

Trial Hearing
Witness: CAR-OTP-PPPP-0065

(Open Session)

ICC-01/05-01/08

- 1 International Criminal Court
- 2 Trial Chamber III - Courtroom 2
- 3 Situation: Central African Republic
- 4 In the case of The Prosecutor v. Jean-Pierre Bemba Gombo - ICC-01/05-01/08
- 5 Presiding Judge Sylvia Steiner, Judge Joyce Aluoch and Judge Kuniko Ozaki
- 6 Trial Hearing
- 7 Thursday, 6 October 2011
- 8 (The hearing starts in open session at 9.33 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 the Prosecution team, legal representatives of victims, the Defence team, Mr Jean-Pierre
- 19 Bemba Gombo. Good morning to our interpreters, court reporters.
- 20 We will continue and conclude today with the testimony of Witness 65. For that purpose
- 21 I ask please, court officer, to turn into closed session for the witness to be brought into the
- 22 courtroom.
- 23 *(Closed session at 9.36 a.m.) Reclassified as Open session
- 24 THE COURT OFFICER: We are in closed session, Madam President.
- 25 (The witness enters the courtroom)

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- 1 WITNESS: CAR-OTP-PPPP-0065 (On former oath)
- 2 (The witness speaks French)
- 3 PRESIDING JUDGE STEINER: We can turn into open session, please.
- 4 (Open session at 9.37 a.m.)
- 5 THE COURT OFFICER: We are in open session, Madam President.
- 6 PRESIDING JUDGE STEINER: Thank you. Good morning, Mr Witness.
- 7 THE WITNESS: (Interpretation) Good morning, your Honour.
- 8 PRESIDING JUDGE STEINER: Did you have a restful night?
- 9 THE WITNESS: (Interpretation) Yes, thank you very much.
- 10 PRESIDING JUDGE STEINER: Are you ready to continue with your testimony?
- 11 THE WITNESS: (Interpretation) Yes, I am ready.
- 12 PRESIDING JUDGE STEINER: Mr Witness, you will conclude your testimony today,
- 13 and I hope this is good news for you.
- 14 THE WITNESS: (Interpretation) Thank you very much.
- 15 PRESIDING JUDGE STEINER: Mr Witness, I need to remind you that you are still under
- 16 oath; do you understand that?
- 17 THE WITNESS: (Interpretation) Yes, I do understand.
- 18 PRESIDING JUDGE STEINER: And once again I want to remind you about the
- 19 protective measures that were granted in order to protect your identity from the public, so
- 20 please try to make an effort, as you've been doing, in order to avoid giving information in
- 21 public sessions that could lead to your identification.
- 22 THE WITNESS: (Interpretation) Very well.
- 23 PRESIDING JUDGE STEINER: Thank you, Mr Witness. Maître Liriss, bonjour. You
- 24 have the floor.
- 25 MR LIRISS: (Interpretation) Good morning, your Honour, your Honours.

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1 QUESTIONED BY MR LIRISS: (Interpretation) (Continuing)

2 Q. Good morning, Mr Witness.

3 A. Good morning.

4 Q. I imagine that we remember what we mean by "the base," since we are in public
5 session.

6 A. Yes, of course.

7 Q. Yesterday we were at the point of examining whether or not Mr Bemba had visited
8 the Central African Republic particularly PK12, where the troops were, and we were
9 examining what he said; and today my question is as follows: Was he in other places in
10 the CAR where operations were ongoing in which the MLC was involved?

11 A. Thank you for that question. Sir, may I remind you that yesterday I said that
12 before he went anywhere the president -- when he went to any place where there were
13 operations, (Redacted) the commanders on the spot in order to take the
14 necessary security measures and I said that apart from this visit to PK12, where he left
15 from Gbadu (phon) by helicopter via Zongo - and then I remember very well what
16 happened - (Redacted) commanders in any other places.

17 MR LIRISS: (Interpretation) Your Honour, could we go into private session, please?

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

19 *(Private session at 9.42 a.m.) Reclassified as Open session

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

21 MR LIRISS: (Interpretation)

22 Q. Mr Witness, I asked for this private session because on two occasions you have
23 talked about (Redacted) Would you please instead refer to (Redacted)

24 (Redacted) Would you be kind enough in future to make this effort, otherwise we will have
25 to have a private session every time. Thank you.

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1 MR LIRISS: (Interpretation) Could we go back into open session, please?

2 PRESIDING JUDGE STEINER: Court officer, please.

3 (Open session at 9.43 a.m.)

4 THE WITNESS: (Interpretation) I've understood what you say to me. Thank you.

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

6 MR LIRISS: (Interpretation)

7 Q. Mr Witness, you said in your statement that once Mustapha was in Bangui he drew
8 up general reports, talking for example about the number of injured, how many weapons
9 had been seized and so on and so forth. You confirmed this in the course of the hearing
10 of 4 October, French transcription page 51, line 21 to 26, and in English page 51, lines 6 to
11 14. You were asked the following question: "Before allowing the Chamber to
12 understand what you have just said, you said that Mustapha informed the base of general
13 news. Can you tell me what you meant by this expression 'general news'?" And your
14 answer was: "Having received authority from the CAR to move at the end of the attack,
15 Mustapha told the general headquarters how the attack had unfolded; that is to say, how
16 many people had been killed on the enemy side, the number of people killed and injured,
17 the number of prisoners taken and a description of the equipment that was taken." Do
18 you remember that?

19 A. Yes, I confirm I remember that.

20 Q. I would like to talk to you about a certain number of messages and then I will ask
21 you a question, but first of all who were these reports on general news intended for?

22 A. Thank you for that question. Very often, all the commanders of the units would
23 get in touch with the general headquarters and send a copy for information purposes to
24 the president.

25 MR LIRISS: (Interpretation) With the approval of your Honour, can I ask the court

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- 1 officer to put up on the screen CAR-D04-0002-1642? I beg your pardon, page 1665.
- 2 THE COURT OFFICER: Document CAR-D04-0002-1641 at page 1642 is available on the
- 3 screens. It's a public document.
- 4 MR LIRISS: (Interpretation) Mr Court Officer, thank you.
- 5 Q. Mr Witness, can you see this document?
- 6 A. Yes, indeed.
- 7 MR LIRISS: (Interpretation) I am talking to the witness.
- 8 THE COURT OFFICER: Counsel, I beg your pardon. Madam President, if I may, I just
- 9 saw that you changed the page. I would like to know if it's page 1665 you want to be
- 10 displayed, or 1642?
- 11 MR LIRISS: (Interpretation) 1665, please.
- 12 THE COURT OFFICER: Page 1665, it's available on the screens. It's a public document.
- 13 MR LIRISS: (Interpretation)
- 14 Q. Mr Witness, you can see on the left-hand side that there are three messages and we
- 15 want to look at the very last one. I will read it out for you: "Message number 22 from
- 16 Coordo Operation Bangui to Chief on 27 December 2002. General situation calm.
- 17 Enemy situation the same. Friendly situation. 28th Battalion in Bossembélé, including
- 18 one company in Bozoum."
- 19 THE INTERPRETER: In French: "Bataillon Poudrier B ..."
- 20 MR LIRISS: (Interpretation)
- 21 Q. "... in Damara. Logistic situation nothing to note". Is that correct?
- 22 A. Absolutely.
- 23 Q. "Morale of officers and troops good. Information: The van of the operation
- 24 co-ordination encountered an accident returning from Bozoum this Thursday, on the 26th,
- 25 at 1400 hours, December 2002. No personal injuries and little equipment damaged.

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1 Return to Damara on this Friday, 27th, at 1900 hours ...", I believe. "From: Colonel
2 Mustapha and operations co-ordinator. Nothing else to indicate and at your orders."

3 So, Mr Witness, is this message authentic?

4 A. Yes, I confirm that.

5 Q. Does it corroborate in any way, or even not at all, your testimony in which you said
6 that the reports which were written were general reports?

7 A. Yes, I can confirm it does.

8 MR LIRISS: (Interpretation) Mr Court Officer, would you please show us page 1654?

9 Q. Mr Witness, what interests us here is the message on the top left-hand side from the
10 co-ordinator of the Bangui operations to the Chief of General Staff: "Troop situation of 22
11 to 23 December 2002. General situation calm. Enemy situation same. Friendly
12 situation. Commander René at Bossembélé" -- sorry, "Commander René in Bossembélé.
13 Colonel Mustapha in Bamaka. Colonel -- general situation nothing to be noted. Morale
14 of troops and officers good. Different information on this Monday, 23 December.
15 Colonel Mustapha going to Bangui for Bossembélé in order to co-ordinate a future action
16 on Bozoum. Other reports are following."

17 Mr Witness, is this message genuine?

18 A. Yes, I confirm it is.

19 Q. Does it corroborate your testimony about the general nature of the reports which
20 were sent by the troops and military authorities of the MLC in Bangui and to the
21 headquarters in Gbadolite?

22 A. Yes, I confirm that.

23 MR LIRISS: (Interpretation) Another message and then we will move on to something
24 else. Court officer, this is page 1700. One-seven-zero-zero.

25 Q. The message we want to look at is the last one on the right-hand side. This comes

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1 from the operations co-ordinator in Bangui. It's sent to the Chief of General Staff:
2 "Troop situation on 16 January 2003. General situation calm. Enemy situation same.
3 Situation of the 28th Battalion in Bossembélé, one company in Bamara, Bataillon Poudrier
4 B in Damara, one company in Bamara. Logistic situation, nothing to note. Morale of
5 officers and troops good. Return of four large vehicles which were recovered during the
6 attack of Bangui and we remain at your orders."

