

Trial Hearing

(Open Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

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 Judge Kuniko Ozaki

6 Trial Hearing

7 Monday, 14 November 2011

8 (The hearing starts in open session at 9.37 a.m.)

9 THE COURT USHER: All rise. The International Criminal Court is now in session.

10 Please be seated.

11 THE COURT OFFICER: Good morning, your Honours, Madam President. We are in

12 open session.

13 PRESIDING JUDGE STEINER: Good morning. Could, please, court officer call the

14 case.

15 THE COURT OFFICER: Situation in the Central African Republic, in the case of The

16 Prosecutor versus Jean-Pierre Bemba Gombo, case reference ICC-01/05-01/08.

17 PRESIDING JUDGE STEINER: Thank you very much. Good morning and welcome

18 Prosecution team. I see that Maître Badibanga will be leading the Prosecution in relation

19 to this witness. Good morning Maître Douzima, Maître Zarambaud. Good morning

20 Defence team, Mr Jean-Pierre Bemba Gombo. Good morning to our interpreters and

21 court reporters.

22 We will start today with Witness 213 and I ask, please, court usher to bring the witness

23 into the courtroom.

24 THE COURT OFFICER: Madam President, should we go first into closed session?

25 PRESIDING JUDGE STEINER: I am really sorry, you are 100 per cent right. Let's go

Trial Hearing

(Open Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 first into closed session for the witness to be brought into the courtroom.

2 *(Closed session at 9.39 a.m.)Reclassified as Open session

3 THE COURT OFFICER: We are in closed session, Madam President.

4 (The witness enters the courtroom)

5 WITNESS: CAR-OTP-PPPP-0213

6 (The witness speaks Lingala)

7 PRESIDING JUDGE STEINER: We can go into open session, please.

8 (Open session at 9.41 a.m.)

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

10 PRESIDING JUDGE STEINER: Thank you.

11 Mr Witness, good morning.

12 THE WITNESS: (Interpretation) Thank you.

13 PRESIDING JUDGE STEINER: Mr Witness, I ask you please to speak a little bit louder

14 and closer to the microphone in order for the interpreters to listen to what you say.

15 Mr Witness, you are welcome to this Court and the first thing we are going to do is to take

16 your oath. The court officer will help you in taking the oath.

17 Court officer.

18 THE COURT OFFICER: "Solemn undertaking: I solemnly declare that I will speak the

19 truth, the whole truth and nothing but the truth."

20 THE WITNESS: (Interpretation) I will speak the truth as a witness with regard to

21 what I saw. I will speak the truth before you and before the International Criminal Court.

22 Thank you.

23 PRESIDING JUDGE STEINER: Thank you, Mr Witness. Mr Witness, now that you

24 have taken the oath, can I confirm that you understand what the oath means?

25 THE WITNESS: (Interpretation) To take the oath means to declare that one will speak

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 the truth before the Judges.

2 PRESIDING JUDGE STEINER: Mr Witness, as the staff of the Victims and Witnesses
3 Unit have explained to you during the familiarisation process, you will be questioned first
4 by the Prosecution, then by legal representatives of victims and finally by the Defence.
5 The Chamber has put in place protective measures in order to protect your identity from
6 the public. You will therefore be referred to during your testimony as "Mr Witness."
7 Your voice and your image that are broadcast outside the courtroom are being distorted
8 so the public cannot identify you by your face, or by your voice.

9 In order to keep your identity protected, it is important that when we are in open session,
10 as we are now, that you don't mention any information that could lead to your
11 identification. For instance, your functions, current or in the past; where do you live; the
12 names of friends or family members. This kind of information can identify you.
13 If any of the parties put some questions to you in which you need to refer to your
14 functions at the time of the events, for instance, we can go into private session. The
15 parties can ask and you can ask to go into private session. Private session means that
16 nobody outside the courtroom can hear what you say. Do you understand the protective
17 measures, sir?

18 THE WITNESS: (Interpretation) Yes, I do.

19 PRESIDING JUDGE STEINER: Another point, Mr Witness. We speak different
20 languages. You speak Lingala. Defence team -- Prosecution team will put to you
21 questions in French. Defence team maybe in French, maybe in English. Because we
22 speak different languages, there is interpretation. Therefore, the questions and the
23 answers need to be translated. For that reason it's important, Mr Witness, that we speak
24 slower than normal, as I'm doing now, in order to allow the interpreters to do their job.
25 It's also important that after someone puts a question to you that you wait a little bit,

Trial Hearing

(Open Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 about five seconds, before you start giving your answer. That allows the court reporters
2 to finish translating the transcripts. We call that "the five-seconds golden rule."
3 Because speaking so slow seems unnatural, it's possible that you start speeding up. In
4 that case I will have to interrupt you and ask you to slow down. Please don't take
5 offence. This is just for practical reasons. Is that agreeable with you, Mr Witness?

6 THE WITNESS: (Interpretation) Yes, that's fine.

7 PRESIDING JUDGE STEINER: Mr Witness, the Chamber has a few questions to put to
8 you. Have you been given the opportunity to read, or have read to you, the statement or
9 statements that you made to the Court?

10 THE WITNESS: (Interpretation) No, I personally decided to come before the
11 International Criminal Court. I did so of my own free will. No one obliged me to do so.

12 PRESIDING JUDGE STEINER: During the familiarisation process, since you arrived in
13 The Hague, have you been given your statement or statements for you to read?

14 THE WITNESS: (Interpretation) Yes, it was provided to me.

15 PRESIDING JUDGE STEINER: Is the information that you provided in your statement
16 or statements true and accurate, to the best of your knowledge and belief?

17 THE WITNESS: (Interpretation) To the best of my knowledge, what I saw and what I
18 heard is in fact the truth.

19 PRESIDING JUDGE STEINER: Mr Witness, in case the Chamber or the parties intend to
20 have your statement or statements as evidence in this case, do you have any objection?

21 THE WITNESS: (Interpretation) Yes, I agree.

22 PRESIDING JUDGE STEINER: I will repeat my last question: Do you have any
23 objection that your statement is used as evidence in this case?

24 THE WITNESS: (Interpretation) I agree to having it used as evidence.

25 PRESIDING JUDGE STEINER: Thank you very much, Mr Witness. Now I'll give the

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 floor to the Prosecutor. He will start questioning you. At any time, if you feel tired or
2 distressed, or you need any clarification from the Chamber, please let us know.

3 THE WITNESS: (No interpretation).

4 PRESIDING JUDGE STEINER: Maître Badibanga, you have the floor.

5 MR BADIBANGA: (Interpretation) Good day, your Honour. Good day, Judges.

6 QUESTIONED BY MR BADIBANGA: (Interpretation)

7 Q. Good day, Witness.

8 A. Good day.

9 Q. My name is Jean-Jacques Badibanga and I am a trial attorney at the ICC. It will be
10 my privilege to put a number of questions to you on behalf of the Prosecution.

11 Unfortunately I haven't had the opportunity of meeting you during the familiarisation
12 process, but you did meet with my colleague, Ms Schmidt, who has prepared this
13 interview -- this examination with me.

14 Our examination will follow a certain route, if you like. First of all, I will ask you to
15 introduce yourself. We will speak about your identity. This shall be done in closed
16 session. We will also speak about your professional background. We will then deal
17 with the events that you witnessed, which is the reason for which you are testifying as a
18 witness before this Court now.

19 The Presiding Judge has already explained this to you, but we work with interpreters and
20 court reporters. Therefore, I will remind you briefly of the two rules that you have
21 already been informed of.

22 The first rule is as follows: You should speak clearly and slowly and this will facilitate
23 the interpreters' task, and you will also notice that I myself will make an effort to speak
24 slowly.

25 The second rule is the "golden five-second rule," and this means that you should wait for

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 five seconds before you answer a question. I too should wait for five seconds before
2 putting a question to you, and this will allow the court reporters to transcribe everything
3 that we are saying.
4 The Court is very much concerned about your security, as is the case for all witnesses.
5 As a result, part of your testimony will be given in closed session. When we are in closed
6 session it means that everyone on the outside, everyone outside the courtroom -- or no
7 one outside the courtroom will be able to hear what is being said here. No one outside
8 the courtroom will be able to see you either.
9 During these closed sessions, you can feel free to speak about anything and in particular
10 about certain subjects that are of a more sensitive nature. However, other parts of your
11 testimony will be given in open session.
12 However, when we are in open session no one on the outside will be able to see your face,
13 since you'll have the benefit of image distortion. You will also have voice distortion so
14 no one will be able to hear your voice. Your name also won't be used. So even in open
15 session, given these measures it will not be possible to identify you. That is why we both
16 have to take care that the content of your testimony isn't such that it might reveal your
17 identity. With the assistance of the Court, I will inform you whether you are
18 in open -- whether we are in open session, or private session, so that you know what sort
19 of answers you can provide.
20 Your Honour, with your leave I would now like to move into private session to continue
21 with my examination.
22 PRESIDING JUDGE STEINER: Court officer, please turn into private session.
23 *(Private session at 9.59 a.m.)Reclassified as Open session
24 THE COURT OFFICER: We are in private session, Madam President.
25 MR BADIBANGA: (Interpretation)

Trial Hearing

(Private Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

- 1 Q. We are now in private session, which means that we can't be heard on the outside.
- 2 Witness, could you tell us what your identity is, please?
- 3 A. My name is (Redacted)
- 4 Q. When were you born?
- 5 A. On (Redacted)
- 6 Q. Where were you born?
- 7 A. I was born in Kinshasa.
- 8 Q. I'm sure that the court reporters had the opportunity to type "Kinshasa," but that
- 9 was a good example of your not having respected the five-second rule and so please be
- 10 careful to do so. What is your nationality?
- 11 A. I am Congolese.
- 12 Q. Could you please tell us which Congo you are referring to?
- 13 A. The Democratic Republic of Congo.
- 14 Q. In reference to this question I want you to indicate your status, but don't give me a
- 15 name. Are you married or single, but please do not give me the name of your spouse, if
- 16 you have one?
- 17 A. I am married (Redacted)
- 18 Q. Could you tell us what languages you understand and speak?
- 19 A. You're referring to the International Criminal Court?
- 20 Q. No, I mean generally speaking what is your language ability? What are the
- 21 languages that you speak and understand?
- 22 A. I speak French, (Redacted) I speak Lingala and (Redacted) and Swahili.
- 23 Q. What ethnic group do you belong to?
- 24 A. I am from Eastern Kasai.
- 25 Q. From October 2002 to March 2003, where did you live? Just tell us the city and the

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 country, please.

2 A. I was in (Redacted), in the (Redacted)

3 Q. That related to your identity, those few questions, and now I would like to speak
4 about your professional experience, but we're still in private session because these aspects
5 could potentially enable your identification, but we are in private session so you may
6 answer these questions. What was your last job?

7 A. My last job was bodyguard of the former vice-president, Jean-Pierre Bemba.

8 Q. Could you tell us more precisely what your job consisted in?

9 A. I was (Redacted)

10 (Redacted)

11 Q. Were you the only bodyguard? Were you Jean-Pierre Bemba's only bodyguard?

12 A. No, there were several.

13 Q. Could you tell us approximately how many there were?

14 A. There were many bodyguards. There was a special unit made up of bodyguards.

15 I would say there were about 1,200 individuals who provided security for Jean-Pierre

16 Bemba.

17 Q. Did you have a particular (Redacted)

18 A. (Redacted)

19 (Redacted)

20 Q. You may think that some of my questions are simple, or self-evident, but I do not
21 have the same knowledge that you have, in particular in the military sphere, so please be
22 as precise as you can in order to facilitate my understanding and also for the benefit of the
23 Chamber. When you said you were (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing

(Private Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 A. (Redacted) close protection unit, with

2 some 150 men.

