

Trial Hearing
Witness: CAR-V20-PPPP-0002

(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
6 Judge Kuniko Ozaki
7 Trial Hearing
8 Friday, 4 May 2012
9 (The hearing starts in open session at 9.33 a.m.)
10 THE COURT USHER: All rise. The International Criminal Court is now in session.
11 Please be seated.
12 THE COURT OFFICER: Good morning, your Honours, Madam President. We are
13 in open session.
14 PRESIDING JUDGE STEINER: Good morning. Could, please, court officer call the
15 case.
16 THE COURT OFFICER: Situation in the Central African Republic, in the case of The
17 Prosecutor versus Jean-Pierre Bemba Gombo, case reference ICC-01/05-01/08.
18 PRESIDING JUDGE STEINER: Thank you very much. Good morning. Welcome,
19 Prosecution team. I see new faces. Maybe you could introduce yourself and the
20 representatives of OTP present this morning.
21 MR ZENELI: Thank you, Madam President. For the Prosecution office this
22 morning we have Jean-Jacques Badibanga, trial lawyer; Horejah Bala-Gaye, assistant
23 trial lawyer. We have Justin Nari, the language assistant for the Office of the
24 Prosecutor, and Sylvie Vidinha, the trial support assistant.
25 PRESIDING JUDGE STEINER: And yourself?

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1 MR ZENELI: And myself, Shkelzen Zeneli.

2 PRESIDING JUDGE STEINER: Thank you. Good morning to legal representatives
3 of victims. Good morning Defence team, Mr Jean-Pierre Bemba Gombo. Good
4 morning to our interpreters, court reporters. We will continue this morning with the
5 questioning of Witness V2 called by legal representatives of victims and therefore I
6 ask, please, court usher to bring the witness in.

7 (The witness enters the courtroom)

8 WITNESS: CAR-V20-PPPP-0002 (On former oath)

9 (The witness speaks Sango)

10 PRESIDING JUDGE STEINER: Good morning, Monsieur Judes.

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

12 PRESIDING JUDGE STEINER: I hope you had a restful night?

13 THE WITNESS: (Interpretation) I was able to rest quite well, your Honour. I
14 rested well.

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

16 THE WITNESS: (Interpretation) I'm ready to continue, your Honour.

17 PRESIDING JUDGE STEINER: Monsieur Judes, I need to remind you that you are
18 still under oath. Do you understand that, sir?

19 THE WITNESS: (Interpretation) That is what I had to say yesterday. I am here
20 before you to tell you what happened, to tell you about the events that I experienced.
21 I am here before you to tell you the truth.

22 PRESIDING JUDGE STEINER: Thank you, Monsieur Judes. I also need to remind
23 you that you have to speak slower than normal in order to allow our interpreters to
24 do their job and that after any question is put to you that you please wait for five
25 seconds before you start giving your answer. This is the time needed by the

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1 interpreters to finalise the translation of the questions.

2 If at any time, Monsieur Judes, you feel tired, distressed or for any reason you need a
3 break, do not hesitate, please let me know and we can anticipate the breaks. Is that
4 fine with you, Monsieur?

5 THE WITNESS: (Interpretation) Yes, I've understood your Honour. I certainly
6 will let you know.

7 PRESIDING JUDGE STEINER: Thank you, Monsieur. I'll give back the floor to
8 Maître Douzima to continue with her questioning.

9 Maître Douzima, please.

10 QUESTIONED BY MS DOUZIMA LAWSON: (Interpretation) (Continuing)

11 Q. Good morning, Mr Judes.

12 A. Good morning, Counsel.

13 Q. Are you feeling well this morning?

14 A. I'm feeling just fine, Counsel.

15 Q. Me too. As the Presiding Judge just said, we are going to continue with
16 examination. Now, yesterday, Mr Judes, you were speaking quite quickly and I'm
17 going to try to return to a number of points that we discussed yesterday just to get
18 some additional information before we move on to some other points. Is that all
19 right with you?

20 A. Yes, do what you have just said you would do.

21 Q. Thank you, Mr Judes. I notice that you are respecting the five-second rule and
22 I will -- I hope that you continue to do so throughout the entire day.

23 Mr Judes, when you were talking about the soldiers that invaded the town of Sibut,
24 you mentioned some people who had come from the other side of the river. I am
25 quoting from yesterday's transcript, edited version, line 11, and you said that those

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1 people were speaking Lingala. Mr Judes, do you speak Lingala?

2 A. I don't understand Lingala, but I heard that those people spoke Lingala. One
3 recognises people by the language that they speak, and at that time we were in a
4 position to realise that indeed they were speaking Lingala.

5 Q. Now, before the arrival of the troops, had you heard people speaking Lingala?

6 A. Before those troops arrived, people spoke Mandja and Sango. It was only after
7 their arrival that we heard about this language.

8 Q. According to your information, this language is spoken in which country?

9 A. Lingala is spoken in the Congo. The Congo, Zaire.

10 Q. Now, when you spoke about the people who came from the other side of the
11 river, were you talking about Congo; that is to say Zaire?

12 A. Yes, indeed. I meant Congo, Zaire, because they were all along the river, along
13 the Zongo. The Zongo river.

14 Q. How did you know that they came from Congo, Zaire?

15 A. Yesterday I told you that we had held a meeting with them and the leader,
16 Cercueil, he told us that his troops came from Zaire.

17 Q. Thank you, Mr Judes, for those explanations. Now, at page 51, line 11, you
18 said that these people were referred to as "the Banyamulengue." Who called them
19 "the Banyamulengue"?

20 A. During the meeting, Cercueil gave us to understand that his troops were called
21 "the Banyamulengue." They themselves told us that, that they were called "the
22 Banyamulengue".