7 Can you tell me if this message is genuine?

8 A. Yes, it is.

9 Q. Does this corroborate your testimony concerning the general nature of the messages
10 that were sent to the general headquarters in Bangui, or in Gbadolite?

11 A. Yes, it does.

12 Q. The penultimate one is 1679. The message we want to look at is the one on the
13 right-hand side, in the middle. It's the co-ordinator who is speaking to the Chief of
14 General Staff. "Troop situation 25th to the 26th. General situation calm. Enemy
15 situation the same. On our side 28th Battalion in Bossembélé, one company in Bozoum,
16 Poudrier B in Damara, another company in Damara. Logistic situation nothing to note.
17 Morale of the troops and officers good. Commander of operations is Coordo and Bangui,
18 after leaving for Bossembélé on the 26th. (Indiscernible) enemy killed two civilians in
19 Ndjo (phon) on 25 December 2002. Message of 26 December."

20 Is this message genuine, sir?

21 A. Yes, it is.

22 Q. It corroborates your testimony on the general nature of the information received
23 from Bangui?

24 A. Yes, I can confirm that.

25 MR LIRISS: (Interpretation) And finally, here's the very last one. Your Honour, if I

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1 could just have two seconds, please.

2 (Pause in proceedings)

3 Finally. Mr Court Officer, the page is 1697 and it's the very last message that I'm going to
4 read out to you now.

5 Q. Witness, this is the very first message to your left. It's the commander of
6 operations in Bangui, Mustapha himself, and who is he addressing the message to? Look
7 carefully.

8 A. To the president.

9 Q. This is what he says: "Your Honour, I hereby greet you and inform you ..." I think
10 that's what it says, "... of the restitution or recovery of the four vehicles by the manager of
11 the Coto Safari (phon) company, SARL, on the 10th at 11 o'clock. It includes all the
12 contents and we greet you and show much respect. 16January 2003."

13 Is this an authentic message?

14 A. Yes, I can confirm that.

15 Q. Does it confirm, does it corroborate your testimony about the general nature of the
16 information that was provided to the headquarters in Gbadolite?

17 A. Yes, I can confirm that.

18 Q. We'll now move on to another series of questions. Before MLC troops crossed over
19 to Bangui, had the troops been visited by Mr Bemba and by Amuli in Zongo?

20 A. As far as I know, no.

21 Q. If such a visit had been made, would the base have been aware of the fact?

22 A. Of course.

23 Q. But according to the information that we have, well, the information doesn't tally
24 with the idea that Mr Jean-Pierre Bemba and Amuli had gone to Zongo to outline the
25 plans or operations in the CAR, and on this occasion in fact Mr Bemba addressed the

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1 troops and told them in fact you are going to the other side, you don't have any brothers
2 or sisters or anyone of that kind there. I'll provide the Chamber with the reference for
3 this information. It's CAR-OTP-0056-0341 is the page number, and in English
4 CAR-OTP-0058-0227.

5 JUDGE ALUOCH: Is this a question, because it's so long already? Is it a question, what
6 you are reading, or are you formulating a question?

7 MR LIRISS: (Interpretation) I'm formulating a question, and I provided you with the
8 grounds for this information. If you like, I will rephrase my question in a better way.

9 Q. Witness, on the basis of the information that we have, and I've provided the
10 Chamber with the reference, we have learned that Mr Bemba and Mr Amuli spoke to the
11 troops in Zongo before they crossed over and that, in the course of this address,
12 Mr Bemba reminded the troops that they didn't have any brothers in the CAR. Are you
13 aware of that?

14 THE INTERPRETER: The interpreter would like to correct something. The previous
15 question also made reference to the fact that Bemba did address the troops.

16 THE WITNESS: (Interpretation) As far as I know, no. I will provide some details.
17 First of all, the troops crossed over or arrived in Bangui in stages. The troops did not
18 assemble in Bangui. The Prosecutor had us read a message the day before yesterday, I
19 think, in which Mustapha spoke about troops advancing on foot, whereas he himself had
20 previously arrived in Bangui. The remainder of the troops were en route.
21 The company, Mr René's company that was mentioned by the Coordo, crossed over to
22 carry out reconnaissance. One group crossed over and then returned to Bangui. Other
23 troops arrived by plane from Basankusu via Isiro. So, there was no gathering, no
24 assembly of troops in Zongo, as far as I know.

25 Q. Perhaps it's repetitive, it's another question that might be concerned: Did the

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1 base -- or would the base have been aware of the fact that such a meeting had taken place,
2 if that had been the case?

3 A. Maître, well, it's a matter of repetition. I said -- I have to repeat myself. I said that
4 (Redacted) all commanders - all operation commanders - of a visit of any
5 kind from the president, in order to take the necessary measures and the necessary
6 security measures therefore. If there had been such an assembly, the base would
7 necessarily have been informed of the fact and would have had to inform the leaders who
8 were responsible for these matters in Zongo.

9 Q. Thank you. According to the very same information we have, there was a staff
10 meeting, two meetings in fact that were held, three or four days before 25 October 2002 in
11 Zongo. The meetings were held to plan the operation. Are you aware of this?

12 A. No, no.

13 MR LIRISS: (Interpretation) Your Honour, I think there's a mistake in the French
14 transcript, page 12, lines 16 to 18. I think that the witness made a mistake. He said,
15 "The troops crossed over, passed to Zongo and went to Bangui before returning to
16 Bangui." Perhaps this question could be put to the witness again. It concerns the
17 troops - René's troops - he was talking about.

18 Q. They crossed over to Zongo to go to Bangui before returning to Zongo; that's what
19 you wanted to say? You have to speak out.

20 A. They went to carry out reconnaissance. That was the situation.

21 Q. Where did they go to carry out reconnaissance?

22 A. To Bangui.

23 Q. And then they returned where exactly?

24 A. To Zongo.

25 Q. Thank you. I asked you about the two meetings that took place in Gbado and

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1 Zongo, three or four days before 25 October. I apologise, but I am not sure whether you
2 answered that question. My question was whether you were aware of these meetings?

3 A. No, I wasn't aware of such meetings. You've read the text in which Mustapha
4 refers to troop movement, how much time he took to reach Zongo and cross over.
5 Between the 25th and the 30th, when he arrived in Bangui, where did he go in order to
6 arrive at Gbadolite? Which places did he pass through? But, as far as I know, I'm not
7 aware of what you said.

8 MR LIRISS: (Interpretation) Thank you, Witness.

9 For the benefit of the Chamber, the source I'm referring to, I can provide the reference in
10 English, is CAR-OTP-0058-0241.

11 Q. Witness, the same sources -- and I have just provided the reference for these sources
12 for the benefit of the Chamber. According to that same source, members of the base had
13 established a list of 3,000 soldiers who were to go to the CAR. Does such information
14 mean anything to you?

15 A. I no longer remember anything of the kind.

16 Q. Witness, do you know a deputy chief called Kulembaya (phon) at the time of the
17 events we are concerned with?

18 A. He was one of the president's personal bodyguards. I can also point out that he is
19 now deceased.

20 Q. Was he involved in the Bangui operations and, generally speaking, were there any
21 members of the personal bodyguard who were also part of the brigade that was sent to
22 Bangui? Were they incorporated within that brigade?

23 A. I do not know, because the troops that went to carry out this operation in Bangui
24 didn't leave from Gbado and so I don't know about this.

25 Q. And the bodyguards resided in Gbadolite?

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1 A. Yes, that's where the HQ was.

2 Q. Within the MLC was there an order of a general kind issued by Mr Bemba, or by the
3 MLC hierarchy; an order according to which, when soldiers took a given location, on the
4 very first day they were allowed to engage in acts of pillaging, but on the following days
5 this was completely prohibited? Are you aware of any such general order?

6 A. No, I'm not. I don't know if that was the practice, because the code of conduct
7 prohibits that. You had us read out messages yesterday, messages in which this code of
8 conduct was insisted on, so I don't know if that was common practice by the men in the
9 field. However, this is information that we did not receive.

10 Q. I apologise. When you say, "I do not know whether this was common practice," do
11 you mean that if it was common practice you wouldn't have been aware of it?

12 A. Allow me to say the following, Maître. I mean that the troops and commanders
13 were involved in such practices. Well, I'm saying that that wasn't authorised by the
14 code of conduct.

15 Q. Even though there was no general order, were such things done, as far as you know,
16 as a matter of course?

17 A. I never had information to that effect.

18 MR LIRISS: (Interpretation) I was referring to the source, CAR-OTP-0058, page 307.

19 That's in the English version.

20 Q. Witness, what is involved when you take something in a war, when you seize
21 something in the course of a war?

22 A. Could you please rephrase that question?

23 Q. What is war booty?

24 A. All the goods taken from the enemy that could be placed in the hands of the army,
25 or in the hands of commanders, that is what the term would mean. So above all it refers

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1 to -- this term refers to property seized from the enemy.

2 Q. Do you have any information according to which the MLC received donations in the
3 form of vehicles that came from the CAR?

4 A. Yes, yes.

5 Q. Did you personally see these items?

6 A. Yes, there were between six or seven Hilux pick-ups that came from Bangui.

7 Q. Were these all terrain vehicles? When you say "Hilux," do you mean Hilux?

8 A. Yes, these were pick-ups with double cabins.

9 Q. Do you know where these vehicles were kept in Bangui -- in Gbado, in fact?

10 A. When they arrived, they were placed in the Coca-Cola warehouse.

11 Q. And what was the final destination of these vehicles?

12 A. As far as I know, two vehicles were placed at the disposal of the personal
13 bodyguards who would escort the president. Another vehicle was placed at the disposal
14 of the MLC executive, so it would go between the airport and Kolombi (phon) and it was
15 a shuttle service for the visitors and guests. There was another vehicle that was used for
16 private purposes for errands for the president.