3 Q. Am I to understand that those 150 were part of the 1,200 you referred to earlier?

4 A. Well, the 150, yes, we were part of the 1,200 men.

5 Q. You mentioned 1,200 men. You said there were 1,200 men in charge of the
6 protection of the former president, Jean-Pierre Bemba, and now you're talking about 150
7 men also in charge of his protection. Could you help us understand the various roles of
8 these two groups of men?

9 A. Let me tell you. There was a special unit in charge of the security of the former
10 vice-president, Jean-Pierre Bemba. There were two branches. One was in charge of
11 close protection and the other was in charge of intervention and which provided support
12 to the close protection group, so in total there were 1,200 men providing security for the
13 former vice-president, Jean-Pierre Bemba.

14 Q. Those who were in charge of (Redacted)
15 (Redacted) Did I understand you correctly?

16 A. Well, (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 Q. (Redacted)

22 A. The person who (Redacted)

23 (Redacted)

24 THE INTERPRETER: If the Lingala interpreter understood the name correctly.

25 THE WITNESS: (Interpretation) (Redacted)

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 MR BADIBANGA: (Interpretation)
- 6 Q. How long were you the (Redacted)
- 7 A. (Redacted)
- 8 (Redacted)
- 9 Q. You said you were (Redacted)
- 10 (Redacted)
- 11 A. In the beginning during the rebellion, before (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 Q. Witness, what we are saying here is taken down in the record of this hearing.
- 15 Therefore, sometimes we will ask you to repeat certain things, or clarify to be perfectly
- 16 clear. Could you tell us what (Redacted) means, because you mentioned (Redacted)
- 17 (Redacted)
- 18 A. (Redacted)
- 19 (Redacted)
- 20 (Redacted)
- 21 (Redacted)
- 22 Q. Let us come back to the MLC in a moment, but let me finish with the (Redacted), please.
- 23 (Redacted)
- 24 (Redacted)
- 25 A. This task, well --

Trial Hearing

(Private Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 THE INTERPRETER: Comment from the interpreters: Could the witness repeat his
2 answer, the Lingala interpreters have requested?

3 MR BADIBANGA: (Interpretation)

4 Q. Witness, please remember the rules. First of all, please wait five seconds when I
5 finish my question before you begin answering and, secondly, would you be so kind as to
6 speak slowly because the interpreters interpreting from Lingala are having trouble
7 following you. Let me repeat my question. My question was: (Redacted)

8 (Redacted)

9 A. Let me explain so that we understand each other. (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 Q. A few moments ago you said that you were (Redacted)

17 (Redacted) Could you tell us briefly what happened at that point in time?

18 A. At that time (Redacted) The vice-president, Jean-Pierre Bemba, suffered

19 a fracture (Redacted)

20 (Redacted)

21 (Redacted) That was the last

22 time I spoke with him and I asked him, (Redacted)

23 (Redacted) He said, (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 (Redacted)

2 Q. We shall come back to those aspects a bit later on, if you don't mind, but you have
3 mentioned a couple of times already that you were (Redacted)

4 (Redacted) I'd like to come back to those

5 matters. Perhaps we can take them one after the other. Do you remember when you
6 became a member of the MLC? What was the date, or what was the general period,
7 when you joined the MLC?

8 A. (Redacted)

9 Q. Was there any particular reason why you joined the MLC at that point in time?

10 A. Let me explain. I'm going to explain how I -- how it came about that I joined the
11 MLC. (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted) We were put into different groups in the MLC, so
- 16 that is how I joined, if you will, the MLC.
- 17 Q. Well, I don't want you to repeat that answer, which was very long and quite
- 18 complete, but it was a little bit fast for the court reporters at certain points. So can we
- 19 perhaps summarise your response in saying that you (Redacted)
- 20 (Redacted)
- 21 (Redacted) Is that correct to say that, to summarise that way?
- 22 A. To sum up (Redacted)
- 23 (Redacted)
- 24 Q. You gave a number of elements in referring to all of that. You started by saying (Redacted)
- 25 (Redacted)

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 A. FAZ means the Armed Forces of Zaire.

2 Q. (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 Q. Without going through everything again, could you just tell us and this is in order to
11 clarify things? Well, you referred to somebody by the name of (Redacted). What was
12 the rebellion that he led or that he was part of? Was it the MLC?

13 A. (Redacted)

14 (Redacted)

15 Q. Witness, we are still in private session. I would like you to tell us a little bit about

16 (Redacted)

17 (Redacted) I

18 would like to hear a little about what happened between the two. (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 A. (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 A. (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (phon).

10 Q. (Redacted) What happened after that?

11 A. In 2000, when the MLC President Jean-Pierre Bemba left from Gbadolite, to come

12 and (Redacted), in Kavalanga (phon), when he arrived after the fighting (Redacted)

13 he invited all of the officers beneath a bamboo hut. He actually risked his life that day in

14 the Baramala (phon) village. (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 Q. (Redacted)

20 A. (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 A. (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted) There was a month's training and after that we started work,
5 working with President Jean-Pierre Bemba, within the MLC.

6 Q. Do you remember roughly on what date or at what time this occurred in Gbadolite?

7 A. No, I don't know which day it was; I know the year. (Redacted)

8 (Redacted)

9 Q. The training you said lasted for a month. Could you tell us precisely what was
10 involved in that training? What training did you receive over the course of that month?

11 A. The training was bodyguard training, to work with the president, ministers, and we
12 were taught how to protect the authorities. It was Gengaze who provided that training
13 and he was a former presidential bodyguard of Mobutu. He was the one who trained us
14 and he trained us in Gbado.

15 Q. Do you remember roughly how many other soldiers or people were trained together
16 with you?

17 A. There were soldiers from a number of different brigades, brigades A, B, C and D.
18 We were all trained in Gbadolite.

19 Q. What happened at the end of the training?

20 A. At the end of the training, this is what happened: When we arrived we found that
21 it was the Ugandans who were in charge of Jean-Pierre Bemba's security. The Ugandans
22 stopped protecting Jean-Pierre Bemba once we'd been through our training. We, the
23 Congolese, took over, to guarantee the security of President Jean-Pierre Bemba. And as
24 of then, as of that moment, we worked. The unit had been organised and we were
25 providing the protection and security for President Jean-Pierre Bemba.

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 Q. (Redacted)

2 (Redacted)

3 (Redacted)

4 Q. And for how long did (Redacted)

5 (Redacted)

6 A. (Redacted)

7 (Redacted)

8 (Redacted)

9 Q. If you don't mind let's stick to the period before (Redacted) In other

10 words, 2000, 2003, (Redacted) in Gbadolite. You say that at the end of the (Redacted)

11 (Redacted)

12 (Redacted)

13 A. No. From 2000 to 2003 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 THE INTERPRETER: (Redacted)

18 (Redacted)

19 MR BADIBANGA: (Interpretation)

20 Q. Yes, it's because you'd used the term (Redacted) twice over, I wanted to clarify

21 that. (Redacted)

22 (Redacted)

23 A. In Gbado, (Redacted)

24 (Redacted) we had access to Bemba's official residence. At the time it was the premises

25 of the MLC.

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 Q. Were all of those 35 working exclusively for the protection of Jean-Pierre Bemba or
2 did they have other duties as well?

3 A. All of us were there to protect President Jean-Pierre Bemba. Each had a specific
4 role.

5 Q. During that period, from 2000 to 2003, who was (Redacted)

6 A. (Redacted)

7 (Redacted)

8 A. The direct superior of Jean Rémis Gengaze was President Jean-Pierre Bemba.

9 Q. What was the name of the unit that Major Gengaze was in charge of?

10 A. The unit was called DPP, which stands for "Détachment de Protection
11 Présidentielle." Presidential Protection Unit. DPP.

12 Q. As regards the organisational chart of the MLC, this Presidential Protection Unit, the
13 DPP, did it come under any specific unit, another unit, in other words that might have
14 been above it, or did it come directly under Jean-Pierre Bemba, because you said that the
15 superior to Gengaze was Jean-Pierre Bemba?

16 A. The unit was managed by Jean-Pierre Bemba. He was in charge of the unit and we
17 received orders from nobody else. The orders came directly from him via Gengaze, and
18 then the orders came through to us.

19 Q. In purely practical terms, or in other words to put it simply, for a layman such as
20 myself, what did your work involve? There were 35 of you. Were you always with
21 Mr Bemba or did you have shifts? Can you explain how this actually worked?

22 A. I said that there were 35 people (Redacted) It didn't mean, though, that all 35 were
23 there at the same time. Each had his responsibility and we were never off duty. There
24 were those who began the work and others were on standby. There was constant work
25 for Bemba. He went off to work in the morning. From night to morning.

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 THE INTERPRETER: The Lingala interpreter asks that the witness slow down. He's
2 speaking very fast.

3 MR BADIBANGA: (Interpretation)

4 Q. Witness, could you repeat your answer? You were speaking rather fast and the
5 interpreters were having difficulties following you. You started by saying (Redacted)
6 (Redacted) but it didn't mean that there were all 35 of us because each had his
7 own role." That's where you started.

8 A. Right. Briefly, there were three companies in Gbadolite, in order to provide the
9 security services for President Jean-Pierre Bemba. The three companies were responsible
10 for close bodyguard activities and we were broken down into two groups. When we
11 began work the 35 individuals that I referred to were immediate circle, within the
12 residence of Jean-Pierre Bemba. And then there was those who were outside, who were
13 there for external security. They were in charge of offices, the airport, the prison. That's
14 how our service was organised. If the first team left, the second came in to take over,
15 relaying each other, and that is how we worked.

16 Q. If you take a normal day, how many bodyguards were there in the presence of the
17 president, because he was president then, the President Bemba? On an ordinary day, an
18 average day, how many bodyguards did he have with him?

19 A. Per day, there were 30 of us working. Five might have been off sick or absent, so I
20 would say 30. Thirty on active duty. Ten for marching, accompanying the president in
21 that way, and 20 were there for security purposes within his residence. The other ten
22 were there to accompany Mr Bemba. If he went to his office, he was accompanied. He
23 went on a trip. It depended where he was going and it depended primarily on the
24 programme involved but when he went off somewhere he was accompanied by ten
25 soldiers and the others remained within the residence.

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 Q. Was Mr Bemba always accompanied by bodyguards, wherever he went?

2 A. Yes, every day. From the 1st to the 30th, he was never on his own. He always had
3 bodyguards with him.

4 Q. Witness, we've dealt with all of this in private session. It's made it possible for all
5 of the parties and the Bench to understand your role. We now have to break. That is
6 the practice of the Court. We are going to break after one-and-a-half hours so we are
7 getting close to the break but when we resume we will be in open session. What I would
8 ask you is that you do not give any information about the roles, such as you have
9 described it, that would make it possible for people to identify you. It's not necessary to
10 say "As a bodyguard I saw this, that or the other." You don't need to do that because we
11 all know what your function was. So, say, if you need to do so, "I saw this or that."
12 That would be enough. Or, "This is what happened." That again would be enough.
13 Later on we might go into private session to ask for further information concerning your
14 specific role. So during the open part of the hearing we want to make sure that you don't
15 give any information that might make it possible for people to identify you, nor should
16 you say anything, "My colleague, the bodyguard called" whatever, that could cause
17 problems. You have spoken about Major Gengaze. You don't have to say "My superior
18 Major Gengaze" because that would allow people or certain people to understand that
19 you were a member of a certain unit. So if that is all clear, I would now ask the Presiding
20 Judge if we could break, and I imagine that we will go into open session and then we will
21 resume shortly afterwards. Thank you.