23 Q. Did they explain to you what this word "Banyamulengue" meant?

24 A. No, it was one of their secrets. They couldn't tell us that.

25 Q. You also stated, Mr Judes, and this is at line 12, that they were small people.

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1 Were they all small, because yesterday you said that there were a great many of
2 them?

3 A. Well, the ones that were tall were not many in number, but many of them were
4 short because the rifles that they had slung across their shoulders were actually
5 dragging along the ground.

6 Q. Thank you, Witness -- I mean, Mr Judes. You also stated at line 14 that those
7 people, when you were speaking of the Banyamulengue, were wearing military
8 clothing, "military clothing of the army of our country," and they also were wearing
9 military footwear. Could you describe the uniforms worn by the army of your
10 country?

11 A. The uniform worn by the soldiers of my country are green, with white spots,
12 but they said "Yabawoks" (phon) in their language. They said Patassé was a good
13 president. "He is going to double the mandate."

14 THE INTERPRETER: Says the witness in French.

15 MS DOUZIMA LAWSON: (Interpretation)

16 Q. So you mean it was Patassé who gave them these uniforms, the uniforms
17 usually worn by the soldiers of your country?

18 A. I'm not sure of that, but they were chanting the name of Patassé and they were
19 wearing the clothing and the footwear that had been given to them.

20 Q. At line 28 of that same page you stated, "They entered the town of Sibut and
21 they were shooting." Now, where did they come from? What direction did they
22 come from, Mr Judes, or if you want me to put it differently, what side did they come
23 from when they entered the town of Sibut?

24 A. They came from Bangui and we heard the gunfire and the explosion of the
25 heavy weapons -- the explosions of the heavy weaponry. It was difficult really to

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1 hear all the whistling of bullets, the explosions. The sky was dark and really the
2 local people scattered in panic.

3 Q. You just said that the local people panicked and scattered. Where did they go?

4 THE INTERPRETER: Interpreter correction: In the previous reply the witness said
5 "from SOCADA".

6 THE WITNESS: (Interpretation) Some of them fled and headed for their farms.

7 Others crossed the waterway and took refuge at the GPN. Myself, I took refuge in
8 that particular area, by the GPN and Bangui.

9 MS DOUZIMA LAWSON: (Interpretation)

10 Q. I'm now on page 52, line 4. You said, Mr Judes, that "It was only by
11 morning -- it was only in the morning that we were summoned to see the victims who
12 were at the hospital, including the father who had been killed by the road to Mbaiki,
13 to Bambari, I beg your pardon, and we went to see his body at the hospital." Now,
14 Mr Judes, who summoned you to go and see the victims at the hospital?

15 A. I didn't mention any other people. It was indeed the Banyamulengue. There
16 was no cassava for them to eat. They had killed some goats. Many people went
17 out. I too went out at around 9 in the morning to go to the hospital to see the body
18 of this person, the traditional ally of my father who had been killed.

19 PRESIDING JUDGE STEINER: Ms Douzima - Maître Douzima, I'm sorry - sorry to
20 interrupt you. There has been a correction here in the interpretation and now the
21 meaning, at least for me, is a little bit confused. On page 6, line 25 of the English
22 transcript, when asking your question "What side did they come from when they
23 entered the town of Sibut?", in accordance with the transcript the answer starting on
24 line 25 was, "They came from Bangui and we heard the gunfire and the explosion of
25 heavy weapons," et cetera, et cetera, and then on page 7, line 7, the interpreter corrects:

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1 "In the previous reply the witness said, 'from SOCADA.'" So it means that the
2 witness said that they came from SOCADA.

3 Could you please check with the witness what is this reference to SOCADA that now
4 is a little bit lost in translation here?

5 Yes, Mr Haynes.

6 MR HAYNES: And while we are there, the next answer is very confusing. It refers
7 to the GPN and Bangui as being where he hid, which I can't imagine is correct.

8 PRESIDING JUDGE STEINER: "Across the waterway and took refuge at the GPN."
9 Is that that you are --

10 MR HAYNES: In the English it says "and Bangui."

11 PRESIDING JUDGE STEINER: "By the GPN and Bangui".

12 MR HAYNES: Yes.

13 PRESIDING JUDGE STEINER: Yes, you are right. Could you please rephrase your
14 last questions in order to allow the witness to answer to them again, Maître Douzima.

15 MS DOUZIMA LAWSON: (Interpretation) Thank you, Madam President.

16 Q. Mr Judes, I would like to backtrack and address with you again a few questions
17 which I have just put to you. Now, could you specify to the Court once more the
18 direction from which the Banyamulengue arrived when they came into Sibut town?

19 A. They came from Bangui through SOCADA. SOCADA is a factory and it was
20 from that factory, SOCADA, that they started firing, so we ran away from our
21 neighbourhood to seek refuge at the JPN. It is the inhabitants who fled across the
22 river, seeking refuge at the GPN, where there were some mango trees. They did not
23 come from the GPN. In fact, when they got to SOCADA they redeployed into the
24 city and then started firing. Let me specify that SOCADA is located on the road to
25 Bangui.

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1 Q. You have just answered my question, because I wanted to find out from you
2 whether SOCADA was found or located at the entrance to Sibut town; is that correct?

3 A. The main road to Bangui goes by SOCADA. There are no -- there is no other
4 road to Bangui and they came by that road.

5 PRESIDING JUDGE STEINER: Maître, if you allow me one last clarification from
6 the witness.

7 Monsieur Judes, could you please clarify the Chamber which river some inhabitants
8 of Sibut crossed and what exactly is "GPN"?