17 JUDGE ALUOCH: Mr Liriss, the transcript - the English transcript - page 15, lines 24
18 and 25, you posed the following question to the witness: "Do you have any information
19 according to which the MLC received donations in the form of vehicles?"

20 I want the witness, please, to clarify when you say -- then your answer was "Yes, yes."

21 And the next question was: "Did you personally see these items?" Answer: "Yes."

22 Mr Witness, do you know who gave these donations, because that was the question? Do
23 you know who gave these donations.

24 PRESIDING JUDGE STEINER: And if I may, please, how do you know that the MLC
25 received donations? Is there any information on that respect in the log-book?

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1 THE WITNESS: (Interpretation) Yes, I'll be specific. You've reminded me of all this
2 story. The head of General Staff had (Redacted) about the arrival of
3 these vehicles, then to organise the greeting of the people and the sending of these
4 vehicles.

5 PRESIDING JUDGE STEINER: And he was the one who told you that these vehicles
6 were a donation from the Central African authorities?

7 THE WITNESS: (Interpretation) Well, to say that they were donations, he just said
8 "(Redacted) There's a group of vehicles that will be arriving and please
9 greet the people who will be coming along with these vehicles." (Redacted)
10 (Redacted)

11 PRESIDING JUDGE STEINER: So, as a matter of fact, you don't know whether these
12 vehicles were donated or not.

13 THE WITNESS: (Interpretation) Yes, he didn't tell me that they were a donation. He
14 told me that the vehicles would be crossing over.

15 JUDGE ALUOCH: Yes. It's much clearer now because you are -- the way that Mr Liriss
16 put the question was, he said that you received donations so I wondered how you knew
17 they were donations.

18 MR LIRISS: (Interpretation)

19 Q. These people who were travelling with these vehicles, what nationality were they, to
20 the best of your knowledge?

21 A. Well, according to the instructions received by the general, they were Central
22 African Republic citizens.

23 Q. Could you be more specific about the year? If you can't, could you tell us whether
24 it was before or after the 2002 operations?

25 A. It was before the war.

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1 Q. Thank you. Witness, do you know Colonel Bokolombe?

2 A. Yes.

3 Q. Do you know whether he took part in the second operation in Bangui?

4 A. Yes.

5 Q. Do you know whether he took part in the first operation in Bangui?

6 A. Colonel -- Counsel, this colonel had a special name, Colonel Mike. When he went
7 to Bangui (Redacted) travelling with the president to Beni, so I really don't have a lot of
8 information about him. I do know he did take part but at the time, you see, (Redacted)
9 travelling.

10 Q. Witness, in your statement (Redacted) travels to Beni. What year was
11 that in, could you please tell us?

12 A. Between 2001 -- between 2001 -- between 2001 and 2000.

13 Q. So during the first military operation?

14 A. Counsel, I really don't know. I've forgotten the date. I know he did take part in
15 that operation, but I think I've forgotten the year, and let me be specific: (Redacted)
16 travelling with the president.

17 Q. Well, this is what you said in your statement, page 0246, and in English
18 CAR-OTP-0038-0268 -- 60.

19 THE INTERPRETER: Correction from the English booth: 0262.

20 MR LIRISS: (Interpretation)

21 Q. Last line. Would you like us to display the page on the screen? That's not a
22 problem. Court officer.

23 PRESIDING JUDGE STEINER: Maître Liriss, if you are going to read, we have to go into
24 private session. Court officer, please turn into private session.

25 *(Private session at 10.37 a.m.) Reclassified as Open session

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- 1 THE COURT OFFICER: We are in private session, Madam President. Document
2 CAR-OTP-0038-0255, first redacted version, at page 0268 is available on your screens. It's
3 a confidential document and it's a document that is in English.
- 4 MR LIRISS: (Interpretation)
- 5 Q. Please focus on the last three paragraphs: "Do you remember how much time the
6 2001 operation lasted?" And you said: "No." Question: "Was the commander in
7 contact with the headquarters?" And you said: "Yes, in 2001 during the first
8 intervention. (Redacted) a mission with President Bemba in Beni. (Redacted) Bemba
9 had asked to be put in touch with the commander in Zongo, and a few days later (Redacted)
10 (Redacted) go to Bunia and Beni because two political parties were merging."
11 Now, what I'm interested is the part later on: "There, (Redacted) a month to the
12 east."
- 13 My question is as follows: Do you remember that the first operation was in 2001? Isn't
14 that so?
- 15 A. Of course, since you've specified the date.
- 16 Q. I didn't specify the date, I'm reading out your statement.
- 17 MR LIRISS: (Interpretation) Ma'am, we can now go into open session.
- 18 PRESIDING JUDGE STEINER: Before that, Maître Liriss, I'm sorry, could you repeat the
19 reference because I couldn't find the page mentioned.
- 20 MR LIRISS: (Interpretation) 246 in French, and in English 0038-262. You can at least
21 see the French version?
- 22 PRESIDING JUDGE STEINER: Yes, I would like to see in French; what is the reference
23 number in French, please?
- 24 MR LIRISS: (Interpretation) CAR-OTP-0022-0246.
- 25 PRESIDING JUDGE STEINER: Court officer, please turn into open session.

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1 (Open session at 10.41 a.m.)

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

3 MR LIRISS: (Interpretation)

4 Q. Now, I read out the passage to refresh your memory about the colonel, and you said
5 that when he went off on a mission (Redacted) in the east. So that was in 2001. Are we to
6 conclude that Commander Bokolombe took part not in the 2002 operation but in the 2001
7 operation?

8 A. Yes.

9 Q. Do you know whether after the operation he was compensated, in one way or
10 another, by the legal authorities of the Central African Republic? If you don't know, just
11 say that you don't know.

12 A. With a jeep, Vitara Suzuki, I don't know whether -- he was driving around in a
13 Suzuki jeep.

14 Q. Witness, so he was driving around in a jeep. My question was: Do you know
15 whether this jeep was granted to him as a donation or a gift by the Central African
16 Republic authorities, or do you not know about this?

17 A. Thank you for the question. In my statement I said that we were away but when
18 he came back I wasn't there. I don't know whether it was given to him as a gift or not. I
19 don't know.

20 Q. Thank you, witness.

21 MR LIRISS: (Interpretation) Your Honour --

22 Q. Witness, just to be sure of one thing before I speak to the Presiding Judge. These
23 five or six vehicles you mentioned that were given, was that before the first or after the
24 second war?

25 A. The second war.

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1 MR LIRISS: (Interpretation) I thank you. Your Honour, you can believe in me now
2 because I have concluded.

3 PRESIDING JUDGE STEINER: Thank you very much, Maître Liriss. I told you
4 yesterday that I'm always optimistic. I really trust on people.

5 I, however, I have a clarification from the witness, and maybe this clarification may, may
6 lead to the Defence to put some further questions, so I'm turning back to page 12, lines 5
7 to 9. In answering, Mr Witness, your question put by Maître Liriss in relation that
8 of the -- when Mr Bemba had to travel, that the base had to inform all commanders, all
9 operation commanders, in order for security measures to be taken, so you answered in
10 page 12, line 5, "Maître, well, it's a matter of repetition. I said I have to repeat myself. I
11 said that the base were obliged to inform all commanders, all operation commanders, of a
12 visit of any kind from the president in order to take the necessary measures and the
13 necessary security measures therefore."

14 My question is: Were these message sent to all operation commanders, even when
15 Mr Bemba was visiting villages that were under the control of the MLC, in the Équateur
16 province, or only when it was outside the Équateur province? Could you clarify that for
17 me, please, Mr Witness?

18 THE WITNESS: (Interpretation) That measure applied everywhere, even in the
19 territory of the Congo.

20 PRESIDING JUDGE STEINER: So, which means that all Mr Bemba's -- the placements,
21 even within the Équateur province, are probably registered in the log-book, the
22 information sent to all commanders?

23 THE WITNESS: (Interpretation) Well, if it hadn't been recorded you could use codes.
24 You could transmit three or five phrases, code them, prepare, arrival, and then the call
25 sign. It was one-zero-sierra on a particular day and the operator would take the message,

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1 decode it and inform his commander thereof. That's how it operated.

2 PRESIDING JUDGE STEINER: So were these messages also registered or were they oral
3 messages, oral instructions?

4 THE WITNESS: (Interpretation) It was between the operators. They were oral
5 messages between the operators. It wasn't an operational message.

6 PRESIDING JUDGE STEINER: I don't know whether Maître Liriss wants to add
7 anything now, before I ask the Prosecution whether the Prosecution intends to redirect?

8 MR LIRISS: (Interpretation) No, your Honour, I have nothing to add.

9 PRESIDING JUDGE STEINER: Then I have to ask Prosecution whether Prosecution
10 intends to redirect?

11 MR SCALIOTTI: Madam President, yes, the Prosecution would like to redirect the
12 witness and we think we could do it right after the break, with your leave.

13 PRESIDING JUDGE STEINER: So we can anticipate our break, then, in ten minutes.

14 Mr Witness, we'll have now our coffee break in order for you to have some coffee, some
15 tea, half-an-hour break. It's 10 to 11. We will resume at 11.20.

