

Trial Hearing
Witness: CAR-D04-PPPP-0006

(Open Session)

ICC-01/05-01/08

- 1 International Criminal Court
- 2 Trial Chamber III - Courtroom 1
- 3 Situation: Central African Republic
- 4 In the case of The Prosecutor v. Jean-Pierre Bemba Gombo - ICC-01/05-01/08
- 5 Presiding Judge Sylvia Steiner, Judge Joyce Aluoch and Judge Kuniko Ozaki
- 6 Monday, 24 June 2013
- 7 (The hearing starts in open session at 9.28 a.m.)
- 8 THE COURT USHER: All rise.
- 9 The International Criminal Court is now in session.
- 10 Please be seated.
- 11 PRESIDING JUDGE STEINER: Good morning, everyone.
- 12 Could, please, court officer call the case.
- 13 THE COURT OFFICER: Situation in the Central African Republic, in the case of The
- 14 Prosecutor versus Jean-Pierre Bemba Gombo, case reference ICC-01/05-01/08, and for
- 15 the record we are in open session.
- 16 PRESIDING JUDGE STEINER: Thank you.
- 17 Good morning and I welcome the Prosecution team, legal representatives of victims,
- 18 Defence team.
- 19 Yes, Mr Haynes?
- 20 MR HAYNES: Your Honour, can I apologise to the Chamber, to everybody in the
- 21 courtroom and to the witness for my part in the delay in the start of this morning's
- 22 proceedings? I travelled from abroad this morning and when I got up at 4 o'clock it
- 23 didn't appear I was going to be late, but I reckoned without the immigration queue at
- 24 Schiphol Airport and the Monday morning traffic around the Hague. I'm very sorry.
- 25 PRESIDING JUDGE STEINER: Mr Haynes, apologies accepted.

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- 1 Good morning, Mr Bemba. Good morning to our interpreters, our court reporters.
- 2 Good morning, Ms Balfas.
- 3 THE COURT OFFICER (via video link): Good morning, your Honour.
- 4 PRESIDING JUDGE STEINER: I can barely hear you, Ms Balfas.
- 5 Ms Balfas, good morning.
- 6 THE COURT OFFICER (via video link): Thank you, your Honour. Good morning,
- 7 your Honour.
- 8 PRESIDING JUDGE STEINER: And good morning, Mr Witness.
- 9 WITNESS: CAR-D04-PPPP-0006 (On former oath)
- 10 (The witness speaks French)
- 11 (The witness gives evidence via video link)
- 12 THE WITNESS: (Interpretation) Good morning, Madam President.
- 13 PRESIDING JUDGE STEINER: Mr Witness, I hope you are feeling well and ready to
- 14 continue with your testimony today?
- 15 THE WITNESS: (Interpretation) Very well, thank you, Madam President.
- 16 PRESIDING JUDGE STEINER: Mr Witness, I need to remind you that you are still
- 17 under oath. Do you understand that, sir?
- 18 THE WITNESS: (Interpretation) Yes, I understand, Madam President.
- 19 PRESIDING JUDGE STEINER: Just a reminder that you are expected to speak very
- 20 slowly - you've been doing it quite well, I must recognise - and remind you not to
- 21 forget that you are under protective measures and therefore you should refrain from
- 22 revealing during public or open sessions any information that could lead to your
- 23 identification. If need be, we go into private session.
- 24 I think you are already familiar with our ground rules; is that correct, Mr Witness?
- 25 THE WITNESS: (Interpretation) Yes, Madam President.

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1 PRESIDING JUDGE STEINER: So I'll give back the floor to Mr Scaliotti, who will
2 continue questioning you on behalf of the Prosecution, and just for the record to
3 inform the parties that we are following only the French transcript. We don't have
4 the English transcript, so I hope everything is going to be okay with that. In any case
5 if any of the parties need a short break, or that we go a little bit slower in order to
6 allow the parties to translate themselves the French transcript, just let me know.

7 Mr Scaliotti, you have the floor.

8 MR SCALIOTTI: Thank you, Madam President. Good morning, Madam President,
9 your Honours.

10 QUESTIONED BY MR SCALIOTTI: (Continuing)

11 Q. Good morning, Mr Witness. This morning I will --

12 A. Good morning, Prosecutor.

13 MR SCALIOTTI: This morning I will continue your examination and possibly,
14 hopefully, we will complete your examination within the end of this session.

15 Madam President, I would like for the next question to move into private session.

16 My idea was to complete a few topics and then move back in open session and
17 possibly complete the examination. That was my plan.

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

19 (Private session at 9.34 a.m.) Reclassified as Open session

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

21 MR SCALIOTTI:

22 Q. Mr Witness, I would like to resume your examination with this question: Do
23 you know if Mr Bemba visited the Central African Republic during the conflict?

24 A. I have no idea, Counsel. I never saw him myself in Bangui, that's my reply to
25 your question, so I have no idea about this question. Why not? Because I never

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1 saw him with my own eyes. Thank you, Counsel.

2 Q. Mr Bemba visiting Bangui would be an important - a big - event, something that
3 the Central African officers and authorities I guess would talk a lot about. Do you
4 agree with that?

5 A. With my own eyes, with regard to my sources of information, this is why I say I
6 had never seen him before today. If he's in the room I would like to see him, because
7 I have never actually see him -- I've never actually seen him and I was never informed
8 that he came to Bangui. Thank you, Mr Prosecutor.

9 Q. Mr Witness, you stated during your testimony in-chief that (Redacted)
10 (Redacted)
11 (Redacted) about
12 Mr Bemba visiting Bangui?

13 A. No, Counsel.

14 Q. If I suggest to you that Mr Bemba was in Bangui on 2 November 2002,
15 specifically at PK12, what would you answer, Mr Witness?

16 A. I have no answer to your question, Mr Prosecutor, and why not? Because I
17 never heard about the visit of Mr Bemba to Bangui. I never saw him with my own
18 eyes in Bangui, so I don't know how I should reply to your question. I'm here to tell
19 the truth and nothing but the truth. I have sworn an oath to do so before the Court.
20 Thank you, Counsel.

21 Q. Mr Witness, on Friday you stated -- and I'd like to give the reference. It's
22 real-time transcript 328, English, page 1 -- I'm sorry, page 11, lines 11 to 22, and the
23 French is page 10, line 21, to page 11, line 4.
24 Now, during your testimony you stated that (Redacted)
25 Do you recall saying this?

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1 A. Yes, Mr Prosecutor.

2 Q. And you stated that (Redacted)

3 (Redacted); is this correct?

4 A. Yes, Mr Prosecutor, that is correct.

5 Q. You also stated that (Redacted)

6 Again, do you recall saying this?

7 A. Yes, Mr Prosecutor, I do recall that very well.

8 Q. And do you confirm this evidence that I just read back to you?

9 A. Yes, I can confirm that, Mr Prosecutor.

10 MR SCALIOTTI: Without being more specific on this point on the -- with regard to

11 (Redacted) simply would like to draw the

12 Chamber's attention to transcript 326, English edited, page 27, line 19, and the French

13 reference is page 29, lines 6 to 7. I'm just drawing the Chamber's attention without

14 flagging too much the issue, but about some possible inconsistencies without flagging

15 too much for reasons the Chamber I'm sure would understand.

16 Q. Mr Witness, I would like to review with you shortly another passage of your

17 testimony on Friday, and I'm referring here to real-time transcript 328, English, page

18 12, line 25. The French version is at page 12, line 9. You stated that, (Redacted)

19 (Redacted) Do you

20 remember this?

21 A. I didn't say (Redacted) I -- sorry. (Redacted)

22 THE INTERPRETER: The witness corrected himself.

23 THE WITNESS: (Interpretation) I didn't talk about -- I talked about (Redacted)

24 (Redacted)

25 MR SCALIOTTI:

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1 Q. Yes, Mr Witness, I think we are saying the same thing. What I mean is that,

2 whenever (Redacted)

3 (Redacted)

4 (Redacted). Is this what you stated?

5 A. (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted). Thank you, Mr Prosecutor.

9 Q. Mr Witness, can you please clarify. (Redacted)

10 (Redacted)

11 (Redacted)

12 A. (Redacted)

13 (Redacted)

14 (Redacted). Thank you.

15 MR SCALIOTTI: Madam President, for the same reason I just explained before I

16 would like to once again draw the Chamber's attention to another transcript, which is

17 transcript 326, English edited version, page 26, lines 18 to 19, and for the same reason

18 I will leave it here with the witness.

19 Q. Mr Witness, I would like to proceed with another clarification from the evidence

20 that you gave on Friday. Now I'm referring to real-time transcript 328, English, page

21 32, lines 10 to 15. The French version is page 30, line 27 to page 31, line 3.

22 You stated that (Redacted)

23 (Redacted)

24 (Redacted)

25 My question is: How do you know that (Redacted)

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1 (Redacted)

2 A. (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted) Thank you,

7 Mr Prosecutor.

8 Q. Mr Witness, am I correct if I say that you were not present, so when (Redacted)

9 (Redacted)

10 (Redacted) Am I correct?

11 A. (Redacted)

12 (Redacted)

13 Thank you, Mr Prosecutor.

14 Q. So, Mr Witness, I understand from your answer that you were not present and

15 you are just drawing an inference of yourself. Thank you. And we can move to

16 another topic now.

