

Trial Hearing
Witness: CAR-D04-PPPP-0018

(Open Session)

ICC-01/05-01/08

1 International Criminal Court
2 Trial Chamber III - Courtroom 1
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 Judge Kuniko Ozaki
6 Trial Hearing
7 Wednesday, 5 June 2013
8 (The hearing starts in open session at 11.37 a.m.)
9 THE COURT USHER: All rise.
10 The International Criminal Court is now in session.
11 Please be seated.
12 PRESIDING JUDGE STEINER: Good morning.
13 Could, please, court officer call the case.
14 THE COURT OFFICER: Yes, Madam President. Situation in the Central African
15 Republic, in the case of The Prosecutor versus Jean-Pierre Bemba Gombo, case
16 reference ICC-01/05-01/08, and for the record we are in open session.
17 PRESIDING JUDGE STEINER: Good morning. I welcome Prosecution team, legal
18 representatives of victims, the Defence team, Mr Jean-Pierre Bemba Gombo. Good
19 morning to our interpreters, our court reporters.
20 Today Defence will continue its presentation of evidence by calling Witness
21 CAR-D04-PPPP-0018, but before we commence with the testimony of the witness the
22 Chamber has an oral decision to deliver and this is the oral decision on the
23 applications to question Witness D04-18 by legal representatives of victims.
24 On 23 April 2013, the Chamber received an application from Maître Douzima Lawson
25 on behalf of the victims that she represents to question Witness D04-18. It's filing

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1 2602-Conf. The application contains a list of nine sets of questions. Similarly on
2 30 November 2013, the Chamber received an application from Maître Zarambaud on
3 behalf of the victims that he represents, filing 2452-Conf. The application contains a
4 list of 22 sets of questions.

5 Having considered the reasons given both by Maître Douzima and Maître
6 Zarambaud as to why the personal interests of the victims they represent are affected,
7 the Chamber allows the respective applications to question Witness D04-18.

8 Turning to the questions, both legal representatives are allowed to put all of their
9 proposed questions as set out in the aforementioned filings.

10 In order to introduce the witness into the courtroom, I ask, please, court officer to turn
11 briefly into closed session.

12 (Closed session at 11.41 a.m.)

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- 24 (Open session at 11.56 a.m.)
- 25 THE COURT OFFICER: We are in open session, Madam President.

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1 PRESIDING JUDGE STEINER: Thank you.

2 Mr Witness, as you know, the Chamber has now put in place measures to protect
3 your identity from the public and you will therefore be referred to during the course
4 of your testimony as "Mr Witness," or "Witness 18."

5 Your voice and your image that are broadcast outside the courtroom are being
6 distorted so that you cannot be identified by the public.

7 In order to help the Chamber, Mr Witness, in keeping your identity protected, it is
8 important that when we are in open session or in public session, as we are now, you
9 don't mention any information that could lead to your identification. For instance, in
10 public session you should avoid mentioning -- you should avoid mentioning your
11 function, your current function or your previous function during the events, the
12 names of your superiors, the names of persons with whom you had specific
13 conversations, meetings you had with a limited number of persons who could be able
14 to identify you, any information of this kind.

15 If you need to mention information of this sort, please let us know and we can go into
16 private session. In private session, you can speak freely because there is no
17 broadcasting outside the courtroom, so only the persons inside the courtroom can
18 hear what you say.

19 The parties, participants and the Chamber will help you in identifying whenever a
20 question could lead to an answer whose content is able to identify you, but you have
21 to help us.

22 Do you understand that, Mr Witness?

23 THE WITNESS: (Interpretation) Yes, all too well, your Honour, with the exception
24 that, as you have just said, we are obliged to hold meetings in order to shed light on
25 the situation with the Court.

1 PRESIDING JUDGE STEINER: Whenever this is necessary, you just let us know and
2 we go, as I said, into private session and then you can speak freely.
3 Mr Witness, it is also important for you to have in mind that, because we speak
4 different languages, we have interpretation. Because we have interpretation, it is
5 very important, Mr Witness, that you speak slower than normal, really slowly, as I am
6 doing now, in order to allow our interpreters to do their job.
7 It is also important, Mr Witness, that after a question is put to you, you wait five
8 seconds, you count to five before you start giving your answer, in order to allow the
9 interpreters to conclude the translation of the question. We call that our
10 "five-seconds golden rule."
11 We understand that speaking slower and giving these five seconds seems sometimes
12 unnatural and it is very likely that you start speeding up. In that case, Mr Witness, I
13 will have to interrupt you and to ask you to please slow down. Please don't take
14 offence. That should not discourage you from speaking, but is necessary for
15 practical reasons.
16 I'm sure we can count on you on that, Mr Witness.
17 THE WITNESS: (Interpretation) I will try, your Honour.
18 THE INTERPRETER: Interpreter correction: In the previous reply --
19 PRESIDING JUDGE STEINER: You have in front of you, or should have at least, a
20 card in which it is written the wording of the oath. Could you please read out to the
21 Chamber the wording of the oath, Mr Witness?
22 THE WITNESS: (Interpretation) "I solemnly declare that I shall tell the truth, the
23 whole truth and nothing but the truth."
24 PRESIDING JUDGE STEINER: Mr Witness, may I assume that you understand
25 what the words of the oath mean?

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1 THE WITNESS: (Interpretation) Yes, indeed, your Honour. (Redacted)

2 (Redacted).

3 PRESIDING JUDGE STEINER: Do you understand then that you are expected to
4 answer to the questions put to you saying --

5 THE WITNESS: (Interpretation) You can --

6 PRESIDING JUDGE STEINER: -- the truth to the best of your knowledge and belief?

7 You understand that, Mr Witness, that you have -- you are expected to tell the truth,
8 to the best of your knowledge and belief?

9 THE WITNESS: (Interpretation) Yes, indeed. You can believe that in God's name.

10 PRESIDING JUDGE STEINER: Court officer, please turn very briefly into private
11 session.

12 (Private session at 12.05 p.m.)

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23 (Open session at 12.06 p.m.)

24 THE COURT OFFICER: We are in open session, Madam President.

25 PRESIDING JUDGE STEINER: Mr Witness, during the familiarisation process, have

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1 you been given the opportunity to read or have read to you the statements that you
2 made to the Office of the Prosecution in 2009?

3 THE WITNESS: (Interpretation) Yes, your Honour, in part.

4 PRESIDING JUDGE STEINER: Just one part of the statements, Mr Witness? You
5 were not given the whole statement for you to read?

