to
22 reorganise their forces and engage in a counter-attack.

23 Q. Let me come to another statement you made to the Office of the Prosecutor, in the
24 first document on the Defence list, on page CAR-OTP-0052-0529. This is what you said:
25 "The rebel forces had been driven back by the loyalists. The rebels had taken up position

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1 in the north. They were occupying villages."

2 Witness, is that an accurate reflection of your statement to the Office of the Prosecutor?

3 A. Yes, that is what I said.

4 Q. Should we understand that they occupied villages, in particular in Bossangoa?

5 A. Everything occurred in the region they occupied. After they had occupied these
6 places, they launched various attacks in order to obtain supplies and then to cut the -- to
7 cut the road off, to prevent supplies getting in, in particular Bambari, to prevent sugar
8 reaching Bangui. It was only after the withdrawal of the FACA that they -- they
9 occupied these places and patrolled down as far as the outskirts of Bangui to launch their
10 attack enabling them to capture the city of Bangui. That was how they were organised.

11 Q. I'm going to put questions town-by-town, and I think these will be my final
12 questions, just to be quite sure that I've understood you. We've spoken about the
13 occupation of the villages in Bossangoa by Bozizé's rebels when they fell back. Do you
14 know if they also occupied villages in Bozoum?

15 A. Bozoum, Bossangoa were regions, they were towns they occupied, and from
16 these -- in these different towns they then reorganised their forces and blocked the road to
17 prevent any movements. They were -- they were in charge in those regions and they
18 could then advance down to Bangui because the roads were clear.

19 Q. Do you know in their advance from Bozoum whether they also occupied villages in
20 Bossembélé?

21 A. All these localities were held by those forces. No place, no town -- in fact, well, all
22 the towns were in their hands, and everybody knew that. We knew that all those regions
23 were under their control, and all the people living in those towns were living in fear
24 including, the authorities, the administrative authorities. In order to reach Bangui, those
25 authorities had to travel by river.

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1 Q. Do you know why the civilian administrative authorities at the time were living in
2 fear and panic when Bozizé's rebels occupied these various towns, Bossangoa, Bozoum
3 and Bossemptélé?

4 A. You take somebody who's afraid of going out, afraid of travelling, it was because
5 there were -- there were military forces with weapons, and they spoke of the Chadian
6 forces who -- whom they had recruited. So they had to flee the town to avoid being
7 killed. Some of them were severely punished, and the officials there were afraid and did
8 everything possible to get back to Bangui. Others fled into the bush, and they
9 knew -- they knew of tracks in the bush where -- which would get them to Bangui. There
10 were -- there were fatalities. They were mixed up with the Chadian forces.

11 A lot of people died. Some people were beaten to death. Some people had to walk for
12 miles but I can assure you that it was difficult to reach the capital because it was
13 impossible to take the main road. That is what happened. The people as a whole
14 complained and the -- including the state officials, and once they got back to Bangui they
15 testified. I hope you have understood. That's how I would explain what happened.

16 Q. Do you know whether the presence of Chadian forces in the ranks of Bozizé's rebels
17 had any particularly detrimental effect on the civilian population in Bossangoa, Bozoum
18 and Bossemptélé?

19 A. Counsel, I'm telling you what happened, the -- what was the sufferings of the people
20 living in these localities. When they occupied these localities, in particular Sido, they had
21 recruited young people from that locality and also Chadians, and I assure you that the
22 group of rebels were all -- were very mixed. There were foreign -- there were foreigners
23 in the rebel forces, and the Chadian soldiers were together with the Central African
24 soldiers in trying to conquer the town. In the history of our country, this is something
25 which has had a negative effect on us.

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1 Counsel, those cases which you -- which occurred, if you were to see those cases
2 personally it would -- I assure you it was very difficult to experience that, and all these
3 facts led to hatred and division, nepotism, tribal hatred, a bit of everything.

4 Q. You said that the victims of all these atrocities carried out by the rebel forces
5 testified in Bangui. What other crimes, or atrocities, were the -- were the civilians, the
6 Central African civilians, victims of at the hands of these rebel forces who had come from
7 abroad?

8 A. Counsel, I was not there in the field, but this is something which has left its mark on
9 the country. In these events, there were fatalities. There were fatalities. In these
10 villages, or in these provincial towns, people suffered. People knew exactly what was
11 going on in these localities. There were cases of slaughter. There was severe
12 punishment inflicted. You can carry out your own investigations and you would get the
13 same answers. If I tell you that atrocities were carried out, believe me, Counsel, there
14 were fatalities. There was -- there was bodily violence, bodily harm. That's what I can
15 tell you.

16 Q. Can you help the Chamber? Can you describe other cases of atrocity carried out by
17 these rebel forces which you might have heard of in the various towns in the Central
18 African Republic at the time we're looking at?

19 A. There were deaths. There were fatalities. Some people fled to escape from death.
20 There were cases of people being beaten. There were cases of slaughter. Everybody
21 knew about it. The Chadians also engaged in rape. They raped people. So there was
22 bodily harm, there was -- there were beatings. I can assure you that the -- that the people
23 living in the hinterland experienced this. Some people fled and followed the river.
24 They followed the riverbank, because they couldn't take the main road. So they fled flew
25 the forest, they fled through the bush, in order to escape death.