9 THE WITNESS: (Interpretation) The GPN is a unit that was created by President
10 Dacko. When one went by Tomi, or we went through Tomi and crossed the wooden
11 bridge, let me again state that the Banyamulengue had come in on the Bangui road
12 and we fled to seek refuge at the GPN; the GPN being a paramilitary unit that was
13 created by former president, David Dacko.

14 PRESIDING JUDGE STEINER: Thank you very much, sir.

15 Maître.

16 MS DOUZIMA LAWSON: (Interpretation) Thank you, your Honour.

17 Q. Can you explain to this Court what "SOCADA" means?

18 A. "SOCADA" is a name that white people gave to a cotton processing factory.
19 Today it is the UP project that handles that business. SOCADA is located on the
20 Bangui road.

21 Q. Thank you, Mr Judes. In the transcript of today, French language, you stated a
22 short while ago that the GPN is a paramilitary unit that was created by David Dacko.
23 Who is David Dacko?

24 A. David Dacko is a former president. He is the one who created the GPN, a
25 pioneer unit.

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1 Q. I hope that these matters have been clarified for the Court. I will now turn to
2 your visit to the victims at the hospital. Mr Judes, in which language did the
3 Banyamulengue speak to you when they invited you to visit the victims at the
4 hospital?

5 A. They called out to the people in Lingala and they introduced themselves as the
6 liberators, so when they asked the population to come, they were not carrying any
7 weapons. They had left their weapons at the camp.

8 Q. How were you able to understand what they were telling you, since you do not
9 understand Lingala?

10 A. They gesticulated with their hands and invited the people or the population to
11 come, although we did not understand their language.

12 Q. Going by the transcript, page 52, line 5 and 6, you stated that when you got to
13 the hospital you were also able to see the body of the father who had been killed
14 along the Bambari road. When you say "you" in the plural, was it you in the plural
15 or you in the singular?

16 A. Let me start by saying that first of all I went to my house and I found that my
17 wife and my children had already gone. Then many of us went to the hospital to see
18 the body. You see, one of the (Redacted) who used
19 to live by the inn, I had seen his daughter who had just put to (indiscernible) being
20 raped. The Banyamulengue actually also attacked that woman's husband and all of
21 that happened in the presence of the family. So there were so many victims on that
22 day that I cannot mention all of them.

23 You see, I sitting here before you am also a victim, and if Bemba's counsel wants to do
24 so he may go to Sibut and determine for himself that these things actually happened.

25 Q. Yes, indeed, Witness. Yesterday you said that when the Banyamulengues

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1 arrived, you were in your workshop at the Sibut central market, page 52, line 9,
2 French transcript. At that time, were there any other persons at the Sibut central
3 market?

4 A. Counsel, you must understand that the Sibut market is a big market. After the
5 explosions and detonations, what I did was close down my shop, rush home to find
6 out what had happened to my wife and children.

7 Q. What did the other people who were in the market do?

8 A. Counsel, no one could stand what was happening. Because of those explosions,
9 or the gunfire, everybody fled. No one remained in the market.

10 Q. You said that the attackers asked you to come out of your hiding places and that
11 it was at that time that you were able to find your wife and your children. Where
12 did you find them?

13 A. I did not find my wife at home. She had fled to the farm and it was at 9 a.m.,
14 but we then found each other when we had come out and some of the attackers were
15 moving about without their weapons.

16 Q. On the same page, at line 23 and 24, this is what you said; namely, that Cercueil
17 had informed you that his president was going to come to determine that the town
18 had been effectively liberated before the soldiers withdrew. Now, did he give you,
19 or did he mention to you, the name of his president?

20 A. After the meeting with Cercueil, he told us that Patassé had informed him that
21 there were rebels in Sibut and that when he got to Sibut he should burn down the
22 town, the entire town, and so before President Bemba arrived he had to re-establish or
23 restore peace. So it was the next day at 3 p.m. that Bemba arrived in a helicopter,
24 landing at a football pitch opposite the hospital. The pilot of the helicopter was a
25 white man and Cercueil took him in a vehicle and they drove to the base.

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1 The village had a small market at which women were selling a few goods, and she
2 bought some pancakes from a lady whose name is Marcelline. Marcelline was about
3 to give him his change, but he did not take the change, but I don't know how much
4 money he gave that lady. Cercueil told us --

5 THE INTERPRETER: Madam President, from the Sango booth, could the witness be
6 asked to repeat the last part of his answer, from the Sango booth?

7 MS DOUZIMA LAWSON: (Interpretation)

8 Q. Mr Judes, this morning I told you that I felt that it was necessary to revisit a
9 number of points that we talked about yesterday and I pointed out to you that you
10 were going a little too fast. Now, this morning you were doing very well, but a short
11 while ago you sped up again and we are not able to follow you properly. So I would
12 like to ask you to slowly repeat what you have just said and please do so slowly.
13 Thank you.

14 In fact, let me help you by putting a few questions to you. You just mentioned that
15 the day after it was announced that Bemba was going to arrive in Sibut, that
16 announcement having been made by Cercueil, Bemba in fact did come to Sibut in a
17 helicopter. Question: Where did this helicopter land?

18 A. Following the meeting with Cercueil he told us that Patassé had given him the
19 information that there were only rebels in Sibut, but when he got to Sibut and
20 conducted his investigations, his findings were to the contrary. So he told us that it
21 was in his habit to conduct investigations into various situations. Then he went on
22 to inform us that his president would be coming, without mentioning the date.
23 Then the next day at 3 p.m. we saw a craft overflying the town and then landing at a
24 football pitch, close to the hospital on the Dekoua road. So we were there, we were
25 nearby, and he greeted us. Then he boarded a vehicle towards Kanga, stopped at

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1 the market, made some pictures, bought some pancake. The seller, or the market
2 woman, wanted to give him his change, but he did not collect his change. Then he
3 boarded his vehicle once more and took off.

