

1 International Criminal Court
2 Trial Chamber III - Courtroom I
3 Situation: Central African Republic
4 In the case of The Prosecutor v. Jean-Pierre Bemba Gombo -
5 ICC-01/05-01/08
6 Presiding Judge Sylvia Steiner, Judge Joyce Aluoch and
7 Judge Kuniko Ozaki
8 Trial Hearing
9 Monday, 24 June 2013
10 (The hearing starts in open session at 3.05 p.m.)
11 THE COURT USHER: All rise. Please be seated.
12 PRESIDING JUDGE STEINER: Good afternoon and welcome back. For
13 the record, Mr Bemba was authorised to be absent during the afternoon
14 hearing.
15 Good afternoon. Good afternoon, Mr Witness.
16 THE WITNESS: (Interpretation) Thank you, madam.
17 PRESIDING JUDGE STEINER: You're ready to continue with your
18 testimony, sir?
19 THE WITNESS: (Interpretation) Yes, I'm ready, your Honour.
20 PRESIDING JUDGE STEINER: Then I'll give back the floor to
21 Maître Douzima to continue questioning the witness.
22 WITNESS: CAR-D04-PPPP-0006 (On former oath)
23 (The witness speaks French)
24 (The witness gives evidence via video link)
25 MS DOUZIMA LAWSON: (Interpretation) Thank you very much,

Witness: CAR-D04-PPPP-0006 (On former oath) (Private Session)
Questioned by Ms Douzima Lawson (Continuing)

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1 your Honour. I haven't finished with my questions in private session.

2 If we could go into private session, if you would be so kind.

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

5 (Private session at 3.06 p.m.) Reclassified as Open session

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

7 QUESTIONED BY MS DOUZIMA LAWSON: (Continuing)

8 Q. (Interpretation) Witness, before the break we were speaking about
9 the period in which you replaced (Redacted)
10 (Redacted). Witness, I mentioned that I was confused
11 with regard to the answers that you'd given. I would just like to remind
12 you of your testimony which you gave on Friday. Transcript 84, lines 11
13 to 12.

14 Now, you said, Witness, that you (Redacted) during the
15 duration of the conflict, and on the same page you stated, lines 21 to
16 24, you stated -- I'm starting on line 22:

17 (Redacted) at the time of the event."

18 And why? You're the person who asked this question. You
19 answered yourself:

20 (Redacted)

21 (Redacted)

22 In no case, Witness, do you speak about the first conflict,
23 second conflict. You stated at the time of the events (Redacted)
24 (Redacted), and now suddenly, page 72, you said you (Redacted)

25 during the conflict, and Bozizé came on the 25th to the 29th. The MLC

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1 (Redacted)

2 "After the fighting of the 30th, it lasted three days. (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 Witness, can you make a distinction between your testimony? You
7 said on Friday that during the conflict, that you (Redacted), and
8 you gave no precision with regards to the first or second conflict, and
9 what you've been saying just now, can you explain that?

10 A. Counsel, I think that here we're talking about the second
11 conflict. That is to say, the 2002 conflict. If I'm not mistaken,
12 that's what we're talking about, Counsel. So if I am -- or I'm answering
13 you in accordance with what I came to answer about. I didn't come to
14 speak about the first conflict. I came to speak about the 2002 conflict,
15 if I'm not mistaken. I hope you understand me, Counsel.

16 Q. When did the 2002 conflict start, and when did it finish?

17 A. Is that a question or is it a statement? I'd just like to know
18 which.

19 Q. What difference are you making between interrogatoire and
20 question? I don't understand your point here.

21 A. Well, I'm speaking to you about the event which started on the
22 25th, the precise arrival of Bozizé in Bangui, that is to say, from the
23 25th that (Redacted). Thank you.