22 PRESIDING JUDGE STEINER: Thank you, Maître Badibanga. Court officer, please
23 turn into public session.

24 (Open session at 10.59 a.m.)

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

Trial Hearing

(Open Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 PRESIDING JUDGE STEINER: Thank you. Mr Witness, we'll have now half-an-hour
2 break. You can take some coffee, some tea and some rest. It's 11 o'clock. We will
3 resume at 11.30.

4 I will ask the court officer to turn into closed session in order for the court usher to take
5 you outside the courtroom. Court officer, please turn into closed session.

6 *(Closed session at 11.01 a.m.) Reclassified as Open session

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

8 (The witness stands down)

9 THE COURT OFFICER: All rise.

10 (Recess taken at 11.01 a.m.)

11 *(Upon resuming in closed session at 11.32 a.m.) Reclassified as Open session

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

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

15 (The witness enters the courtroom)

16 PRESIDING JUDGE STEINER: We can turn into open session, please.

17 (Open session at 11.34 a.m.)

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

19 PRESIDING JUDGE STEINER: Thank you very much.

20 Mr Witness, welcome back.

21 THE WITNESS: (Interpretation) Thank you.

22 PRESIDING JUDGE STEINER: Are you ready to continue with your testimony?

23 THE WITNESS: (Interpretation) Yes, I'm ready.

24 PRESIDING JUDGE STEINER: I'm giving back the floor to Maître Badibanga, but just
25 remind you that now we are in open session and so some information should not be

Trial Hearing

(Open Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 mentioned. If need be, we go into private session.

2 Maître Badibanga, you have the floor.

3 MR BADIBANGA: (Interpretation) Thank you, your Honour.

4 Q. Witness, as the Presiding Judge has told you, we are now in open session. We
5 dealt with the questions concerning you yourself and we will now deal with the events
6 and this is the reason for which you are testifying here. Are you aware of the military
7 intervention of the MLC in the CAR in 2002 and 2003?

8 A. Yes, I'm familiar with that.

9 Q. Do you know whether this intervention had been prepared in terms of logistics, for
10 example? Was there any preparation of any kind for this operation?

11 A. For any intervention, it is necessary to prepare all aspects of the intervention.

12 Q. In this particular case, in the case of the MLC's intervention in 2002 and 2003, are
13 there any aspects that concern its organisation that you are aware of, that you are familiar
14 with?

15 A. Before the men leave, preparations are made, meetings are held, for example, in
16 order to determine how to equip the men with weapons. It also has to do with all issues
17 of logistics that concern the troops.

18 Q. I would like to focus on these preparations, but prior to that event, in your opinion,
19 what was the reason for which the MLC wanted to commit itself to this operation? Why
20 was it in its interest?

21 A. It was in the MLC's interest to intervene in the CAR in order to have a rear base, to
22 organise a rear base.

23 Q. Let's start with the issue of the rear base. What do you mean when you say "rear
24 base"?

25 A. When I say "the rear base," well, it means that when we reached Kinshasa it was

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 necessary to leave all the weapons we had used in the MLC. All these weapons had to
2 remain in the Central African Republic, and that is what we meant by the term "rear base".
3 It meant that if things didn't go as we hoped they would go in Kinshasa we would be able
4 to return and start again with the rebellion in the Democratic Republic of Congo.

5 Q. You said that there were two aspects or reasons for this intervention, a rear base,
6 and you said there was a financial interest that was also at stake. Could you tell us
7 something more about this financial interest?

8 A. The financial interest was -- well, first you asked me the question about the rear base,
9 but now as far as the financial interest -- as far as the financial interest is concerned the
10 president at the time wanted a rear base, but there were also financial reasons for this
11 intervention in order to help President Patassé.

12 Q. To be more precise, what does this mean when we say "for financial reasons"?

13 A. Well, we know that the money came from the Central African Republic and arrived
14 in Gbadolite. The money was transported by small carriers with pilots and there were
15 other individuals who had carried this money, or taken the money, to the president,
16 Jean-Pierre Bemba, to his residence in fact.

17 Q. Very well. We'll go back to these issues at a later stage. Before this operation in
18 the CAR was launched, as far as you know, were any discussions held with the Central
19 African authorities?

20 A. The Minister of Defence from the Central African Republic came to Gbadolite. (Redacted)
21 (Redacted) He
22 issued an order over the walkie-talkie and said that in 30 or 40 minutes a carrier was
23 going to land. (Redacted)
24 (Redacted) residence. (Redacted)
25 (Redacted)

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 Q. For the moment, Witness, I just want to clarify one matter. Were there any
2 meetings with the Central African authorities is what I'm concerned with? With the
3 Presiding Judge's leave, we could briefly move into private session?

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

5 *(Private session at 11.43 a.m.)Reclassified as Open session

6 THE COURT OFFICER: We are in private session, Madam President.

7 MR BADIBANGA: (Interpretation)

8 Q. Witness, I wanted to move into private session so that we could both see how it
9 would be best to proceed. In your answer just a minute ago you said that (Redacted)
10 (Redacted) He spoke over the walkie-talkie. You said (Redacted)

11 (Redacted)

12 (Redacted) I think, because I don't believe that (Redacted)

13 (Redacted)

14 (Redacted) As an example, in this particular case (Redacted)

15 "The Minister of Defence came to Gbadolite. He came by plane and he went to the
16 residence" and then (Redacted) At this point in time,

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 A. No, I have no questions. We can continue.

5 Q. Please be very careful and with the Presiding Judge's leave we will now move back
6 into open session.

7 PRESIDING JUDGE STEINER: Maître Badibanga, if I may suggest, maybe to facilitate
8 the witness's testimony you can mention for instance (Redacted)

9 (Redacted) if that

10 facilitates you?

11 Court officer, please turn into open session.

12 (Open session at 11.47 a.m.)

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

14 MR BADIBANGA: (Interpretation)

15 Q. Witness, you were saying that the Minister of Defence from the Central African
16 Republic went to Gbadolite. Do you know the name of the minister in question?

17 A. No, I don't know his name.

18 Q. We stopped when you said -- when you were saying that he had arrived in
19 Gbadolite. Who did he meet in the course of his stay in Gbadolite?

20 A. He met the president of the Movement for the Liberation of the Congo and this
21 meeting took place in his office in Colombie.

22 Q. What do you mean when you say "his office in Colombie"? Can you tell us why
23 you are mentioning Colombie?

24 A. This term was used to designate his office, the office that he worked in.

25 Q. How much time did the Central African minister spend in Gbadolite?

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 A. He spent 15 days there and then returned to the Central African Republic.

2 Q. Do you know when this meeting took place? Do you know what the date was, or
3 during which period it took place?

4 A. I don't know the date, but it was in the year 2003.

5 Q. Since you can't remember the date, perhaps we could aid you by referring to events.
6 Did this meeting take place before or after the intervention in the CAR was launched?

7 A. The meeting took place prior to the commencement of this intervention.

8 Q. What was the purpose of this meeting? What did the Minister of Defence discuss
9 with Mr Jean-Pierre Bemba?

10 A. They held a discussion in the office and the purpose of their discussion -- well, it
11 concerned the request made by this minister for the MLC to intervene in the CAR. (Redacted)
12 (Redacted) what I can remember is that they discussed the issue of the rear base. It was
13 a matter of taking all the weapons and all the men to the Central African Republic and,
14 secondly, financial issues were discussed.

15 Q. With regard to financial issues, do you know what the amount of money was that
16 was discussed?

17 A. I don't know anything about the amount of money that was the subject of their
18 discussion.

19 Q. You said that this meeting took place prior to the operation, prior to the intervention
20 in the Central African Republic. Would you say that this took place a few days prior to
21 the operation, a few weeks, or a few months prior to the operation? Very roughly
22 speaking, do you have an idea?

23 A. I wouldn't be able to say whether it was two days prior to the operation, or two
24 weeks prior to the operation, but it wasn't long before the intervention in the Central
25 African Republic began.

Trial Hearing

(Private Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 MR BADIBANGA: (Interpretation) Your Honour, with your leave, I would like to
2 move briefly into private session.

3 PRESIDING JUDGE STEINER: Court officer, please.

4 *(Private session at 11.54 a.m.)Reclassified as Open session

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

6 MR BADIBANGA: (Interpretation)

7 Q. We'll still continue proceeding in this manner. With regard to a subject, we will
8 deal with general aspects that concern the subject and when certain information concerns
9 you we will move into private session. With regard to this meeting between the Minister
10 of Defence and Mr Bemba, you said that they discussed the subject of the rear base and
11 they also discussed certain financial issues. How are you aware of this?

12 A. I am aware of this because (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 that it was an opportunity to take all the MLC weapons and all the MLC troops to the
21 Central African Republic. As he was to go to Kinshasa if things didn't go well, he would
22 take up the rebellion again. He mentioned the issue of money and said that in order to
23 take men there it was necessary to have some money, but I don't know anything about the
24 amount of money that was discussed.

25 Q. You know nothing about the amount of money, but do you know whether this sum

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 of money was provided by the Central African authorities?

2 A. The money was taken from Bangui by two individuals who left the Central African
3 Republic. These individuals brought the money. They landed in Gbadolite. (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted) There were a lot of dollar bills in the suitcase.

9 They then closed the suitcase and they were taken into the residence.

10 Q. How do you know that these individuals and this money came from Bangui?

11 A. Whenever there is a plane that lands in Gbadolite, as soon as the order is received by
12 the commander, and the president speaks about this over the walkie-talkie, he could say

13 "There's a plane coming from Bangui" (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 Q. (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 A. (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 Q. (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 Q. And did they leave carrying the baggage that they had brought?

7 A. They left the residence empty-handed. Their baggage remained.

8 MR BADIBANGA: (Interpretation) Madam President, may we go into open session?

9 PRESIDING JUDGE STEINER: Maître, before we go back, I just want a clarification in
10 order to be sure that there is no translation problem.

11 Mr Witness, on page 36, starting on line 16 in the English transcript, it is, "Whenever there
12 is a plane that lands in Gbadolite, as soon as the order is received by the commander"
13 et cetera. My question is: This episode that people came with a suitcase with money
14 inside was only once, or more than once, because here it is "whenever"? It was more
15 than once?

16 THE WITNESS: (Interpretation) As regards the money that came from the DRC, I can
17 tell you that it happened once; that is that money went to Bemba's residence.

18 PRESIDING JUDGE STEINER: Here on page 38 I ask the interpreters whether he said
19 "The money that comes from the DRC"? Apparently there is a problem here.

20 THE INTERPRETER: Yes, it was -- the interpreters correct. It was the Central African
21 Republic. It was --

22 PRESIDING JUDGE STEINER: Mr Witness, the money came?

23 THE WITNESS: (Interpretation) The money came from the Central African Republic.

24 PRESIDING JUDGE STEINER: We are turning back into open session. Take care now
25 with the kind of information you deliver.

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 Court officer, please turn into open session.

2 (Open session at 12.04 p.m.)

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

4 MR BADIBANGA: (Interpretation)

5 Q. Witness, after that meeting between Jean-Pierre Bemba and the Defence Minister of
6 the Central African Republic, were there other preparatory meetings in the CAR?