17 PRESIDING JUDGE STEINER: Mr Scaliotti, if you allow me? Since you are in this

18 transcript and in this page, I also had a comment to make on the same, very same

19 transcript, 328, but now -- the same page, 32.

20 That at one point the witness said, at least this is how it is in my notes - I will check

21 the wording - (Redacted)

22 (Redacted)

23 (Redacted)

24 THE WITNESS: (Interpretation) Could you please repeat the question, Madam

25 President? I didn't quite grasp it.

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1 PRESIDING JUDGE STEINER: Just one second. I will try to find the right wording
2 in the previous transcript.

3 Mr Scaliotti, proceed while I'm trying to find the transcript please.

4 MR SCALIOTTI: Thank you, Madam President, and I think at this point in time we
5 may try to move to open session, and of course before doing that I will remind the
6 witness once again to be careful.

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

8 (Open session at 9.53 a.m.)

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

10 MR SCALIOTTI:

11 Q. Mr Witness, we are now continuing your examination in open session.

12 Therefore I remind you to be very careful what you say, and please don't give any
13 information that may reveal your identity. Do you understand this?

14 A. Yes, I understand, Mr Prosecutor. Thank you.

15 Q. I would like now to take very briefly the issue of co-ordination between armies.
16 Now, do you agree with me that to have two armies working together, a good
17 relationship between the soldiers of the two armies is very important?

18 A. Could you please repeat your question, Mr Prosecutor? I didn't quite grasp it.
19 Thank you.

20 Q. Of course, Mr Witness. I'm trying to ask you if you agree with me that to have
21 two armies working together, it is absolutely necessary to have a good relationship
22 between the soldiers belonging to the two armies. Do you agree with that?

23 A. Good relations, I don't understand. The MLC troops had come to help and
24 they -- that's all. They had been organised in two sections. There were
25 troops -- they were troops which we didn't know but we had mixed them so that they

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1 could work together for the conflict we were facing. It's not a question of good
2 relationships. That I don't know, Mr Prosecutor.
3 They were brought together for a good cause.

4 Q. Mr Witness, are you aware of any incident between the MLC soldiers and the
5 FACA soldiers during the conflict?

6 A. What incidents are you referring to, Mr Prosecutor? What incidents? What
7 incidents are you talking about exactly? Thank you.

8 Q. Mr Witness, I will give you a clear example. And I'm referring here to a
9 document which is number 14 in the Prosecution list of documents. It's a public
10 document. And the ERN is CAR-OTP-0013-0082.

11 We don't need to display this document. I can briefly summarise it.

12 Mr Witness, the document I'm referring to is a press article from a newspaper called
13 Le Citoyen. Do you know this newspaper, Le Citoyen, apparently a local newspaper
14 from Bangui?

15 A. Yes, I know it, Mr Prosecutor.

16 Q. On 5 November 2002, the newspaper Le Citoyen published a press article
17 stating that on 27 October 2002 the MLC troops were at the location called the
18 36-Villas, where they systematically pillaged houses, and the FACA soldiers were also
19 there and they were only able to protect two houses belonging to two Central African
20 ministers, and while the FACA soldiers protected these two houses of the ministers
21 from the pillaging of the MLC troops, the MLC troops in the meantime were busy
22 pillaging all the other houses around.

23 This is a clear example of what I was referring to, so a situation where the FACA, for
24 instance, had to protect houses of Central African ministers from the MLC troops.

25 Were you aware of this incident?

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1 A. Which ministers was the newspaper referring to precisely? Which ministers
2 was the newspaper talking about? I don't know.

3 Q. The two ministers involved in this incident, according to this press article, were
4 "Monsieur Gbézéra-Bria et du ministre de la défense Angoua."

5 So I repeat to you my question: Have you heard of this incident? And, of course, I
6 remind you once again don't give any information that may lead to your
7 identification.

8 A. Well, I am learning about this from the Court today. Mr Prosecutor, I was
9 never aware of this information. Thank you.

10 Q. Mr Witness, this must have been a very serious incident, as we said, involving
11 two ministers of the Central African Republic, but you never heard about this
12 incident? That's what you're saying, right?

13 A. I have just told you that I have just become aware of this information through
14 the Court. I have never heard of any looting at Minister Gbezera-Bria's. I have just
15 learnt about that information from the Court now. Thank you, Mr Prosecutor.

16 Q. According to this press article, as I told you, we have the FACA soldiers
17 essentially facing the MLC troops and protecting houses of two ministers of the
18 Central African Republic against the looting of the MLC troops. Do you agree with
19 me that this is not an indication of any co-ordination between the two armies, the
20 MLC and the FACA?

21 A. Well, Mr Prosecutor, I do not understand. The MLC troops were under the
22 responsibility of the Central African Army. The MLC troops did not know anything,
23 nothing whatsoever. They did not know the field. They did not know anything
24 about Bangui. That is why when they came to Bangui they were merged with our
25 army, according to various sections, so that our army should have control over them.

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1 So what I understand therefore, Mr Prosecutor, if my understanding is correct, is that
2 they were under the control of our army.

3 Now, talking about what the newspaper reported, I never learnt about it, I never read
4 that newspaper article and I am therefore not in a position, Mr Prosecutor, to provide
5 you with an answer. All I know is that those forces were merged with the FACA.

6 They were under the control of the FACA and the USP. Mr Prosecutor, thank you.

7 Q. So just to conclude on this, the incident that I read to you doesn't change your
8 position that the MLC troops and the FACA were in good co-ordination; am I correct?

9 A. Well-co-ordinated? What do you mean by that, Mr Prosecutor? Could you
10 be a little clearer? What do you mean by "well-co-ordinated"?

11 Q. Mr Witness, I am just quoting your words, and I'm referring to transcript,
12 real-time, 328bis, English, page 9, lines 17 to 18, and you said exactly, "The MLC
13 troops and the FACA troops were in good co-ordination." So I'm simply quoting
14 what you stated and I'm asking you if you -- despite the incident that I mentioned to
15 you, if you maintain your evidence that I just quoted?

16 A. In one word, Mr Prosecutor, what I can say is that I was never informed of this
17 incident. If I had been informed and aware of it I would have been able to provide
18 you with some clarification, but I was never informed of it, Mr Prosecutor. Thank
19 you.

20 MR SCALIOTTI: Madam President, I don't know if I can help the Chamber, but I
21 think the reference that you were looking for is in transcript 328, page 32, lines 10 to
22 15.

23 PRESIDING JUDGE STEINER: I already have it with me and I was just waiting for
24 you to conclude these topics and I would go back into private session to put my
25 question again.

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1 MR SCALIOTTI: So in this case, Madam President, yes, I've finished with this
2 question. I'm happy to give you back --

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

4 (Private session at 10.08 a.m.) Reclassified as Open session

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

6 PRESIDING JUDGE STEINER: Mr Witness, one follow-up question. Have you
7 ever heard anything about MLC troops looting houses, raping women, killing
8 civilians? You never, ever heard anything about that? Is this your testimony?

9 THE WITNESS: (Interpretation) Yes, your Honour. I was never informed of the
10 MLC troops looting, raping, stealing. I was never informed of any of those things.

11 Why? Because the MLC troops were under the responsibility of the Central African
12 Army. The MLC troops obeyed orders. The MLC troops were merged with our
13 army.

14 I am a Central African. My father is Central African. My mother is Central African.
15 I love my country. I am here to tell the truth and nothing but the truth. I never
16 heard any of that.

17 Well, maybe - maybe - some people from Zaire who were in Bangui, the shoe-shiners,
18 maybe some of them did a number of things in Bangui and they could be confused for
19 the MLC troops. What I can say is that the MLC troops were strictly under the
20 control of the Central African Army.

21 Thank you very much, Madam President.

22 PRESIDING JUDGE STEINER: I will leave the shoe-shiners aside for a while.

23 You insist so much that the MLC was under the control of the FACA and USP. Is it
24 possible then that FACA and USP were committing those crimes: Looting and
25 raping and stealing?

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1 THE WITNESS: (Interpretation) Your Honour, let me remind you that Bozizé
2 arrived in Bangui on 25 October 2002. The MLC troops arrived in Bangui on
3 29 October 2002. The MLC troops started fighting on 30 October. Before their
4 arrival there was already some resistance by our army, that is the FACA and USP,
5 resistance to the attacks by the Bozizé forces, so at that time there might have already
6 been cases of rape, death and looting even before the MLC troops arrived. So,
7 Madam President, there was already fighting before the MLC troops arrived.
8 Thank you.

9 PRESIDING JUDGE STEINER: Mr Witness, I'm not going to insist with you because
10 probably you don't know anything about crimes that have been committed after MLC
11 troops were already there, and it is then for the Chamber to analyse evidence and to
12 find out whether the crimes were committed by FACA, by USP, by MLC, by Bozizé,
13 et cetera, et cetera, but if in your view crimes were committed only before the MLC
14 came to the country, so I'm not going to ask anything else about that.
15 I'm going back now to that reference that I made on real-time transcript 382 -- sorry,
16 328, page 32, lines 10 to 21, and unfortunately I have only the English version with me,
17 but here you said (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 My question is for you to confirm that (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted) Can you explain to the Chamber, please, why do you say that?