24 Q. (Redacted)

25 A. (Redacted)

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1 March. 16th of March -- well, no, 15th of March Bozizé's troops came
2 back and I stopped on the 16th of March. On the 16th of March is when I
3 fled. Thank you. That is to say, from the 25th to five months later I
4 worked, and it was on the 16th of March that I fled. Thank you.

5 Q. We'll speak about the day on which you fled later. The problem
6 here is to know when (Redacted). Witness, you stated that
7 it was up to the 30th of October. (Redacted)

8 (Redacted)

9 (Redacted). Now, between the 30th of October and the 15th of March,
10 15th of March, 2002 -- sorry, 30th of October, 2002, and 15th of March,
11 2003, there was no longer a conflict in the Central African Republic?

12 A. The 30th of October. From the 30th of October to the 15th of
13 March (Redacted). That is to say, the fighting with the MLC
14 troops started on the 30th. It lasted for three days. (Redacted)
15 (Redacted). It lasted for three days, and afterwards, (Redacted)
16 (Redacted) until the 15th, when Bozizé came back to
17 Bangui. Thank you.

18 Q. Well, that's exactly the purpose of my question. So from the
19 30th to the 15th (Redacted). There wasn't a conflict. That's
20 what you're saying.

21 A. From the 30th of October to the 15th there wasn't a conflict, but
22 (Redacted). That was it, Counsel.

23 Q. I'm not going to insist on this, Witness, but if I put it to you
24 that essentially you were not (Redacted), what
25 would you say?

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1 A. Well, that's your opinion. You're the one that's saying that.

2 Q. Thank you, Witness. Yes, I'm the one who's saying that. That's
3 something I've stated.

4 A. Exactly. That's why I'm saying you're the one who's saying it.

5 Q. Witness, as you were hurried to speak about the date upon which
6 you left the Central African Republic, I'll come back to that.

7 Now, you stated that you left the Central African Republic on the
8 16th of March, 2003. This is something you said on Friday. That's page
9 32, lines 17 to 28. Now, when you were asked the question as to why you
10 left, you answered it was when Bozizé took power on the 15th of March,
11 and you were asked what you were afraid of if you stayed, and your answer
12 was: "Well.

13 , I couldn't stay in Bangui. (Redacted)

14 (Redacted)

15 Witness, could you explain why (Redacted)?

16 A. I'm a soldier. I served another regime. Another regime came to
17 make another regime full. You know that. You know how these things work
18 (Redacted). If I'm -- if I left, that was for my
19 security. Firstly, that's the reason why I left. (Redacted)
20 (Redacted).

21 Q. Thank you, Witness. Now, when you talk about (Redacted)
22 (Redacted)

23 A. We're all soldiers. They're soldiers. I'm a soldier. It's
24 normal (Redacted)
25 (Redacted)

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1 (Redacted)

2 (Redacted). You know that as well as I do.

3 Thanks.

4 Q. Witness, as Mr Zarambaud was saying to you a moment ago, we all
5 do our work even if we're Central Africans like you, we're not witnesses.
6 Not only that, we're not meant to know everybody. You're the witness
7 here, and you're here to provide clarity to the Chamber and not to
8 Counsel Zarambaud or Douzima. So given your answer where you spoke about
9 Bangui, so these soldiers were in Bangui, then, before they were with
10 Bozizé's troops.

11 A. Bozizé's soldiers were Central Africans as well mixed with
12 Zaghawa, Chadians. There were Central African soldiers, officers from
13 Central Africa who left behind Bozizé into the bush, Central Africans who
14 were mixed with Chadians, Zaghawa.

15 Q. Okay. So your brothers, the Central Africans who you feared, so
16 to your knowledge, I'm not asking you to invent things, just as far as
17 you know, among Bozizé's troops, what was the highest number? I mean,
18 who had the most, Central Africans or Zaghawa?

19 A. There were lots of Zaghawa. They were very numerous. Really,
20 there were lots of them. It was when we had to drive them back, they
21 left to complete their troops to come later. They had also understood
22 that on our side we had grown a lot in number and that is what meant that
23 we managed to drive them back, and when they left, they added to the
24 troops in order to come back five months later. And when they came back
25 five months later, the opportunity or the luck was with him.