6 THE WITNESS: (Interpretation) Not everything, your Honour. I only received
7 part of that.

8 PRESIDING JUDGE STEINER: After the break, Mr Witness, when we come back in
9 the afternoon, I will put the question again to you and I hope that by that time you
10 have the opportunity to read the totality of your statement, because I will have to ask
11 you whether you authenticate those statements and whether the information you
12 provided at that time to the Prosecution are true and accurate to the best of your
13 knowledge and belief. So I hope you have the opportunity to read the totality of
14 your statement. I will make it sure that the whole statement is provided to you.
15 Court officer, we need to go very briefly again into private session please.

16 (Private session at 12.09 p.m.)

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16 (Open session at 12.16 p.m.)

17 THE COURT OFFICER: We are in open session, Madam President.

18 PRESIDING JUDGE STEINER: Mr Witness, during the familiarisation I suppose

19 you have been informed that you will be questioned first by the Defence, then by the

20 Prosecution, by legal representatives of victims and finally -- and finally again by

21 Defence. The Chamber may, during the whole of your testimony, may also put

22 questions to you.

23 Today we will have exceptionally only two sessions of two hours each. In any case,

24 if for any reason you need a break, just let us know and you can have as many breaks

25 as needed.

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1 Before you start giving your testimony, Mr Witness, do you have any question?

2 THE WITNESS: (Interpretation) No, I don't. Actually, I am quite eager to be
3 questioned. I await the questions coming from the various counsel.

4 PRESIDING JUDGE STEINER: Thank you very much.

5 I will therefore give the floor to Maître Kilolo, who will question you on behalf of the
6 Defence.

7 Maître Kilolo?

8 MR KILOLO: (Interpretation) Good afternoon, your Honours.

9 QUESTIONED BY MR KILOLO: (Interpretation)

10 Q. Good afternoon, Mr Witness.

11 A. Counsel.

12 Q. We've met already in the past and once again I will introduce myself to you. I
13 am Mr Aimé Kilolo and I am the one who will be putting a number of questions to
14 you on behalf of the Defence team. Do you understand?

15 A. Yes, perfectly.

16 MR KILOLO: (Interpretation) Initially, I'll be putting a number of questions to you
17 that could lead to your identity being revealed and consequently I would like to ask
18 the courtroom officer if we could go into private session.

19 PRESIDING JUDGE STEINER: Court officer, please turn into private session.

20 (Private session at 12.20 p.m.)

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22 (Open session at 12.55 p.m.)

23 THE COURT OFFICER: We are in open session, Madam President.

24 MR KILOLO: (Interpretation)

25 Q. Mr Witness, we are now in open session, which means that the public can now

1 listen to our exchange, so I would like you to bear this in mind and avoid identifying
2 yourself. My question to you would be as follows: In which territory did the
3 armed branch of the MLC exercise its military -- or conduct its military exercises?

4 A. Initially, it was between Banalia in the Orientale province up to Imese in the
5 Équateur province, not far afield from Mbandaka town, and latterly it moved from
6 Kanyabayonga in the east of the Congo via the North Kivu area and a great part of
7 the Ituri region, in addition to the former territory that I have just mentioned to you;
8 that is from Kanyabayonga to Imese, that is to say virtually 15 square
9 kilometres -- 15,000 square metres area within the DRC.

10 Q. Would you still be able to situate these two periods in time?

11 A. Yes. I said "yes," Counsel. Until the year 2001, the MLC occupied from Imese
12 to Banalia, and from 2001 until more or less the end of the war - let's talk about
13 reunification, rather, because there was no longer any war raging as such - and this
14 was from Kanyabayonga to Imese.

15 Q. Mr Witness, could you please explain the structure and the -- the command
16 structure within the armed branch of the MLC?

17 A. First and foremost, there was the political and military adviser and then there
18 was the General Staff of the MLC, which had its various directorates, notably the G1,
19 which was the personnel unit or office; the G2, which included intelligence; the G3, of
20 which operations was part; G4, which managed logistics; and the G5, which was in
21 charge of all matters social.

22 Then there were the various secteurs, after which there were the brigades and the
23 battalions, the companies, and so on and so forth, all the way down to the small units.

24 Q. What was the role of the political/military committee?

25 A. Well, this committee was a body that handled design, so to speak, within the

1 popular revolutionary movement. This committee handled military affairs and
2 other considerations; political considerations.

3 Q. Could you tell us more about the operations of the ALC general headquarters
4 and the various functions of that organ?

5 A. As I said, Counsel, the general headquarters of the MLC were commanded by
6 General Amuli. He was the Chief of General Staff, and I mentioned the various
7 areas or offices. Would you like me to tell you the names of the various people who
8 were leading up those divisions? But I believe that we're in open session now.

9 Now, after the various directorates there were the brigade commanders and then the
10 battalion commanders and then, under them, the commanders of the smaller units.

11 Q. Witness, you need not fear making mention of the people who led up the
12 various offices within the General Staff, but please specify the roles, duties, tasks of
13 the five offices. Could you -- or bureaus. Could you tell us how those five units
14 worked in relation to the overall hierarchy?

15 A. Counsel, well, I think we need to situate them within time and space, because at
16 various times different people head up these various units and from time to time
17 there were changes. Which period of time should I tell you about?

18 Q. Witness, I'd like to focus on the period running from mid-2002 up until the end
19 of the ALC rebellion; up until the end of the ALC's existence as a political/military
20 movement.

21 A. Counsel, I told you that by the middle of 2002, by that time I was no longer
22 within the army. (Redacted)

23 (Redacted)

24 (Redacted). But if you would like me to tell you about the

25 make-up of the general headquarters at the time, I could give you a brief overview,

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1 but I wouldn't be in a position to define the specific tasks of each and every person.
2 Everyone had his own way of working and so it would be quite difficult for me to
3 give you such precise details about that period of time.

4 MR KILOLO: (Interpretation) Could we go --

5 PRESIDING JUDGE STEINER: Court officer, please turn into private session.

6 (Private session at 1.05 p.m.)

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10 (Open session at 1.15 p.m.)

11 THE COURT OFFICER: We are in open session, Madam President.

12 MR KILOLO: (Interpretation)

13 Q. Witness, could you tell the Chamber who led and had effective control over the
14 ALC troops in the territory that was under the control of the ALC?

15 THE INTERPRETER: Correction: Under the control of the MLC.

16 THE WITNESS: (Interpretation) Counsel, the day-to-day management, the
17 monitoring, the scheduling or the organisation of the ALC, that came under the
18 command of General Amuli, with the assistance of course of the various directorates
19 and his various commanders, including the brigade commanders. That was
20 well-known. The chief remained the chief. He managed matters on a daily basis.
21 He had various people working with him. It was a pyramid structure and they
22 helped him run the show, so to speak. So the management, the operations, the work
23 within the army was done by General Amuli.