7 A. Yes, there were.

8 Q. I would like to establish the chronology of events. It's -- if it's difficult for you let
9 me know, but I'd like to try to describe the events in order. Let's consider that the
10 meeting with the Defence Minister was the first meeting. What was the next meeting
11 that took place immediately afterwards? Do you remember what meeting took place
12 right after that meeting and, if you do, where did it take place?

13 A. The meeting brought together the Chief of Staff officers and Jean-Pierre Bemba and
14 took place in Colombie.

15 Q. I believe we have understood, but to be absolutely certain, when you say "Colombie"
16 you're referring to the office in Gbadolite; is that correct?

17 A. Yes, that's correct.

18 Q. You seemed to say that you had some difficulty with dates and that's perfectly
19 normal, but I must ask you the question nonetheless. Do you know when that meeting
20 took place with the members of the Chief of Staff?

21 A. That meeting took place in 2003.

22 Q. Did that meeting take place before the operation started in the Central African
23 Republic, or after?

24 A. It took place before the operation.

25 Q. What was the purpose of that meeting?

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 A. The purpose of that meeting was as follows: Protection, sending troops to the CAR.
2 Each person had to do his job and then a report was to be prepared and sent to President
3 Jean-Pierre Bemba.

4 THE INTERPRETER: Interpreter's correction: It was "preparation" and not
5 "protection."

6 MR BADIBANGA: (Interpretation)

7 Q. Do you know how long that meeting lasted?

8 A. I don't remember how long the meeting lasted, but it did last some time.

9 Q. Who convened the meeting?

10 A. It was convened by President Jean-Pierre Bemba.

11 Q. Who else participated in the meeting? You mentioned the Chief of Staff. Could
12 you give us the names of some of the individuals who attended that meeting?

13 A. The participants were the Chief of Staff of ALC, the G1, G2, G3, G4 and G5. I could
14 add that there was also the secretary-general of the MLC.

15 Q. You have given us the functions of the individuals. Do you know the names of
16 those individuals?

17 A. Well, amongst the individuals that I remember, the Chief of Staff of the ALC, his
18 name is Dieudonné Amuli. As for the others, I've forgotten their names.

19 Q. Do you know whether there was any report - any written report - or summary
20 drafted after this meeting?

21 A. Yes, it's normal. When the president gives orders, it's normal that the officers take
22 notes. Each one must know what he is supposed to do and the secretary-general also
23 took notes.

24 Q. What did Bemba say during that meeting? Now you're using the word "orders."
25 Do you know what orders were given?

Trial Hearing

(Private Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 A. The president gave orders as follows: The Chief of Staff was to assemble his
2 soldiers, his troops, and then the G1 was to make up lists. The G2 was to prepare men in
3 intelligence. The G3 was to prepare equipment, military equipment. The G4, or rather
4 the G3 in charge of operations, had to prepare an operational plan and then the G4 was to
5 prepare munitions, weapons, for the mission in the CAR. The G5 was in charge of
6 morale, and each one was to carry out the tasks they were responsible for and then they
7 were to prepare a report and he added saying "We are expecting a report from Tripoli.
8 We are expecting reinforcements from Tripoli".

9 THE INTERPRETER: Not "report." Reinforcements from Tripoli.

10 MR BADIBANGA: (Interpretation)

11 Q. Do you know whether the orders handed down by Jean-Pierre Bemba, whether or
12 not these orders were carried out?

13 A. When the president of the MLC gave orders those orders were to be applied, and
14 indeed they were. They were executed.

15 MR BADIBANGA: (Interpretation) Madam President, I would like to go into private
16 session for a short moment, if you will?

17 PRESIDING JUDGE STEINER: Court officer, please.

18 *(Private session at 12.14 p.m.)Reclassified as Open session

19 THE COURT OFFICER: We are in private session, Madam President.

20 MR BADIBANGA: (Interpretation)

21 Q. Witness, I prefer to go into private session for a short time before we go on to
22 another topic to ask the following: As regards this meeting with the Chief of Staff, did
23 you yourself attend the meeting? Were you in the room?

24 A. When there was a military meeting which involved soldiers, the military, those of us
25 who were involved were (Redacted) it was a meeting for the military, for

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 soldiers.

2 Q. Even when it's a meeting with the Chief of Staff you also attended the meeting?

3 A. When it was a meeting of the officers of the Chief of Staff, the bodyguards also
4 participated.

5 Q. Therefore, you yourself were present in the room and that is why you know exactly
6 what was discussed during the meeting. Have I understood correctly?

7 A. I was part of those meetings. Yes, that's why I am aware of the content of what was
8 said.

9 Q. A moment ago, you only gave the name of the Chief of Staff. I'm not sure whether
10 that was because we were in open session, or whether you just forgot. If it was because
11 you forgot, would you be so kind as to tell us who the other individuals present at that
12 meeting were?

13 A. Well, the persons who attended that meeting were Mr Dieudonné Amuli, the Chief
14 of Staff. Mr Mustapha, brigade commander of Unit C, he was also present.

15 Q. When we refer to preparations, you said that he gave orders to G1, G2, that he
16 talked about supplies. Were there specific tasks given as regards logistics as a follow-up
17 to that meeting?

18 A. Well, I know the following: As regards the functions of the different individuals,
19 each one accomplished their tasks, whether it was the person in charge of munitions, or
20 intelligence, or the PC, that is the G3 and the G5.

21 THE INTERPRETER: The Lingala interpreter did not understand the end of the
22 witness's response.

23 THE WITNESS: (Interpretation) There were military soldiers in various different
24 places. They were all together in Zongo. In other words, the orders given by the
25 president were indeed executed.

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 MR BADIBANGA: (Interpretation)

2 Q. Witness, when you're remembering events, you speed up and it makes it difficult for
3 the interpreters to do their job. The interpreter missed part of your answer as regards the
4 preparation. I was waiting for the text to come up in French to tell you what they did
5 understand. I asked you whether you had any information about preparations and
6 logistics and here's the answer that was given and I quote, "I know the following: As
7 regards the implementation of the functions of each individual, everyone complied with
8 the orders, whether it was ammunitions, intelligence or PC" and then there's something
9 missing, "In other words G3, G2, G3, G5" and then unfortunately the interpreter was not
10 able to follow. So without going into all of the details, perhaps you could summarise the
11 information you wanted to give us on that matter. Let me repeat the question: What
12 were the practical measures taken in terms of logistical preparation?

13 A. Well, as regards logistics, the G4 was in charge of equipment, ammunition, money,
14 medication, fuel; in other words, the equipment that they needed to go off on a mission.
15 Each individual was in charge of a particular area. The G4 as well and the G3 had to
16 prepare plans. You can't send soldiers out without having maps, so that's what they did,
17 and the G2 in charge of intelligence also had to prepare themselves before sending
18 soldiers out to the battle-field. The G5 was in charge of the PC, who were in charge of
19 morale so that the soldiers not become discouraged.

20 MR BADIBANGA: (Interpretation) Your Honour, as far as I'm concerned we can go
21 back into open session.

22 PRESIDING JUDGE STEINER: Just a clarification: What exactly is the PC?

23 THE WITNESS: (Interpretation) Your Honour, I forgot what the letters "PC" actually
24 mean, but these were individuals whose responsibility it was to restore morale when we
25 were working in the DRC. In other words, morale, but also the code of conduct of the

Trial Hearing

(Private Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 MLC. It's been a long time now and I'm not sure -- I don't remember what those two
2 letters actually mean, but the PC were in charge of morale.

3 PRESIDING JUDGE STEINER: Mr Haynes.

4 MR HAYNES: It's just a small thing. I'm a little concerned that a disparity is growing
5 in the transcript between what appears in French and what appears in English, and it may
6 well be that both of the collocutors in this examination are speaking rather too quickly.
7 In particular, the witness gave an answer in the English at page 43, lines 5 to 9, which
8 when read back by Mr Badibanga from the French, which begins at page 43, line 22 in the
9 English, and goes over to page 44, is significantly different in terms of the identities of
10 people that he mentioned. Now I'm not suggesting that he didn't say those, but
11 obviously the speed at which Mr Badibanga and the witness are both speaking are
12 causing things to get lost in the English translation and I think maybe with respect they
13 could both slow down a little bit. That's my only observation.

14 PRESIDING JUDGE STEINER: Thank you, Mr Haynes. Here's the recommendation for
15 both Maître Badibanga and the witness to slow down in order to avoid problems in
16 translation. Judge Aluoch.

17 JUDGE ALUOCH: Thank you. I also have a clarification to seek. On page 39 of the
18 English transcript, it starts from line 15, I think this is Mr Badibanga talking -- asking the
19 witness, or addressing the witness, when he said "You seem to say that you have some
20 difficulty with dates and that is perfectly normal, but I must ask you the question
21 nonetheless. Do you know when that meeting took place with members of the Chief of
22 Staff?" The witness then said: "That meeting took place in 2003". Mr Badibanga:
23 "Did that meeting take place before the operation started in the Central African Republic,
24 or after?" The witness: "It took place before the operation."

25 My question is, Mr Witness, do you -- can you remember the year when that operation

Trial Hearing

(Private Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 took place? If you do, please tell us. If you don't, that's fine.

2 THE WITNESS: (Interpretation) Your Honour, that meeting took place before the
3 troops went to the Central African Republic. It was in 2003. I don't remember the exact
4 date, but I do know it was in 2003.

5 JUDGE ALUOCH: Thank you. I'll leave it at that.

6 PRESIDING JUDGE STEINER: Court officer, please turn into open session.

7 (Open session at 12.27 p.m.)

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

9 MR BADIBANGA: (Interpretation)

10 Q. Witness, you mentioned earlier Libya. You said, today's transcript in the French
11 version on page 42, 42 in the French version, following lines, you said, "He ...", that is
12 Bemba, "... added saying that they were expecting reinforcements from Tripoli," and in the
13 English version on page 41, lines 11 to 15, could you tell us a little bit more about the
14 reinforcements that were expected from Libya? What exactly were you referring to?

15 A. Well, I can say the following as regards this reinforcement. He told the Chief of
16 Staff officers of the ALC that there would be reinforcements from Tripoli in Gbadolite and
17 that did take place. Reinforcements came to the airport in Gbadolite.

18 Q. Well, what kind of reinforcements do you mean? Was it personnel? What do you
19 mean exactly when you use the term "reinforcements"?

20 A. Well, I meant the following as reinforcements: Aeroplanes coming from Tripoli
21 brought ammunition, weapons, bombs, MIGs, fighter planes that were then mounted in
22 the airport in Gbadolite.

23 Q. The deliveries to Gbadolite airport, was that a one-off delivery or did it cover a few
24 days?

25 A. As far as I know, the planes arrived coming from Tripoli and they took three days.

Trial Hearing

(Open Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 The airport was closed at the time by security personnel. It wasn't possible to get in or
2 get out of the airport at that time, because there were the planes arriving and they were
3 dropping guns and equipment. All of that happened at Gbadolite airport.

4 THE INTERPRETER: The plane, Lingala interpreter's correction, did not drop the guns.
5 It off-loaded the guns.

6 MR BADIBANGA: (Interpretation)

7 Q. You said the airport was closed and I'd like to know who took the initiative to close
8 the airport?

9 A. The airport was closed on the orders of the president of the MLC. He was the one
10 who gave that order. He said that nobody should go in, nobody should get out, so that
11 the planes coming from Tripoli bringing the equipment, the war hardware, would have
12 access. The MONUC people couldn't use the airport either and, as soon as they tried to
13 land at the airport, I'm talking about the MONUC planes, they were prevented from
14 accessing the airport and they were turned back. It was only security personnel who
15 were present at the airport. There was no other personnel there. Nobody else could
16 have access.