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1 Q. Thank you very much, Witness. Now we're going to go on to
2 something else. Now, at Friday's hearing you spoke about (Redacted)
3 (Redacted). On page
4 77, lines 5 to 9, you stated that when General Mazi or Thierry Lengbe or
5 another person (Redacted)
6 (Redacted)
7 (Redacted) -- no, this was a question, rather. And you
8 continued:

9 (Redacted)

10 Witness, there were witnesses like you who have come here. They
11 were able to give (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 Q. Could you repeat (Redacted)? I didn't manage to
21 follow it.

22 A. I said the following. I give you (Redacted) because you told me
23 the following. You said that there were witnesses who came here before
24 me who were able to give (Redacted)
25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 PRESIDING JUDGE STEINER: Mr Witness, (Redacted)

4 (Redacted), just say you don't know. If you know, you have to
5 answer to the question. Do you understand that, sir?

6 THE WITNESS: (Interpretation) (Redacted)

7 (Redacted)

8 (Redacted) Thank you.

9 MS DOUZIMA LAWSON: (Interpretation)

10 Q. Thank you, Witness. I would just like to clarify something. I
11 didn't say witnesses came who were not able to give (Redacted). What I said
12 was that there were witnesses who came here and they were able to give
13 (Redacted). Thank you.

14 A. Thank you for the information. I didn't understand. I thought
15 you said "unable." You said "unable," Counsel. You said "unable,"
16 Counsel. I did understood your question before answering you. You said
17 "unable." You didn't say "able." Thank you.

18 Q. Witness, I'm the person asking you questions. I know what I said
19 and I'm telling you I said "able." As I said "able" or "unable,"
20 whatever the case, you've answered my question anyway.

21 Now, Witness, I would like to ask that we go into open session.
22 I would remind you you have to pay attention not to reveal your identity.
23 (Redacted)

24 MS DOUZIMA LAWSON: (Interpretation) Your Honour, if we could go
25 into open session.

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1 PRESIDING JUDGE STEINER: Court Officer, please turn into open
2 session.

3 (Open session at 3.28 p.m.)

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

5 MS DOUZIMA LAWSON: (Interpretation)

6 Q. Witness, you stayed on Friday's -- at Friday's hearing, lines 26
7 to 28, that it was Henri Mazi who controlled the men who were in the
8 field. (Redacted)

9 (Redacted)

10 Witness, (Redacted), did you know the exact role of General
11 Bombayake? And that's from page 28, lines 26 to 28.

12 A. General Bombayake was the DG for presidential security.

13 Q. You've already said that. Now, what was his role as the DG of
14 presidential security?

15 A. His role was to report to the president at all times, and he had
16 to see or meet with the president at all times because he was the DG of
17 the presidential security. So he had the authority to report to the
18 president at all times. Thank you.

19 Q. Do you know the difference between the General Staff and the
20 presidential security?

21 A. The difference between the General Staff and the presidential
22 security is as follows: The General Staff has the powers to control the
23 Central African Army and not the USP. The USP is a separate presidential
24 unit, whereas the General Staff controls the FACA. Thank you.

25 Q. Mr Witness, this morning, page 59, line 14, you stated that

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Questioned by Ms Douzima Lawson (Continuing)

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1 within the hierarchy, it was the chief of General Staff who was the chief
2 of the DG of the presidential security. That was your testimony this
3 morning. Is that correct?

4 A. According to the hierarchy, yes, that is correct.

5 Q. While defining the role of General Bombayake, you stated that he
6 was the one who reported directly to the president. So how is it
7 possible for him to come under the authority of the chief of
8 General Staff?

9 A. I have answered that question according to the hierarchy of the
10 army, but during the events, the president had more trust in Bombayake
11 than in all the others. This is because during the events it was
12 Bombayake who reported more to the president.