24 Q. And who was responsible for discipline; discipline of the ALC troops under the
25 control of the MLC?

1 A. Once again it was General Amuli through the intelligence directorate, which
2 was the G2. The G2, as he worked, if he ever came across cases of indisciplined
3 soldiers or matters relating to a lack of discipline, well, he was the one who would
4 track these people down, establish what happened, make recommendations to the
5 Head of General Staff and he, the chief, would issue orders.
6 I'll give you a specific example. Let us say some soldiers fled from the front line.
7 When they were apprehended, they would be brought back to the G2, to the office of
8 the G2, and at that point in time the G2 would conduct investigations and ask, "Why
9 did you flee? Why did you do this? Why did you do that?" And on the basis of
10 all the information provided, he would then prepare a report with recommendations
11 for the Chief of General Staff, and the Chief of General Staff would read the report
12 and then order or, rather, make decisions. He would make the final decision. He
13 might accept the recommendations from the G2, or dismiss them. So the day-to-day
14 management of the army was entrusted to him. That's standard throughout the
15 world. It was entrusted to the Chief of General Staff.

16 Q. Let us say that an ALC soldier was lacking in discipline on MLC controlled
17 territory. Was it important to determine what level of command that person came
18 under, the soldier who had engaged in reprehensible conduct?

19 A. Very, very important. You don't ask the Chief of General Staff to punish a
20 particular soldier who fled his station within a company, no. There was a company
21 commander who had all the requisite power to punish that person in accordance with
22 the code of military conduct. He could punish someone who had fled -- abandoned
23 his guard duty or did something idiotic, and once he had done so, he would make a
24 report to his superior, to the battalion commander. Sergeant Bulongoni (phon), let
25 us say, fled his post and was punished accordingly, that sort of report. It would

1 allow the hierarchy to know what was going on. So if there had been such incidents,
2 the hierarchy would know about them and would know what punishments had been
3 meted out.

4 Q. Witness, could you please slow down?

5 A. I said that there were two kinds of punishment: First of all, there was
6 punishment within -- there was corporal punishment and then there was judicial
7 punishment. Let us say that a soldier did something silly or stupid. Well, a
8 commander within the unit would punish his soldier, but if the offence was more
9 serious, if there was a complaint or -- lodged with the judicial authorities, then the
10 judicial system would intervene. There would be a court martial or something like
11 that. So it would also depend on the degree of severity of the infraction. One does
12 not punish a soldier who fled duty at the court martial level. That would be handled
13 at the level of the unit. But, in contrast, if a soldier killed a civilian, then the report
14 would be issued, given to the battalion commander and, in considering the
15 seriousness of the situation, the report would go up the military chain of command
16 and ultimately the Chief of General Staff would make the necessary arrangements
17 and that soldier would be court martialled.

18 Q. And what was the role of Mr Jean-Pierre Bemba within the ALC?

19 A. Mr Jean-Pierre Bemba was the commander-in-chief. He was the one who
20 chaired the political/military committee. He took action only if something went up
21 to his level. If some issue rose to his particular level, he would take action. After
22 consulting the political/military committee, after a proper debate, a decision would be
23 made and then he would promulgate the decision on behalf of the military/political
24 committee. He did this for the army and also within the political sphere, because
25 you see this political/military committee was a very high organ within the

1 organisation.

2 Q. Did Mr Jean-Pierre Bemba have a role to play when it came to the preparation
3 of operational orders to units in the field within the territory under MLC control?

4 A. No. However, the -- in the final analysis, some reports would end up on his
5 desk, he would be copied on them for information purposes, and quite rarely, on a
6 few rare occasions, he would react. He's a very rigorous man, strict and he would
7 respond, but really the follow-up would be done by the leader within the particular
8 body. He might receive a report and if he thought that the situation required him to
9 respond from time to time he might do so, but the follow-up and the actual
10 implementation or carrying out and the oversight that would be done by the General
11 Staff. You couldn't ask the President, Mr Jean-Pierre Bemba, himself to actually
12 implement or carry out orders. There was the Chief of General Staff. So, you see,
13 he would await these reports that were sent to him by his lower ranking staff.

14 PRESIDING JUDGE STEINER: I'm really sorry to interrupt, but Mr Witness it's time
15 for our lunch-break and you have opportunity to have lunch and take some rest. We
16 will suspend now and resume at 3 o'clock.

17 I will ask, please, court officer to turn into closed session for the witness to be taken
18 outside the courtroom, and in the meantime we will suspend to resume at 3 o'clock.

19 (Closed session at 1.26 p.m.)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Recess taken at 1.27 p.m.)

24 (Upon resuming in closed session at 3.03 p.m.)

25 (Redacted)

26

Trial Hearing
Witness: CAR-D04-PPPP-0018

(Open Session)

ICC-01/05-01/08

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Open session at 3.05 p.m.)

7 THE COURT OFFICER: We are in open session, Madam President.

8 PRESIDING JUDGE STEINER: Welcome back, Mr Witness.

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

10 PRESIDING JUDGE STEINER: Did you have the opportunity to take some rest
11 during the lunch-break?

12 THE WITNESS: (Interpretation) I did very well. I can't complain.

13 PRESIDING JUDGE STEINER: Mr Witness, the Chamber received the information
14 that you are giving the integrality of your written statements, the statements you gave
15 to the Prosecution a few years ago, and that you said you had read enough and that it
16 was not really necessary to go through it in full because you have everything in mind;
17 in your mind. Is that correct, sir?

18 THE WITNESS: (Interpretation) Yes, very well.

19 PRESIDING JUDGE STEINER: I have to ask you, Mr Witness, at the time you gave
20 those statements did you do so voluntarily?

21 THE WITNESS: (Interpretation) Thank you, your Honour. I have to tell you the
22 story about it and the conditions under which these statements were taken, and I
23 would like this to be done in closed session.

24 PRESIDING JUDGE STEINER: Court officer, please turn into private session.

25 (Private session at 3.07 p.m.)

Trial Hearing
Witness: CAR-D04-PPPP-0018

(Private Session)

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Page 33 redacted – Private session

Trial Hearing
Witness: CAR-D04-PPPP-0018

(Private Session)

ICC-01/05-01/08

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Trial Hearing
Witness: CAR-D04-PPPP-0018

(Private Session)

ICC-01/05-01/08

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Trial Hearing
Witness: CAR-D04-PPPP-0018

(Private Session)

ICC-01/05-01/08

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22 (Open session at 3.21 p.m.)

23 THE COURT OFFICER: We are in open session, Madam President.

24 PRESIDING JUDGE STEINER: Mr Witness, I'll give back the floor to Maître Kilolo

25 who will continue questioning you.

1 Maître Kilolo, you have the floor.

2 MR KILOLO: (Interpretation) Thank you, your Honour.

3 Q. Witness, have you heard about the MLC interventions outside the Democratic
4 Republic of Congo; and by this I mean outside of the territory under MLC control that
5 you described a moment ago?