16 I ask, please, court officer to turn into closed session for the witness to be taken outside the
17 courtroom. We will suspend and resume at 11.20.

18 *(Closed session at 10.52 a.m.) Reclassified as Open session

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

20 (The witness stands down)

21 THE COURT OFFICER: All rise.

22 (Recess taken at 10.52 a.m.)

23 *(Upon resuming in closed session at 11.27 a.m.) Reclassified as Open session

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

25 PRESIDING JUDGE STEINER: Welcome back. Could, please, court usher bring the

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1 witness in.

2 (The witness enters the courtroom)

3 PRESIDING JUDGE STEINER: Can we turn into open session, please.

4 (Open session at 11.29 a.m.)

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

6 PRESIDING JUDGE STEINER: Thank you. Mr Witness, welcome back.

7 THE WITNESS: (Interpretation) Good morning, your Honour.

8 PRESIDING JUDGE STEINER: Mr Witness, the Prosecution requested to put some
9 further questions to you, so I'll give the floor to the Prosecution and I see that the
10 Prosecution's full team is present and, again, I hope this is not a bad sign. And, of course,
11 after the Prosecution finishes the Defence will be given the opportunity to address some
12 of the issues that are going to be addressed now by the Prosecution.

13 In any case, Mr Witness, the Chamber will be vigilant in order for the time limits not to be
14 exceeded and in order to ensure that you finish your testimony this afternoon. I give the
15 floor, then, to Maître Badibanga. Maître Badibanga, just pay attention on whether
16 questions and answers are to be given in public or private session.

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

18 QUESTIONED BY MR BADIBANGA: (Interpretation)

19 Q. Good morning, Mr Witness .

20 A. Good morning.

21 Q. Perhaps you will have understood that I wish to ask a few more questions about the
22 log-book. I want to ask questions which have arisen after some of the things you said
23 yesterday. You answered questions posed by the Defence yesterday.

24 What we're going to do is relatively simple: I am going to show you some extracts from
25 the log-book and every time I will only have one or two questions to ask about these

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1 excerpts. They will be the same question every time and, therefore, I think your answers
2 will be relatively short. And, in such circumstances, I think we can probably get through
3 this quite quickly.

4 MR BADIBANGA: (Interpretation) Your Honour, I would like to refer for this part of the
5 redirect to the transcript of yesterday, this 170 of 5 October 2011. In the French version,
6 pages 6, line 25 through to page 7, line 15; in English, once again page 6 and lines 14 to 22.

7 Q. Mr Witness, yesterday you answered a question put by the Defence saying that the
8 messages from Bemba were rare and that the Prosecutor, in fact, was only able to show
9 you one single message from Bemba and, in fact, this talked about giving 20,000
10 Congolese francs to a third party, a third person. Is that correct?

11 A. Yes, it is.

12 Q. As I said, what I'm going to do now is to show you some excerpts from the
13 log-book --

14 PRESIDING JUDGE STEINER: Maître Liriss.

15 MR LIRISS: (Interpretation) Your Honour, I would be grateful if the transcript could be
16 read out, the part where the witness says that the messages were rare and, in fact, that the
17 Prosecutor was only able to present - or show - one message from Bemba.

18 PRESIDING JUDGE STEINER: So although the Prosecution has given the reference, you
19 want the Prosecution to read it? Did I understand properly, Maître Liriss?

20 MR LIRISS: (Interpretation) Yes, because, in fact, I don't have the copy of the transcript
21 with me and I don't remember if the witness said "yes." Moreover, the Prosecutor was
22 not able to show us anything other than one single message from Bemba which mentions
23 20,000 Congolese francs being given. I don't, in fact, remember having heard that
24 reaction from the witness.

25 PRESIDING JUDGE STEINER: Maître Liriss, I can ask the Prosecution to read, but just

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1 to tell you that the fact that you don't have the transcript with you will impose on the
2 Chamber as a whole, and on the witness in particular, a longer redirect than expected.
3 But in any case I ask, please, Maître Badibanga, to read the excerpt that you are referring
4 to.

5 MR BADIBANGA: (Interpretation) Your Honour, I had just given the reference, in fact, a
6 transcript. I will read it in the French version, the edited version 170 in French, page 6,
7 line 25. "Thank you for this question. Let me state: If we can then the representative
8 of the Prosecution showed us yesterday the copies of the log-books. We all read and saw
9 the content of these messages. Whilst it may contain 15 or even 20 messages,
10 nevertheless, there is only one message from the president which talks about giving 20,000
11 Congolese francs to a third person and I conclude from this that it was rare for the
12 president to give instructions to the units even though he was the commander-in-chief.
13 In practical terms, it was the role of General Amuli to do this because he had full authority
14 linked with his rank and function."

15 I believe, your Honour, that the text is quite clear, and let me now move on to the next
16 part of my re-examination. To make things easier for the Chamber, I have prepared
17 paper copies in order to avoid wasting time calling documents up on the screen. Now,
18 these documents are put together in these small files and they are ordered. I have copies
19 for all the parties, so all the witness has to do is to read through, to run through these
20 different documents. All the different files are identical and we will, therefore, be able to
21 follow what the witness has to say.

22 PRESIDING JUDGE STEINER: Maître Badibanga, you can provide a copy to the Defence,
23 and if the Defence sees no problem a paper copy can be given to the witness. I don't
24 think it's necessary for the Chamber, because we have our own copies here.

25 MR BADIBANGA: (Interpretation) Thank you, your Honour. Of course I will quote

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1 the reference every time. I will give the ERN number of the different documents.

2 MR BADIBANGA: (Interpretation)

3 Q. Mr Witness, can you take the file which is in front of you and we will simply look
4 through the pages in turn together. Unless I'm wrong, when you turn over the first page
5 you have a document referenced CAR-D04-0002-1550. Now, please note,
6 Mr Witness - and the Defence can, of course, verify this - that we have put Post-its on
7 certain pages. The reason for this is that there is not an ERN number on this page, your
8 Honour. Some pages have ERN numbers, others do not, and therefore we have had to
9 recount the pages, as it were, and we've put Post-its on the relevant pages.

10 Now let me come back to what I was suggesting just now. Your Honour, I do have a
11 paper version for the Judges, if you so wish.

12 THE INTERPRETER: The interpreter would kindly request that a copy be provided for
13 the interpreting booth, if that were at all possible. Thank you.

14 MR BADIBANGA: (Interpretation) In the version which you have in front of you, the
15 documents are in sequentially numbered order. If you go through the numbers, then
16 you will of course come to the right page. To make it easier to read, I have provided for
17 the witness and the Defence a specific order in which I'm going to refer to the documents.
18 You have the documents in exactly the same order.

19 Q. Now, all these introductory remarks are over and I think we'll be able to move into
20 the thrust of the matter. Mr Witness, document 1550 - I'm talking about the second
21 message on the left - can you see this?

22 A. Yes.

23 Q. Can you tell us who wrote this?

24 A. The president.

25 Q. Thank you. Now, this is an example of what we're going to do, nothing more than

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1 that. Let's move on to page 1556.

2 PRESIDING JUDGE STEINER: Maître Liriss.

3 MR LIRISS: (Interpretation) Your Honour, the question is as follows: "Mr Witness,
4 document 1550. I am talking about the second message on the left." This is, therefore,
5 the message which follows on from that entitled or dated 23 September. I'm just asking
6 for confirmation of this from my learned friend.

7 MR BADIBANGA: (Interpretation) Your Honour, I wanted to keep this short, but I will
8 try to give a few more identifying elements so that we can avoid these interruptions every
9 time.

10 Q. Mr Witness, to keep things as clear as possible in this hearing, I shall now refer to
11 the message which is on the left and which says, "From: Chairman to ...", something, "...
12 Zongo, receiver Zongo, OFIDA." Would you please tell us whose writing this is? Who
13 wrote the message?

14 A. It's from the president.

15 Q. Could I ask you to speak a little louder, please, so we can hear you properly?

16 A. This is the writing of the president.

17 Q. Thank you. I was saying that the next document was page 1556, and here I want to
18 talk about the message on the left-hand side below the word "flash" and which says "From:
19 Chairman to Mare Zongo." Could you please tell us whose handwriting this is?

20 A. The president's.

21 Q. The next message is page 1565. This is the message on the right-hand side, just
22 below "In 1 October," and below the initials of Mr Bemba - you said yesterday that this
23 was the initialling of Mr Bemba - it says "From: Chairman to Commander Sector South
24 Bangui." Could you please tell us whose handwriting this is?

25 A. The president's.

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1 Q. The next message, Mr Witness, is on 1574. Could you look at the first message top
2 right, please? "From: Chairman. To: Commander Direction Niania," spelled
3 N-I-A-N-I-A, "Give me size enemy and enemy equipment details before deciding on
4 attack." Could you please tell us whose handwriting this is?

5 A. It's the president's.

6 Q. The following messages in the plural, Mr Witness, are on page 1577. These are the
7 messages on the left-hand side which we want to look at. There are three of them.
8 They all start with "From: Chairman." Would you be so kind to tell us whose
9 handwriting this is?

10 A. The president's.

11 Q. Page 1580. Are you on that page, sir? You have a message on the left, top left,
12 "From: Chairman" once again. Could you please tell us who this message is by, or
13 from?

14 A. The president.

15 Q. I'm sorry, my question was rather fast. Would you please tell us whose
16 handwriting this is?

17 A. It's the president's handwriting.

18 Q. Mr Witness, could you take the page 1593, top right, the first message starting "From:
19 Chairman to SNFB." Would you please tell us whose handwriting this is in this
20 message?