13 Q. Mr Witness, I'm coming back to Friday's hearing. On page 29,
14 lines 25 to 27, you stated:

15 "At the time of the events, (Redacted), General Bombayake
16 was not the main officer in charge. He was not the one giving the
17 orders. Well, he was not the main officer in charge, but he was the one
18 reporting to the president."

19 How can you explain that?

20 A. That is correct. Yes, this is what I said. During the
21 operations, the chief of operations was André Mazi, together with Thierry
22 Lengbe of the CCOP. They were the ones controlling operations in the
23 field. After that they would report to the general, and the general
24 would transmit the report to the president. At one point, Thierry Lengbe
25 fled. The president no longer trusted even André Mazi. So at one point

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1 the general took over command. That is what I said in my testimony of
2 Friday. Thank you.

3 Q. So he took over command unofficially. Is that what you mean?

4 A. That is correct.

5 Q. Very well. Mr Witness, let me move on to another reference.

6 Page 52 of Friday's hearing, page 52, lines 14 to 17, and you stated:

7 "Before the 29th of October, I did not see the MLC troops. I
8 would like to point out that I saw the MLC troops on the 29th of October
9 and not before. It was on the 29th that I saw the MLC troops with my own
10 eyes."

11 How do you know that these were the MLC troops that you saw with
12 your own eyes?

13 A. I would like us to go into private session so as to understand
14 you better. Otherwise, I may run the risk of identifying myself.

15 PRESIDING JUDGE STEINER: We go into private session.

16 (Private session at 3.37 p.m.) Reclassified as Open session

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

18 MS DOUZIMA LAWSON: (Interpretation)

19 Q. You can answer now. We are in private session, Mr Witness.

20 A. Yes. A short while ago, you asked how I was able to recognise
21 the MLC troops. Let me tell you once again that (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted). That is when they crossed over, and I knew that those
6 were the MLC troops. They were Congolese. I am a Central African
7 national, and I can distinguish between us and them. They came, and they
8 spoke in Lingala. That is how I knew that these were the strangers, the
9 foreigners, who had arrived. Thank you.

10 Q. Thank you for your answer, Mr Witness. This morning, page 39,
11 lines 27 to 28, and page 40, lines 1, you said there were also MLC
12 troops. The MLC troops were the last. You mean that it was not only the
13 MLC troops that were present? Now, which were the other troops that were
14 present at that time, that is, apart from the MLC?

15 A. Apart from the MLC there was the CEN-SAD. That is the Libyans.
16 The Sudanese, the Kodo, that is the Kodos of Abdoulaye Miskine. They
17 were present. The SCPR of Dubabi. You even had Paul Barril's
18 mercenaries who were there even before the MLC troops came over. That is
19 why I said that there were troops in Bangui before the arrival of the MLC
20 troops. The MLC troops were the last group to come to support us at that
21 time. That is how it was, Counsel. Thank you.

22 Q. Now, if I understand you correctly before the MLC you had the
23 CEN-SAD made up of Libyans, the Kodos of Abdoulaye Miskine, SPS, the
24 Dubabi, and then you had Paul Barril's mercenaries. Then the MLC
25 arrived. So all these groups, together with the FACA, made up the

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1 loyalist forces; is that correct?

2 A. The loyalists were there before. They had their own camp. I did
3 not have much information about them, but militarily I knew that the
4 troops were there before the arrival of the MLC troops, and the MLC
5 troops were merged with the FACA and the USP. Thank you.

6 Q. Thank you for the clarification. So all those groups were not
7 able to repulse Bozizé's rebels. That is why the MLC was called in; is
8 that correct?

9 A. That is correct.

10 MS DOUZIMA LAWSON: (Interpretation) Your Honour, I think we can
11 go back to open session.

12 PRESIDING JUDGE STEINER: Court Officer, please turn into public
13 session.

14 (Open session at 3.43 p.m.)