6 A. Yes, Counsel, there were two interventions of ALC and MLC outside Congo.
7 The first operation was led by the ambassador in 2001 in June - May and June - and
8 the second one, 2002 to 2003, was led by General Moustapha.

9 Q. Do you know for the first intervention, which took place in 2001, who was it
10 who gave the order to the ambassador to go to Central African Republic?

11 A. He received the order from the General Chief of Staff to go to Central African
12 Republic, and when he was going in routine control, when he was in the territory
13 under the control of the MLC, and there was a vehicle which followed him practically
14 to about 20 kilometres from Gbadolite to remind him that the Chief of General Staff
15 had asked him to go to Gbadolite. And when he went there he found the Chief of
16 General Staff, who ordered him to get organised in order to go to Bangui in the
17 following three hours. A plane would come to take him, such that he could go to
18 Bangui.

19 Q. For the record, could you give us the name of this General Chief of Staff -- Chief
20 of General Staff?

21 A. General Amuli.

22 Q. Was there a briefing before with the ambassador in the Central African
23 Republic -- before going to the Central African Republic?

24 A. Well, he was asked to go to Bangui, where there had been a rebellion. The
25 former president of the Central African Republic, Kolingba, with his team, had tried

1 to knock over the elected government of Mr Patassé and were under the orders, or the
2 command, of the General Chief of Staff of the FACA in order to force the assailants, or
3 the Kolingbists if I can put it like that, and in military language that was called -- well,
4 the ambassador was going to go on the orders of the Central African armed forces.

5 Q. Who gave this briefing to the ambassador?

6 A. I would like to clarify: General Amuli, Chief of General Staff.

7 Q. When the ambassador left Democratic Republic of Congo to go to Bangui in
8 2001, did he leave Congo with an operational order?

9 A. No, I just told you the ambassador left the Congo with measures, or that he was
10 under the orders of the FACA Chief of General Staff.

11 Q. Before leaving Congo in order to go to Bangui, was there contact between
12 Jean-Pierre Bemba and the ambassador?

13 A. No, to my knowledge he was in Beni, about 2,000 kilometres from Gbadolite.

14 Q. What was the role of the ambassador within the framework of this operation of
15 2001 in Bangui?

16 A. The ambassador's mission was co-ordination; co-ordination of MLC troops in
17 Bangui.

18 Q. And more precisely, who was the hierarchical military authority or superior of
19 the ambassador within the framework of this operation of 2001 in Bangui?

20 A. The ambassador was under the orders, or subject to the orders of -- he was
21 under the orders of the General Chief of Staff of the FACA and -- he was and his unit.
22 He received orders from the Chief of General Staff of the FACA, because the
23 ambassador did not know the field, nor the reality on the ground, and so he had to be
24 subject to the command of the General Chief of General Staff of the FACA, with a
25 programme which they had already come up with prior to that.

1 Q. In order to be more precise, could we have a name or names, that is to say
2 authorities, under the command of which the ambassador was placed in Bangui in
3 2001?

4 A. When the ambassador went to Bangui, he was immediately taken to the
5 residence of the Minister of Defence of Patassé, Jean-Jacques Démafouth. Some time
6 afterwards he -- they left together, with the Central African Minister of Defence, to the
7 General Staff of the FACA, where he found all the team of the General Staff, they
8 were meeting together, of the FACA, and they were under the command of General
9 Bozizé who at the time was the General Chief of Staff of the Central African forces.

10 Q. At that time, was there any co-ordination or participation by the ambassador in
11 the drafting of combat or battle plans within the context of the 2001 operation in
12 Bangui?

13 A. At the first meeting to which the ambassador was taken by the Central African
14 Minister for Defence, there was already an operational plan that had been drafted by
15 the FACA General Staff. The Chief of General Staff, FACA, at the time distributed
16 the various axes or roads that would be occupied by the various forces - the Central
17 African forces, as well as other forces such as the Libyans - and there was also an axis
18 or a road assigned to the MLC troops. So at that time they had already developed a
19 plan.

20 Q. You mentioned the first military meeting. Were there any other military
21 meetings within the context of the 2001 operations in Bangui?

22 A. Every evening - every evening - the General Staff would meet to plan for the
23 following actions. You see, the ambassador was not an implementing person. He
24 was part of those who thought things through and he provided some advice, mindful
25 of his own observations on the ground, and was therefore in a position to suggest

1 some changes and some improvements to the work methodology. However, before
2 such plans were executed, they needed to be vetted by the Chief of General Staff of
3 the FACA.

4 Counsel, let me also tell you that, under the command of General Bozizé, FACA
5 troops -- and you may want to know that the Central African Army, even the generals
6 and officers of the army are not people who are unaware of their trade. They were
7 trained by France, one of the world powers, and therefore those officers did not
8 simply agree with everything that came before them. They needed to be convinced
9 of a need to improve or to review certain working techniques, as the case may have
10 been.

11 Q. If you do recall, do you know those who attended those daily meetings within
12 the context of the 2001 operation in Bangui?

13 A. It was the FACA General Staff, particularly the Chief of Staff, General Bozizé,
14 and some high-ranking officers whose names I no longer recall. There were also
15 officials from the Presidential Security Unit, that is of late President Patassé, and they
16 were all under the command of Mr Jean-Jacques Démafouth, who at the time was the
17 Minister of Defence of the Central African Republic.

18 Q. As far as you can remember, are there any concrete examples that you can tell
19 us of that may have been dealt with during those daily meetings?

20 A. The meetings dealt with the work that had been done during the day, and after
21 an assessment of each day the meeting went on to plan for the next day mindful of the
22 overall operations plan.

23 Q. When the ambassador left the DRC for the Congo in 2001, how many men did
24 he go to the CAR with?

25 A. The ambassador had six bodyguards with him - six troops from the military

1 intelligence unit - as well as himself. It is in Bangui -- if I may, it was in Bangui that
2 upon preparing the programme there was then a cross-over to the other side of Zongo
3 to get the elements of the 28th Battalion who had to do the work following orders
4 from the Chief of General Staff.

5 PRESIDING JUDGE STEINER: Maître Kilolo, if you allow me? Just as a message to
6 the interpreters, or court reporters, that on page 51, line 2, we are talking about
7 Presidential Security Unit and not Residential Security Unit, just for future correction.
8 You can proceed, Maître.

9 MR KILOLO: (Interpretation)

10 Q. Witness, do you remember the date on which the ALC troops arrived in Bangui
11 within the context of the 2001 operation?

12 A. On 28 May 2001, in the evening, and on 1 May. You see, another team had to
13 come from Libenge. The second team arrived on 29 May.

14 Q. Do you know how many men were part of the second team?

15 A. It was a battalion. The first team was a company, about 150 men, and the
16 second team came in the next day of 300 troops, making a total of 400 which is the
17 number required of a battalion. About 450, rather.