21 A. It's the handwriting of the president.

22 Q. Unless I am mistaken, sir, you are now on page 1595. We're now going to look at
23 the message which I had you read out, in fact. It's on the right-hand side of the page,
24 "From: Chairman. To: Headquarters." Would you please tell us whose handwriting
25 this is?

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1 A. It's the president's.

2 Q. The next page for you is 1599. There is a message right on the bottom right-hand
3 side, "From: Chairman. To: DG police." I imagine that "DG" is directeur général, the
4 director-general in English. Could you please tell me whose handwriting this is, please?

5 A. It's the president's.

6 Q. Mr Witness, you now ought to be on page 1612 and on the right-hand side there are
7 two messages. They are handwritten, starting "From: Chairman. To: The
8 headquarters," the military headquarters, and the second one is "From: Chairman. To:
9 Commander, direction Mambasa." Could you please tell us whose handwriting this is,
10 please?

11 A. It's the president's handwriting.

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

13 Q. Mr Witness, now let's move on to the second log-book. The first page is 1641 and
14 you are on page 46, 1646. On the right-hand side you can see under the word "flash" it
15 says "From: Chairman to General Bule," and the text reads "Okay for capital
16 punishment." Could you please tell me whose handwriting this is?

17 A. It's the president's.

18 Q. Let's move on to page 1708. On the right, underneath the first initialling and above
19 the second initialling, you can see handwritten sentences "From: Chairman. To:
20 General of Brigade Bitu," B-I-T-A. Could you please tell us whose handwriting this is,
21 please?

22 A. It's the president's handwriting.

23 Q. Now, Mr Witness, you have page 1742. On the left there is a message which says
24 "From: Chairman. To: Zongo." Could you please tell us whose handwriting this is?

25 A. It's the president's handwriting.

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1 MR BADIBANGA: (Interpretation) Your Honour, I wanted all these handwritten
2 extracts to be clearly identified by the witness in order to avoid any further discussion
3 about who could have written this document. I would simply now like to give a few
4 examples. I won't go through every single page. I simply want to give a few examples
5 in order to illustrate our position on this point, and to do this let's go back to the first
6 log-book.

7 PRESIDING JUDGE STEINER: Before you continue, if you allow me, if we go back to
8 page 1708, Mr Witness. Mr Witness, if you go back to page 1708. Maybe court usher
9 could help. 1708. No, he confirmed that it was the handwriting of Mr Bemba. He
10 needs to have the document in front of him. So I'm just -- have you the document in
11 front of you, Mr Witness? In this document I see that the reference number is 001 and in
12 the last page, which is document 1742 - court usher, please, the last page - is document
13 number 002.

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 PRESIDING JUDGE STEINER: (Redacted) numbering every new year?

19 THE WITNESS: (Interpretation) Your Honour, if the year was over, for example, at
20 number 23, then (Redacted) number 24, and so on and so forth.

21 PRESIDING JUDGE STEINER: No, because if we go back to page 1646 the message here
22 from the president is number 118; is that correct?

23 THE WITNESS: (Interpretation) That's correct.

24 PRESIDING JUDGE STEINER: It is dated 22 December 2002; is that correct?

25 THE WITNESS: (Interpretation) That's correct.

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1 PRESIDING JUDGE STEINER: So my question is: Why the following one, the one that
2 I asked you to find, is the 1708, is numbered 001, and it was sent in January. That's why
3 I'm asking when you have a new year if the numbering starts from number 1 again?

4 THE WITNESS: (Interpretation) Your Honour, given the messages, you may be right.

5 PRESIDING JUDGE STEINER: But in relation to the other messages, it also happened or
6 only with the messages sent by the Chairman?

7 THE WITNESS: (Interpretation) (Redacted) number the messages in
8 relation to the number of the messages actually issued. This difference I don't
9 understand very well, but I think you may be right, your Honour.

10 PRESIDING JUDGE STEINER: Thank you, Mr Witness. Maître Badibanga.

11 MR BADIBANGA: (Interpretation) I'm at your disposal, your Honour.

12 Q. Witness, we have now dealt with a series of handwritten messages. We will go
13 back to the issue, to comment on certain things; there are 16 of them. Now have a look at
14 page 1578. I'm now interested in the message to the left, let's call it, the message in the
15 middle of the page, in fact, to the left. Can you see the page, can you find the page, 1578?
16 In the file you have, it should be after 1742, which is the last handwritten message that we
17 had a look at together. Do you have the page 1578 in front of you?

18 A. Yes, I do.

19 Q. To your left there is a message in the middle of the page. It's below the first line
20 that says "6 October," and then there is a line and there's a message. Could you tell us
21 who sent this message, who is it from?

22 A. This is the president's handwriting.

23 Q. And now, Witness, page 1612 is the page I am interested in that should follow in
24 your file.

25 (Pause in proceedings)

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1 PRESIDING JUDGE STEINER: Maître Badibanga, maybe it would be easier to put on
2 the screen. I think it's faster.

3 MR BADIBANGA: (Interpretation) We've solved the problem. We'll have a look at
4 1705.

5 Q. Witness, in this message - on this page, in fact - can you tell us at the bottom to the
6 left, the last message right at the bottom under the word "flash," it says who it's -- who the
7 message is from. Could you tell us who the message is from?

8 A. The message is from the president.

9 Q. I'm still referring to this page now. The message to the right on this page, who is it
10 addressed to, could you tell us? It says "To." To whom is this message addressed?

11 A. To the left, at the bottom to the left?

12 Q. We've just dealt with the message to the left. Now I'm interested in the message to
13 the right on that very same page. There's a message that starts with the word "Official."

14 A. Okay.

15 Q. And then it says "From AXC Simene." Who is this message for? Who is it
16 addressed to? Could you tell us, please?

17 A. Simene is sending this to the president; it's addressed to the president.

18 Q. Witness, I don't want to make this a very laborious exercise. I have shown you
19 about 20 messages; 16 of them were handwritten by Mr Bemba. On the basis of the
20 log-books that were provided to the Prosecution, without considering -- taking into
21 consideration that all the missing pages, but on that basis we had a total of 66 messages
22 that came from Bemba, that either came from Bemba, from the Chairman, or were
23 addressed to Bemba, to the Chairman, or were written by Bemba himself. So I'm saying
24 that in the material we had at our disposal we managed to find 66 such messages. It's
25 not my intention to go into any other details, unless you insist on the fact, but this will be

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1 just be taking up valuable time, but could we agree on this and put an end to this reading
2 exercise right now?

3 A. Yes.

4 MR BADIBANGA: (Interpretation) I have a few subjects that I could deal with very
5 briefly now, your Honour. The first subject was also dealt with yesterday, or addressed
6 yesterday, in the edited transcript of 5 October, page 170. In English it is page 13, lines 6
7 to 21, and in the French version it's page 13, lines 15 -- or line 15 and page 14, lines 1 to 4.

8 Q. Witness, yesterday the Defence - Jean-Pierre Bemba's Defence - said that the
9 log-book covering the period from 1 November 2002 until 21 December 2002 disappeared
10 in a fire in 2007. You remember having spoken to the Defence about that fact?

11 A. Of course.

12 MR BADIBANGA: (Interpretation) Could we briefly move into private session, your
13 Honour?

14 PRESIDING JUDGE STEINER: Yes. Do you still need the court usher to be on standby?

15 MR BADIBANGA: (Interpretation) I apologise. I didn't see him standing behind the
16 curtain. I would like to thank the usher for his assistance.

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

18 *(Private session at 12.17 p.m.) Reclassified as Open session

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

20 MR BADIBANGA: (Interpretation)

21 Q. Witness, we have briefly moved into private session because I don't want to give
22 any information that might make it possible to identify you outside this courtroom. You
23 also said before this Chamber that you left the MLC (Redacted), after having
24 obtained Bemba's authorisation (Redacted); is that correct?

25 A. I'd like to add something -- correct something. If you could have a look at my

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1 statement, (Redacted) You

2 should have a look at my statement again.

3 Q. (Redacted) is that correct?

4 A. Of course.

5 Q. So you were no longer in the MLC when this fire occurred in 2007; is that correct?

6 A. Of course. I said yesterday that I even learned about the fact that the room (Redacted)
7 (Redacted). I said that yesterday.

8 Q. Yes, we're just clarifying certain matters to make sure that the transcript perfectly
9 reflects your testimony. Witness, do you remember having told the Chamber that, as
10 soon as a log-book would be filled in, another one would be used? You would start
11 using another one immediately after having filled in a certain log-book; is that correct?

12 A. Yes, that's correct.

13 Q. So it's correct to say that, when the second log-book that you were shown here was
14 completed on 7 February 2003, (Redacted) another log-book, a new
15 log-book; is that correct?

16 A. Yes, that's correct.

17 Q. So it is, therefore, correct to say that there is at least one log-book, or perhaps two or
18 three, but there is at least one other log-book that covered the period from 7 February 2003
19 up until 15 March 2003 and that's the date on which the conflict came to an end in the
20 Central African Republic; is that correct?

21 A. Yes, that's correct, because all the messages were written and entered into the
22 log-book.

23 Q. So you would agree with me that it's not just 50 active days that are missing?

24 When I say "50 days," I'm referring to the period from 1 November up to the 21 December.

25 In addition to those 50 days of activity that are missing, there are also about 30 or almost

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1 40 days that are missing from 7 February to 15 March and so that makes a total of about 90
2 missing days; is that correct?