4 Q. Can you describe the football pitch, or football field, on which the helicopter
5 landed?

6 A. It was on the Bambari-Bangui-Dekoua road, and the field is called Gbazéré and
7 is located directly opposite the mayor's office.

8 Q. Was Bemba alone, or was he with other persons?

9 A. He was accompanied by some black people and one white man and there was a
10 short photographer as well.

11 Q. Yesterday you testified that he took some photographs and videos, and this is
12 page 52, line 27. Now, who took the photographs and videos? Was it Bemba, or
13 the photographer?

14 A. The person who recorded or who took the photographs wore an attire known as
15 the abacost. He had a camera, Bemba was in front of him and he was recording
16 what was going on.

17 JUDGE ALUOCH: I would seek a clarification from you, Mr Jude. How far away
18 were you from the helicopter that landed? Would you say you were very close, that
19 you could see all these things clearly, or were you far away? Are you able to
20 estimate to us?

21 THE WITNESS: (Interpretation) I was not far. The helicopter was about the same
22 distance as the corner of the house there and I would state that this helicopter was
23 blue and white, and we wanted to get close to it but the soldiers pushed us back.

24 JUDGE ALUOCH: Just one further clarification. When you say "the corner of the
25 house," do you mean the corner of this room, the end of this room?

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1 THE WITNESS: (Interpretation) That is correct. It wasn't far. We wanted to get
2 close, but the soldiers blocked the path.

3 PRESIDING JUDGE STEINER: For the record, while giving his answer the witness
4 pointed out to the wall that is behind the Prosecution's bench.
5 Maître Douzima.

6 MS DOUZIMA LAWSON: (Interpretation) Thank you, your Honour.

7 Q. Mr Judes, were there other people who were present when Jean-Pierre Bemba
8 arrived in Sibut, when his helicopter landed on the football pitch?

9 A. This helicopter landed in the presence of almost all the population. There were
10 children, women, adults there, but he already left before we arrived, but he wanted to
11 be the president of our country. Unfortunately, he left too quickly on a vehicle.

12 Q. Who wanted to be the president of your country?

13 A. At the time, there was no authority of notable figures in the town. There were
14 just inhabitants there. What could we do? What could we say? There was
15 nobody. No high-level figures. We had been abandoned to our sorry fate. We
16 couldn't resist them. They asked the or told the women to get out in order to sell
17 them flour and cassava, and they themselves fixed the prices.

18 Q. Mr Judes, I shall ask my question again. You stated he wanted to be the
19 president of your country. Who are you talking about?

20 A. I don't understand this question. We were under their command. There was
21 no longer any authority and they let us know that their president was going to come.
22 We were told that we were going to be dominated by a foreign power. We couldn't
23 say anything. All we could do was obey their orders.

24 Q. Thank you, Mr Judes. It's clearer now. You stated that, "There was nobody,
25 no high-level figures in the town. We had been abandoned to our sorry fate."

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1 Where had these high-level figures gone?

2 A. The authorities fled towards Bangui on vehicles. Some of them used dug-out
3 canoes to flee. Others used pushcarts to take refuge in Bangui. When he arrived,
4 he was received by Madam Mariembo (phon) the former mayor, and it was with her
5 that they went to the base.

6 Q. Apart from Madam Mayor, were there no other local authority figures?

7 THE INTERPRETER: Your Honour, there was a slight technical problem. Could
8 counsel please repeat the question to be interpreted?

9 THE WITNESS: (Interpretation) There were only the attackers. In fact, the
10 authorities who remained were the teachers and it was with those who -- it was with
11 them that we went to the football pitch in order to see them. Everybody had fled.
12 The Banyamulengue had conquered the police, the court, the gendarmerie and they
13 took over all these sites. They also set up their block on the Bambari road, roadblock
14 on Bambari road. In fact, the four quarters of the town were under their control. It
15 was they who even decided on conflictual situations and after there was proceedings,
16 sentence or -- they would give 50 lashes as a sentence, and they used an expression in
17 French which was "50 coups sans remise" and that was the expression they used for
18 their sanction.

19 PRESIDING JUDGE STEINER: Maître, your last question was not completely
20 translated. Are you able to remember how was your last question before this long
21 answer given by the witness?

22 MS DOUZIMA LAWSON: (Interpretation) I think the question was whether, apart
23 from the mayor, there were other local authorities that were present in Sibut when
24 Jean-Pierre Bemba arrived at the football pitch.

25 PRESIDING JUDGE STEINER: Thank you very much, Maître.

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1 MS DOUZIMA LAWSON: (Interpretation)

2 Q. Witness, you answered that there were only the teachers who had come to the
3 football pitch where the helicopter landed. Without giving names, could you give
4 the titles of the local authorities who fled and who were not present in Sibut at that
5 time?

6 A. The subprefect fled, the prefect as well wasn't there, nor the CB or the CC. The
7 president of the court had also fled. There was nobody. All the guards were no
8 longer there. Even the prisoners had been freed.

9 Q. What does "CC" mean?

10 A. "CC" is the officer who commands the gendarmerie. He is the head of the
11 gendarmerie. He was staying within the company. The gendarmerie is
12 commanded by the CB and the CC commanded the entire company.

13 Q. Out of all these people, who was the highest ranking? Out of all these people,
14 which person had the highest rank in Sibut?

15 A. That was the prefect.

16 Q. You say that the prisoners had been freed. Who had freed them?

17 A. It was the invaders who had broken down the doors of the prisons of the
18 gendarmerie and the other prisons in order to free the detained persons.