18 Q. Do you know how long that ALC contingent remained on the soil of the Central
19 African Republic?

20 A. The ALC troops arrived on 28 May in the evening and returned, if memory does
21 not fail me, on 11 June, except I'm mistaken.

22 Q. Can you tell the Court how things unfolded when the ALC contingent arrived
23 in Bangui in 2001? What happened?

24 A. I cannot tell you about the entire operation in Bangui, but I can tell you about
25 what happened along the road occupied by the ALC troops. When the ambassador

1 arrived in Bangui on 28 May, in the evening -- 28 June rather, in the evening, you see
2 at that time General Amuli had already prepared the necessary troops that were
3 available at Zongo. General Amuli told the ambassador that he would work with
4 those troops and other troops that will come from Libenge, so in the evening things
5 could not be left to unfold the way they were.

6 So the first team having crossed over, thereafter we blocked off the Sofitel road, as
7 well as the road to the radio. Upstream Sofitel and downstream the radio. We
8 blocked off those roads while waiting for other troops to join us and complete the
9 units.

10 So that gave time for the ambassador to attend the command meeting and to assess
11 the general situation as was the case, and this made it possible for the ALC troops to
12 become aware of the specific mission assigned to them along their road.

13 Q. When the ambassador arrived in Bangui was he accompanied by an S3 and, if
14 yes, what was the S3's role?

15 A. Yes, the ambassador was accompanied by an S3, or rather it should be said that
16 the ambassador found the S3 of the battalion in Zongo already because the S3 had
17 crossed over with the troops, because it is the S3 who is in charge of operations. He
18 is the one who is at the forefront, at the battle front, to see how the combat or fighting
19 is unfolding and in order to provide reasonable and intelligent monitoring of the
20 operations.

21 Q. Since the battalion had an S3, is that not an indication that the ALC contingent
22 was conducting the 20 -- or rather the 2001 operations independently and was
23 therefore not under the command of the Central African authorities?

24 A. No. You see, there are various levels and ranks, and the duty of the S3, or the
25 ambassador, was to accompany the battalion on the ground and to report to his

1 hierarchy. So the battalion also has a duty to report to the ambassador, who in turn
2 must report to the Chief of General Staff of the FACA under whose command he was
3 placed. That is how things were set up.

4 Q. Were there any other loyalist units involved in the fighting on the ground, apart
5 from the ALC contingent?

6 A. Yes. First of all the ALC contingent did not engage in combat single-handedly,
7 because it did not know the terrain. It had FACA troops within its group who were
8 scouts, who knew the terrain and who provided guidance in that connection, but
9 there were other external forces as well, other than the ALC forces. You see, each
10 force had a specific mission during that operation and was operating along a specific
11 axis, or road.

12 Q. In concrete terms, how were the various loyalist forces deployed on the ground?

13 A. Counsel, there were several roads which all came together at Lanja (phon), a
14 central point. So we had the Central Africans and other forces which were along a
15 number of other roads, three or four roads, but please understand me when I say that
16 I would rather focus my testimony on the axis that was occupied by the ambassador
17 and the troops that came to the Central African Republic; the ALC troops that were in
18 the Central African Republic.

19 Q. What was the mission of the ALC contingent on the ground and how, or
20 through whom, did that contingent receive that mission or that assignment?

21 A. Counsel, I think we are just repeating things over and over again. I have
22 already told you that the mission was very specific. There was a specific road to
23 which the ALC troops were assigned and the troops walked along that road from
24 day-to-day with a view to warding off the enemy or pushing out the enemy from
25 Bangui, and that's what was done on a daily basis mindful of developments on the

1 ground. I believe that I have already explained this point over and over again.

2 Q. Who determined the ambassador's daily objectives that were to be achieved
3 during the operations on the ground?

4 A. Following your question, I have also already explained to the Court that there
5 was a programme or an operational plan already in place. Orders came from the
6 FACA General Staff, with a specific road being assigned to the ALC, and on a daily
7 basis a situation report was produced which also may have introduced some
8 improvements.

9 I have already told you that the ambassador was not somebody who did not make
10 comments. If he had any suggestions to make, any ideas to pass on to the FACA
11 General Staff, for example, "If on this issue this is what we did, I believe that we can
12 improve this aspect and so on and so forth in order to achieve this purpose," that did
13 happen and quite often or on some occasions the ambassador was actually heeded.
14 His advice was taken and everything worked out perfectly.

15 Q. Did the ambassador have an S4 with him in Bangui during that operation and, if
16 yes, what was the S4's role?

17 A. Yes. A battalion usually has a General Staff, or headquarters, and the S4 was
18 also part of that operation. The traditional duty of the S4 is to handle matters
19 relating to logistics within his unit. So the S4's mission was to receive from the
20 FACA friends uniforms, weapons, food, vehicles and so on and so forth.

21 Q. Who were the various authorities to whom the ambassador submitted his report
22 during the 2001 operations?

23 A. After receiving reports from his unit, the ambassador would forward his report
24 to the Chief of General Staff of the FACA and copy the Chief of General Staff of the
25 ALC for purposes of information, because we must remember that the ambassador

1 also had to report to his natural hierarchy, although he was placed under the orders
2 of the FACA General Staff.

3 Q. Did the ambassador receive operational messages from Gbadolite during the
4 2001 operations in Bangui?

5 A. Counsel, the ALC contingent in Bangui was placed under the orders of the
6 FACA General Staff and the umbilical cord was for all purposes cut off, except when
7 the phonie of the FACA General Staff, or the transmitters of the FACA General Staff,
8 were used to send copies of the final reports to the ALC General Staff.

9 Q. When the ambassador was in the Central African Republic in 2001, and during
10 that period, did the ambassador have any communication with Mr Jean-Pierre Bemba
11 at that time?

12 A. Counsel, I have told you already that Jean-Pierre Bemba was in Beni and the
13 person with whom the ambassador communicated directly was the Chief of General
14 Staff of the FACA and Jean-Jacques Démafouth, the then Minister of Defence. Even
15 the Chief of General Staff of the ALC, General Amuli, did not have any contact with
16 the ambassador, apart from the reports that were sent to him by the phonie. I am
17 referring here to the copies of reports that were forwarded to the Chief of General
18 Staff through the phonie system.

19 Q. Prior to executing the operational orders from the Central African hierarchy, did
20 the ambassador have to resort to a third party for clearance or to seek his approval
21 before executing such orders?

22 A. There was no reason for him to do so. You see, granted the ambassador could
23 have received advice and information regarding issues that had been uncovered by
24 his troops on the ground, which he would then forward to the Chief of General Staff
25 of the FACA for the purposes of improving the operations, but the reverse would not

1 have served any purpose, not at all.