3 A. That's correct.

4 Q. Do you know whether this second log-book, which covers the period from February
5 to March, might also have miraculously disappeared in that very same fire?

6 A. Thank you very much for that question. Well, to say that the log-books were lost in
7 the fire or not, well, this is something that I was told about here in the course of the
8 hearing, so I don't know. I didn't provide this information.

9 MR BADIBANGA: (Interpretation) Your Honour, I have no further questions for the
10 witness, but the Prosecution hasn't quite completed its examination. My colleague,
11 Ms Kneuer, does have a few very brief questions that she would like to put to this witness.
12 Thank you very much.

13 PRESIDING JUDGE STEINER: Ms Kneuer, you will start in private session, or in public
14 session?

15 MS KNEUER: Madam President, I believe it's safer to start in private session, please.

16 Thank you, Madam President, your Honours.

17 QUESTIONED BY MS KNEUER:

18 Q. Good afternoon, Mr Witness.

19 A. Good afternoon.

20 Q. Mr Witness, please allow me to introduce myself. My name is Petra Kneuer, and
21 I am a senior trial lawyer in the Office of the Prosecutor and I'm actually leading this team.
22 I was present during the course of your interview and you may have seen me in the
23 second row for the past three days. I followed your testimony very carefully and I
24 wonder if you would allow me to ask you a few questions?

25 A. Okay.

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1 Q. Mr Witness, I would like to clarify the record on one topic and it relates to a report
2 of Mr Mustapha that my learned colleague from the Defence read out to you yesterday.
3 Do you remember that letter?

4 A. Yes, I remember it.

5 MS KNEUER: For the benefit of the your Honours and the parties and participants, the
6 portion I am about to seek a clarification from the witness can be found in the transcript
7 number 169, English edited version, at page 51, lines 3 to 5. I apologise I don't have the
8 French version ready, but with your leave I will read this short portion to the witness into
9 the record.

10 Q. Mr Witness, yesterday Maître Zarambaud asked you also a question about this let's
11 call it "Mustapha letter," or report, and part of your response was the following: I quote
12 from the transcript, and in order to have the sentence complete I will start on page 51, line
13 1: "I believe that there was a commander involved in the operation who was a Central
14 African commander, so if the report - if Mustapha's report - was presented, (Redacted)
15 (Redacted), well, if I had been presented with that report it would have been
16 better."

17 Do you remember that statement, Mr Witness?

18 A. Your Honour, madam, your question was so long and so could you please repeat it,
19 please?

20 Q. Absolutely, Mr Witness, and I apologise. I assume you must be tired and I promise
21 you that I certainly will be the last one from the Prosecution's team who will question you
22 and I'm grateful for your patience. I will read a portion to you. It's part of an answer
23 that you provided yesterday to Mr Zarambaud, and I will read it from the transcript and I
24 kindly ask you to listen to it and afterwards let me know if you remember that you stated
25 that: "I believe that there was a commander involved in the operation who was a Central

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1 African commander, so if the report - if Mustapha's report - was presented, (Redacted)
2 (Redacted) well, if I had been presented with that report it would have
3 been better."

4 Do you remember that you stated that?

5 A. I can't find my bearings. Could you ask the question -- could you ask the question
6 that the Defence put me? Could you repeat the Defence's question so that I can find my
7 bearings, because I am not able to do so right now?

8 MS KNEUER: Certainly, Mr Witness. Madam President, just for the record, the
9 reference in the French transcript - and, of course, for my learned colleagues from the
10 Defence - is page 54, line 2 onwards.

11 Q. Mr Witness, may I make a proposal to you? As a matter of fact, the question that
12 Maître Zarambaud had asked you is quite long. It's not more than one page. However,
13 my learned colleague from the Defence asked a similar question and it's shorter. Would
14 you agree that I read this other quotation to you?

15 A. Madam, I only asked for you to put the question that the Defence put to me so that
16 I could remember the issue.

17 Q. Very well, Mr Witness. Maître Zarambaud, the representative of victims, had read
18 out to you a portion from your statement, and at the end he posed the following question:
19 "Witness, in my opinion, these statements seem to be in contradiction with the statement
20 according to which Bemba directly, or through Amuli, issued orders to advance or to hold
21 the advance. Could you clarify this issue for the benefit of the Chamber, please?" And
22 the full answer that you gave, that you provided, was as follows: "You have just read out
23 two or three pages of several paragraphs, but I will try to clarify the issue. Yesterday I
24 said that Mustapha received orders from the Central African authorities and several days
25 could go by, two or three days could go by without the radio operator, without

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1 Mustapha's radio operator, appearing on the network. In the evening he would then
2 appear on the network and would inform (Redacted) information of a general
3 kind. That's what I said. I believe that there was a commander involved in the
4 operation, who was a Central African commander, so if the report, if Mustapha's report,
5 was presented, (Redacted) well, if I had been presented
6 with that report it would have been better."

7 Do you remember?

8 A. Of course.

9 MS KNEUER: Madam President, I have to correct the reference I gave for the French
10 transcript. It's, as a matter of fact, transcript number 169, page 51, lines 11 onwards.

11 Q. Mr Witness, what I'm interested in is to clarify the record with regards to your
12 statement that (Redacted). Do you remember (Redacted)
13 (Redacted) report of Mustapha? And I'm certainly not asking for a specific date rather than
14 a time-frame, please.

15 A. In 2003.

16 Q. If you would make a good effort, do you even remember the month (Redacted)
17 (Redacted) in 2003?

18 A. When the operations had already ended.

19 Q. If I understood your evidence over the past days correctly, the archives were in
20 Gbadolite. When did you leave Gbadolite?

21 A. (Redacted) 2003.

22 Q. Is it fair to say (Redacted) report between the end of the operation and until
23 you left Gbadolite (Redacted) 2003?

24 A. Of course. What led me to say that to the investigators, that Mustapha had
25 received orders from the other side, was on the basis -- it was on the basis of the report

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1 (Redacted). And the name of that person, (Redacted) the report, was

2 Bombayake. I'm mispronouncing perhaps, but it's Bombayake.

3 Q. Do you recall the size of the archives?

4 A. There were many files.

5 Q. "Many" in terms of hundred, thousand, ten thousand, hundred thousand? Can you
6 give us any estimation?

7 A. Ma'am, if you don't mind, it must have been hundreds of files or books, notebooks.
8 From the beginning of the operations to the end, it might have been up to 100.

9 Q. These archives, which period of time did they cover?

10 A. From the beginning of January 1999 to 2003.

11 Q. Sir, you mentioned earlier different types of documents that were stored in these
12 archives. You used the term "files," "books," reports," if I'm not mistaken. Can you
13 please explain to us the types of documents that were actually archived there?

14 A. There were also reports, receipts from the customs. They came from Zongo,
15 Yakoma, and so on and so forth. There were many such items.

16 Q. Do you have any recollection how many of these documents (Redacted)
17 (Redacted)?

18 A. I just said that there were financial reports that people had come to put on record
19 there, so there were financial records, I do know that.

20 Q. Mr Witness, I apologise, I believe my question was not clear. The documents that
21 were archived in Gbadolite, such as reports, books, log-books, et cetera, do you have any
22 recollection how many of these documents (Redacted)? And I'm not talking about
23 financial documents.

24 A. No, I don't remember. There were various headings, and when you look at the
25 titles -- I don't remember.

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1 Q. Are you not able to remember because there were too many documents?

2 A. Of course. There were note books and other documents, and so on and so forth.

3 Q. Do you have by any chance any recollection to any other single document, despite
4 the Mustapha report?

5 A. Ma'am, if you don't mind, Mustapha's reports, that was just at the end, before
6 Kinshasa, just at the beginning when there were notebooks or jotters and then it was also
7 put into log-books. That's my answer.

8 MS KNEUER: Madam President, may I briefly consult, please?

9 PRESIDING JUDGE STEINER: (Nods head in the affirmative)

10 (Pause in proceedings)

11 MS KNEUER:

12 Q. Sir, I would like to have another clarification of you. Yesterday my learned
13 colleague from the Defence asked you a question, and I would like to read that to you,
14 and for the benefit of your Honours and parties and participants I'm referring to the
15 real-time transcript number 170, English version, at page 66, last line, moving over to page
16 67. And I apologise again, I don't have the French version, but with your leave I would
17 like to read this short question and answer.

18 Mr Witness, I will quote from the transcript. The question of Defence counsel was, I
19 quote: "You said that this could be seen in the report from Colonel Mustapha. You
20 could see it in a report from Colonel Mustapha and (Redacted)
21 (Redacted); do you remember that?" Your answer was: "Yes,
22 I can confirm that."

23 Do you recall that you made this statement, sir?

24 A. Yes, I confirm that.

25 Q. I'm seeking clarification with regards to the phrase (Redacted)

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1 (Redacted) Can you please expand on that?

2 A. Yes. (Redacted)

3 (Redacted) all the documents, the reports, the administrative things, (Redacted)

4 (Redacted) the new pieces of equipment. So that's my answer.

5 Q. Was the Mustapha report stored in that room (Redacted)?

6 A. I'd like to reply. Mustapha's report was not intended (Redacted).

7 Those reports, all the reports, even the documents of General Amuli, were to be found in

8 that same room, and the person who put the report there I don't know. (Redacted)

9 (Redacted)

10 (Redacted), and every time that someone needed -- for example,

11 General Amuli, if (Redacted) a document, he would refer to it and he would ask

12 (Redacted)

13 (Redacted)

14 Q. Mr Witness, thank you very much for the clarification on this report. I would like

15 to briefly follow up on something that you mentioned to Maître Badibanga earlier. You

16 stated that you left the MLC (Redacted). Did you leave the MLC on

17 good terms?