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1 THE WITNESS: (Interpretation) Yes, indeed, Madam President. (Redacted)
2 (Redacted) warning everybody because there had
3 already been cases of looting and crimes, even before their arrival. So he had given
4 orders to ensure that this did not occur again or that these were not ongoing. So that
5 was my understanding of how and why (Redacted)
6 (Redacted), to ensure that everybody on the ground was in check. That is it, your
7 Honour. Thank you.

8 PRESIDING JUDGE STEINER: Judge Aluoch.

9 JUDGE ALUOCH: Mr Witness, you have just said that there was will already
10 fighting before the MLC arrived. Since you were on the scene, who can you say,
11 according to your observation, who was looting, committing crimes, raping? Are
12 you able to say that precisely?

13 THE WITNESS: (Interpretation) Bozizé had already occupied the northern
14 neighbourhoods with his troops for a number of days, five days, actually. From
15 PK10, Gobongo, Fouh and PK12 they had control over that area for five days, and
16 during that time many things happened, your Honour. So, many crimes were
17 committed by Bozizé's troops. The Zaghawa, who were from Chad, had come in
18 and they had no pity for anybody in Bangui. They came to take the country, so they
19 had no pity for anyone. Thank you, your Honour.

20 PRESIDING JUDGE STEINER: Mr Scaliotti, can we turn back into open session, or
21 do you still have questions to put in private?

22 MR SCALIOTTI: We can move to open session, Madam President.

23 PRESIDING JUDGE STEINER: Court officer, please turn into open session.
24 (Open session at 10.17 a.m.)

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

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1 PRESIDING JUDGE STEINER: Just I received information that the English
2 transcript is back, for those that prefer to follow it in English.

3 MR SCALIOTTI: Thank you, Madam President.

4 Q. Mr Witness, now we are again in open session, so please be careful what you
5 say. Don't give information that may reveal your identity, and in particular now I'm
6 going to ask you questions about your contacts with the Defence, so you don't need to
7 mention places where meetings took place.

8 You understand me?

9 A. Yes, I do.

10 Q. Mr Witness, you confirmed that you met with Mr Kilolo on two occasions. Is
11 this correct?

12 A. Yes, that is correct, Mr Prosecutor.

13 Q. Did you meet anybody else from the Defence team?

14 A. The first time I met with Kilolo, Kilolo was with a lady. I met both of them,
15 Mr Prosecutor. They were together, two of them.

16 Q. Mr Witness, I would like to ask you, do you know how the Defence got your
17 name? And please don't mention, in case don't mention any name, just answer if
18 you know how the Defence got your name, but no names, please.

19 A. Last time in my testimony I stated that I do not know where or how Kilolo got
20 wind of my name. I do not know how he managed to obtain my phone number.
21 One day my phone rang and then we got in touch, but I do not know how he got
22 information about me. Mr Prosecutor, thank you.

23 Q. My last question on this specific point, Mr Witness: So, finally, did anybody
24 put you in touch with the Defence? And please just answer "Yes" or "No."

25 A. No, Mr Prosecutor, never.

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1 Q. Mr Witness, did you talk to any person who you know is a witness in this trial?

2 A. No, Mr Prosecutor, never.

3 Q. Let's go back to the meetings that you had with Mr Kilolo. How long was the
4 first meeting with him?

5 A. When I arrived at the location, he was waiting for me downstairs in his hotel,
6 with a lady. They received me at the bar of the hotel. We spent maximum 20 to
7 25 minutes. Then he asked me to come along with him to his hotel room, and I said,
8 "No." Then I went back. So I spent, at the very most, 20 to 25 minutes with Kilolo.
9 Thank you, Mr Prosecutor.

10 Q. So from what you are saying, after Mr Kilolo asked you to follow him to his
11 hotel and you said "No," the first meeting was over; am I correct?

12 A. That is correct, Mr Prosecutor. He was waiting for me at his hotel. I arrived
13 at the hotel. He was waiting for me downstairs. We went to the bar, where we
14 spent 20 to 15 minutes -- no, rather, 20 to 25 minutes. He asked me to come with him
15 to his room upstairs because he wanted to talk with me in his room, but I turned
16 down the offer and I left, Mr Prosecutor. Thank you.

17 Q. Why you turned down that offer?

18 A. Mr Prosecutor, I have been living in exile for ten years. For ten years my life
19 has been endangered. So I'm very cautious whenever I meet anyone. So I told him
20 that if he wanted to talk with me, we could talk where we were, downstairs, and not
21 in his room. How was I to know whether he was the counsel he claimed to be?
22 I am a soldier. I'm a cautious man, and I continue to be cautious today regarding my
23 life and I am cautious in the presence of anybody or everybody, Mr Prosecutor.
24 Thank you.

25 PRESIDING JUDGE STEINER: Mr Scaliotti, allow me to interrupt you.

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1 I want to go briefly into private session.

2 (Private session at 10.27 a.m.) Reclassified as Open session

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

4 PRESIDING JUDGE STEINER: Mr Witness, now that you are repeating that you
5 feared for your life, I want to -- you to explain to us what you said, and it is also
6 transcript 328, page 34, starting on line 12, that you fled after Mr Bozizé took power,
7 you fled on 16 March 2003. And when you were asked, "What did you fear might
8 happen to you if you stayed?" And your answer, "I had served under President
9 Patassé and then Bozizé had taken over. (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 Mr Witness, (Redacted)

14 (Redacted) I did not

15 understand why you said that (Redacted). Can you explain to me,
16 please?

17 THE WITNESS: (Interpretation) Thank you, your Honour. We are dealing here
18 with two different forces. When Bozizé came, his purpose was to capture power,
19 (Redacted)

20 (Redacted)

21 So if I had remained in Bangui at the time, do you think that I would be here today
22 before this Court giving you my testimony?

23 No. Many things are happening in the country. Today Bozizé is no longer there,
24 but I could easily go back to my country today. However, the fact is that the men
25 who supported Bozizé in order to bring him to power are still the same men who

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1 have betrayed Bozizé today. They are the same people who have now put in power
2 the current president - the current president - so I cannot even consider returning to
3 my country.
4 (Redacted)
5 (Redacted)
6 (Redacted)
7 (Redacted)
8 (Redacted)
9 (Redacted)
10 (Redacted)
11 (Redacted)
12 (Redacted)
13 (Redacted)
14 (Redacted)
15 (Redacted)
16 (Redacted)
17 (Redacted)
18 (Redacted)
19 (Redacted)
20 (Redacted)
21 (Redacted) or as you
22 say, it doesn't appear very reasonable because I suppose there are many former
23 Patassé's military that continued in the army after Bozizé took power. So that's why
24 I insist in my question: Did you have (Redacted)
25 (Redacted) as you say?

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1 THE WITNESS: (Interpretation) (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

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

13 (Open session at 10.35 a.m.)

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

15 MR SCALIOTTI:

16 Q. Mr Witness, now we are back in open session and I would like to return to the
17 topic of the first meeting we had -- you had with Mr Kilolo. So, during that meeting,
18 did you have any opportunity to discuss what you know about what happened in
19 Bangui in -- during the conflict in 2002/2003?

20 A. Counsel Aimé Kilolo had all the information about me. I was very surprised to
21 know the information that he had about me. He knew me. He knew my function
22 at the time. So we didn't discuss at length because he already had the information
23 about me. That surprised me. That intrigued me, Mr Prosecutor. Thank you.

24 Q. What I would like to know from you is whether during that meeting you were
25 asked questions about what you know with regard to the events in Bangui and

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1 Central African Republic. Were you asked any questions about the facts that we are
2 discussing in this trial?

3 A. No, he didn't ask me any questions about what I'm currently talking to the
4 Court about. Perhaps when he invited me to come to his room, it was to ask me that
5 type of question because we were in the bar and we couldn't talk of such things in the
6 bar.

7 That's why he asked me to come to his room. But I refused and I left. So we didn't
8 discuss things about the events in 2002/2003. I didn't discuss those things with
9 Maître Aimé Kilolo. I didn't discuss those things, Mr Prosecutor.

10 Q. Let's talk about the second meeting now. How long was the second meeting
11 with Mr Kilolo?

12 A. When I arrived, he was waiting for me in front of a hotel that I know. When I
13 got out of the taxi, he was already there. He took me and we went immediately to
14 the room of the ICC, where they were waiting for me. So I went straight away to the
15 room where the team from the ICC was waiting for me. Thank you.

16 Q. And how long was the meeting with Mr Kilolo? For how long you were with
17 him on that day?

18 A. That didn't take any time. He was waiting for me down in front of the hotel
19 where the ICC team was waiting for me. When I got out of the taxi, he took me.
20 We went up directly to the room where the ICC team was waiting for me. Thank
21 you.

22 Q. And during that day, did you have the opportunity to talk with Mr Kilolo about
23 the events that happened in Bangui and in CAR in 2002 and 2003?

24 A. I and Mr Kilolo did not even sit down to talk about such things. They're not
25 sort of things we talk about. He took me up the stairs to the room and he said to me

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1 that the ICC team was waiting for me. It took two to five minutes. He -- they were
2 waiting in the room. The team was waiting for me. There was Michel, who was
3 there. They introduced themselves, with Michel. There was Mahmoud and the
4 protection, the security. There was the registrar, Moustapha. There was somebody
5 from the social affairs service. And after some minutes Michel took me and took me
6 to a hotel. I did not have the chance to discuss anything at all with Mr Kilolo.
7 I don't know him. I don't trust him. I wouldn't talk to him about things that I know.
8 Thank you, Mr Prosecutor. Thank you.