19 Q. Did the prisoners also flee?

20 A. Of course. They fled. Within a prison we even found a person who had been
21 burnt, who couldn't be identified.

22 Q. Do you know who had burnt this person?

23 THE INTERPRETER: Overlapping speakers.

24 THE WITNESS: (Interpretation) No, I don't know the person. This took place at
25 night, so I couldn't know who the person was who committed this act. His entire

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1 face had been burnt. That person was unrecognisable as the crime was committed at
2 night.

3 MS DOUZIMA LAWSON: (Interpretation)

4 Q. Mr Judes, I was just asking you if you knew Mr Bemba when Judge Aluoch
5 intervened to ask you questions of clarification. So, Mr Judes, do you know
6 Mr Jean-Pierre Bemba?

7 A. I didn't know him before. It was when he arrived that I asked the question to
8 the people who were around there. I asked them to show me -- show me him and
9 they said, "That's him, Mr Bemba." There were a lot of us there, under the mango
10 tree, and when he came forward people took photos of him and I asked, "Where is
11 Mr Bemba amongst all these people?", and somebody showed me. They said, "That's
12 Mr Bemba there."

13 Q. Would you be able to describe Mr Bemba?

14 A. He was corpulent. He walked slowly, whilst waving to the population.
15 Thereafter, he went to the market in order to purchase pancakes, the pancakes I spoke
16 to you about a moment ago, and I asked the people to show me him and they said
17 that "The person who you can see there, well, that is indeed Mr Bemba." He was
18 walking at the front and his guards were behind him. You know, this was a
19 high-ranking figure. He was always at the front. His soldiers accompanied him.

20 Q. How was he dressed?

21 A. I no longer remember. You know, these events are over ten years old, so I can't
22 remember what clothing he was wearing on that particular day.

23 Q. When he arrived, did he go automatically to the market in order to buy
24 pancakes?

25 A. I told you that he first of all went to Kanga, where the base was, and afterwards

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1 he went to the market and he had his photo taken and it was at that time that he
2 bought pancakes. The woman wanted to give him the change and he refused. So
3 first of all he went to Kanga, the base, before he went to the market.

4 Q. How did he go to the base?

5 A. He went there on a vehicle and, when he arrived at the market, the vehicle
6 stopped. He got out to enter the market in order to make his purchases. I also
7 stopped at the market.

8 Q. Do you remember the colour of the vehicle?

9 A. There were several vehicles. Some were Land Rovers. There were large
10 lorries with the steering wheel on the right. If I remember well, the vehicle in which
11 he was sitting was a small car. I no longer remember its colour. The events were
12 over ten years ago, so I can't remember the colour. The events took place in 2003.

13 Q. Could you estimate the distance between the football pitch, where the helicopter
14 landed, and the military base to which Mr Bemba went?

15 A. Where he landed, from there to go to the base I would say it's two kilometres.
16 From the place where the plane landed in order to go to the base, that is two
17 kilometres.

18 Q. Were you also at the base?

19 A. I spoke to you about two kilometres. If I had to walk to go to the base, I would
20 have come across them on the way back. No, I stayed at the market, in front of
21 Médard's shop. That's where I was.

22 Q. Witness, Mr Judes, I would like to remind you that you have to avoid stating the
23 names of people who are not in these proceedings. How did you know that Bemba
24 had gone to the military base?

25 A. He was welcomed by Cercueil and their base was in Kanga. There were lots of

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1 them in the base. It's true there were some sections - gendarmerie police - on the
2 Bambari road, and when the soldiers who were in these places learned of his arrival
3 they hurried to go to the base and during this time he was coming towards the
4 market.

5 Q. Was Madam Mayor still present when he went there?

6 A. The Madam Mayor, she went -- she followed him to the base before coming
7 back. Also at the market she was there. She accompanied him. She accompanied
8 him to the plane itself. She is still the mayor of Sibut.

9 MS DOUZIMA LAWSON: (Interpretation) Your Honour, I was going to say that
10 it's nearly -- the time's nearly up. I have a series of questions that will lead to long
11 answers on the part of the witness. I think this is the best time to have a break, your
12 Honour.

13 PRESIDING JUDGE STEINER: Thank you very much, Maître Douzima. I just call
14 the attention of Maître Douzima, and I ask if possible for interpreters to give -- or to
15 check it whenever possible, apparently the references made by the witness to "GPN"
16 as a matter of fact refers to "JPN." In accordance with information I received, JPN is
17 Jeunesse Pionnière Nationale that was created in '62 by President David Dacko as a
18 paramilitary movement, rather than JPN that is the gas company. So just in order to
19 clarify the transcript.

20 Mr Witness, we will suspend now. We have a break for half-an-hour. You can take
21 some rest, a coffee, a tea. It's 11 o'clock and we'll be back at 11.30.

22 I ask, please, court usher to accompany the witness outside the courtroom. In the
23 meantime, we will suspend and resume at 11.30.

24 (The witness stands down)

25 THE COURT OFFICER: All rise.

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1 (Recess taken at 11.03 a.m.)

2 (Upon resuming in open session at 11.44 a.m.)

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

4 PRESIDING JUDGE STEINER: Welcome back. We will continue with the
5 questioning of Witness V2, and for that purpose I ask, please, court usher to bring the
6 witness in.

7 (The witness enters the courtroom)

8 PRESIDING JUDGE STEINER: Monsieur Judes, welcome back.

9 THE WITNESS: (Interpretation) Good morning once again, Madam President.

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

11 THE WITNESS: (Interpretation) Yes, I am ready.

12 PRESIDING JUDGE STEINER: Maître Douzima, you have the floor.

13 MS DOUZIMA LAWSON: (Interpretation) Thank you, Madam President.

14 Q. Mr Judes, since you are ready we shall proceed, but let me start by addressing
15 the concern expressed by the Presiding Judge just before the break. I would like to
16 know from you whether a short while ago you were talking about "GPN," or "JPN"?
17 Which one was it?