18 A. Yes. (Redacted) for personal

19 reasons which I -- you see, they were personal reasons. And some people who wanted to

20 stay and they stayed, (Redacted)

21 (Redacted).

22 Q. How was your relationship to Mr Bemba at that time when you left the MLC?

23 A. The relationship? It was between -- it was the relationship between a higher officer

24 and someone lower down in the organisation. I wore (as interpreted) in the MLC and,

25 (Redacted).

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1 PRESIDING JUDGE STEINER: Maître Liriss.

2 MR LIRISS: (Interpretation) Ma'am, I make reference to your own ruling. This matter
3 of determining or describing the relationship between the witness and Mr Jean-Pierre
4 Bemba was not something I covered during my cross-examination, so this question cannot
5 be put to the witness.

6 PRESIDING JUDGE STEINER: Ms Kneuer, I believe Maître Liriss is correct.

7 MS KNEUER: Madam President, I'm fully aware of the procedure for the re-direct.

8 However, I asked that question to understand the basis of the witness's testimony, and
9 you may understand that in the presence of the witness I cannot go any further.

10 However, with your leave, I would move on to a different question.

11 Q. Mr Witness -- sorry.

12 THE INTERPRETER: Interpreter's correction: In the previous reply, the witness said
13 that he made his contribution within the MLC.

14 MS KNEUER:

15 Q. Mr Witness, do you recall that you met with the investigators of the OTP in
16 July 2008?

17 A. Yes, I remember that.

18 Q. Mr Witness, not only the Prosecution is permitted to investigate, but also the
19 Defence team is allowed to do so. Since you met with the investigators of the OTP, did
20 you meet with any member of the Defence team?

21 A. No.

22 PRESIDING JUDGE STEINER: Maître Liriss.

23 MR LIRISS: (Interpretation) Ma'am, I really don't want to interfere too much, but once
24 again this question was not touched upon during my cross-examination and I believe that
25 this question actually violates your regulation, or your ruling.

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1 PRESIDING JUDGE STEINER: Sustained.

2 Ms Kneuer, another question, please.

3 MS KNEUER:

4 Q. Mr Witness, when you met with investigators of the Office of the Prosecutor, did
5 you address any security concerns?

6 A. Of course.

7 MR LIRISS: (Interpretation) I beg your pardon, your Honour. Even that - even
8 that - we did not talk about that during my cross-examination. The Chamber is
9 sovereign. You could decide to pass over that, but I merely remind you of the
10 regulation.

11 PRESIDING JUDGE STEINER: Mr Witness, do you want to say something? You have
12 the floor.

13 THE WITNESS: (Interpretation) Thank you very much for allowing me to address the
14 Court, your Honour. I had met with the investigators in 2008. I've forgotten the exact
15 date. They insisted so much that I come and give testimony here, but I didn't want to
16 come and give testimony. They insisted so much. Mr Nkwebe, I saw him on the
17 television and I'm not interested in the trial. I took care of my own business, my own
18 stuff and so on and so forth. They insisted so much and I saw that it was coming back,
19 and my wife totally forbade me from getting involved in this matter. (Redacted)
20 (Redacted)
21 (Redacted)
22 (Redacted)
23 (Redacted) I didn't want to come
24 and give testimony. I am shocked.

25 PRESIDING JUDGE STEINER: As soon as we have our break, I will ask the

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1 representative of Victims and Witnesses Unit to come and see you and, if you want, you
2 can talk with the representative of VWU about your concerns, or about any issue related
3 to your trip, to your situation, situation of your family. I would prefer that these issues
4 are not discussed during the hearing. Would you agree with me, sir?

5 THE WITNESS: (Interpretation) Okay, fine.

6 PRESIDING JUDGE STEINER: Then the representative of Victims and Witnesses Unit
7 will make a report to the Chamber; only to the Chamber, I can assure you. Is that fine
8 with you, sir?

9 THE WITNESS: (Interpretation) Okay, fine.

10 PRESIDING JUDGE STEINER: Ms Kneuer, do you have any other question related to
11 the Defence questioning of the witness?

12 MS KNEUER: Madam President, I don't have any further questions to a topic addressed
13 by the Defence. However, the Prosecution believes that only during the questioning of
14 the Defence certain things became apparent and this was the reason why we asked certain
15 questions to determine the source of what we observed, and we believe what the witness
16 just said has an impact, or had an impact, on his testimony.

17 PRESIDING JUDGE STEINER: Meaning you don't have any further questions,
18 Ms Kneuer?

19 MS KNEUER: I don't have further questions to issues raised by the Defence. However,
20 it is quite difficult to determine right now if there is a need to go into more depth of the
21 witness's security concerns, in particular since your Honour has suggested that VWU
22 should meet with the witness first. There may be a need to follow up. However, it may
23 be helpful to wait for the VWU's report.

24 PRESIDING JUDGE STEINER: Ms Kneuer, Mr Witness is a Prosecution witness. The
25 report will be sent to the Chamber, and if the Chamber thinks necessary we'll seek

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1 feedback from the Prosecution on any security issues.

2 May I assume that re-directing is concluded?

3 MS KNEUER: Yes, Madam President.

4 PRESIDING JUDGE STEINER: Maître Liriss, I have a preliminary question. Of course
5 you are entitled now to respond to the re-directing of the Prosecutor, and I'm asking you
6 whether in your view you need more than half-an-hour? If you think you can finish in
7 half-an-hour, I would ask our interpreters and court reporters whether we could conclude
8 by 1.30. If you think you need more than that, we are going to break for the lunch break
9 and resume as normally at 2.30.

10 MR LIRISS: (Interpretation) Your Honour, indeed. I would just need 30 minutes, five
11 of which would be to confer with my colleagues and 25 minutes to conclude.

12 PRESIDING JUDGE STEINER: I just want to remind you that since we will have two
13 hours, we cannot extend to more than that. So you need to be really sure.

14 MR LIRISS: (Interpretation) I am 100 per cent sure.

15 PRESIDING JUDGE STEINER: So I ask, please, court officer to consult briefly with
16 interpreters and court reporters on whether it's possible for us to extend to 1.30. We
17 have the problem with the tape, as well.

18 THE INTERPRETER: Message from the interpreters: We can continue until 1.30.

19 THE COURT OFFICER: Madam President, if I may, just for the record, the tapes will be
20 changed right now so that we have more time for counsel to finish. And I just please ask
21 everybody in the courtroom to -- not to use the microphones or anything, and not to say
22 anything for the next three to five minutes. Thank you.

23 (Pause in proceedings)

24 THE COURT OFFICER: Madam President, we can now proceed. We are back in
25 private session.

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1 PRESIDING JUDGE STEINER: Maître Liriss, you have the floor. Should we continue
2 in private session?

3 MR LIRISS: (Interpretation) I don't think so. We might --

4 PRESIDING JUDGE STEINER: Court officer, we may go into public session, please.
5 (Open session at 1.08 p.m.)

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

7 QUESTIONED BY MR LIRISS: (Interpretation)

8 Q. Mr Witness, to come back to the question of Mr Jean-Jacques Badibanga, now, these
9 questions refer to your statement in which Mr Bemba very rarely intervened in
10 operational issues, and this is to be found in the English transcript of 3 October 2011, page
11 20, line 17; page 20, line 19 to 14; page 20, line 2 to 7; same page, lines 20 to 24. Once
12 again in English, transcription of the same day, page 17, lines 13 to 14; page 17, line 25;
13 page 18, line 4.

14 All these transcriptions refer to the statement which you made in which you said that
15 Mr Bemba very rarely intervened in operational matters. And now, I don't know if you
16 know this, but can you assess, or perhaps you have already done so, Mr Witness, would
17 you be kind enough just to look in my direction? Thank you. Mr Witness, could you
18 assess, perhaps you already have done so, the number of messages that are contained or
19 can be contained in these two log-books?

20 A. I do not remember, since I do not have the log-books with me.

21 Q. Very well. Let me tell you there are 844 messages. Mr Witness, is it true that the
22 messages which allegedly came from Mr Bemba, which Mr Badibanga showed you, only
23 concern in fact 14 or 15 messages out of the 844 in total?

24 A. I do not know, sir, because I do not have the log-books in hand.

25 Q. Very well. I counted them myself and he gave the number of messages which he

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1 read out, and they are here. In fact, there are 16, I'm being told 16 messages were shown.
2 Mr Witness, Mr Badibanga gave you only the origins of the messages; he did not talk
3 about the content. So, to follow on from what you said, you talked about Mr Bemba's
4 rare involvement in operations. Let me talk about the content of these messages, which
5 is really very short. Should I refer to the Post-its, please?

6 PRESIDING JUDGE STEINER: The page, Maître, but are you going to read for the
7 witness to confirm the content?

8 MR LIRISS: (Interpretation) I would like the witness to tell me what the nature or the
9 type of the message is. Thank you. First message. CAR-D04-0002-150, I believe. We
10 do not have the ERN number. "From Chairman to Resevre (phon) Zongo, please send all
11 elements from Gbado."

12 Q. Mr Witness, what does OFIDA mean, please?

13 A. Office of Data.

14 Q. Did this message have any operational nature --

15 THE INTERPRETER: Correction from the interpreter. This was the Office of Customs
16 and Excise.

17 THE WITNESS: (Interpretation) This was an administrative message, second message.

18 MR LIRISS: (Interpretation)

19 Q. Page 1556: "Flash. Chairman, okay to receive Zongo delegation as it suits them in
20 Gbado." Can you tell me what the nature of this message is, please? Is it an
21 administrative or an operational message, or is it of another type?