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1 Q. Witness, did you hear mention of a lot of people displaced from Bossangoa, people,
2 men, women, children from the civilian population of Bossangoa who had to -- to flee en
3 masse, to go into unknown places, to go into the bush, or to try to get down to Bangui to
4 escape from the atrocities being perpetrated by the rebel forces at the time?

5 A. Yes, the inhabitants - the people - took refuge, some of them in Chad. Others took
6 to the bush, or used whatever means possible to get to Bangui. It was impossible to take
7 the main road. A lot of people took refuge in Chad and reference is made to that. In the
8 history of our country, there is documentation on this point. From what I know, a lot of
9 people had fled and took refuge in Chad. That is what happened. Everyone wanted to
10 save their skin.

11 Q. Witness, in the advance of the rebel forces to Bangui, leaving from Bossemptélé, did
12 they also occupy villages in Bossembélé?

13 A. Thank you. I don't think there is -- there was any locality which was not occupied.
14 Bossembélé was a big centre, and in their advance they couldn't not commit acts of
15 violence in Bossembélé. Everywhere they went, the population suffered. There was no
16 way of reaching Bangui. Even the soldiers of the Central African Republic who occupied
17 the forward positions didn't have the necessary resources to face up to the rebels, because
18 they had heavy artillery, and some soldiers even took off their military fatigues and
19 dressed in civilian clothes to get back to Bangui. So Bossembélé was a big centre and it
20 was not spared. So to be quite clear, I am telling you this, there were soldiers who threw
21 away their weapons and who dressed in civilian clothes to go back to the city of Bangui
22 because they couldn't face up to the attackers.

23 Q. Witness, leaving Bossembélé, the advance of Bozizé's rebel forces coming from Chad
24 to -- going towards Bangui, do you know if they also occupied the villages in Boali?

25 A. Boali is close to the city of Bangui. Perhaps you're putting these questions, but in

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1 detail I would say that Boali was occupied by the Presidential Guard initially, but they
2 couldn't resist. They too -- there was a rout there too, because the attackers were heavily
3 armed and they met no resistance. Boali, since the troops had been routed, the troops
4 threw off their -- took off their uniform and put on civilian clothes to get to reach Bangui.
5 The road was clear. There were no forces which could stand up to them. There was no
6 resistance.

7 Q. Witness, coming from Boali, in the advance of Bozizé's rebel forces who had come
8 from Chad, do you know whether, once they had reached PK12, did they occupy the
9 different neighbourhoods in that sector?

10 A. When they entered, when they arrived, as there was no access they entered PK12,
11 but PK12 was already the city of Bangui. The city was in their -- was in their hands.
12 Given that there was no resistance the battle was won, as far as they were concerned,
13 because there were no soldiers to protect the check-point. So they entered the city of
14 Bangui freely and then they deployed in the various neighbourhoods.

15 Q. Witness, going from PK12 to Damara-Sibut, is that the direction -- the road heading
16 towards Cameroon?

17 A. No, the route heading towards Cameroon is the road which goes via Boali. Well,
18 first via PK12 and then on left you take the Boali road at PK12, Bossembélé to Bouar, and
19 as from Bouar you reach Cameroon.

20 Q. Now, would you know, as the rebel forces were moving forward coming from Chad,
21 did they also occupy the village of Damara?

22 A. All of those localities are situated along the roads that the rebel forces took in order
23 to reach Bangui. Any road leading to Bangui would be a good road for them, and so
24 they took every one of those roads. It could be the Boali road, the Damara road. I have
25 nothing to add to that.

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1 Q. One final question on my map: Do you know whether Bozizé's rebels coming from
2 Chad also occupied Sibut and villages in that area?

3 A. I believe I have already said that all of these localities, every single locality situated
4 on any roads coming from the hinterland, all the way down to Bangui, none of those
5 localities was spared. And I repeat it: From the very end of the hinterland, all the way
6 down to Bangui, wherever there was a soldier, those soldiers just occupied every single
7 locality.

8 PRESIDING JUDGE STEINER: I'm sorry to interrupt you, but I think it's the third or
9 fourth time the witness says that all villages were occupied. Are you continuing to go
10 one-by-one?

11 MR KILOLO: (Interpretation) Madam President, I have already obviously referred to all
12 the cities and towns on my map, but you will understand that for a year we've heard
13 crimes being placed in all of these towns, and we were wondering who were the
14 perpetrators of these crimes. And the witness obviously was giving us some essential
15 elements, it was essential for me in any case, to review all of these towns one at a time.

16 Q. Mr Witness, I've almost reached the end of my questions, sir. In fact, I've got three
17 short questions left for you. Mr Witness, you spoke of all these victims, you spoke of
18 atrocities perpetrated by Bozizé's rebel forces coming from Chad. Now, in the year 2003,
19 when President Bozizé took power, there was a trial, there was a judicial -- there were
20 judicial proceedings in respect of the events in Central Africa. Do you know whether the
21 victims of the rebels of President Bozizé coming from Chad, at Bossangoa, at Bozoum, at
22 Bossemptélé, at Bossembélé, at Boali, at Sibut, at Damara, at PK12, did these victims also
23 have access to the judicial authorities in order to submit their complaints, their
24 denunciations and to obtain compensation for the atrocities that they underwent at the
25 hands of the rebels?