18 A. I spoke of G -- or rather JPN, in English. JPN. There is a JPN base in -- there
19 is currently a JPN base in place.

20 Q. What happens at the JPN?

21 A. The JPN is a centre for training in stock-breeding and poultry farming.

22 Q. Now, was the Sibut centre operational at that time?

23 A. The centre was no longer operational when those soldiers arrived, but I have a
24 question for you. I did not say that the Banyamulengue deployed at the JPN. What
25 I said was that it is us, the inhabitants, we the people, who sought refuge at the JPN.

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1 I did not say that the Banyamulengue had set up a base at the JPN.

2 Q. Mr Judes, yes, we have actually understood you very clearly. I told you
3 yesterday that the questions I'm putting to you are not for my benefit as such. It is
4 for the benefit and edification of the Judges. The Judges do not know Sibut. They
5 do not know JPN. What I'm saying is that we did clearly understand from your
6 testimony that it is the inhabitants who sought refuge at the JPN.

7 That having been said, let me now turn to your testimony regarding local authorities.

8 The page reference is 18, real-time transcript for today, line 4. Mr Judes, it was your
9 testimony that a CB was the commander of the gendarmerie; that is the gendarmerie
10 was under the command of CB. What does "CB" stand for, or who is CB?

11 A. Counsel, please listen carefully to what I say. The CB is the brigade
12 commander of the gendarmerie brigade. The CC is the commander of the
13 gendarmerie company. So a CB, or a CC, cannot be the commander of a CB, rather
14 the CC is the company commander who is in fact the commander of the CB.

15 THE INTERPRETER: Says the witness.

16 MS DOUZIMA LAWSON: (Interpretation)

17 Q. Mr Judes, you said that "CC" is company commander, but you did not tell the
18 Court what "CB" stands for and that is my question to you. What does "CB" mean?

19 PRESIDING JUDGE STEINER: Maître Douzima, if you allow me?

20 First I would like you to wait a little bit more after posing your questions, because it's
21 overlapping with the end of the English interpretation, and second, at least in
22 accordance with the English transcript, the witness answered to your question
23 already, saying that, "CB is brigade commander." So could you maybe clarify
24 exactly what information you are asking from the witness, because this information is
25 already here.

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1 MS DOUZIMA LAWSON: (Interpretation) Thank you, your Honour.

2 Q. Mr Judes, when the Banyamulengue asked the inhabitants to return to town,
3 did the authorities return as well?

4 A. The authorities remained in Bangui until Bozizé took power.

5 Q. Do you know when President Bozizé took power?

6 A. It was on 15 March, but I do not clearly remember the year.

7 Q. Mr Judes, a short while ago, on page 17 of the real-time transcript of today, lines
8 1 to 7, you actually said that, "In fact, all the four corners of the town were under their
9 control;" that is under the control of the Banyamulengue. "They were the ones who
10 even settled disputes, and after such trials they would administer 50 lashes - 50 lashes
11 as being punishment - unrelentingly." Do you remember that this was your
12 statement?

13 A. Do you want me to explain what happened all over again? I have already told
14 you here that at the junction of the Bambari-Dekoua and Bambari roads they had set
15 up some checkpoints. This was in the outskirts of the town and so it was not
16 possible for any vehicles to drive around the city, so people had to go about on foot to
17 get to Galafondo before boarding any other vehicles. So vehicles were not driving
18 around in the town until President Bozizé took power.

19 PRESIDING JUDGE STEINER: Mr Haynes.

20 MR HAYNES: I am sorry to interrupt, but before we move away, the question at
21 page 26, line 6, is actually quite an important question, but the answer doesn't follow.
22 I think what Ms Douzima was seeking to find out was whether the authorities
23 returned to the town of Sibut, and the answer that came relates to Bangui again.

24 PRESIDING JUDGE STEINER: Maybe a matter of interpretation, since the question
25 was, "The authorities remained in Bangui ..." -- the question was if the authorities

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1 returned as well, and the answer was, "The authorities remained in Bangui until
2 Bozizé took power," but maybe you could ask again just to confirm if that was the
3 answer of the witness, Maître Douzima.

4 MS DOUZIMA LAWSON: (Interpretation) Your Honour, my question was
5 whether the authorities of Sibut who had fled the town when the Banyamulengue
6 troops arrived had returned to the town of Sibut when the Banyamulengue asked the
7 local people to come back, and the answer from the witness was that those local
8 authorities who had fled to Bangui remained there until Mr Bozizé took power.

9 Q. Can you confirm that that was your reply, Mr Judes?

10 A. That is what I said. The authorities returned to Sibut after Bozizé took power.
11 Some of them came back three months later. After the taking of power some of them
12 never returned.

13 Q. What sort of disputes would the Banyamulengue deal with in Sibut?

14 A. They even dealt with marital problems, and most of the time it was the wives
15 who were complaining to the Banyamulengue about their husbands.

16 Q. What sort of complaints?

17 A. I said that in the case of a misunderstanding or trouble within a couple, the wife
18 could go and talk to the Banyamulengue about it so that the Banyamulengue would
19 take up the matter with the husband. So the women would go and complain to the
20 Banyamulengue about their husbands so that the husbands would be beat up, or put
21 on trial and punished.

22 Q. What language would these women use when they spoke to the
23 Banyamulengue?

24 A. You see, within the Banyamulengue troops, there were a number of
25 shoe-shiners, people who had worked in Bangui shining shoes, so those people had

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1 been recruited by the Banyamulengue and they were with the Banyamulengue, and
2 so those people were used as interpreters for the Banyamulengue.

3 JUDGE ALUOCH: Mr Judes, how long did the Banyamulengue stay in Sibut to
4 enable them to take up such responsibilities? How long would you estimate?