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

16 MS DOUZIMA LAWSON: (Interpretation)

17 Q. At that time, mention was made of crimes that had been committed.
18 Amongst all those groups, CEN-SAD, Barril's mercenaries, FACA, Bozizé's
19 troops, MLC, do you know whether those various groups perpetrated any
20 crimes during that period?

21 A. For example, in PK13, the Kodos under the command of Abdoulaye
22 Miskine were uncontrollable. They committed many crimes there, and (Redacted)

23 (Redacted)

24 (Redacted). I have already said that (Redacted)

25 (Redacted) to inform the MLC troops that they were there to provide

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1 security and not to pillage, rape, or kill Central African nationals.

2 And this was as a result of what had happened in PK13. Thank you.

3 Q. It was therefore (Redacted) about
4 the incident that happened in PK13?

5 A. (Redacted). The crimes
6 were committed -- most of the crimes were committed before their arrival,
7 because of Bozizé and the Zakawas, and also the Chadians. Thank you.

8 Q. How do you know that most of the crimes were committed by the
9 Zaghawa?

10 A. (Redacted).

11 Q. Mr Witness, page 21 of Friday's hearing, lines 6 to 8, a question
12 was put to you:

13 "Did every MLC soldier receive a uniform and boots?"

14 Your answer was:

15 "Everyone received a uniform."

16 Do you have any idea of the number of MLC troops who crossed over
17 that you saw with your own eyes and who received those uniforms?

18 A. They came in two battalions. From a military perspective, I know
19 the approximate number of people that would make up two battalions.

20 Q. Mr Witness, if I'm not mistaken, I believe that there is no
21 Judge here who has military training, so if you can tell us how many
22 people make up two battalions.

23 A. Two battalions are made up of 1.500 men.

24 Q. Where did these uniforms come from, that is, enough of them to be
25 able to be distributed to 1.500 men immediately?

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1 A. Last Friday I said that when they arrived, they were initially
2 taken to the support regiment. They were based there. There was a
3 20-foot container that was in the president's residence. (Redacted)
4 (Redacted), and the
5 uniforms and ranger boots were there in that 20-foot container. Thank
6 you.

7 Q. (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 Q. Very well. Mr Witness, do you know how the Central African
15 nationals referred to the MLC troops?

16 A. I did not quite understand the question, Counsel. Could you
17 kindly repeat.

18 Q. My question to you was this: Do you know how the Central African
19 Republic nationals referred to the MLC troops at the time of the events?

20 A. What do you mean referred to them?

21 Q. How did they call them? For example, the Chadians were known as
22 Zakawas.

23 A. Very well. At that time they were referred to the Banyamulenge.

24 Q. This morning you stated that you did not know Jean-Pierre Bemba.
25 Did you at least hear about him?

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1 A. Yes, I heard about him during the conflict. (Redacted)

2 (Redacted) I got to know that these were Jean-Pierre Bemba's
3 men. So I heard about him. Thank you.

4 Q. Can you be more specific? What did you hear?

5 A. I heard talk of Jean-Pierre Bemba. I only heard people talking
6 about him. Thank you.

7 Q. Mr Witness, if I am asked whether I have heard about François
8 Hollande, I will say yes, and then I would be asked how come, and I would
9 say yes, I heard that he is the president of France. That is why I'm
10 asking you that question. What did you hear about Jean-Pierre Bemba?

11 A. I heard that Jean-Pierre Bemba was coming to help us, that he
12 would send people to come and help us repulse Bozizé's men. Thank you.

13 Q. Thank you, Mr Witness.

14 Mr Witness, you accepted to come and testify in this case. What
15 was your reason for doing so?

16 A. The reason is that I came to tell the truth about what I know,
17 what I saw, what I heard. That is all. There is nothing else. Thank
18 you.