9 Q. Mr Witness, I would like to remind you that we are in open session, so please
10 don't give names of staff members.

11 Now, having clarified about the two meetings that you had --

12 A. Thank you.

13 Q. -- with Mr Kilolo, so after that second meeting, did you have any other contact
14 with the Defence team?

15 A. Never. From the time that counsel put me into the hands of the ICC, never.
16 The ICC team blocked my telephone. They gave me another telephone that I'm
17 using. I have no contact with Defence until today. I have been in the hands of the
18 ICC 'til today. Thank you, Prosecutor.

19 Q. Therefore, just to conclude on this, is it correct that you never discussed
20 anything relating to the events in Bangui and Central African Republic with the
21 Defence team?

22 A. I didn't even know who Kilolo was. I am in exile. I'm not going to talk about
23 anything to anybody. Who would I talk to? Today, if I'm talking, it's because I'm in
24 front of the ICC and that's why I'm saying what I know. I never discussed this with
25 anyone else. I don't know who Mr Kilolo is. I -- why should I trust him? I am

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1 very suspicious of everything with regard to my life and the safety of my life,

2 Mr Prosecutor. Thank you.

3 Q. Mr Witness, can you confirm that you were not paid any money by anybody to
4 testify in this trial?

5 A. I would remind you that they gave me the money for transport that I paid to get
6 to the meeting, so only the travel costs. Mr Kilolo said, "Here is the money that you
7 have spent on getting here." That's all. Thank you, Mr Prosecutor.

8 Q. Do you remember how much was that money that Mr Kilolo gave you as a
9 reimbursement of your travel expenses?

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

11 (Private session at 10.46 a.m.) Reclassified as Open session

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

13 PRESIDING JUDGE STEINER: It's just because, if he says the currency, maybe the
14 place in which the witness is can be identified.

15 You can answer to the question, Mr Witness.

16 THE WITNESS: (Interpretation) Yes, Madam President.

17 PRESIDING JUDGE STEINER: Can you repeat the question, Mr Scaliotti?

18 MR SCALIOTTI: Sure, Madam President.

19 Q. Mr Witness, my question before we moved back to private session was: How
20 much did Mr Kilolo pay to you as reimbursement of your travel expenses?

21 A. Mr Kilolo gave me (Redacted) for my transport. He first said that ICC
22 would send me the money. He asked me to take a loan, because I said I didn't have
23 the money to travel, and he would pay me when I got there. He gave me the
24 (Redacted). That's all.

25 Q. Mr Witness, while we are in private session I would like to ask you just one only

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1 question about this and then we will move back to your contacts with the Defence.

2 So you are saying - and this is what you told Madam President - that you are

3 (Redacted)

4 (Redacted). So how do you explain

5 that you (Redacted)

6 (Redacted) in Bangui?

7 PRESIDING JUDGE STEINER: Yes, Mr Haynes?

8 MR HAYNES: Can we have a reference, please, for the evidence that shows that

9 (Redacted)

10 PRESIDING JUDGE STEINER: Fair enough.

11 MR SCALIOTTI: I don't have a reference for that. I can simply rephrase the

12 question to the witness, if Defence counsel is happy with that?

13 Q. Mr Witness, do you know whether (Redacted) in Bangui?

14 A. Well, thank you, Madam President. (Redacted)

15 Q. Thank you, Mr Witness. So my question is: How do you -- (Redacted)

16 (Redacted)

17 (Redacted) Do you have an explanation for that?

18 A. Mr Prosecutor, (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted), Mr Prosecutor.

3 Thank you.

4 MR SCALIOTTI: Madam President, we can move back to open session, thank you.

5 PRESIDING JUDGE STEINER: Before that, just a clarification.

6 Mr Witness, you said that reimbursement of your expenses was in the amount of

7 (Redacted) Which currency

8 is this one?

9 THE WITNESS: (Interpretation) (Redacted)

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

11 (Open session at 10.53 a.m.)

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

13 MR SCALIOTTI:

14 Q. Mr Witness, I would like to bring you back to crimes committed by Bozizé's

15 forces and in case by the MLC. Now, you stated that on 30 October 2002 the fighting

16 started; am I correct?

17 A. That is indeed so, Mr Prosecutor. Thank you.

18 Q. So after the fighting the loyalist troops, meaning the MLC and the FACA troops,

19 reached the area of PK12 and PK13; am I correct?

20 A. The loyalist forces were mixed. Well before that there were already loyalist

21 forces there, Mr Prosecutor. MLC troops came after. The loyalist forces were

22 already there. The MLC came afterwards. The loyalists were there. They were

23 mixed with the Libyans who were there, the Sudanese who were there. They were

24 already mixed. And the MLC troops came and they were split among the sections of

25 the FACA and the USP already started the combat. Thank you, Mr Prosecutor.

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1 Q. So after this operation, after this fighting as you said, Bozizé's rebels were
2 repelled out of the area of PK12 and PK13, right?

3 A. That is correct. That's correct, Mr Prosecutor. When the fighting started, they
4 managed to repel. There were three axis, there was Boy-Rabé, Marabena, Gobongo,
5 and from PK12 to PK13 we repelled them.

6 Q. So after the MLC troops reached PK12 and PK13, since that time are you -- you
7 said you are not aware of any crime committed by them. Can you confirm that,
8 since that point in time when the MLC troops reached PK12 and PK13, you're not
9 aware of any crime committed until the end of the conflict in that area?

10 A. In the zone of PK13, Abdoulaye -- well, could we please move into closed
11 session, Madam President? Thank you.

12 PRESIDING JUDGE STEINER: Mr Scaliotti, it's time for the break. I think we'll
13 have to turn back for this question and answer after the break.

14 Mr Witness, it's 11 o'clock. We'll have now our half-an-hour break in order for you
15 to take some rest, a cup of coffee, a cup of tea. We'll be back at 11.30.

16 The hearing is suspended.

17 THE COURT USHER: All rise.

18 (Recess taken at 10.59 a.m.)

19 (Upon resuming in open session at 11.34 a.m.)

20 THE COURT USHER: All rise.

21 Please be seated.

22 PRESIDING JUDGE STEINER: Mr Witness, welcome back.

23 THE WITNESS: (Interpretation) Thank you.

24 PRESIDING JUDGE STEINER: Ready to continue, Mr Witness?

25 THE WITNESS: (Interpretation) Yes, I am ready to continue.

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1 PRESIDING JUDGE STEINER: Thank you very much.

2 Mr Scaliotti, you have the floor.

3 MR SCALIOTTI: Thank you, Madam President, and maybe it would be better to move
4 once again to private session because the witness before the break said that he wanted to
5 answer my question in private session?

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

7 (Private session at 11.35 a.m.) Reclassified as Open session

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

9 MR SCALIOTTI:

10 Q. Mr Witness, can you hear me?

11 A. Yes, I can hear you perfectly, Mr Prosecutor.

12 Q. Before the break we were talking about the area of PK12, PK13, and you said that,
13 "After the joint operation, we were seeing the MLC troops occupying that area of PK12
14 and PK13"; is this correct?

15 A. The MLC troops were at PK12, not at PK13. They were based at the Begoua school
16 at PK12. That is the situation, Mr Prosecutor.

17 Q. And my question before the break was: If, after the MLC troops reached PK12,
18 from that point onwards are you aware of any crime that was committed in that area,
19 meaning PK12 and PK13?

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 PK13 is a market, a shepherds' market - they sell meat - and the troops of Abdoulaye

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1 Miskine at PK13 were uncontrollable there. They were looting, killing people at PK13.

2 (Redacted)

3 (Redacted)

4 Thank you, Mr Prosecutor.

5 Q. Mr Witness, let's focus now on the MLC troops. Have you heard of any crime
6 committed by the MLC troops since they reached PK12 and PK13?

7 A. Mr Prosecutor, I was never told of anything, nor did I hear or see with my own eyes
8 of rape, looting by the MLC troops. I would remind you that the MLC troops were
9 mixed up together with the FACA and the USP. The MLC troops were not familiar with
10 Bangui, they didn't know the neighbourhoods of Bangui, but although they were in the
11 combat they were very afraid; very afraid because they weren't familiar with the capital.
12 They had just arrived in order to fight, but as to which direction they could go to loot or
13 steal how could they have known that? I never heard any talk of the MLC troops. I
14 never heard of any -- talk of any rapes or looting by the MLC troops because the looting
15 and other crimes started before they arrived.

16 I can give you an example of an abduction of the government spokesman, Prosper
17 N'Douba. At the time that Bozizé's men abducted Prosper N'Douba, they abducted him,
18 we were --

19 Q. Mr Witness, can I interrupt you? You said this already, so I would be grateful if
20 you could just focus on my question and I think you answered my question by saying that
21 you never heard of any crime committed by MLC troops; is this correct?

22 A. That is indeed so, Mr Prosecutor.

23 PRESIDING JUDGE STEINER: Should we remain in private?

24 MR SCALIOTTI: No, Madam President. I was exactly about to say that we can
25 certainly move back into open session.

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1 Thank you.