5 THE WITNESS: (Interpretation) About two weeks.

6 JUDGE ALUOCH: A further clarification, Mr Judes: And within this period of two
7 weeks you say there were no leaders, there was really nobody taking charge, except
8 the Banyamulengue?

9 THE WITNESS: (Interpretation) I said here that we were being dominated by the
10 Banyamulengue. The authorities were no longer there, and these Banyamulengue
11 had weapons. We were at their mercy. That's how it happened. Up until the time
12 that the FACA arrived, we were truly in a tight spot because of the presence of those
13 Banyamulengue.

14 JUDGE ALUOCH: Thank you.

15 MS DOUZIMA LAWSON: (Interpretation) Thank you, your Honour.

16 Q. Mr Judes, did these women make these complaints about their husbands
17 frequently?

18 A. No. The complaints weren't frequent. There were three cases in which the
19 husbands were badly lashed, whipped, and then the women grew frightened and no
20 longer filed complaints or made complaints to the Banyamulengue.

21 Q. Now, these shoe-shiners who were used as interpreters, were they from Zaire,
22 or were they from the Central African Republic?

23 A. Well, people who shine shoes in Bangui are from Zaire and amongst the soldiers
24 there were several of these people. Even these days they have resumed their
25 activities in Bangui. There are many of them there.

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1 Q. Now, did these shoe-shiners wear -- have weapons as well?

2 A. Well, they were fellow citizens, as of the time -- as of that time so they also had
3 arms. They spoke to one another in their language because, you see, they were from
4 Zaire; they used the same language.

5 Q. Now, did they wear military uniforms as well?

6 A. Some of them were dressed in ordinary clothing. They didn't all have military
7 uniforms, because the people who invaded our country were many in number. They
8 deployed throughout the entire neighbourhood, and the -- you could find spent
9 cartridges throughout the town, and even grenades. There were many grenades
10 scattered about the neighbourhood.

11 Q. When you saw all of these things, did you become afraid of the
12 Banyamulengue?

13 A. How could one not be afraid? How could one not be afraid of cannibals?
14 How can one not be afraid of cannibals?

15 Q. Well, if you were afraid of the Banyamulengue, weren't you afraid to go and
16 complain to them about other people?

17 A. No. I think it was far more the women who would go and complain. Once
18 they saw the abuse that was committed upon the men they were afraid, but myself I
19 didn't have the courage to go see them. It was more the women who would go and
20 complain about the behaviour of their husbands, and at that time they would bring in
21 booze from Zaire. They would smoke cannabis and they really were accountable to
22 no one.

23 Q. Other than the three complaints from those women regarding their husbands,
24 did the women complain about anything else to the Banyamulengue?

25 A. I believe that these were marital disputes because, well, you see, to get 50 lashes

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1 and not one less as a punishment, after that a man could only repudiate his wife.

2 And these punishments were carried out at the police station.

3 JUDGE ALUOCH: A further clarification, Mr Judes. You have talked about the

4 complaints made to the Banyamulengue by -- especially by the women. Were there

5 any complaints made against the Banyamulengue by anybody, women or men, at that

6 time in Sibut?

7 THE WITNESS: (Interpretation) I believe that that was sort of an internal matter,

8 so the problems relating to soldiers didn't have anything to do with civilians.

9 JUDGE ALUOCH: I'm sorry, I didn't quite understand your answer. I meant

10 during the period of the two weeks when the Banyamulengue were in Sibut, were

11 there any complaints against them by any of the inhabitants of Sibut at all? That's

12 what I meant.

13 THE WITNESS: (Interpretation) No, I don't know of any such cases, because we

14 were very careful, and no one could run the risk of asking the Banyamulengue to do

15 things or making any kind of claims, because they might -- they actually even looted

16 goods and then sold them back to you, in some cases.

17 JUDGE ALUOCH: And when such things happened, as you say just now, they

18 looted goods and sold it back to you, nobody lodged any complaints at all? That's

19 what I mean.

20 THE WITNESS: (Interpretation) But I just told you. They were not disciplined

21 people. If you even went to make a complaint you would be whipped, because they

22 were not disciplined soldiers. Imagine that your own possessions -- that you would

23 have to buy back your own possessions. Imagine that you would be whipped.

24 I'm sorry, your Honour. I believe that the complaints from the inhabitants of Sibut

25 were gathered by a court official, because the statements were taken - the women in

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1 the morning and the men in the afternoon - and that official from the court heard the
2 complaints from the inhabitants of Sibut. If there are any doubts about the truth of
3 what we are saying here, perhaps the lawyers could go in the field and conduct
4 investigations.

5 JUDGE ALUOCH: Thank you very much. Thank you.

6 MS DOUZIMA LAWSON: (Interpretation)

7 Q. Mr Judes, did you ever see a woman from Sibut go and make a complaint
8 against her husband; make a complaint to the Banyamulengue? Did you ever see
9 such a thing?

10 A. Yes, I did have that opportunity, because the (Redacted) made a
11 complaint against her husband because he had a mistress, and so the husband -- well,
12 the husband had spent a night outside of the family home and he was lashed. I
13 couldn't bear that, I left, but (Redacted) told me that he was whipped 50 times
14 relentlessly. Fifty lashes and not one less. The name of the woman is (Redacted) and
15 (Redacted) is the name of her husband.

16 Q. What does this mean, "50 coups sans remise"?

17 A. Well, I think it's the expression that was used in French. It means that no more
18 and no less. So it meant that the person had to hand out the 50 lashes, not 49 or
19 another number. It was a common expression for them. No more, no less.

20 Q. A few moments ago, Mr Judes, you said the following, line 9, "Just imagine that
21 someone stole your own possessions and you had to buy them back and if you
22 complained you would be whipped." Did you actually see such a thing happen,
23 such a case?