19 Q. Thank you, Mr Witness, for having accepted to answer all my
20 questions.

21 MS DOUZIMA LAWSON: (Interpretation) Madam President, I have no
22 further questions for this witness.

23 PRESIDING JUDGE STEINER: Thank you, Maître Douzima.

24 Could please, Court Officer, turn into private session.

25 (Private session at 3.54 p.m.) Reclassified as Open session

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

2 QUESTIONED BY THE COURT:

3 PRESIDING JUDGE STEINER: Mr Witness, in order to have really
4 clear your testimony, let's go back a little bit on page 4 of this
5 afternoon's -- of this transcript, 329 bis. Let me see if I understood.
6 There was --the conflict started on the 25th of October. The MLC arrived
7 on the 29th. They start fought -- fighting together with FACA and USP,
8 et cetera, on the 30th October. Till now I am correct?

9 A. That is correct, your Honour.

10 PRESIDING JUDGE STEINER: And according to you, the fighting with
11 the MLC troops started on the 30th. It lasted for three days. (Redacted)
12 (Redacted) This is on lines 14
13 to -- to 17. Is that correct?

14 A. That is correct, your Honour. The fighting lasted for three
15 days.

16 PRESIDING JUDGE STEINER: And then, after three days, the FACA,
17 USP, MLC, they were able to expel Bozizé's troops; is that correct?

18 A. That is correct, your Honour. They were driven out of the
19 neighbourhoods that they had captured on the 25 -- on the 25th. They had
20 occupied those neighbourhoods for five days, and on the 30th they were
21 pushed back out of the neighbourhoods until they were pushed into the
22 bush. That is correct, your Honour. Thank you.

23 PRESIDING JUDGE STEINER: So on line 23, 24, in answering a
24 question of Maître Douzima, you said that from the 30th of October to the
25 15th of March, there wasn't a conflict, "(Redacted)

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1 (Redacted)" Is exactly that what you said?

2 A. Madam President, this is what I said: On the 29th, the 30th,
3 then there was three days of fighting. Then it was after those three
4 days of fighting that Bozizé's men were driven back into the bush. That
5 is fighting on the 30th, the 1st, and the 2nd. From the 3rd and the 4th,
6 the town was already freed of Bozizé's men. So we already had control of
7 the northern neighbourhoods that Bozizé's men had been occupying for five
8 days. So the fighting lasted for three days, and in Boy-Rabé, Fou,
9 Gobongo, and the PK12, in those neighbourhoods those fighters were driven
10 out after three days of fighting. Thank you.

11 PRESIDING JUDGE STEINER: And when you mentioned that

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted) it happened during this period from the 25th to the 3 or 4
16 November?

17 A. On the 25th (Redacted) until
18 we were able to free the northern neighbourhood of Bangui. That is it
19 indeed, your Honour.

20 PRESIDING JUDGE STEINER: That means that between, let's say, 3rd
21 or 4th or 5th November until March, (Redacted)
22 (Redacted), in relation to killings or in
23 relation to -- to anything?

24 A. When we were able to free the northern neighbourhood, then we saw
25 that there had been killings, rapes in the northern neighbourhood which

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1 had been occupied by Bozizé's men. That is it, Madam Judge. Thank you,
2 your Honour. Thank you.

3 PRESIDING JUDGE STEINER: I will repeat my question, and please
4 try to pay attention to answer to my question. Between 5 November and
5 15th March, (Redacted) about killings, pillaging, rapes
6 being committed by anyone? (Redacted)
7 (Redacted) in relation to these acts being committed in other places in
8 Central African Republic?

9 A. We had noted when we came back we were -- we were able to drive
10 out Bozizé's men. Going into the bush, they had ransacked the petrol
11 station at Bossembele, Bossangoa, and leaving, when they were fleeing,
12 they ransacked everything leaving, (Redacted)
13 (Redacted), because afterwards, when they fled, there were too
14 many cases of killing at the time they were fleeing. That's what I
15 heard, Madam President. And even among friends who were in the field
16 when the fighting was finished, I have fields (* as interpreted) who were
17 in the field and when they came back they informed me that before they
18 could take certain towns, there had already been killings, rapes, lots of
19 things before they arrived, killings by Bozizé's men. Friends of mine
20 told me that, who were soldiers. Thank you, Madam President.