2 Q. In 2001, did the ALC contingent in Bangui receive any types of supplies, or
3 logistical supplies to be more specific, from Gbadolite?

4 A. No, Counsel. They had already been given an assignment. They couldn't be
5 provided food any longer. You see, they were actually spoiled. There was no need
6 for that. They were spoiled by the FACA, who provided more than enough food for
7 them. So there was no need for the ALC troops to seek any such supplies from
8 headquarters, because the Central African government was sufficiently rich at that
9 time even as compared to the ALC, so there was really no reason to make any such
10 request.

11 Q. As far as you know, was Mr Jean-Pierre Bemba in contact with General Bozizé
12 or Minister Démafouth during those operations in Bangui in 2001?

13 A. As far as I know, no.

14 Q. If you were asked to provide a name, who would you say was the hierarchical
15 military superior of the ambassador during the ALC operations in Bangui in 2001?

16 A. The ambassador's direct superior in Bangui during the operations in 2001 was
17 General Bozizé, who was the Chief of Staff of the FACA. It is from him that he
18 received orders - operational orders - as well as various instructions relating to the
19 recovery of property abandoned by attackers, and all of that was done in writing.
20 Furthermore, the ambassador also had contact with Jean-Jacques Démafouth, who
21 was the supervisor of the operations, but he was directly accountable to General
22 Bozizé, who was the Chief of General Staff of the FACA at the time.

23 Q. At the end of the 2001 operations in Bangui, did the ambassador receive an
24 order to withdraw from the Central African territory and, if yes, from whom?

25 A. On 11 June 2001, the operation was over and the assailants had been driven out

1 of Bangui, so that put an end to the operations. General Démafouth, or rather
2 General Bozizé and Minister Démafouth, thanked the ALC troops, and that was the
3 signal that the operations had come to an end and so the ALC troops went back. The
4 ambassador took his troops to the beach and they left. The ambassador was the last
5 person to leave Bangui.

6 Q. During the operations in 2001 in Bangui, did the ALC troops have contact of any
7 kind with the civilian population in the Central African Republic?

8 A. I don't understand your question, Counsel.

9 Q. During the operations of 2001 in Bangui, were there acts of pillaging that were
10 committed by the ALC troops in the Central African Republic in 2001?

11 A. Counsel, the Court has the possibility to ask RFI and the TV5 via 11 June 2001.
12 I am certain they spoke about ALC troops, that they had also ended, so the ALC had
13 not taken anything on its return. They had come back empty-handed, and I confirm
14 that the ambassador was the last person to leave the town of Bangui and he went by
15 river. There was not pillaging, as you were claiming.

16 Q. Were there acts of murder of civilians that were carried out by ALC soldiers in
17 the Central African Republic in 2001?

18 A. No, Counsel. I'm certain that you never heard about that. The ALC troops
19 left Bangui with leaps of joy, and sometimes the civilian population regretted the fact
20 that they had to leave because the population -- the population felt protected when
21 the ALC troops were on the ground there.

22 Q. To your knowledge, were there acts of violence - sexual violence, such as
23 rape - perpetrated by the ALC soldiers in the Central African Republic in 2001?

24 A. The contingent of the ALC in 2001 was co-ordinated by the person responsible
25 for discipline of the ALC, and I'm saying the person responsible for discipline of the

1 ALC. And ask this question: Right, this person is a severe person, a rigorous
2 person. A lot of ALC troops knew that and they couldn't allow themselves to
3 commit such acts in his presence.

4 Q. Witness, during his stay in Bangui, did the ambassador have a means of
5 transport in order to move about in Bangui?

6 A. Affirmative. The Central African Army made available to the MLC contingent
7 off-road vehicles, four-by-fours, jeeps and a lorry for transport, so the ambassador did
8 have a means of transport with a Central African driver.

9 Q. What was the fate of these vehicles that had been provided to the ambassador?
10 What happened to them at the end of the operations in 2001?

11 A. Well, they were military vehicles and so afterwards they were given back to the
12 authorities, and the people who were driving them were Central African drivers.

13 Q. Have you heard about a white Suzuki jeep which the ambassador was meant to
14 have had when he returned to the territory under MLC control coming from Bangui?

15 A. When he returned -- well, the question is put wrong. Not on his return. A
16 jeep available for the ambassador two months after the war in Bangui.

17 What does that mean? Well, after -- just after the operation, at the end of the
18 operations, the ambassador was received by the Minister, Jean-Jacques Démafourth.
19 Jean-Jacques Démafourth presented his thanks - the thanks from President
20 Patassé - for the work that had been carried out in Bangui, and at the end of the day
21 he asked the ambassador what he could do for him for all the service that he had
22 provided, for having freed Bangui from the assailants, and the ambassador said that,
23 no, it was out of duty that he went to Bangui and thank God that the work had been
24 carried out well. Eternal glory to God.

25 But he had asked them for nothing, but nevertheless if he had got a jeep for him such

1 that he could use it in the MLC territory for his professional activities, he had no
2 vehicle and his work required a means of transport, well, then that would be a very
3 good thing and he would thank the Chief of State, Patassé.
4 And that's the reason why two months after the war, in the month of August,
5 Mr Démafouth called Mr Alenge, Gustave, who at that time was the Director General
6 of the Border Security Services, he was in Zongo, in order to tell him, "Well, I've got a
7 jeep here sent by President Patassé (Redacted)
8 (Redacted), and he was still alive, and the person who
9 gave the jeep to (Redacted)
10 (Redacted) took this jeep, a
11 four-by-four Suzuki, to the ambassador, and that's how the ambassador was able to
12 use this jeep two months after the fighting. It was a present in thanks from President
13 Patassé for the ambassador.

14 MR KILOLO: (Interpretation) Here I'd like to refer to a document T-165,
15 confidential French version, edited, of 23 September 2011, page 60, line 5 and
16 following.

17 Q. Witness, according to some information that the Court has, it is the case or it
18 would seem that the MLC soldiers who were in Bangui in 2001, that they robbed a
19 bank in Bangui and all the money was taken to Gbadolite. What can you tell us
20 about that?

21 A. Counsel, I think if that sort of information should be known by everybody. It
22 should be common knowledge. Everybody should know something like that. So
23 it's false information.

24 And, Counsel, the intervention of the Congolese contingent in Bangui - ALC
25 contingent in Bangui - was an example. It was something people were proud of.