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

3 (Open session at 11.43 a.m.)

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

5 MR SCALIOTTI:

6 Q. So, Mr Witness, you confirm that you never heard anything in -- for instance, in
7 media report, reports on the radio, press articles on the newspaper, nothing talking about
8 crimes committed by the MLC troops?

9 A. During the conflict I was not listening to the radio and I was not reading the press,
10 so I never heard anything or read anything of this nature, no, Mr Prosecutor.

11 Q. Have you received any complaint, for instance from the population, from people of
12 the Central African Republic, about crimes committed by the MLC troops?

13 A. (No audible response)

14 Q. Mr Witness, did you hear my question?

15 A. Yes, I did, Madam President, but please could you repeat the question because I
16 didn't quite grasp it?

17 Q. I asked you if it ever happened to you to talk to someone, some people, population
18 of the Central African Republic, and receiving complaint about crimes committed by the
19 MLC troops?

20 A. Mr Prosecutor, I'm here to tell you what I saw and what I heard. If there are people
21 who have been accused, you should bring them before the Court to clarify the situation.
22 I can't reply to questions about things I have never heard and never seen and that I know
23 nothing about. Thank you, Mr Prosecutor. And I would remind you that I am a
24 Central African. I am not Congolese. I have taken an oath to serve my country. I
25 could never betray my country, so I'm telling you what I saw and what I heard.

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1 Thank you, Mr Prosecutor. That's all I wanted to say.

2 MR SCALIOTTI: Okay, Mr Witness. So I see your position. You never heard of any
3 crime committed by the MLC during the conflict. I thank you for your co-operation for
4 answering my questions.

5 Madam President, I have no further question for this witness.

6 Thank you.

7 PRESIDING JUDGE STEINER: Thank you very much, Mr Scaliotti.

8 Mr Witness, the legal representatives of victims were authorised by the Chamber to put
9 some questions to you, and for that purpose I will then give the floor to Maître
10 Zarambaud.

11 Maître?

12 MR ZARAMBAUD: (Interpretation) Thank you very much, Madam President.

13 QUESTIONED BY MR ZARAMBAUD: (Interpretation)

14 Q. Mr Witness, good morning.

15 A. Good morning.

16 Q. Mr Witness, I am Counsel Zarambaud of the Central African Republic and here I
17 represent the interests of certain victims. As Madam President explained from the
18 beginning of your testimony I have been authorised to ask you questions that I have
19 submitted to the Chamber in advance, but I'm sure you'll understand that some of these
20 questions are no longer of interest because in the sheet presenting your case the Defence
21 said that you only worked during the first two weeks of the conflict, whereas here you
22 said you worked throughout the conflict.

23 I would remind you of the recommendations made to you; that is not to say anything that
24 could lead to your identification and to speak as slowly as possible and to wait five
25 seconds after I have asked you a question before commencing your answer.

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1 Have you understood these things of which I just reminded you, Mr Witness?

2 A. Yes.

3 PRESIDING JUDGE STEINER: Yes, Mr Haynes?

4 MR HAYNES: Just to observe I let it pass the first time when Mr Scaliotti said it, but the
5 summary doesn't say (Redacted)

6 (Redacted), and there's a very subtle difference

7 which I think a lot of people have misunderstood and I think putting it to the witness in
8 that way is misleading.

9 PRESIDING JUDGE STEINER: Mr Haynes, I am so sorry, but even I was misled by the
10 way it is written in the summary and even this information you now give is contradicted
11 by what the witness said. Let's not mention in which position, but he was in the same
12 position for the whole of the conflict. This is his testimony, so there is a mistake in the
13 summary, Mr Haynes.

14 MR HAYNES: Well, I'll clear it up in re-examination.

15 PRESIDING JUDGE STEINER: Mr Zarambaud, you can continue.

16 MR ZARAMBAUD: (Interpretation) Madam President, given the need to safeguard
17 the identity of the witness, I did not want to say what he did, but it's clearly said in the
18 summary that -- in the summary that he only held this function to -- for the first two
19 weeks of the events. So, having said this, I will move on to my questions.

20 Q. Mr Witness, you will understand that we have to sketch the scene, the context of the
21 events, and transcript 328, page 48, line 7 to 13, you said that the problems of the FACA
22 was a problem of numbers and not a problem of weaponry. So, according to you, why
23 was there a problem with numbers among the FACA?

24 A. As I said, our problem was not the problem of weaponry. It was a problem of
25 numbers. We didn't have enough men. This is why the president appealed to the MLC

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1 troops to come and support us. Thank you.

2 Q. I think I will put my question again more briefly. Why did the FACA have low
3 numbers? Why did they not have enough men?

4 A. The rebellion of Bozizé was supported greatly by the Zaghawa which you are very
5 familiar with, the Chadian soldiers. They arrived in the capital, and the FACA and the
6 USP was able to take control of them at 4th Boy-Rabé roundabout, towards Marabena.
7 That's it.

8 So there were many of them at the time because they were supported by the Chadians and
9 so it was then that the president asked the MLC troops, but before that there were troops
10 there. It was not only MLC troops. The MLC troops were the last to come to Bangui.
11 That's all I wanted to say, Counsel. Thank you.

12 Q. Mr Witness, I'm sorry to dwell on this. I didn't ask how the FACA and their allies
13 managed to repel Bozizé's troops, nor did I ask whether there were Chadians in Bozizé's
14 forces. You said that the problem was a problem of numbers and this was the reason
15 behind the request made to the MLC by President Patassé, so I'm asking a simple question:
16 Why was there a problem of numbers among the FACA?

17 A. I am answering simply the president needed support. It was very simple. In the
18 face of the rebellion under Bozizé, he needed support in order to counter this rebellion.
19 That's my answer. Thank you.

20 Q. Thank you, Mr Witness. I note that you are not willing to reply to the question
21 about numbers, a matter that you raised yourself.

22 Before moving to another question - a follow-up question - I would like to say that,
23 although I am from the Central African Republic, I am not here as a witness, not
24 here -- and what the witness is saying is to explain to the Chamber. I am not giving my
25 personal knowledge of the situation in Bangui, whether I was there at the time or not. So,

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1 Mr Witness, we're not talking about my knowledge. The purpose is to inform the
2 Chamber.

3 So I will move on to the second question, which is a follow-on question. During your
4 examination thus far you have talked of the Deputy Chief of the General Staff, but no
5 mention has been made of the Chief of the General Staff on the -- from 25 October 2002 to
6 15 March 2003. So when Bozizé's troops arrived in the capital on 25 October 2002, where
7 was the Chief of Staff?

8 A. The Chief of Staff was there, but I don't know his position. The Chief of Staff was
9 there, but I'm not really familiar with his position and that is because (Redacted)

10 (Redacted)

11 (Redacted)

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

13 (Private session at 12.00 p.m.) Reclassified as Open session

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

15 PRESIDING JUDGE STEINER: Mr Witness, could you please avoid saying in public
16 session that (Redacted) You were doing so well now. Let's continue like that.

17 (Redacted)

18 THE WITNESS: (Interpretation) Thank you, Madam President. Thank you very
19 much.

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

21 (Open session at 12.02 p.m.)

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

23 MR ZARAMBAUD: (Interpretation)

24 Q. Thank you, Mr Witness. As you've just been reminded, I'm going to ask you a
25 question, but please pay attention not to mention your post or function you were in when

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1 you heard or did not hear what I asked you. It's very important for your safety.
2 So, as far as you know - and I say again without mentioning explicitly your function at the
3 time - as far as you know, during the whole of the conflict, (Redacted)
4 (Redacted)
5 (Redacted) I
6 would like to say (Redacted)
7 (Redacted) throughout the entire duration of
8 the conflict. Thank you.

9 Q. I have well understood, Mr Witness. If I ask this question, that was because you
10 said a moment ago that you had not had any information concerning -- during this period.

11 Now I will go on to the next question. So, did you hear that when the Banyamulengue
12 arrived in Bangui, the Deputy Chief of Staff went to take refuge at the Chinese Embassy?

13 A. I was never aware of that, Counsel.

14 MR ZARAMBAUD: (Interpretation) Your Honour, I have two questions that I would
15 like to put in private session, to avoid his identity being revealed.

16 PRESIDING JUDGE STEINER: Before you do that, Maître Zarambaud, this reference
17 that the Deputy Chief of Staff went to take refuge at the Chinese Embassy, do you have
18 the reference for this information?

19 MR ZARAMBAUD: (Interpretation) The question that I put to the witness without the
20 reference, either he's aware of it or not.

21 PRESIDING JUDGE STEINER: The problem is that in that case even the Chamber
22 doesn't know what you're talking about, which deputy chief and whether it's true or not,
23 but -- so the Chamber will simply disconsider the question.

24 You want to go into private session?

25 MR ZARAMBAUD: (Interpretation) Because my two questions will be put into private

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1 session, I would like to take advantage of that to be able to speak of this.

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

3 (Private session at 12.06 p.m.) Reclassified as Open session

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

5 MR ZARAMBAUD: (Interpretation) Your Honour, the Deputy Chief of Staff who we

6 referred to during the entire questioning of the witness and also during all the other

7 examinations is General Mazi, and I just wanted to know if, according to the witness, if

8 he'd heard that when the MLC troops arrived, whether General Mazi took refuge

9 somewhere, and where did he stay immediately, given the aggression of Bozizé's

10 rebellion?