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1 A. The only thing I could tell you by way of an answer is that I'm not really in a
2 position to provide you a specific response. I do not possess any elements that would
3 allow me to do so.

4 Q. Mr Witness, you have given us information of inestimable importance, and so my
5 ultimate question will be, to the extent you are capable of doing so, you have begun in any
6 case to sketch out a response, so why is it in your opinion that the Bozizé rebels coming
7 from Chad need to commit so many atrocities, slaughtering the civilian population,
8 perpetrating sexual violence upon the civilian population in this time between
9 October 2002 and March 2003?

10 A. That is a very good question. But I, who am sitting here before you today, I could
11 not possibly give you even the very rudimentary elements of an answer concerning the
12 behaviour of the rebel forces. That is really all I could tell you. I don't know what
13 drove them, what motivated them. It is only they who could explain what their
14 motivations were, only they can say what was driving them forward. It is only these
15 persons who could explain why they were doing what they were doing but I, who am
16 here before you as a witness, cannot provide you with these elements. That is the answer
17 I can give you, and I hope that you will understand me correctly.

18 MR KILOLO: (Interpretation) Thank you, Mr Witness. Your answer speaks for itself.
19 I have no further questions. Thank you for all of the efforts that you have made in spite
20 of your state of health, and on behalf of the Defence team of Mr Jean-Pierre Bemba, we
21 wish you a safe return home.

22 PRESIDING JUDGE STEINER: Thank you, Maître Kilolo. I ask now whether
23 Prosecution intends to re-direct?

24 MR IVERSON: No re-direct, Madam President.

25 PRESIDING JUDGE STEINER: Thank you, Mr Iverson. Mr Witness, this now

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1 concludes your evidence. Before you leave the Court, however, I want - as with all other
2 witnesses in the case - to express the thanks of the Judges for the time you have taken to
3 come to this country to give evidence in this trial.
4 In order for the Judges to find the truth, it is critical that witnesses like yourself are
5 prepared to give evidence, to assist us on the relevant issues of the case. We are aware,
6 Mr Witness, that this must certainly have been inconvenient for you. You left your
7 country, your family. You had a long, long trip. You had to deal with health problems.
8 Therefore, you leave us to go home with our thanks and with the thanks of the Court.
9 Before you leave, Mr Witness, the Chamber would like to know whether there is anything
10 you would like to address to the Bench? This is your opportunity to take the floor, if you
11 so wish.
12 THE WITNESS: (Interpretation) I should like to express my sincere gratitude to the
13 International Criminal Court for having afforded me the opportunity to come and testify
14 before you. As I have already had occasion to say, no one is perfect, no human being is
15 perfect. In the statements I have made, I have only narrated what I saw, what I heard.
16 In all of the events that occurred, things happened that have drawn your attention. I'm
17 aware of this.
18 I'm aware of the fact that you have also paid attention to some difficulties or some
19 contradictions that may have existed between some of my own statements, but I would
20 ask you also to take into account the various corrections that I have had the opportunity of
21 making here in the course of my testimony.
22 You know, it's not difficult to provide testimony right after the facts, because the facts are
23 still burning in your memory, because after the events that took place in my country we
24 had to wait since up until the year 2009 finally to get somebody to listen to us.
25 Obviously you will immediately realise that there are difficulties in trying to remember

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1 and so inevitably there were some contradictions in what I have said, but I have had an
2 opportunity to correct these contradictions. There's also a difference between what is
3 said in my national language, Sango, and what is said in French.
4 I have very little to add. My statements and my testimony are coming to an end. I
5 should like to thank the Judges for their attentiveness, for listening, for the way you have
6 paid attention to my testimony. I take this opportunity to thank everyone. That is the
7 end.

8 PRESIDING JUDGE STEINER: Mr Witness, be sure that we are very thankful for you,
9 for the fact that you came to give testimony before this Court, and we all wish you a nice
10 trip back home. VWU will give you all assistance you may need.

11 I will ask, please, court usher to take the witness outside the courtroom.

12 (The witness is excused)

13 PRESIDING JUDGE STEINER: I would like to thank very much the Prosecution team,
14 the legal representatives of victims, the Defence team, Mr Jean-Pierre Bemba Gombo, and
15 to thank very much our interpreters and court reporters, our court officer, court usher.

16 As all parties and participants know, we are not sitting in the next days. Our tentative
17 calendar is that we will resume on Thursday at 9.30 in the morning next week. Any
18 change in the calendar will be, of course, communicated to parties and participants.
19 So we will adjourn and in principle resuming on Thursday at 9.30 in the morning, starting
20 the testimony of Witness 47, if I'm not wrong. So this hearing is adjourned.

21 THE COURT USHER: All rise.

22 (The hearing ends in open session at 12.48 p.m.)