1 They couldn't call them a second time -- they wouldn't have called them a second
2 time for the ALC to return to Bangui. If they called them a second time, they called
3 ALC to go back a second time, why? That was because the first operation was an
4 example; an eloquent example. It was something to be proud of for the MLC.
5 So it's important for the Court not to get distracted, and I would stress that the
6 operation in 2001 made the ML -- the operation in Bangui in 2001 made the MLC
7 proud and that's why the MLC was called upon again in 2002/2003.
8 You understand, your Honour, that sometimes there are things -- well, for the second
9 time it was done, this request, because the first intervention was something the MLC
10 were proud of. It was a striking example. They behaved like a respected
11 government, or troops of a respected government. They weren't rebels, and that's
12 the reason why President Patassé called upon them for a second time. He called
13 upon the ALC troops.
14 If these troops were robbing banks, then -- a bank which Patassé had, if they'd killed
15 people, if they'd raped people, if they harmed the Central African population, I do not
16 think that President Patassé would have called them for a second time. If he did so,
17 he saw that the first experience was respectable.
18 So you shouldn't get distracted by such information, nor should the august Court.
19 There were not such acts in the first war. There might have been a case of a troop
20 who maybe stole something, (Redacted) a rigorous
21 person. He was already responsible for discipline within the army and who could
22 bring indiscipline before him. His rigor was known, even by the General Chief of
23 Staff, and he said, "No," if he had to. So I do not think that all these atrocities could
24 have been carried out under the eyes of the ambassador. Counsel, that is a
25 distraction.

1 Q. What were the different languages spoken by the ALC troops in the Central
2 African Republic in 2001? What languages did they speak?

3 PRESIDING JUDGE STEINER: Maître Kilolo, sorry to interrupt you. Before you
4 proceed with your question, there is something missing here. You made a reference
5 to a document in French version, edited, of 23 September 2011, but I don't have here
6 the -- what document you are referring to. Could you please repeat which document
7 you were referring to from 23 September 2011?

8 MR KILOLO: (Interpretation) Indeed, it was a transcript of 23 September 2011,
9 document T-165, confidential French version thereof, edited version, page 60, lines 5
10 and following.

11 Q. Witness, I'll repeat my question. What were the different languages that were
12 spoken by the ALC troops who were in Bangui in 2001?

13 A. Your Honour, the Congo and Central African Republic have a common border,
14 and in Africa when we have a common border the language or the languages are
15 spoken. Sango is Limbandi (phon) and in Équateur Lingala as well is also spoken, so
16 there are languages which are spoken. French, this is a common language because
17 the two countries were colonised by France. They have French as an official
18 language, and the local language is Sango and Lingala. So Sango, this is spoken in
19 the Central African Republic and in Zongo, and Lingala is also spoken in Zongo in the
20 DRC and those who are on the other side of the river also speak it. So in terms of
21 languages you've got Lingala, Sango and French. They are the languages which are
22 spoken on both sides of the border between the Central African Republic and the
23 DRC.

24 Q. Do you have information on the behaviour of the enemy which the loyalist
25 forces were fighting in the operations in 2001 in Bangui? How was the enemy

1 behaving towards the civilian population?

2 A. Well, I would prefer to call these people assailants, or attackers. They
3 took -- by military means they took Bangui, they took it with arms, with weapons,
4 and on the incitation of the former President Kolingba they took hostage and stole
5 and pillaged the goods of the Patassé government at the time - and here I'm speaking
6 about this area - and there was a lot of abuses that were committed, but we weren't
7 with them. They were on the other side.

8 Now, when we freed the area that they occupied, we found that there were a lot of
9 complaints, particularly with regards to theft, pillaging and some rapes as well, and
10 we also heard people speak about murders of certain dignitaries and some had also
11 fled to Zongo and others -- abuses which we were able to note down. So, as I said to
12 you before, when we went to free our area, we occupied the road where there was a
13 neighbourhood, a residential -- a chic, residential neighbourhood, and in that chic
14 area there were a lot of dignitaries - Patassé dignitaries - as well as some rich persons.
15 I can even say that all the embassies were on that road. And believe me, Counsel,
16 that this was a major liberation, a cause of great joy, but it can confirm that a lot of
17 abuses were committed by the attackers during their occupation in the field. That
18 was the area that we liberated.

19 Q. Because you mentioned two interventions of the MLC contingent in the Central
20 African Republic, to the best of your knowledge under whose command were -- was
21 the ALC contingent placed which went the second time to the Central African
22 Republic; that is to say in 2002?

23 A. (Redacted)

24 (Redacted)

25 (Redacted)-- well, his headquarters was outside Gbadolite. That was

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1 90 kilometres from Gbadolite, approximately 500 kilometres from Zongo and Bangui,
2 and the management mechanism was complicated.

3 I couldn't know that, but in my humble opinion I think that the second operation
4 should normally have had the same methodology as the first, but I couldn't tell you
5 that with precision because I was no longer there. I was not even in the army any
6 more, so the politics or policies of the army was something I was no longer in control
7 of.

8 MR KILOLO: (Interpretation) Witness, we'd like to thank you for having accepted
9 to answer the Defence's questions.

10 THE WITNESS: (Interpretation) Thank you, Counsel.

11 PRESIDING JUDGE STEINER: Thank you very much, Maître Kilolo.

12 Mr Witness, as you were informed by VWU during the familiarisation and I repeated
13 at the beginning of today's hearing, now the Prosecution will start questioning you.
14 Therefore, I give the floor to Ms Bala-Gaye. You have the floor.

15 MS BALA-GAYE: Thank you, Madam President. Good afternoon, your Honours.
16 I'll just take a few seconds to put the lectern on the desk.

17 QUESTIONED BY MS BALA-GAYE:

18 Q. Good afternoon, Mr Witness.

19 A. Good afternoon.

20 Q. Mr Witness, we met yesterday during the familiarisation, but I'll just introduce
21 myself again. My name is Horejah Bala-Gaye and I'll be representing the
22 Prosecution today and asking you some questions. Do you understand that?

23 A. Very well.

24 Q. Mr Witness, I'll just remind you that there are witnesses that are protected in
25 this case, so please be mindful when you're responding to my questions not to give

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1 out any identifying information. Do you understand that?

2 A. I understand.

3 MS BALA-GAYE: Madam President --

4 PRESIDING JUDGE STEINER: I'm sorry, Ms Bala-Gaye.

5 Mr Witness, if you could just approach a little bit more and speak closer to the

6 microphone because the interpreters are having difficulties in hearing you.

7 THE WITNESS: (Interpretation) I've understood, your Honour.

8 MS BALA-GAYE: Madam President, may we please move into private session? I

9 have some questions about identifying features.

10 PRESIDING JUDGE STEINER: Court officer, please turn into private session.

11 (Private session at 4.26 p.m.)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Open session at 4.43 p.m.)