11 PRESIDING JUDGE STEINER: Yes, Mr Haynes?

12 MR HAYNES: Well, it strikes me that there's so much wrong with that on a number of

13 levels.

14 Firstly, it's not a question you have authorised.

15 Secondly, had you been asked to authorise it, you would almost undoubtedly have

16 refused to allow it, it having no basis. But rather more worryingly, we are concerned

17 about the practice that rose up of reminding Central African witnesses by both the legal

18 representatives of victims that they are Central African citizens at the start of the

19 examination and then protesting that they are not here to give evidence, and it seems to

20 me implicit in that suggestion in that question about the Chinese Embassy is

21 Mr Zarambaud purporting to give evidence to the witness, and I would ask you to keep a

22 weather eye on the reminder of unauthorised questions in this examination. That seems

23 to me to be a question that wasn't authorised and simply would never have been.

24 PRESIDING JUDGE STEINER: We lost connection.

25 Mr Witness, can you hear me?

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1 THE WITNESS: (Interpretation) Yes, I can hear you, Madam Judge, very well. I can
2 hear you perfectly.

3 PRESIDING JUDGE STEINER: Maître Zarambaud, I would like you to clarify the
4 Defence and the Chamber on whether this is a follow-up question, and if it is, what is the
5 reference, because Mr Haynes is right. This question was not among the questions you
6 submitted to the Chamber, so unless you show us that this is a follow-up question, based
7 on something the witness said during his testimony, we'll have to move forward and this
8 question will not be considered as relevant, or pertinent.

9 MR ZARAMBAUD: (Interpretation) Your Honour, it was -- well, people spoke so
10 much about General Mazi. As such, I didn't think that it was useful to have a reference,
11 in order to indicate it. It was about him because, according to the witness, it was General
12 Mazi who commanded everything in the field.

13 Now, my question was whether he had started to command everything in the field from
14 the start of operations, and the reference was made to General Mazi. That's something
15 we can find in transcript 328, 21 June 2013, page 28, lines 26 and following.

16 The witness indicates that it was André Mazi who also controlled the men who were in
17 the field or on the ground. (Redacted)

18 (Redacted). It was André. He was the commander of everyone. So, if you
19 like, Madam President, I can reformulate my question, asking: Was General Mazi the
20 commander of everyone from the entry of MLC troops?

21 PRESIDING JUDGE STEINER: The witness can answer to this question.

22 THE WITNESS: (Interpretation) I think that the last time I said it was André Mazi who
23 was the commander of operations during the entire duration of the conflict in Bangui,
24 with Thierry Lengbe of the CCOP, and there was a time when Thierry Lengbe fled. And
25 the president also didn't have much trust in André Mazi and it was at that time as well

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1 that the general started to give orders as well. I was very clear in my answer on Friday,
2 Counsel.

3 MR ZARAMBAUD: (Interpretation)

4 Q. Thank you, Witness. Given that you've answered in the affirmative, General Mazi
5 was present during the entire duration of the conflict, the other aspects are things I -- well,
6 I didn't ask about.

7 Now I'm going to finish with my two last questions in private session, your Honour.

8 Now, you stated -- and this is in the transcript 328, page 37, lines 22 to 25. You stated
9 that (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 A. Counsel, I said the following last time: (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted). Thank you.

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 Thank you, Counsel. (Redacted)

6 (Redacted)

7 (Redacted). Thank you very much, Counsel.

8 Q. I'm asking my last question in private session. You stated, and this is still

9 transcript 328, page 12, line 15, that (Redacted). Do you

10 remember (Redacted)

11 A. Very well, Counsel. (Redacted)

12 (Redacted) That was it, Counsel.

13 MR ZARAMBAUD: (Interpretation) Thank you, Witness.

14 Your Honour, I think that we can go into open session.

15 PRESIDING JUDGE STEINER: Yes, Maître Badibanga?

16 MR BADIBANGA: (Interpretation) Please excuse me, your Honour. Just before we

17 go into open session, I thought also by way of reaction to the point Mr Haynes raised to

18 also help the Chamber. I remember that the witness, Witness 31 of the Prosecution, did

19 speak about this issue of the Chinese Embassy, and I was looking in the transcript and

20 you will find the reference in transcript 183, at page 44, lines 20 to 24. French version, it's

21 page 48, lines 2 to 5.

22 And as you were saying, your Honour, I think that it's important if this information could

23 be brought to the Chamber then it needs a basis and, as far as we can see, the basis is

24 Witness 31. Thank you very much.

25 PRESIDING JUDGE STEINER: Thank you, Maître Badibanga.

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1 Court officer, please turn into public session.

2 (Open session at 12.20 p.m.)

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

4 MR ZARAMBAUD: (Interpretation)

5 Q. Witness, I would like to go back to the arrival of the Banyamulengue. Once again

6 (Redacted)

7 (Redacted)

8 Now, my question was a follow-up question once again, because in transcript 328, page 17,

9 line 7 to 12, you stated (Redacted)

10 (Redacted). And another witness, that's in transcript 325, 18 June 2013, French

11 version, page 65, lines 13 to 17, and this witness -- that's not far from the day we are today.

12 Now, this witness indicated, as far as that witness was concerned, that the general, or the

13 Director-General of the Presidential Security, had sent troops to the naval base in order to

14 receive the ALC troops and to report to him, and so he didn't go personally. What do

15 you think of that?

16 A. He was there. The general was there at the naval base. He was there. (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 That's it. Thank you, Counsel.

22 Q. So you consider what this witness said, namely that General Bombayake didn't go

23 himself to the port to receive the Banyamulengue, what this witness says you say that

24 doesn't correspond with the truth? Is that what you're saying?

25 A. It is indeed that. (Redacted)

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1 (Redacted). Thank you, Counsel.

2 Q. Witness, I have to insist that you can answer this type of question once more

3 (Redacted)

4 (Redacted). Please just give the information. Thank you very much.

5 A. Thank you, Counsel.

6 Q. Now, where it concerns (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted) Thank you.

16 Q. For the moment I didn't speak about (Redacted). I was speaking about

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted). Thank you.

24 Q. Once again, I just want to insist that you just give the information. I'm not asking

25 for what you were doing, (Redacted). That's not what

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- 1 I'm asking. (Redacted)
- 2 (Redacted)
- 3 (Redacted), but we are in open session and you
- 4 therefore must just answer the question giving the information, (Redacted)
- 5 (Redacted) what you're telling to the Chamber.
- 6 A. Thank you, Counsel.
- 7 PRESIDING JUDGE STEINER: Court officer, please turn into private session.
- 8 (Private session at 12.28 p.m.) Reclassified as Open session
- 9 THE COURT OFFICER: We are in private session, Madam President.
- 10 PRESIDING JUDGE STEINER: Maître Zarambaud, it's just in order to facilitate my work
- 11 (Redacted). If you
- 12 (Redacted) it makes it even worse, so (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 Did you understand me, Maître?
- 17 MR ZARAMBAUD: (Interpretation) Certainly, madam. Certainly. Thank you, your
- 18 Honour.
- 19 PRESIDING JUDGE STEINER: Court officer, please, you can turn into open session.
- 20 (Open session at 12.30 p.m.)
- 21 THE COURT OFFICER: We are in open session, Madam President.
- 22 MR ZARAMBAUD: (Interpretation) Thank you, your Honour.
- 23 Q. Witness, still with transcript 328, French version, page 22, lines 5 to 6 and lines 14 to
- 24 17. Now, you spoke about orders that were given to the troops, MLC troops, when they
- 25 arrived at the support regiment and the mixing that occurred between the troops, those

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1 troops and the FACA. So my question is as follows -- well, the first sub-question, if you
2 like: What type of order was given to the support regiment?

3 A. Counsel, when I spoke about orders, it was when they were already in the field. It
4 was when they were already on the ground, at the front in the fighting, that I speak about
5 orders. I didn't speak about orders at the time when they arrived at the support
6 regiment.

7 When they arrived at the support regiment, they received the uniforms, the radios,
8 weapons, and orders were given at the time when they had already left into the field,
9 Counsel, if I've made myself clear. Thank you very much.

10 Q. I have presumably interpreted incorrectly what you said, but if I look at page 22,
11 lines 5 and 6, you said, "After the uniforms and the weapons, they first received orders,"
12 but I will move on to the next sub-question.

13 You said that there was a mix made. From the Central African side, did that involve
14 only the FACA, or did it also involve the militias, such as the militias from Miskine, FCPS,
15 Barril and others? Was everybody mixed up or only the FACA were mixed with the
16 ALC?

17 A. They were grouped into sections. I have to speak here in military terms here.
18 They were grouped into sections with the FACA and the USP, not with the other troops
19 that you've just mentioned, Counsel. They were sections including the FACA and the
20 USP. Thank you, Counsel.

21 Q. I will allow for the five seconds.

22 On 328, lines 24 to 25, you said, on the same subject of mixing and uniforms, when they
23 received uniforms and weapons, the communications radios, they were given a
24 demonstration for the field. It was the liaison commander, Tutu Kuese, who give them a
25 demonstration of the field. For the demonstration in the field, Tutu Kuese gave them this

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1 demonstration of the field.