21 PRESIDING JUDGE STEINER: Mr Witness, I'm not really interested
22 in what friends of yours may have told you. I'm interested in knowing
23 whether you heard (Redacted) informations about pillaging and
24 rapes and killings being committed after the 5th of November until the
25 15th of March.

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1 A. What I heard (Redacted) was the
2 case of PK13, which was uncontrollable, by Abdoulaye Miskine's troops.
3 They committed lots of crimes there in PK13 (Redacted)
4 (Redacted). And
5 that's what we heard concerning crimes committed by Abdoulaye Miskine.
6 Thank you, Madam President. Thank you.

7 PRESIDING JUDGE STEINER: My last clarification: After PK13,
8 during the whole month of November, December, January, and February, (Redacted)
9 (Redacted)
10 (Redacted)

11 A. The question isn't so clear, your Honour. Please could you put
12 your question again?

13 PRESIDING JUDGE STEINER: Of course, Mr Witness. I will try to
14 be clear.

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted) My

19 question is: After the troops of Bozizé were driven out the northern
20 quarters of Bangui, did (Redacted) -- we lost
21 connection.

22 (Video link disconnected)

23 (Trial Chamber and Court Officer confer)

24 PRESIDING JUDGE STEINER: On behalf of the Chamber, I really want
25 to apologise to the parties and participants. We just have to -- to

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1 wait.

2 (Video link reconnected)

3 PRESIDING JUDGE STEINER: Mr Witness, welcome back. We lost
4 connection, but now the connection was re-established. So I will try
5 again, Mr Witness, to put my -- my request for clarification clear to
6 you.

7 Your testimony is that (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted) giving instructions such as: Don't loot, don't steal, don't rape.

11 After Bozizé's troops were driven out from Bangui, PK12, PK13, during the
12 period of, let's say, mid-November to mid-March, did (Redacted)

13 (Redacted)

14 (Redacted) or not?

15 A. As -- as I told you a moment ago, madam, your Honour, when the
16 fighting finished, (Redacted)

17 (Redacted)

18 (Redacted), but nothing had happened in front of me, your Honour.

19 Thank you.

20 PRESIDING JUDGE STEINER: So during the months of November,
21 December, January, and February, you never heard (Redacted)

22 (Redacted)

23 (Redacted)?

24 A. No, your Honour. (Redacted)

25 PRESIDING JUDGE STEINER: Okay. And (Redacted)

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1 (Redacted), you didn't hear anything else about the conflict?

2 A. No, Madam President, no.

3 PRESIDING JUDGE STEINER: Thank you, Mr Witness -- please
4 continue.

5 A. Okay. Thank you. During the three days -- (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). Thank you, your Honour. Thank you.

19 PRESIDING JUDGE STEINER: Thank you very much, Mr Witness.

20 Court Officer, please turn back into open session.

21 (Open session at 4.19 p.m.)

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

23 PRESIDING JUDGE STEINER: Mr Haynes, do you intend to redirect?

24 MR HAYNES: Just a couple of questions.

25 PRESIDING JUDGE STEINER: Please.

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1 QUESTIONED BY MR HAYNES: (Continued)

2 Q. Sir, we are in open session, which means people can hear what you
3 say, so if you feel you need to tell us about yourself, then please ask
4 to go into private session. Do you understand?

5 A. Yes, I understand that, Counsel, yes.

6 Q. (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted) Thank you, Counsel.

11 Q. No, thank you. What do you know about what Bozizé's troops did
12 in Bossembélé?

13 A. It's true that I wasn't on the ground in Bossembélé, but
14 Bossembélé, that was the hardest fighting, the place where the hardest
15 fighting was. The hardest fighting was there, but we were able to drive
16 Bozizé's men back there. Bozizé's men had massacred the population
17 there. That was the hardest fighting. Thank you, Counsel.