5 THE COURT OFFICER: We are in open session, Madam President.

6 MS BALA-GAYE:

7 Q. Mr Witness, prior to your testimony here today, have you been following the
8 proceedings in this case?

9 A. Some parts of it vaguely on TV from time to time.

10 Q. So do you know what the Defence case is about, Mr Witness?

11 A. I don't understand what you mean by "the Defence case".

12 Q. Let me clarify that. My question is: Do you know what the Defence theory is
13 about in this case?

14 A. Well, the principle must be that the Defence -- are you talking about the

15 Defence case, the theory, or the Prosecutor's theory? Well, I think the

16 principle -- although I am not used to following these proceedings because they are

17 not generally scheduled. Every now and then these things show on TV, but because

18 they don't follow any specific scheduling I cannot say that I follow it closely. So, in a

19 nutshell, what I can simply say is that I still do not understand what you mean.

20 What do you mean?

21 Q. Mr Witness, have you spoken to people involved in this case; apart from the
22 Defence team that is? Have you spoken to any other person associated with in case?

23 PRESIDING JUDGE STEINER: Ms Bala-Gaye, if you allow me, this is the kind of

24 question which answer could lead to information that is not appropriate to be

25 released, so I will ask, please, the court officer to go into private session.

1 MS BALA-GAYE: Madam President, just to save a bit of time, perhaps I can move to
2 other questions in open session and come back to this a bit later?

3 PRESIDING JUDGE STEINER: Perfect.

4 MS BALA-GAYE: Thank you.

5 Q. Mr Witness, do you know someone by the name of General Sierra?

6 A. No, madam. Is he from the Congo, or from the Central African Republic?

7 Q. Are you aware that the Defence has called a military expert before this case?

8 A. (Redacted).

9 MS BALA-GAYE: Mr Witness, I'll ask you some more questions about this meeting,
10 but I want you to be mindful of releasing any information that may disclose your
11 identity. Therefore, I'll ask you general questions about the meeting and if you
12 believe that your answer will lead to any identifying information we can move into
13 private session, but the questions I will ask are very general.

14 Madam President, I believe that asking questions about this shouldn't pose a problem
15 because we know from the expert's testimony that he met a number of witnesses in
16 this case, so I will keep it general and not specifically about -- because the expert
17 already knows who this witness is, so I believe if I follow this line then I can stay in
18 open session.

19 PRESIDING JUDGE STEINER: Let's try, Ms Bala-Gaye.

20 MS BALA-GAYE: Thank you, your Honour.

21 Q. Mr Witness, when you met with General Seara, you discussed issues related to
22 this case; isn't that correct?

23 A. Well, we had a discussion. He asked me questions, just like the Defence have
24 done, just like the Prosecution have done, in relation to this case, and I provided
25 explanations to him according to my understanding of the events.

1 Q. Do you recall when you met with the general, Mr Witness?

2 A. Well, I cannot be very exact. But, you know, I'm the one who told you that he
3 met with me, but I don't remember the exact date. It may have been around late last
4 year, or early this year. I can't be more specific than that.

5 Q. How many times did you meet with the general?

6 A. Once. Once, over a two-and-a-half hour period.

7 Q. During this meeting, was anyone present from the Defence team across?

8 A. No.

9 Q. What about Mr Kilolo? Was he present?

10 A. I've already told you that no one was present, neither from the Defence nor
11 from the Prosecutor's office. No one else was present.

12 Q. During this meeting, did you provide any information regarding the 2002/2003
13 events in the Central African Republic?

14 A. Madam, we were talking more about 2001. Now, when you come to 2002/2003,
15 let me repeat again that at that time I was no longer in the army.

16 Q. Therefore, do I understand your testimony to mean that you didn't provide any
17 information regarding 2002/2003? Is that your testimony?

18 A. Information? Well, I don't have much information. I was part of the rebellion,
19 that is true, but when we talked he is the one who asked me questions and I answered
20 him according to the questions. He even put some questions to me about 2002 and
21 2003, but I could not provide him much information because I was limited. I was not
22 part of this, or I was not in the army. I was not in Gbadolite. I don't have much
23 information to provide in this regard, that is with regard to the 2002/2003 war, neither
24 could I provide any information to the Defence or to the Prosecution. I don't have
25 much information. I was not there.

1 We can talk about this over and over again and assess and speculate, but in concrete
2 terms I really don't have any further details to provide regarding the 2003 events.
3 I can only go by hearsay or what happened. I was -- you see, my presence in the war,
4 my presence in the army, well, please don't involve me in something which I know
5 nothing about.

6 Q. So, Mr Witness, you've said that you might have had some hearsay information,
7 so my question is specific. Did you provide any of this hearsay information to
8 General Sierra during your meeting?

9 A. Madam, I have told you. Madam, I have told you that it is not in my habit to
10 provide information on things that I know nothing about, information on hearsay and
11 what have you. One can say, "It has been said that," but I don't rely on hearsay.
12 You see, we are here in court and I am speaking under oath to talk about things that
13 I can speak clearly about. So don't ask me to talk about things that are not clear to
14 me.

15 Q. Let's try to address 2001 and see if we can do so without you revealing any of
16 your identity. What type of information did you provide to the general regarding
17 2001? Did you provide general information or did you provide specific information,
18 first of all? Let's clarify that.

19 A. Counsel, I will only be repeating all what I have said before regarding 2001. I
20 even said it again today. I have told the Court what I did, how I crossed over, what I
21 said and so on and so forth, and as I said to Mr Kilolo we are beating about the bush.
22 Let us move forward.

23 PRESIDING JUDGE STEINER: Mr Witness - I'm sorry, Ms Bala-Gaye, if I
24 interrupt - the Prosecution is authorised to put some repetitive questions if the
25 Prosecution intends to see at what point your testimony is coherent, if there are any

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1 contradictions; so it's valid. So once the Prosecution puts to you a question, please
2 answer to that question. If you don't know you just say, "I don't know," but let the
3 Prosecution conduct your questioning, please.

4 Is that fine with you, sir?

5 THE WITNESS: (Interpretation) Thank you, Madam President.

6 MS BALA-GAYE: Madam President, I was planning to move into private session,
7 but I see that it's almost time and so I'll leave it there until tomorrow. Thank you
8 very much.

9 PRESIDING JUDGE STEINER: Thank you very much, Ms Bala-Gaye.

10 So, Mr Witness, for today I think it's enough. We will adjourn and resume tomorrow
11 morning at 9 o'clock.

12 I remind parties and participants that tomorrow we will sit for three sessions of three
13 hours -- of two hours each, sorry, starting at 9 o'clock sharp.

14 I thank very much the Prosecution team, legal representatives of victims, the
15 Defence team, Mr Jean-Pierre Bemba Gombo.

16 I thank very much our interpreters, our court reporters.

17 I thank you very much, Mr Witness, and I will ask now the court officer to turn into
18 closed session for the witness to be taken outside the courtroom.

19 In the meantime, we adjourn and resume tomorrow morning at 9 o'clock.

20 (Closed session at 4.58 p.m.)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (The hearing ends in closed session at 4.59 p.m.)