17 Q. Could the MLC prevent MONUC planes from landing at the Gbadolite airport?

18 A. No, that wasn't to do with the MONUC planes. The MONUC was in Équateur, but
19 when the planes arrived MONUC wanted to come to the airport to check to see what was
20 happening at the airport, where these huge planes were coming from, but the security
21 personnel had been given an order which was to prevent the MONUC people from
22 getting into Gbadolite airport.

23 Q. Thank you. I hadn't quite grasped your answer earlier. Now, let me put it in
24 other words. The MLC could prevent MONUC people from accessing the airport; is that
25 correct?

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 A. That is correct. The MONUC staff didn't have access to the airport when the planes
2 were coming in from Tripoli bringing in arms.

3 Q. Let's come back to the time-line we are trying to establish. I note that you spoke
4 about the first preparatory meeting with the Minister of Defence of the Central African
5 Republic. You've just told us about a second preparatory meeting with the members of
6 the General Staff. As far as you know, were there any other meetings after that?

7 A. Yes, there were other meetings that occurred. These meetings took place at the
8 residence - at his residence - and we didn't have access to his residence.

9 Q. Subsequently, and still with a view to preparing the operation in Central African
10 Republic, I'd like to know whether there were any other meetings that you might have
11 known about, whether it was in Gbadolite or elsewhere?

12 A. There were meetings in Gbadolite and in Zongo.

13 Q. As far as you know, was it one meeting or several meetings that took place in
14 Zongo?

15 A. The Zongo meeting concerned the passage of the MLC president who came along to
16 boost the morale of the troops and to talk to the officers. He wanted to see whether work
17 was being carried out correctly. He came also to talk to the soldiers on parade and to
18 give them the order to move through to Bangui.

19 Q. All of these things that you've just mentioned, were they the subject of just one
20 meeting in Zongo, or were there several meetings? You said "He came to boost the
21 troop's morale. He came to talk to the officers and to talk to the soldiers on parade." So
22 was it just one meeting, or were there several meetings?

23 A. Everything happened on just one day. He spoke to the troops and then he called
24 the officers, took them to one side, had a talk to them, and that was it.

25 Q. So we'll take these two together, both meetings, or two meetings if you like, one

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 with the troops and one with the officers separately. Is that agreeable to you?

2 A. Yes.

3 Q. Which of the two occurred first, the meeting with all of the soldiers or the meeting
4 with the officers in Zongo?

5 A. The first meeting was the meeting that he had with the troops.

6 Q. Okay, we'll begin with that one, but just before we do, in order to make sure that
7 we're on the same wavelength, you spoke about the first meeting with the Minister of
8 Defence. You spoke about a meeting in Gbadolite with the General Staff and then after
9 that you don't remember there being any other specific meeting. So we're now going to
10 take this meeting that we are talking about as the third meeting, is that correct, or was
11 there another meeting beforehand that you would like to tell us about?

12 A. Well, we could perhaps go back in time, because in Gbadolite, when there was the
13 meeting with the officers, there were other meetings that happened in his residence, aside
14 from the Zongo meetings.

15 Q. Do you know who took place -- who took part in those meetings, those other
16 meetings, in Gbadolite?

17 A. There were just members of the General Staff who spoke to him in his office. They
18 had other meetings with him in the residence. There were no other people involved.

19 Q. Did you learn what was the subject of those meetings, what it was that was
20 discussed at those meetings?

21 A. As far as we knew, and following what happened in the president's residence, it was
22 the officers and they couldn't give us all of the information, but General Dieudonné Amuli
23 told us that there was an operation to take place in Central African Republic. That's all
24 the information that he gave us.

25 MR BADIBANGA: (Interpretation) Your Honour, could we go into private session,

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 please?

2 PRESIDING JUDGE STEINER: Court officer, please.

3 *(Private session at 12.41 p.m.)Reclassified as Open session

4 THE COURT OFFICER: We are in private session, Madam President.

5 MR BADIBANGA: (Interpretation)

6 Q. Witness, you've just said that "The officers took part and General Amuli told us
7 that." Could you tell us a little bit more about what General Amuli told you about what
8 was being discussed in those meetings? And when you say "we," "us," to whom did the
9 General Amuli explain what was happening in the meetings.

10 A. When I said "we" or "us" it was the security personnel I meant. When he left the
11 meeting, we asked the question and he said "There are troops that are going to embark
12 upon operations in the Central African Republic." He couldn't give us much more in the
13 way of details because we were lower ranks, but he told us in brief what was happening.
14 He said "There were things happening in the Central African Republic." He didn't go
15 into any more details.

16 Q. Were there other participants at that meeting or those meetings who told you what
17 was happening, what was being said?

18 A. No, they didn't give us any information. That information concerned the superiors,
19 but (Redacted)
20 (Redacted) That's all he said.
21 He didn't make any further comments.

22 Q. At that time, was Mustapha in Gbadolite?

23 A. When Mustapha left where he was to come to Gbadolite, after the meetings
24 Mustapha went to Zongo.

25 Q. Did Mustapha take part in some of the meetings that were held in Gbadolite?

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

- 1 A. Mustapha was there at the meeting in the office and also the one in the residence.
- 2 Q. We're now going to come to the third meeting, in other words the meeting in Zongo
- 3 with the troops, but as we're in private session I would like to put a question that should
- 4 have come at the end. (Redacted)
- 5 (Redacted)
- 6 A. (Redacted) The security personnel, (Redacted)
- 7 there when he went to Zongo to talk to the troops and the officers who had to go over into
- 8 the Central African Republic.
- 9 Q. You gave me a general answer, but just to clarify things I want to know whether (Redacted)
- 10 (Redacted) the day when or at the very time when Jean-Pierre Bemba met all of the troops
- 11 in Zongo?
- 12 A. (Redacted)
- 13 MR BADIBANGA: (Interpretation) Your Honour, we can come back into open session.
- 14 PRESIDING JUDGE STEINER: Court officer, please.
- 15 (Open session at 12.46 p.m.)
- 16 THE COURT OFFICER: We are in open session, Madam President.
- 17 MR BADIBANGA: (Interpretation)
- 18 Q. Witness, you told us that in Zongo Jean-Pierre Bemba met with the troops. Do you
- 19 remember roughly when that meeting took place?
- 20 A. That meeting took place the same day that the troops crossed into the Central
- 21 African Republic.
- 22 Q. Why are you saying that? Did you at the end of the meeting see the troops cross
- 23 over? How are you establishing the link between the day of the meeting and the day
- 24 that the troops crossed over?
- 25 A. That day was the day he arrived to give the order for the troops to leave to go into

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 the Central African Republic.

2 Q. How long did that meeting between Jean-Pierre Bemba and the soldiers in Zongo
3 last?

4 A. The meeting didn't last very long. He spoke to the troops, he boosted their morale
5 and he gave them the order to cross over into the Central African Republic.

6 Q. You said that up until then the meetings had been held in Gbadolite. Why was that
7 meeting in Zongo, do you know?

8 A. You know, the meetings in Gbadolite were preparatory meetings, and when
9 everyone had done what they had to do he assembled the troops and the place for the
10 assembly of the troops was the airfield in Zongo. When all the troops had been
11 assembled, the president went to the airfield to check that everything had been done
12 correctly and to give the go-ahead for the troops to go over into the Central African
13 Republic.

14 Q. You say that the troops had to assemble at the Zongo airfield, but the meeting
15 between Mr Bemba and the troops, where did that meeting take place?

16 A. That meeting took place at the airfield. The meeting occurred at the airfield. He
17 spoke to the officers in a small building at the side of the airfield. That's where he spoke
18 to the officers.

19 Q. For the time being, so as not to mix the meetings up, we are just talking about his
20 meeting with the soldiers. So that meeting with the soldiers, how many soldiers are we
21 talking about? What was the size of the troops that Jean-Pierre Bemba met at the Zongo
22 airfield?

23 A. As far as I know, the troops assembled at the Zongo airfield. There were some
24 two-and-a-half thousand to three thousand people who were assembled at the Zongo
25 airfield.

Trial Hearing

(Open Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 Q. What did Jean-Pierre Bemba say to the soldiers, if he said anything at all?

2 A. This is what he said to them: "We have prepared you to go into the Central African
3 Republic. Over there you don't have any fathers, mothers, older brothers, younger
4 brothers. Your task is the one I have entrusted to you. According to the information we
5 have, enemy is wearing civilian clothing. Anyone you encounter on the battle-field is an
6 enemy."

7 Q. Which language did he use to say this to the soldiers?

8 A. He said it in Lingala.

9 Q. I'm now going to try to break down that declaration that you've just told us about
10 into parts. What did you understand and what do you think that the soldiers present
11 understood when he said "Over there you don't have fathers, mothers, older brothers,
12 younger brothers"?

13 PRESIDING JUDGE STEINER: Yes, Mr Haynes.

14 MR HAYNES: Well, he can certainly tell us what he understood by it, but I don't think
15 he can tell us what the soldiers there understood by it.

16 PRESIDING JUDGE STEINER: You can rephrase your question, Maître Badibanga, in
17 order not to ask the witness to speculate on what the other soldiers could have
18 understood.

19 MR BADIBANGA: (Interpretation) Thank you, your Honour.

20 Q. Witness, what did you understand with that first phrase that I have just quoted?

21 A. As far as I'm concerned, (Redacted) it was an order that wasn't correctly given.
22 Armed individuals cannot receive such an order. You've just left your country and
23 where you're going you have no fathers, no mothers. That's an order that is incorrectly
24 given, particularly as the troops who went over there, there were people who had spent
25 all of their time in the Congo. They'd just spent five years fighting. They were leaving

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 the bush to go to a capital. It was bad thing to issue that sort of order to them. That's
2 my opinion.

3 Q. Could you explain to us precisely what you mean by "a bad order" or "an order that
4 was incorrectly given"?

5 A. This is what it means. Somebody who issues an inappropriate order to the troops,
6 who are going out on to battle-field, I think that's a bad thing. Somebody who was on a
7 battle-field and is told that the enemy is wearing civilian clothing, that's a dangerous thing
8 to do. That's my opinion.

9 Q. I'd like to ask you to give us more by the way of an explanation of your opinion.
10 What do you mean when you say "it's dangerous"? How is it a danger?

11 A. Giving an order and saying you don't have any fathers, mothers, saying you have
12 just left your country and where you are going there is nobody of your family who is
13 there, nobody who is close to you, so anyone you come across on the battle-field you just
14 kill them, because the intelligence services had said the enemy is wearing civilian clothes.
15 That's what I mean when I am talking about danger.

16 Q. Before we interrupt the hearing for the break, I'd like to know -- no, I'll reword that.
17 Have you had the opportunity to discuss this with any of the soldiers who were present at
18 that meeting?

19 A. When the troops received that order, they went off for another experience in a
20 foreign country. They had been -- had had their morale boosted by their superiors.
21 Morale was high and they went off for a new experience in another country.

22 Q. This is my last question before we break. Did any of those other soldiers tell you
23 what they had understood by this phrase "You have no father, no mother, no older
24 brother, no younger brother and anyone you come across is an enemy and the enemy is
25 wearing civilian clothes"? Did any of the soldiers have the opportunity to tell you what

Trial Hearing

(Open Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 was their understanding of that phrase?