18 Q. And what do you know about what happened at Bossangoa?

19 A. Bossangoa -- even before Bossangoa and Youнду (* phon), it was
20 the same fighting, Bossembélé. It was still hard. Bozizé's men had done
21 the same thing as they had done in Bossembélé in Bossangoa, and they'd
22 done all that. Thank you, Counsel.

23 MR HAYNES: Your Honour, can we go into private session
24 previously.

25 PRESIDING JUDGE STEINER: Court Officer, please turn into private

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1 session.

2 (Private session at 4.23 p.m.) Reclassified as Open session

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

4 MR HAYNES:

5 Q. Sir, (Redacted)

6 (Redacted)?

7 A. Yes. (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted). Thank

11 you, Counsel.

12 MR HAYNES: Thank you. Can we go back into open session, please,
13 your Honour.

14 PRESIDING JUDGE STEINER: Court Officer, please turn into open
15 session.

16 (Open session at 4.24 p.m.)

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

18 MR HAYNES: Sir, thank you very much. I have no further
19 questions for you.

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

21 PRESIDING JUDGE STEINER: Thank you, Mr Haynes.

22 Mr Witness, this now concludes your evidence, and before you
23 leave the court, I want, as with all other witnesses of this case, to
24 express the thanks of the Judges and of the court for the time you have
25 taken to give evidence in this trial. In order for the Judges to find

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1 the truth, Mr Witness, it is critical that witnesses such as yourself are
2 willing and prepared to give evidence in order to assist the Judges on
3 the relevant issues. We are aware that this may have been inconvenient
4 for you, and you therefore leave us now with our thanks. Mr Witness, as
5 with all other witnesses of this case, before you leave, we would like to
6 ask you whether there's anything that you would like to address to the
7 Chamber. If you so wish, this is the opportunity, and you have the
8 floor.

9 THE WITNESS: (Interpretation) Thank you, your Honour. Thank you
10 for the time that you've given me to give my testimony. So it's true,
11 I'm a Defence witness, but today we -- there's always danger, (Redacted)
12 (Redacted)
13 (Redacted). Thank you very much. Thank you.

14 PRESIDING JUDGE STEINER: Mr Witness, just to make it clear for
15 you once again, (Redacted)
16 (Redacted). If you have any other issues of concern, you
17 should please talk to the security officer of the Victims and Witnesses
18 Unit. VWU is the organ of the court in charge to follow you in any
19 doubts that you have when you finish your testimony. The security
20 officer will be in touch with you. Is that fine with you, Mr Witness?

21 THE WITNESS: (Interpretation) Yes, your Honour. I understand.

22 PRESIDING JUDGE STEINER: Thank you very much. I would like to
23 thank very much the Prosecution team, the legal representatives of
24 victims, the Defence team. I thank very much our interpreters, our court
25 reporters.

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1 Thank you very much, Ms Balfas.

2 THE COURT OFFICER (via video link): Madam President, you're
3 welcome.

4 PRESIDING JUDGE STEINER: For the information of parties and
5 participants, we will resume tomorrow morning at 9.00, when we will
6 proceed or continue with the testimony of Witness -- Defence Witness
7 0003.

8 Good-bye, Mr Witness, and this hearing is adjourned.

9 THE COURT USHER: All rise.

10 THE WITNESS: (Interpretation) Good-bye, your Honour.

11 (The hearing ends in open session at 4.30 p.m.)

12 RECLASSIFICATION REPORT

13 Pursuant to Trial Chamber III 's Orders, ICC-01/05-01/08-2223 and
14 ICC-01/05-01/08-3038, the version of the transcript with its redactions
15 becomes Public.

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