22 A. Administrative.

23 Q. Page 1565: "Highly urgent from Chairman to Commander Sector South of Bangui.
24 Okay for the provisional liberation of prisoners." What is the nature of this message,
25 please? Is it administrative, or operational?

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- 1 A. I think it's operational. We're talking about freeing soldiers.
- 2 Q. These are soldiers being held in prison. It doesn't matter. Let's continue, please.
- 3 1574: "Commander Niania, give me the size of the enemy equipment information before
4 you decide to attack." Now, is this an administrative, or intelligence, or operational
5 message? Does it concern logistics?
- 6 A. It's an intelligence message.
- 7 Q. "Chairman: Okay to move radio." Next message: "Please recover these elements
8 in M'Poko straightaway. These -- please indicate the distance between your position and
9 Mambasa." What is the nature of these three messages, please?
- 10 A. Information, intelligence, administrative and then operational.
- 11 Q. Another message: "Do not move. There is no progression." Very well: "No
12 advance towards Bafwasende and Bamanya. Be ready to move towards Mambasa."
- 13 THE INTERPRETER: The end of the question could not be heard.
- 14 THE WITNESS: (Interpretation) Operational message.
- 15 PRESIDING JUDGE STEINER: Maître, which page you were?
- 16 MR LIRISS: (Interpretation) I apologise, 1580.
- 17 Q. 1593 now: "Okay for Sibe (phon) depot." What is the nature of this message,
18 please?
- 19 A. Administrative.
- 20 PRESIDING JUDGE STEINER: Maître.
- 21 MR LIRISS: (Interpretation) Yes.
- 22 PRESIDING JUDGE STEINER: I know we are all in a hurry, but you are unplugging
23 your microphone before you've finished the question. It's not being translated, so please
24 don't switch off your microphone before you finish the question.
- 25 MR LIRISS: (Interpretation) Thank you.

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1 Q. Mr Witness, your Honour, we are on page 1595: "From: Chairman. To: Chief
2 of Staff, general headquarters. Okay for the 2,000 Congolese francs for ..." -- I think it
3 says "Libenge," or "Lilenge." "20,000 Congolese francs." Can you tell me what the
4 nature of this message is, please, sir?

5 A. Administrative.

6 Q. We are now on page 1599 and I will read out the message: "Chairman to the
7 director-general of the police. Please use your people on the spot to cover the area."
8 What is the nature of this message, please?

9 A. Administrative.

10 Q. Page 1612: "Okay, please ask C Brigade Commander to return back to Waka."
11 Second message: "There is no ADF." I don't know what "ADF" means: "There is no
12 Financial Administrative Director here. Please be careful about your information.
13 Same mistake as last time by associating the DRC attack with Manasindi (phon). Be
14 careful about the information which you send." What is the nature --

15 PRESIDING JUDGE STEINER: Please, Mr Badibanga would like to take the floor.

16 MR BADIBANGA: (Interpretation) Your Honour, my learned friend is giving an
17 interpretation to a term which the witness never actually translated here, and in the text
18 we believe this term does not have the interpretation which the Defence has given. We
19 do not believe that "ADF" actually means Financial and Administrative Director, as
20 indicated by the Defence.

21 MR LIRISS: (Interpretation) If you have another interpretation, please do tell us.

22 Q. Mr Witness, what does "ADF" mean in the context of this message?

23 A. This is an administrative message, but "ADF" is not something (Redacted) in
24 military jargon.

25 Q. (Redacted), what does it mean? In military language, does it have a

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1 meaning?

2 A. I said that this is not part of the codes (Redacted).

3 Q. Let me continue on page 1646: "The military court sentenced and is waiting for the
4 opinion of the Chairman." And the Chairman replies: "Okay for capital punishment."
5 What is the nature of this message, please?

6 A. Could you re-read the text, please?

7 Q. Let me just give you the context of this: "Matumona Enavel (phon) prosecuted for
8 arbitrary arrest and theft of 600 francs. Abdel Njola (phon) sentenced to eight years;
9 Mr Matumona to capital punishment according to the code Article 5.5 of the Code of
10 Conduct. Approval of the commander-in-chief required within 24 hours for applying
11 the sanction; in other words, the capital punishment." Answer: "Of the
12 commander-in-chief, yes, concerning capital punishment."

13 A. He is giving the order.

14 Q. Is this an operational order, or an administrative one? Is this an order of another
15 type, perhaps? If you cannot describe it, then don't.

16 A. I cannot describe the nature of this message.

17 MR LIRISS: (Interpretation) I think that within the space of 30 minutes I do not have
18 time to read everything out. The examples which I've given are here before us. The
19 Chamber itself will be able to verify if what I'm saying is true. All the messages which
20 we have been shown here, out of the 16 there are in fact only five messages which could
21 be described as operational orders.

22 In addition, the question which I'm asking the witness --

23 Q. You were asked this question, but the messages were not read out to you. Is there
24 a single message which in any way relates to the Central African Republic; the reason in
25 fact why Mr Bemba is detained here? Let me clarify what I mean. Out of all the

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1 messages which you looked at upon the request of the Prosecution, did you see even one
2 single message which referred to the situation in the CAR; the military operations in the
3 CAR?

4 A. I do not know if you read everything out. I didn't read everything, but I did not
5 see such a message.

6 Q. A final question, please, Mr Witness: Do you remember if the base received from
7 Mustapha a request to approve an order which had been given to him by the Central
8 African authorities?

9 A. Since my statement in 2008, let me refer back to this, I think I have answered the
10 investigators saying that Mustapha received orders from Bombayake and I referred to the
11 report (Redacted). Now, if you want me to restate this, if we can find such a message
12 in the log-book, I don't know. I don't want to say "yes" or "no" on this because we don't
13 have the log-books and I really don't want to answer from memory on this point.

14 Q. Let me rephrase my question. Whenever Mustapha received orders from the
15 Central African authorities before carrying them out, did he first have to obtain
16 Mr Bemba's agreement or approval?

17 A. Maître, only the text and the log-books can answer that question for you. If you
18 found a message in which Mustapha had contacted the base in order to move, well, I
19 really can't answer that question when it's put in that way.

20 MR LIRISS: (Interpretation) Your Honour, I have now completed my examination.

21 PRESIDING JUDGE STEINER: Thank you very much, Maître Liriss. Mr Witness, this
22 now concludes with your testimony. As promised, you will be free to go home as soon
23 as possible, as soon as all arrangements of VWU are in place. As I told you, VWU will
24 contact you now and will provide the Chamber with a report in which you can exchange
25 views with VWU, you can talk about all kinds of concerns you may have and ask about

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1 questions related to your return home, et cetera.

2 I have also one question to put to you, Mr Witness: In the first day before you started
3 giving your testimony, I asked you whether you would agree, in case the parties or the
4 Chamber intends to have your statements as evidence, and you said "no" because there
5 was some clarifications that needed to be made. I have to repeat the question now: In
6 case the parties or the Chamber intend to have your statements as evidence, do you have
7 any objection?

8 THE WITNESS: (Interpretation) Not any more, your Honour.

9 PRESIDING JUDGE STEINER: Thank you, Mr Witness. Since you are concluding your
10 evidence, we want that before you leave the Court we want to express the thanks of the
11 Judges for the time you have taken to come to this country to give evidence in this trial.
12 In order for the Judges to find the truth, it is critical that witnesses, like yourself, are
13 prepared and willing to give evidence to assist us on the relevant issues of the case. We
14 are aware that this must certainly have been inconvenient for you, and this is one more
15 reason why we want to thank you very, very much for coming here and give evidence.
16 Before you leave the room, Mr Witness, the Chamber would like to ask whether you have
17 anything you would like to address to the Judges? It's your time, if you so wish, to take
18 the floor.

19 THE WITNESS: (Interpretation) Thank you very much, your Honour, for giving me the
20 floor. I just want to express my gratitude towards the Judges for the very humane
21 attitude that you have adopted. And I would also like to thank Maître Zarambaud, as
22 well as the Prosecution representatives and the Defence, because of having spent an
23 agreeable time together. May the Lord help all of us. Thank you.

24 PRESIDING JUDGE STEINER: Thank you very much, Mr Witness. Before we turn into
25 closed session in order for the witness to be taken outside the courtroom, I also want to

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(Open Session)

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1 thank very much the Prosecution team, the legal representatives of victims, the
2 Defence team, Mr Jean-Pierre Bemba Gombo. I thank very much to our interpreters and
3 court reporters. We exceeded the time allocated to us and, once again, I want to express
4 the thanks of the Chamber for the indulgence of the court reporters and court interpreters.
5 We will adjourn and resume on Monday, 17 October, unless otherwise the parties are
6 informed about. In principle, we will resume on 17 October at 9.30 in the morning.
7 Thank you again, Mr Witness. This hearing is adjourned. Court officer, please turn into
8 closed session.

9 *(Closed session at 1.38 p.m.) Reclassified as Open session

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

11 (The witness is excused)

12 THE COURT OFFICER: All rise.

13 (The hearing ends in closed session at 1.39 p.m.) Reclassified as Open session

14 RECLASSIFICATION REPORT

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

16 ICC-01/05-01/08-3038 and the instructions in the email dated 30 July 2014, the version

17 of the transcript with its redactions becomes Public