2 A. Each person could interpret it in their own way. We were following orders.

3 Things were being said to us, but we were -- we had to follow orders and obey the orders

4 that were given. We had no choice.

5 MR BADIBANGA: (Interpretation) Your Honour, it's 1 o'clock. I think the time has

6 come for a break.

7 PRESIDING JUDGE STEINER: Thank you, Maître Badibanga.

8 Mr Witness, it is 1 o'clock. We'll now have our lunch break. You will have time to have

9 lunch and to take some rest. It is 1 o'clock. We'll be back at 2.30.

10 I ask, please, court officer to turn into closed session in order for the witness to be taken

11 outside the courtroom.

12 *(Closed session at 1.01 p.m.)Reclassified as Open session

13 THE COURT OFFICER: We are in closed session, Madam President.

14 (The witness stands down)

15 THE COURT OFFICER: All rise.

16 (Recess taken at 1.01 p.m.)

17 *(Upon resuming in closed session at 2.35 p.m.) Reclassified as Open session

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

19 PRESIDING JUDGE STEINER: Good afternoon and welcome back. Could, please,

20 court usher bring the witness in.

21 (The witness enters the courtroom)

22 PRESIDING JUDGE STEINER: We can turn into open session, please.

23 (Open session at 2.37 p.m.)

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

25 PRESIDING JUDGE STEINER: Thank you.

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

- 1 Mr Witness, welcome back.
- 2 THE WITNESS: (Interpretation) Thank you.
- 3 PRESIDING JUDGE STEINER: Did you manage to rest a little bit?
- 4 THE WITNESS: (Interpretation) Yes, your Honour.
- 5 PRESIDING JUDGE STEINER: Are you ready to continue with your testimony?
- 6 THE WITNESS: (Interpretation) I am. We can continue, your Honour.
- 7 PRESIDING JUDGE STEINER: Thank you.
- 8 Maître Badibanga.
- 9 MR BADIBANGA: (Interpretation) Thank you, your Honour.
- 10 Q. Witness, we will now continue. We are in open session. When we adjourned this
- 11 morning, we were discussing the meeting of the troops in Zongo. I put to you a number
- 12 of questions about the number of troops present and you answered those questions.
- 13 Although you said that there was a meeting with the officers later, I would like to know
- 14 whether among the 1,500 soldiers that were present, or rather 2,500 soldiers that were
- 15 present at the meeting, I would like to know whether there were also officers who were
- 16 present among them?
- 17 A. There were soldiers and there were commanders present at the meeting.
- 18 Q. Which commanders were present?
- 19 A. There were company commanders and platoon commanders, but there were no
- 20 battalion commanders. They were elsewhere, because when they wanted to speak to the
- 21 troops they spoke to the troops. All the battalion commanders would listen and the
- 22 message would then be transmitted to the troops.
- 23 Q. You mentioned the term "parade." What's a parade?
- 24 A. A parade means a place where the troops assemble to listen to those in authority.
- 25 Q. What was the purpose of this meeting between Mr Jean-Pierre Bemba and the troops

Trial Hearing

(Open Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 in Zongo?

2 A. The objective of the meeting was to encourage the troops who were going on a
3 mission to the CAR. The leaders also had to be encouraged, because they were to go
4 there and carry out the task that had been assigned to them.

5 Q. Prior to the break you said that this meeting took place on the day that the troops
6 crossed from Zongo -- crossed over from Zongo to the Central African Republic. Do you
7 know how many troops crossed over immediately after the meeting? Did all the soldiers
8 who were present there cross over, or was it just a part of these troops?

9 A. (Redacted) I
10 don't know how many troops crossed over to the Central African Republic.

11 Q. Do you know whether the soldiers present in Zongo were armed?

12 A. These troops were armed. They'd been armed in the DRC and therefore they
13 crossed over with all of the weapons that they needed.

14 Q. Do you know where these weapons came from, the weapons that these soldiers
15 had?

16 A. These weapons came from Tripoli. These individual arms were our arms, our
17 weapons. There were various forms of weapons that came from Tripoli. Support
18 weapons also came from Tripoli and they went to the Central African Republic bearing
19 these weapons.

20 Q. I told you this morning that my military expertise was not extensive. Could you be
21 a little more precise? What do you mean by the term "support weapons"?

22 A. The term "support weapons" means heavy weapons, guns that you can see on
23 television. This is what we call support weapons. They support troops. In addition to
24 the infantry weapons, side-arms, there were these heavy weapons, these support weapons.
25 These weapons are used to provide support for the troops that are advancing.

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 Q. And could you tell us what you mean by "individual weapons"?

2 A. Individual weapons, personal weapons, are weapons that are carried by the troops.
3 For example, AK-47s, these are weapons that our troops carried with them.

4 Q. One last question that concerns this meeting with the troops, this parade. Did it
5 take place during the day, in the morning or in the evening? When exactly did this
6 meeting take place?

7 A. If my memory doesn't fail me, it was a meeting that was held in the afternoon.

8 Q. So it was in daytime; is that correct?

9 A. Yes, it was during the day.

10 Q. We have agreed to refer to this parade - this meeting - as "the third meeting,"
11 because we mentioned the meeting with the Minister of Defence, the preparatory meeting,
12 then we mentioned the meeting in Gbadolite, the meeting with officers, and you spoke
13 about a number of other meetings that apparently took place in Gbadolite - we didn't
14 focus on these meetings - and now we are dealing with the third meeting in Zongo. We
15 are in fact dealing with this parade. You also mentioned a fourth meeting with officers
16 in Zongo. So could you tell us who was present at this meeting? Who were the officers
17 who had this meeting with Mr Bemba in Zongo?

18 A. At the Zongo meeting General Amuli was present, as well as General Mustapha. I
19 can't remember anything about the others who were present, but Mustapha was present
20 as well as General Amuli.

21 Q. Was this a meeting with all the leaders/commanders of the various battalions from
22 the ALC, or was it only a meeting with individuals who were involved in operations in
23 the Central African Republic?

24 A. There were other commanders - other battalion commanders - who were present
25 and who were involved in the operation.

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 Q. With regard to the soldier -- the meeting with the soldiers, the meeting that we have
2 called a parade in Zongo, in relation rather to that meeting when did this meeting with
3 the officers take place? Was it on the very same day, or was it on some other day?

4 A. It was on the very same day that he held discussions with the troops and the
5 officers.

6 Q. Although you have already mentioned this this morning, could you tell us once
7 again where this meeting took place? At which location?

8 A. The meeting took place at the airport in Zongo. The airport had been prepared for
9 the arrival of supplies from Bangui.

10 Q. Was it in open air, this meeting at the airport?

11 A. It was at the airport. There was no previous airport there. This had been
12 arranged specially for the operations that were to be carried out in the Central African
13 Republic, or this had been set up for those operations.

14 Q. I am insisting on this question. Although I don't have the precise reference in front
15 of me, your Honour you will perhaps excuse me, but this morning I believe that you said
16 that it was held in a sort premises that had been organised for that purpose. That's why
17 I'm asking you for more information.

18 A. It was in the airport itself. That is where the meeting was held.

19 Q. Exactly. I have understood that, but the transcript -- 55 is the reference in the
20 French version. At page 55, line 13 and onwards, you said, "This meeting was at the
21 airport and this meeting was at the airport. He spoke to the officers in a small house,
22 close to the airport." So that's the purpose of my question. You referred to this small
23 house, this small building. Could you tell us a little more about it? What kind of
24 premises are we referring to?

25 A. The house wasn't used for the meeting. It was a hangar that was prepared so that

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 he could go and speak to the officers there.

2 Q. What was the purpose of this meeting that was held with the officers?

3 A. The purpose was to provide them with the final orders, or suggestions, so that they
4 could go and carry out the tasks that had been assigned to them by the president.

5 Q. Do you know who organised the meeting, who summoned these people to the
6 meeting?

7 A. There was just one leader that we had, and he is the person who took the initiative
8 for the troops to go to the Central African Republic and this person was President Bemba.
9 There was no one else apart from him.

10 Q. We have spoken about at least four meetings that took place prior to the operation.
11 That is what we said, isn't it? These meetings took place prior to the beginning of the
12 operation?

13 A. Yes, that's correct.

14 Q. How many operations, or interventions, were there that were carried out by the
15 MLC in the Central African Republic?

16 A. There were three interventions in the Central African Republic. The first one was
17 in 2001, the second one was in 2002 and the third one was in 2003.

18 Q. Do you know approximately when in 2001 the first operation took place?

19 A. I don't know the exact time, the exact date, but in 2001 our troops crossed over to
20 Bangui for the very first time.

21 Q. As for the second operation, and you said that took place in 2002, do you know
22 approximately when in 2002 this operation was carried out?

23 A. I cannot testify about something I do not know. All I know is that the operation
24 took place in 2002 and I don't know the date, however.

25 THE INTERPRETER: The interpreter would like to point out that the witness said "in

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 2000."

2 MR BADIBANGA: (Interpretation)

3 Q. Don't worry, you have to tell us what you are aware of and when you don't know
4 the answer just say so. That's really not a problem. As for the second operation, do you
5 know -- I apologise.

6 PRESIDING JUDGE STEINER: Could you please check with the witness the comment
7 made in the transcript? In the English transcript, page 65, lines 24/25, it is said that, "The
8 interpreter would like to point out that the witness said 'in 2000.'" Now, I don't know
9 what exactly the witness mentioned that could have taken place in 2000.

10 MR BADIBANGA: (Interpretation) In fact, I didn't hear the comment, your Honour,
11 but when I read through the French transcript the year 2000 is mentioned at one point in
12 time and so I will try and clarify this issue with the witness.

13 Q. I asked you the following, Witness. Do you know approximately when the first
14 operation took place in 2001? You said you didn't know the exact date, but that, "In 2001
15 our troops crossed over to Bangui for the very first time." That's what you said. I then
16 asked you a question about the second operation. The second operation which you said
17 took place in 2002, I asked you whether you knew -- when, roughly speaking, you knew
18 when this operation took place in 2002 and you said, "I can't testify about something that I
19 do not know. What I know is that the operation took place in the year 2000. I don't
20 know the date, or the day." Could you clarify this for us, please?

21 A. In 2001, it really wasn't an operation. What happened in 2001? They went to
22 provide reinforcements when this was requested by President Patassé, when he was in
23 conflict with Kolingba, and our troops went there to stabilise the conflict between
24 Kolingba and Patassé. They went there, they did their work and then Kolingba fled to
25 the DRC, to Gbado. (Redacted) and he went to settle down

Trial Hearing

(Open Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 in Gbado and President Bemba sent a plane, whereas he was in Beni at the time. The
2 plane took Kolingba from Gbado. It was in fact the security services. No one else knew
3 that he was in Gbadolite. (Redacted)

4 (Redacted) That's what happened in 2001.

5 Q. The purpose of this question was for the second part, in fact, regarding the second
6 operation. Did the second operation take place in 2002, or was there an operation in the
7 year 2000?

8 A. No, the operation took place in 2002 and then in 2003.

9 Q. Earlier on, when we were discussing the operation in the year 2002 -- and we've
10 already discussed the difficulty in remembering dates, but perhaps you can do the way
11 you did for the previous operation; that is, you referred to the confrontation between
12 Mr Patassé and Mr Kolingba. Can you tell us what the situation was in 2002? Who was
13 in conflict in 2002? What were the political events that took place?