2 It may be that I don't understand correctly but, when this was done, was this at the
3 support regiment?

4 A. They were based at the support regiment. They arrived on the 29th, and they had
5 the time. They arrived on the 29th. They were given uniforms and weapons and so on
6 to be able to fight and they started on the 30th, but all that happened at the support
7 regiment. The section commanders that was all at the support regiment, because when
8 they arrived they were based at the support regiment, so all that happened at the support
9 regiment before they moved into the field. Thank you.

10 Q. Do you know briefly, remembering that we're not military ourselves here in the
11 room, do you know briefly what this demonstration for the field consisted of that you
12 mentioned as taking place at the support regiment?

13 A. They arrived. (Redacted) a demonstration of the field. I don't think I need to
14 say that. These were soldiers that arrived. They were split up into sections, and this
15 was from the head of section. That was more or less how it was, Counsel, a
16 demonstration of the field.

17 These were soldiers who'd arrived. The demonstration of the field, we stripped them off
18 into sections. That was done pretty swiftly because we were planning on starting
19 fighting on the 30th, so there wasn't too much in the way of demonstration.

20 Q. Mr Witness, did you hear that at the support regiment there were musical
21 instruments and computers and that the MLC troops made haste to loot all of this?

22 A. At the support regiment, the MLC troops who were not familiar with Bangui, where
23 would they go? They were under the control of our troops who were there in the field.
24 They were under control. Counsel, they were under control. So that's why they were
25 split up, and their section commanders were Central Africans. Their section

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1 commanders were not Banyamulengue; they were Central Africans, and as for the
2 support regiment, nothing was looted there. Nothing was looted there. I would
3 remind you of that, Counsel. Thank you.

4 Q. At the support regiment, so far as you know, nothing was looted, but did you hear
5 that at the support regiment 30 FACA soldiers were arrested, stripped, disarmed and
6 beaten by the MLC troops?

7 A. I never heard that. When one is a soldier at home and when foreigners come and
8 beat you in your own country, well, Counsel, the troops were under control, Counsel. I
9 never heard anything of that nature. Thank you.

10 Q. Mr Witness, I would be happy to hear your reply simply that you didn't hear
11 anything, but as your logical reasoning, that can be applied to many things. One could
12 say, "We didn't steal because it's -- stealing is forbidden," but if you are aware of the facts,
13 and I will take note, and if you say you are not aware of the facts, as you have just said,
14 then I will also take note of that.

15 So, on page 10 -- sorry, on page 28 of the same transcript, 328, which I mentioned earlier
16 when we were talking (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted) So, in the

20 Central African Army, between the Deputy Chief of Staff of the FACA and the director of
21 the USP, hierarchically speaking, who is superior, or are they independent one of another?

22 A. I will reply briefly to your question, saying what I know. During the whole of the
23 conflict, it was the whole of -- the whole of the conflict, it was André Mazi who was
24 commanding the troops in the field. I don't want to go into too much detail but, as far as
25 I know, it was André Mazi who was commanding operations. Thank you.

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1 Q. Mr Witness, (Redacted) the structure of the Central
2 African Army. So when you said Mazi was commanding everything and he reported to
3 General Bombayake, I have a question about the hierarchy.
4 Unless I am mistaken, hierarchy is an extremely important idea in the army. It is at the
5 heart of discipline. So, in the hierarchy of the structure of the Central African Army,
6 (Redacted), between the Chief of Staff and the
7 Director-General of the Presidential Security, or of these two, who is higher in the
8 hierarchy, or are they independent one of another? My question is clear.

9 A. During the conflict, the president had greater trust in the general. He was more
10 trusting of the general. He was too trusting of the general. So everything went via the
11 general, and he ordered Mazi to be the commander of operations, and from time to time
12 Mazi reported to the general and the general reported to the supreme commander. It
13 was a difficult time for hierarchy. (Redacted).

14 Q. I'm sorry, this is not the answer to my question, that the president had more
15 confidence in Bombayake rather than General Mazi. You have already said this. But in
16 the structure of the Central African Army, if one takes the commander of the forces and
17 the Director of the Presidential Security Unit, who is higher in the hierarchy? It's a
18 simple question. It's not related to the trust that the president may have had in a
19 particular person.

20 A. I would ask if we can move into private session, please.

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

22 (Private session at 12.46 p.m.) Reclassified as Open session

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

24 PRESIDING JUDGE STEINER: Yes, Mr Witness, what would you like to say that cannot
25 be said in public session?

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1 THE WITNESS: (Interpretation) I just wanted to remind Counsel that (Redacted).
2 All the questions he's asking me here, well, he should be asking the questions on my
3 testimony. He shouldn't ask me questions out with my testimony. I just wanted to
4 remind Counsel of that. Everything I know was that André Mazi was commanding
5 operations. It was a time of conflict. The president was distrustful of everyone. So if
6 he had too much trust in the general, so he remained in the base. I -- this is the basis.
7 The Counsel is taking me into an area that I'm not familiar with, and I would like to say
8 again to Counsel that I'm here to tell the truth and nothing but the truth.
9 Thank you, Madam President.

10 PRESIDING JUDGE STEINER: Mr Witness, we cannot even say that there was any kind
11 of translation problem. You repeated many times during your testimony that you are a
12 (Redacted) and the question put by Maître Zarambaud is a question that as (Redacted)
13 (Redacted), but if you don't know the answer just say, "I don't know." You cannot say
14 something if you don't know. So instead of repeating and repeating things, you just say,
15 "I don't know." But as a matter of fact I think you should know in terms of hierarchy
16 who is on the top, but if you don't know it's not a problem.

17 Maître Zarambaud, let's -- yes? Yes, Mr Witness?

18 THE WITNESS: (Interpretation) With regard to the hierarchy it was the Chief of Staff
19 who was the boss of the DG of Security, but there was a question of trust because it was a
20 very difficult period for the president, so the president chose who he could have
21 confidence in. It was no longer a question of hierarchy. It was a question of who you
22 could trust.

23 That's all I wanted to add, Madam President. Thank you.

24 PRESIDING JUDGE STEINER: You see, you just answered to the question with no
25 problems at all.

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1 Court officer, please turn back into open session.

2 (Open session at 12.50 p.m.)

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

4 MR ZARAMBAUD: (Interpretation)

5 Q. Thank you, Mr Witness, for having replied to this question.

6 Mr Witness, in today's transcript, page 17, 26 to 28, you said that the Zaghawa were

7 Chadians who had not -- who had no pity on the people of Bangui. Within the loyalist
8 troops of Miskine, were there no Chadians in this troop; this force?

9 A. Miskine's forces were truly mixed. Miskine had Chadians, that's true, he had
10 Central Africans and he also had some Sarawi at the time. It was a very mixed group.
11 Thank you, Counsel. That's all I wanted to say.

12 Q. So that would mean from the Bozizé rebellion side and on the loyalist side everyone
13 had Chadians?

14 A. This was indeed the case, Counsel.

15 Q. Mr Witness, in today's transcript, page 15, lines 15/16, you said -- when it came to
16 contesting the commission of abuse by the MLC troops, you said that, "The MLC troops
17 were well-monitored by our forces," but since you were never in the field at PK12 - and
18 I'm not talking about Damara, Sibut, Bossembélé, Bossangoa, Bozoum - how could you
19 have known? Is this your analysis, or are these facts that you experienced?

20 A. I would like to answer that question in private session, because I fear otherwise I
21 might identify myself.

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

23 (Private session at 12.54 p.m.) Reclassified as Open session

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

25 PRESIDING JUDGE STEINER: Yes, Mr Witness?

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1 THE WITNESS: (Interpretation) I just wanted to remind Counsel that (Redacted)

2 (Redacted)

3 (Redacted). So all the

4 information was coming. (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted).

8 Thank you, Counsel. That's all I wanted to say.

9 MR ZARAMBAUD: (Interpretation) Yes, I had understood that. I was waiting for the
10 president to turn us back into open session.

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

12 (Open session at 12.56 p.m.)

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

14 MR ZARAMBAUD: (Interpretation)

15 Q. Mr Witness, as far as you're aware, (Redacted)?

16 A. I'm not talk -- here to talk about, "As far as I know ..." If I say, "As far as I know ...",
17 I would be in danger of lying to the Court and that's what I'm trying to avoid. I'm here
18 to know -- to tell you what I know, so could you please stop saying, "As far as you
19 know ..."

20 During the whole conflict, (Redacted)

21 (Redacted)

22 (Redacted)

23 So please ask me a question, but please do not preface it with, "As far as you know ..." I
24 am here to tell truth, not to invent things, so I'm not happy with, "As far as you know ..."

25 Thank you, Counsel.

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1 Q. Mr Witness, if I may be allowed to say so, as far as I know saying, "As far as you
2 know ...", does not mean I'm asking you to make anything up. If the same question
3 could be put as, "Do you know?", "As far as you know ..." means to me, "Do you know?"
4 So I am in no way trying to lead you into a trap, or cause you to lie. It's not my role.
5 We're trying here to get to the truth, and I would ask you to consider the questions I'm
6 putting to you as being aimed at giving the Court the best possible information about
7 what happened.