14 A. In 2002, it was the present president of the Central African Republic. I don't know
15 his name. He was in conflict with President Patassé and Patassé asked for help, because
16 he was in conflict with a general who is now the president.

17 Q. When I began this line of questioning, you stated that there were three operations.
18 You referred to the third one being in the year 2003. Can you tell us who was involved?
19 Who was involved in the conflict? What was the context of the 2003 operation?

20 A. The 2003 operation occurred when the generals came to chase out Patassé, and
21 therefore President Bemba did what he could to prevent those generals from doing that in
22 the Central African Republic.

23 Q. You've referred to a general in relationship to the 2003 operation. Is it the same
24 general who was involved in the 2002 operation; is that correct?

25 A. Yes, it's the same general who is now the president in Bangui. Both for 2002 and

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 2003, I'm referring to the same general.

2 Q. Regarding the second operation in the year 2002, that is opposing today's president,
3 that general, against President Patassé, how long did this operation last, if you remember?
4 Was it a few days, a few weeks, months?

5 A. Well, this second operation didn't last very long because it was carried out with our
6 own weapons, that is the weapons belonging to the rebellion, and we didn't have a lot of
7 equipment and so the operation did not last very long.

8 Q. Well, when you say it didn't last very long, what does that mean? A few weeks, a
9 few months, a few years?

10 A. Well, I believe the operation lasted a few months. I don't know exactly how many
11 months, but I would say a few months.

12 Q. And in 2002, when the operation began, can you tell us whether it was the beginning
13 of the year, in the middle of the year, or toward the end of the year 2002?

14 A. Well, I know that it was at the end of the year 2002. It was the end of that year that
15 the operation took place.

16 Q. I'd like to come back to the meeting we discussed this morning. Did those
17 meetings take place before the operation, that is the 2002 operation, or before other
18 operations?

19 A. The meetings I referred to took place before the 2003 operation. Those meetings
20 occurred before that operation; the 2003 operation.

21 Q. Coming back to the 2002 operation, do you know who was leading the ALC soldiers
22 in the CAR at the time?

23 A. Well, in fact I don't know who led the operation in the Central African Republic in
24 2002.

25 Q. Do you know the identity of the person who led the 2001 -- who led the ALC during

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 the 2001 operation in the CAR?

2 A. I don't know who was the leader of the 2001 operation.

3 Q. Lastly, I'd like to ask you the same question for the year 2003. Do you know who
4 led the MLC troops in the 2003 operation in the CAR?

5 A. It was General Mustapha who led the 2003 operation in the CAR.

6 Q. Would you by any chance know the names of any other officers who were under the
7 orders of General Mustapha involved in that operation in the Central African Republic?

8 A. Well, amongst those that I know there was Major Boveka, Divioka and another.

9 There was Captain Deja (phon) --

10 THE INTERPRETER: The interpreter in the English booth was not able to repeat the
11 second name.

12 THE WITNESS: (Interpretation) Those were the names that I remember of people who
13 were involved in that operation.

14 MR BADIBANGA: (Interpretation)

15 Q. Are you familiar with the names of the units in the ALC that participated in the
16 third operation under Commander Mustapha; that is the names of the battalions, or the
17 sections, or the units?

18 A. I know the battalion with the Basankusu. It was the 5th Battalion under
19 Mustapha's leadership.

20 PRESIDING JUDGE STEINER: Maître Badibanga, can I ask, please, the witness to repeat
21 the names of the other officers that were under the orders of General Mustapha, because
22 the interpreter could not follow all the names you mentioned? Could you please repeat
23 those names, Mr Witness?

24 THE WITNESS: (Interpretation) Mustapha, Mondonga, Major Boveka and Captain
25 Beya. Those are the men who went to the Central African Republic whose names I

Trial Hearing

(Open Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 remember.

2 MR BADIBANGA: (Interpretation) I had not asked the witness to spell the names
3 because I thought that the court reporters had been able to write them down. Perhaps,
4 however, for the last one we might ask the witness how to spell Captain Beya.

5 Q. Can you tell us, if you know, how to spell that last name?

6 A. Beya is spelt B-E-Y-A. Beya.

7 Q. You stated that the 5th Battalion was led by Mustapha and you stated this on page
8 69 of the transcript, lines 26/27. How many soldiers are in a battalion, can you tell us?
9 Do you know?

10 A. Well, what I do know, given the task that I accomplished, there were 750 men in a
11 battalion. A battalion could include 500 or more, so I would say 750 or 500. That was
12 the way it was when I was at the front.

13 Q. You said that there were about 2,500 soldiers who participated in the parade in
14 Zongo and you said that 2,500 men crossed over. Now, how can you have a unit
15 with -- how do you call, what's the name of, a unit that is composed of 2,500 men?

16 A. Well, a unit with 2,500 individuals is a brigade.

17 Q. During that operation was General Mustapha the battalion commander, you
18 referred to the 5th Battalion, or was he a brigade battalion? You've just said that 2,500
19 men, that corresponded to a brigade.

20 A. Well, this is what I have said. Listen carefully. I said that the 5th Battalion was
21 under the leadership of the brigade commander, Mustapha.

22 Q. I beg your pardon, I hadn't understood that difference. So what was the name of
23 the brigade that Mustapha led?

24 A. Brigade C.

25 Q. Although you've already stated this, I'd like to be perfectly clear for the transcript.

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 Did the entire brigade cross over on the same day after the parade, or did the crossing
2 take place in several phases?

3 A. Well, as soon as they left, I don't know exactly how they crossed over. I don't think
4 they could all cross over at the same time. They had to cross over in smaller groups,
5 because they had to cross over the river.

6 MR BADIBANGA: (Interpretation) Your Honour, with your permission I'd like to go
7 into private session for a few moments.

8 PRESIDING JUDGE STEINER: Court officer, please.

9 *(Private session at 3.16 p.m.)Reclassified as Open session

10 THE COURT OFFICER: We are in private session, Madam President.

11 MR BADIBANGA: (Interpretation)

12 Q. I asked to go into private session, Witness, because I wanted to be absolutely certain
13 how it is that you know this information. You referred to 2,500 men who were present,
14 or who crossed the river, or the fact that there were 2,500 men in a brigade. How did you
15 obtain this knowledge?

16 A. Well, I knew this because (Redacted)

17 (Redacted) When the military parade took place there was a military drill, a formal
18 ceremony in front of the president, before the soldiers who were present.

19 Q. Do you mean that during the parade someone announced the number of soldiers
20 who were present? Is that what you mean?

21 A. Well, listen. When the head -- when the Chief of Staff is there and when the
22 president arrives, the Chief of Staff convenes a few individuals and reports to the
23 president. He states the number of soldiers present, who is absent and explains why
24 some are absent, et cetera, and he reports on the number of active soldiers, those who are
25 ill and those who are absent. So there is a report which is given. That's how it works in

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 the military.

2 Q. In the particular case of the parade that took place in Zongo, did (Redacted)
3 (Redacted)

4 A. Well, when the parade took place, (Redacted)
5 (Redacted)
6 (Redacted)

7 MR BADIBANGA: (Interpretation) (Redacted)
8 (Redacted)

9 Your Honour, open session please.

10 PRESIDING JUDGE STEINER: Court officer, please.
11 (Open session at 3.20 p.m.)

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

13 MR BADIBANGA: (Interpretation)

14 Q. Witness, after four meetings, the Minister for Defence in Gbadolite, Zongo, the
15 parade and the officers, after those meetings the troops crossed over, you said. Now,
16 after crossing over, did Mr Jean-Pierre Bemba have the opportunity to organise any other
17 meetings with soldiers or with the officers in the ALC involved in operations in the CAR?
18 A. After crossing, after the troops crossed over, I don't remember another meeting with
19 officers.

20 Q. But were there any meetings with the soldiers in the Central African Republic?

21 A. When we went to the CAR, there were discussions with the soldiers.

22 Q. To your knowledge how many times, if you know, did he discuss with the military
23 in the CAR?

24 A. To my knowledge, I believe he discussed four times with the military.

25 Q. Well, let's try to discuss those meetings chronologically, one after the other. Where

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 did the first meeting take place between Mr Jean-Pierre Bemba and the soldiers in the
2 territory of the CAR?

3 A. That meeting took place at PK12.

4 Q. Just to make it clear, let's call that meeting "the fifth meeting"; is that okay?

5 A. Fine.

6 Q. Do you know approximately how much time went by between the moment in time
7 when the troops crossed over and went into the Central African Republic and the time
8 when that meeting took place?

9 A. (Redacted) the next day into the Central African
10 Republic.

11 Q. Do you know what means of transportation Mr Jean-Pierre Bemba used to go to the
12 CAR that day?

13 A. (Redacted)

14 Q. You stated that the place where Bemba met with the troops was at PK12. Can you
15 tell us why it took place at PK12?

16 A. (Redacted)

17 (Redacted)

18 (Redacted)

19 Q. How long did the meeting last with the soldiers in PK12?

20 A. That meeting didn't last very long, (Redacted)

21 (Redacted) It lasted a

22 short time (Redacted)

23 MR BADIBANGA: (Interpretation) Your Honour, could we go into private session
24 briefly please?

25 PRESIDING JUDGE STEINER: Court officer, please.

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

- 1 *(Private session at 3.26 p.m.)Reclassified as Open session
- 2 THE COURT OFFICER: We are in private session, Madam President.
- 3 MR BADIBANGA: (Interpretation)
- 4 Q. (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted) Is this clear for you?
- 13 A. Yes. Yes, it's very clear, thank you.
- 14 PRESIDING JUDGE STEINER: Maître Badibanga, I think in relation to this point that
- 15 you raised, I think it would be important for the Chamber (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 MR BADIBANGA: (Interpretation) Your Honour, you've anticipated my question.
- 21 Having explained these matters to the witness, which I felt it was important to do, I was
- 22 going to deal with that very matter.
- 23 Q. So, Witness, as a follow-up to what the Presiding Judge has just stated, in this
- 24 specific case how many people travelled together with Mr Bemba into the Central African
- 25 Republic?

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 A. (Redacted) there were 15 bodyguards in addition to the president and
2 other team members, or rather the aeroplane's crew. There was no one else on the plane,
3 because it was a combat zone.

4 Q. (Redacted) Did all 15 bodyguards go, or
5 was it a smaller team?

6 A. (Redacted) because it was in a combat zone. Some remained to provide
7 security. Five people stayed to ensure the security of the plane and ten bodyguards went
8 to Patassé's residence.

9 Q. And when the meeting with the troops took place at PK12, was it the same team of
10 15, or was it a smaller team of bodyguards that accompanied President Bemba?

11 A. Well, it was the team of ten, as well as the soldiers who provided security for
12 President Patassé, as well as those who provided security in the town. (Redacted)
13 (Redacted)

14 MR BADIBANGA: (Interpretation) Your Honour, I don't know whether you need any
15 further elements? That's what I wanted to clarify with the witness and, as far as I am
16 concerned, we can come back into open session now.

17 PRESIDING JUDGE STEINER: Court officer, please.

18 Mr Haynes.

19 MR HAYNES: Just before we do, and I suppose I could be invited to deal with this when
20 I examine the witness, but I just wondered whether we could clear up the (Redacted)
21 aspect of this, where the witness says (Redacted) I just want to check that's
22 not a mistranslation. It's page 75 of the English, line 18.

23 PRESIDING JUDGE STEINER: Mr Witness, Defence counsel is reading part of the
24 transcript, the English transcript, and it says, (Redacted)

25 (Redacted) Is that correct, that

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 (Redacted) or there is a problem in translation?