8 I will continue. In transcript 328, page 61, line 23 and 24, you said that the MLC troops
9 were mixed with the Central African forces. They received their PGA, their food, their
10 medicines. Everything was available to them because they were mixed with the Central
11 Africans and they were all treated the same.

12 So the question I would like to ask is to know whether they got a PGA and food, or the
13 PGA is the general allowance for food? Did the PGA not allow the MLC to be fed? Did
14 they get PGA plus food?

15 A. They had both, Counsel, PGA plus food. They also had medicine. There was
16 even an ambulance made available to them. They had both at the same time.

17 Q. Did they also get a monthly salary?

18 A. That I don't know, Counsel. That I don't know. As far as I saw and what I know
19 is they had the PGA. They got the PGA and food, which arrived in large quantities.
20 They were given large amounts of food and they were given medicine, but I don't know
21 what the position was with salaries.

22 Q. And with regard to the loyalist troops, the FACA and the USP, do you know
23 whether these troops were receiving their salaries?

24 A. At the end of the conflict, people received their salaries, but during the conflict it
25 was the PGA and the food. You can't give them their salaries during the conflict. You

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1 can't do that. The salaries was after the conflicts. During the conflict, it was the PGA.

2 Thank you, Counsel.

3 Q. Thank you, Mr Witness. I didn't ask whether they were advanced their salaries or
4 not; I just asked whether they were paid, and you have replied that they were not -- the
5 salaries were not paid during the conflict.

6 I have other questions to ask you about the atrocities committed by the Banyamulengue,
7 but since on a number of occasions and in reply to my learned friend Mr Haynes, and also
8 in reply to questions from the Prosecutor, you said that, as far as you know -- sorry, I will
9 strike the term "as far as you know."

10 You said that you never heard of any atrocities committed by the MLC troops, so I think
11 there is no point asking you questions about that. And I would like to thank you for
12 your answers to my questions.

13 MR ZARAMBAUD: (Interpretation) Madam President, I have finished and I would
14 like to thank you also.

15 THE WITNESS: (Interpretation) Thank you also, Counsel. Thank you.

16 PRESIDING JUDGE STEINER: Thank you, Maître Zarambaud.

17 Mr Witness, now Maître Douzima Lawson, legal representative of victims, is going to put
18 some questions to you as authorised by the Chamber.

19 Maître Douzima, you have the floor.

20 MS DOUZIMA LAWSON: (Interpretation) Thank you very much, your Honour.

21 QUESTIONED BY MS DOUZIMA LAWSON: (Interpretation)

22 Q. Good morning, Witness.

23 A. Good morning, Counsel.

24 Q. I'm Counsel Marie-Edith Douzima Lawson. I'm Central African and the Central
25 African Bar - I am a lawyer there - and like Counsel Zarambaud, I represent a number of

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1 victims who have admitted to participate in these proceedings in which you are currently
2 testifying.

3 Your Honour, for my first question I wish we could go into private session, please.

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

5 (Private session at 1.05 p.m.) Reclassified as Open session

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

7 MS DOUZIMA LAWSON: (Interpretation)

8 Q. Witness, I would like to go back to the post that you occupied at the time of the
9 events. Now, in Friday's hearing, page 11, from page 1 and following, you stated that

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 A. (Redacted). I

14 confirm that. Thank you.

15 Q. (Redacted)

16 (Redacted).

17 A. To clarify, (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted). Thank you.

21 Q. Thank you very much. It's much clearer now, Witness.

22 A. Thank you.

23 Q. Witness, you tried to give a few names a moment ago. So there was (Redacted)

24 (Redacted)

25 A. (Redacted). That's why I can't remember it after ten

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- 1 years today. Thank you.
- 2 Q. (Redacted)
- 3 A. (Redacted)
- 4 (Redacted)
- 5 Q. (Redacted)
- 6 A. (Redacted)
- 7 Q. Thank you very much.
- 8 A. Thank you.
- 9 Q. Why did (Redacted)
- 10 (Redacted)
- 11 (Redacted). Thank you.
- 12 Q. Now, you stated on the same page, line 17 thereof, "I (Redacted)
- 13 (Redacted) Now, when you say, (Redacted)
- 14 A. (Redacted)
- 15 (Redacted)
- 16 Q. (Redacted)
- 17 (Redacted)
- 18 A. (Redacted)
- 19 Q. You also stated, page 25, that "(Redacted)
- 20 (Redacted) That's what you said.
- 21 Now, could you tell us under what -- in what circumstances (Redacted)
- 22 (Redacted)
- 23 A. I said that at the time of the conflict (Redacted)
- 24 (Redacted)
- 25 (Redacted).

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1 Q. (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 Thank you.

7 Q. Thank you very much, Witness.

8 A. Thank you.

9 Q. Now I'm going on to transcript. Now, this is still Friday's transcript, and page 12
10 thereof, line 15, or on line 15 you stated that (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 A. (Redacted)

15 Q. (Redacted)

16 A. I've forgotten his first name but it's his surname that I remembered. It's not so easy
17 for me after ten years. Thank you.

18 Q. While you don't know (Redacted), but you do know (Redacted)

19 (Redacted).

20 How can it be that you don't know exactly (Redacted)

21 (Redacted)

22 A. (Redacted)

23 Thank you.

24 Q. (Redacted)

25 (Redacted)

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1 A. It's just by chance that I remember their names. The fact that I've forgotten a name,
2 this is normal. That's the reason for that. I don't know why you insist on that?

3 Q. Witness, this is just something that I note. Do you know (Redacted)?

4 A. Never heard it. Never.

5 Q. Witness, I would like to go back to your role. Now, you said that (Redacted)

6 (Redacted) for the duration of the conflict. From October 2002 to March 2003

7 (Redacted); is that right?

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 Q. Do you know if (Redacted) currently?

14 A. (Redacted)

15 (Redacted). Thank you.

16 PRESIDING JUDGE STEINER: Maître, if you allow me? I did not understand the
17 answer given by the witness. It may be a problem with the transcript, so if you allow me
18 a clarification?

19 Mr Witness, it is here in the English transcript that you, "... (Redacted)

20 (Redacted) -- for the duration of the conflict until after the conflict when we were able to

21 (Redacted). It was after the conflict (Redacted)

22 (Redacted) I did not understand this, "... after the conflict ..." When

23 was -- which period you are referring to?

24 THE WITNESS: (Interpretation) Yes.

25 PRESIDING JUDGE STEINER: When you say, "... after the conflict ..." --

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1 THE WITNESS: (Interpretation) It was the period from November. The end of

2 (Redacted)

3 Thank you, your Honour.

4 PRESIDING JUDGE STEINER: So when you say that you (Redacted)

5 (Redacted) just the month of November, is that correct,

6 because in November (Redacted)

7 THE WITNESS: (Interpretation) In the month of November, (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted). Thank you.

13 PRESIDING JUDGE STEINER: Now, I think I understand (Redacted), so thank you,

14 Maître Douzima.

15 MS DOUZIMA LAWSON: (Interpretation)

16 Q. Witness, with regards to your last answer, now I'm the person who's confused now.

17 I reminded you of one of your statements, or your testimony, page 84, line 11. Now you

18 stated, (Redacted)

19 (Redacted)

20 For you the end of the conflict, when was the end of the conflict?

21 A. At the time of the conflict, well, from October (Redacted)

22 (Redacted). Bozizé came back again in March 2003. In March 2003 Bozizé came back again,

23 that is to say five months, five months later, so during the first conflict (Redacted)

24 (Redacted) and after the conflict (Redacted)

25 (Redacted). That was in the month of March that Bozizé came back again with his troops.

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1 Thank you.

2 Q. The first conflict, when -- when was that from and to?

3 A. Well, I'm speaking about the conflict from 29 October 2002. That's what I'm talking
4 about, Counsel.

5 Q. Exactly. And when did it last until?

6 A. The fighting lasted for three days; three days. (Redacted)

7 (Redacted). The fighting lasted for three days and during three days (Redacted)

8 (Redacted) Three

9 days, thank you.

10 PRESIDING JUDGE STEINER: Sorry, Maître Douzima. It's like starting all over again
11 the whole testimony. (Redacted)

12 (Redacted) Is that what you are saying?

13 THE WITNESS: (Interpretation) I gave my testimony. (Redacted)

14 during the conflict, and Bozizé came back. On the 25th to the 29th the MLC arrived, and
15 that was the period in which (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 Thank you, your Honour.

23 PRESIDING JUDGE STEINER: Thank you, Mr Witness.

24 Maître Douzima, would you agree that we go into the break and you continue after the
25 break, or you still have one last question, a short one, to be put?

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(Open Session)

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1 MS DOUZIMA LAWSON: (Interpretation) Your Honour, I think it would be wise to
2 take a break now. This would make it possible also for the witness to perhaps
3 re-remember what happened at this time. Thank you very much.

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

5 (Open session at 1.26 p.m.)

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

7 PRESIDING JUDGE STEINER: Mr Witness, we will now suspend for the lunch-break.

8 It's almost 1.30. We will resume at 3 o'clock.

9 The hearing is suspended.

10 THE COURT USHER: All rise.

11 (Recess taken at 1.26 p.m.)

12 (Transcription of the hearing continues in Transcript:

13 ICC-01/05-01/08-T-329bis-CONF-ENG)

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, the version of the transcript with its redactions becomes Public.