2 THE WITNESS: (Interpretation) (Redacted)

3 (Redacted) to President Patassé's residence and there

4 our president went in to meet President Patassé. They talked. They took a certain

5 amount of time, because the president, President Patassé, didn't want to go to PK12. (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 PRESIDING JUDGE STEINER: I am sorry to interrupt you. Of course the Defence

15 counsel will ask many questions about this part of (Redacted)

16 (Redacted) am I

17 correct?

18 THE WITNESS: (Interpretation) No, (Redacted)

19 PRESIDING JUDGE STEINER: Thank you, Mr Haynes.

20 We can turn into open session, please.

21 (Open session at 3.35 p.m.)

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

23 MR BADIBANGA: (Interpretation)

24 Q. You said, Witness, that Mr Bemba met his troops at PK12. Was it a specific place at

25 PK12?

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 A. I'm not a resident of Bangui, but I nonetheless do have a certain amount of
2 knowledge about the town. It was at the cross-roads, where there's a road going up to
3 Cameroon and the other road going to the Chad. That is precisely where we were.
4 That's where we were at PK12.

5 Q. What was the purpose of the meeting with the troops at PK12?

6 A. The purpose of the meeting was to visit the soldiers who had crossed over and to
7 encourage them for the work that they had carried out and for what they had to do to get
8 through to the border with Chad and to carry out the tasks that had been asked of them,
9 saying, "I really can place my trust and confidence in you." That was the purpose.

10 Q. Did Mr Bemba make a speech to the soldiers and, if so, did he say anything in
11 particular?

12 A. He spoke to the soldiers who were by the roads, leading to Cameroon, and the
13 soldiers - the troops - who were along the road going up to Chad, he didn't speak to them.
14 He spoke to the ones who were on the road to Cameroon. He didn't go to the front,
15 because there was gunfire that could be heard. So let me say once again, he spoke to
16 those troops who were along the road going towards Cameroon and not to those who
17 were on the road going up to Chad.

18 Q. What did he say to the soldiers who were on the road to Cameroon? Do you
19 remember that?

20 A. He congratulated them for the work they had carried out and said that he knew that
21 they had experience and that they had to continue their work quickly. He boosted their
22 morale. He expressed his support for them. From the Democratic Republic of the
23 Congo he was continuing to monitor his soldiers everywhere, wherever they were, to
24 encourage them to boost their morale so that they could continue to carry out work that
25 had been asked of them and he never abandoned his soldiers. Wherever his soldiers

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 were, his troops were, he also went to those places.

2 Q. I think the interpreters and court reporters have managed to translate and transcribe
3 everything, but I would like to remind you nonetheless of the five-second golden rule,
4 first of all, and the second rule which is to speak a little more slowly. So when I was
5 asking you whether there had been any meetings with soldiers in the Central African
6 Republic, you said that there were several of them. You said there were four, to be
7 precise. So we've just discovered one, that we agreed to call "the fifth meeting" in the
8 order that we've been following so far.

9 The next meeting after that, and there was certainly another one afterwards according to
10 what you have said, where did the next meeting occur? Was it still -- was it still at PK12?

11 A. No, that meeting was at PK22.

12 Q. That meeting at PK22, did it happen during that same trip of Mr Bemba to the
13 Central African Republic? Have you understood my question?

14 A. No, it was not the same day. It was another day.

15 Q. So after the meeting at PK12 Mr Bemba went back to the Congo, or he left the
16 territory of the CAR; is that what you're saying?

17 A. (Redacted)

18 Q. Roughly how much time after the PK12 meeting did the PK22 meeting - the sixth
19 meeting - take place?

20 A. Not long after. I think it was a week after, (Redacted)

21 Q. Where is PK22?

22 A. PK22 is within the capital. It's not far from the centre of the town of Bangui.

23 Q. I just ask you to repeat your answer, because I'm not entirely sure that I correctly
24 understood. You're saying that PK22 is in the capital, not far from the town of Bangui?

25 Is that what you said?

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Open Session)

ICC-01/05-01/08

1 A. PK22 is not far from the town centre of Bangui, as far as I know.

2 Q. Who did Mr Bemba meet at PK22?

3 A. He met soldiers, our soldiers, who had taken up a position there at PK22. There
4 were others who were stationed elsewhere. At PK22 there were the company
5 commanders, and the others were already at the front. So at PK22, on that same day, (Redacted)
6 (Redacted) Bossembélé and Mongoumba, I don't know exactly where they are, but I can
7 say that (Redacted)

8 Q. And what was the purpose of the visit to the troops at PK22?

9 A. I've already said, the purpose was to show that he was with them. He had to show
10 himself to the soldiers so that would boost their morale and they would carry out the
11 work they'd been asked to do in the CAR. It was to tell them as well that he was present,
12 he was with them, to encourage them so that they would do the work that he'd asked them
13 to do.

14 Q. Did Mr Bemba make a speech to the troops at PK22?

15 A. No. At PK22 he didn't make any speech. (Redacted) he
16 did salute the soldiers. He said that he was going off somewhere else but he wanted
17 them to know that he was there to boost their morale but he was going off somewhere else,
18 where the troops were stationed.

19 Q. At PK22, did Mr Bemba also talk to the officers?

20 A. No. At PK22 he didn't talk to the officers.

21 Q. The troop commander, Mustapha, was he also present during those visits? I
22 should already have asked you that question when we were talking about PK12, so let's
23 begin with PK12. Was General or Colonel Moustapha present at PK12 when Bemba met
24 the troops?

25 A. Yes, Mustapha was there. He was present at PK12. It was there that it was

Trial Hearing

(Open Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 necessary to organise the dispersal of troops into Chad and those who were to head off
2 towards Cameroon so I can confirm that Mustapha was indeed there.

3 Q. Was he also there at PK22, present in other words, when Mr Bemba met the troops?

4 A. Mustapha was no longer there at PK22 because as the troops moved forward
5 Mustapha moved ahead with them, so he was no longer at PK12.

6 THE INTERPRETER: Interpreter's correction. The mention of PK22 should have been
7 PK12.

8 MR BADIBANGA: (Interpretation)

9 Q. In the translation mention was made of PK12, but my question actually was about
10 PK22. Was Mustapha present when Mr Bemba met the troops at PK22?

11 A. No, Mustapha was not at PK22.

12 JUDGE ALUOCH: Mr Badibanga, can I just seek a clarification from the witness, please?
13 I think it's on the transcript, page 83, lines 12, 13, when the witness says Mr Bemba did not
14 stop, he did not talk to the troops -- to the soldiers, he did not talk to the officers, he
15 simply saluted. Is that what makes you say he was boosting their morale by simply
16 saluting and not stopping?

17 THE WITNESS: (Interpretation) At PK12 he didn't talk to the soldiers. (Redacted)
18 (Redacted) Mongoumba and Bossembélé, he was going up there to meet
19 the majority of the troops. They were soldiers who had stayed back to secure the road.
20 He didn't talk to them at that time.

21 JUDGE ALUOCH: I meant PK22. PK22. Is that -- did he also simply salute and not
22 stop at all and not talk to officers as well? PK22?

23 THE WITNESS: (Interpretation) No, at PK22 he didn't talk to the officers. He
24 saluted them and continued on his way.

25 JUDGE ALUOCH: It is that gesture which is meant that he -- when you say he boosted

Trial Hearing

(Private Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 their morale, that is the gesture of just saluting them; is that right?

2 THE WITNESS: (Interpretation) Yes. (Redacted)

3 (Redacted) He saluted them and greeted them and said, "I'm going up to another place
4 where most of the troops are present. Keep calm."

5 MR BADIBANGA: (Interpretation) Your Honour, if I may, I'd like us to go into private
6 session, please?

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

8 *(Private session at 3.52 p.m.)Reclassified as Open session

9 THE COURT OFFICER: We are in private session, Madam President.

10 MR BADIBANGA: (Interpretation)

11 Q. Witness, we're talking here about another trip, not the same as the one to PK12, so
12 could you tell us how many people were present on that trip with Mr Jean-Pierre Bemba?

13 A. You want me to answer from the time when (Redacted)
14 (Redacted)

15 Q. To make it specific, I'm talking now about the trip (Redacted) through PK22. We've
16 understood that the first time it was PK12 and you referred to roundabout 15 people but
17 now, for the trip via PK22, I would like to know how many people accompanied
18 Mr Bemba? You can do the same as you did earlier, in other words say as of Gbadolite
19 who was there and then, in situ, how these people were deployed?

20 A. From Gbado there were 15 bodyguards. In Bangui, (Redacted)
21 (Redacted)

22 Q. And that gives a group of how many, roughly? You spoke about reinforcements,
23 so on top of the 15 you referred to, how many in total?

24 A. I can't give you the precise number of people who were in the vehicles, but I know
25 that there was a military presence.

Trial Hearing
Witness: CAR-OTP-PPPP-0213

(Private Session)

ICC-01/05-01/08

1 Q. What means of transport did (Redacted) use on that second trip from Gbadolite to Bangui?

2 A. From Gbado to Bangui (Redacted) went by helicopter, and in Bangui itself (Redacted) used vehicles

3 (Redacted)

4 Q. So between Bangui and PK22 (Redacted) is that correct?

5 A. (Redacted)

6 Q. (Redacted)

7 (Redacted)

8 A. (Redacted)

9 Q. Did President Patassé travel (Redacted) all the way up to PK22?

10 A. No, President Patassé did not go to PK22. He stopped at PK12.

11 Q. So for the trip to PK22, (Redacted)

12 (Redacted)

13 A. To PK22 (Redacted)

14 Q. I apologise for this confusion. Perhaps I'm the origin of it. You probably wanted

15 to say more about the trip to PK22 and that's probably why you are referring to

16 Mr Patassé, but the way I'm organising things I'd rather deal with questions in the way I

17 am and then we'll come back to that later, his trip to PK22. But I see, your Honour, that

18 it's almost 4 so if you agree I think we could come back to open session and call it a day

19 for today because I have covered all of this issue and we will resume with the remainder

20 tomorrow.

21 PRESIDING JUDGE STEINER: Court officer, please turn into open session.

22 (Open session at 3.58 p.m.)

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

24 PRESIDING JUDGE STEINER: Thank you. Mr Witness, it's now 4 o'clock almost. We

25 are adjourning for today. You can take some rest. We will resume tomorrow morning

Trial Hearing

(Open Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0213

1 at 9.30 in the morning. I will ask, please, court officer to turn into closed session for the
2 witness to be taken outside the courtroom but, before, before that, Mr Court Officer, I
3 would like to thank very much the Prosecution team, the legal representatives of victims,
4 the Defence team, Mr Jean-Pierre Bemba Gombo. Thank very much to our interpreters
5 and court reporters. As soon as we turn into closed session we will adjourn in order to
6 resume tomorrow morning.

7 *(Closed session at 4.00 p.m.) Reclassified as Open session

8 THE COURT OFFICER: We are in closed session, Madam President.

9 (The witness stands down)

10 THE COURT OFFICER: All rise.

11 *(The hearing ends in closed session at 4.00 p.m.) Reclassified as Open session

12 RECLASSIFICATION REPORT

13 Pursuant to Trial Chamber III 's Orders, ICC-01/05-01/08-2223 and

14 ICC-01/05-01/08-3038 and the instructions in the email dated 9 May 2014, the version

15 of the transcript with its redactions becomes Public