24 A. Counsel, I'm responsible for the young people. When things occur I send
25 young people to go and conduct inquiries, or look into the situation. I am the head

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1 of the youth group in the neighbourhood.

2 Q. Now, if I've understood you correctly, it was the young people who reported
3 back to you, telling you that when the Banyamulengue looted something and you
4 refused to buy it back, you -- you would be whipped?

5 A. I'm not talking about the young men who were under my responsibility,
6 because they even -- they even took my sewing machines. I went all the way to their
7 base and some of the Banyamulengue took a gaslight and asked some young men to
8 buy it, and when the young men said that they didn't have the money to buy it they
9 began to hit them and, given that situation, I thought it was best to go back home
10 because I was afraid. They were the dominating force in the neighbourhood and we
11 did not have the courage to resist them.

12 Q. Thank you, Mr Jude. We will now move on to something else. Yesterday,
13 page 52 of yesterday's edited transcript, you said that some photographs and videos
14 had been taken in the town. Who was depicted in these photographs and videos?

15 A. I don't understand your question. When you talk about footage, or -- I think I
16 said that -- you see, Bemba had a photograph -- photographer within his team and he
17 took photographs. When he went to the market in Dramani, he had his picture
18 taken when he was buying those pancakes - those biscuits - at the market. So the
19 photographer had several cameras, some small ones and some relatively large ones,
20 and that all happened at the marketplace.

21 Q. So they just took photographs of Jean-Pierre Bemba?

22 A. Well, the photographer was in the same group as Jean-Pierre. He had several
23 cameras. I think he even had a video camera. He was part of the group and his job
24 was to take photographs, and then he left in the same aircraft as Jean-Pierre Bemba.
25 The photographer did not live in Sibut. He came as part of the same delegation;

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1 Jean-Pierre Bemba's delegation.

2 Q. You said that after going to the military base Jean-Pierre Bemba went to the
3 market. Did he go on foot, or did he take a car?

4 A. I think I told you that the distance was about two kilometres. He went there in
5 a car. He got out of the car and the car followed him, so all the way along, all the
6 way to the airstrip - the airport - where he took that aircraft to leave.

7 Q. You said -- you've said several times that he stopped at the market and that he
8 bought some pancakes, or some sort of biscuits, from a woman selling there. Do you
9 know that person?

10 THE INTERPRETER: Correction: And that you know that woman.

11 MS DOUZIMA LAWSON: (Interpretation)

12 Q. Did you see him buy these biscuits? Were you there?

13 A. After he landed, he came to the market. I was at the Dramani market. He
14 came towards the market while pictures were being taken of him. Once he got to the
15 market he found this woman, Marcelline, and he bought the biscuits and gave her
16 a -- some money, a bank-note. She offered some change. He refused. Marcelline
17 is still alive. She can testify to this.

18 Q. So you saw him actually offer a bank-note to this lady?

19 A. I was very close. I was just opposite, just on the other side of the road, in front
20 of a store. He got out a bill, a bank-note. He gave it to the lady. She wanted to
21 give change back, he refused, but I couldn't tell you what kind of bank-note. Was it
22 1,000 or 2,000 francs? I don't know that. I couldn't tell you.

23 Q. Did he speak to this woman?

24 A. Yes, he did speak to the lady, but I did not draw close to them and so I couldn't
25 hear what language that they were speaking in. He was speaking to the people who

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1 were present there and I really wasn't in a position to know what language he was
2 speaking.

3 Q. Before leaving, did Jean-Pierre Bemba speak to the inhabitants of Sibut?

4 A. When he got out of his plane I saw him greeting the population, but he did not
5 speak to them. Perhaps he spoke to the former mayor? I'm not in a position to
6 know that. He did not summon the local people to have -- to talk to them.

7 Q. Mr Judes, in your statement page 2, first paragraph, you said Cercueil told you
8 that Bemba was going to come to control the situation, in order to check if peace had
9 come back before the FACA came to replace the Banyamulengue. Was there war in
10 Sibut before the arrival of the Banyamulengue?

11 A. There was no war in Sibut. It was the Banyamulengue who brought the war
12 with them. Bozizé's rebels were just passing. They were based in Dekoua. They
13 did nothing bad to us. I didn't come here to lie in the name of the Bozizé rebels.

14 Q. Who are the FACA?

15 A. I didn't speak about the FACA; I spoke about the rebels, Bozizé's rebels, who
16 were only going through. They had gone to set up in Dekoua, and after the passage
17 of the rebels of Bozizé it was the Banyamulengue who set up, who established
18 themselves in Sibut. After the Banyamulengue withdrew, it was the FACA who
19 came to replace them, and then Bozizé's rebels came to dislodge them.

20 Q. Exactly. That's why I'm asking you, who are the FACA?

21 PRESIDING JUDGE STEINER: Monsieur Judes, did you understand the last
22 question put by Maître Douzima, or you want her to repeat?

23 THE WITNESS: (Interpretation) I told you that it was the Banyamulengue who
24 brought the war with them to Sibut. Bozizé's rebels were just passing through and
25 they set up in Dekoua, and when the Banyamulengue -- Banyamulengue came, they

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1 were told that Bozizé's rebels were based in Sibut. So after the withdrawal of the
2 Banyamulengue the FACA came to replace them, and after that Bozizé's rebels came
3 to dislodge the FACA from the town of Sibut. That's what I just said.

4 MS DOUZIMA LAWSON: (Interpretation)

5 Q. We've understood that very well, Mr Judes. You have just stated again that
6 after the Banyamulengue it was the FACA who came to replace them. The FACA,
7 where did they come from? What army is that?

8 A. The FACA, they're the soldiers of our country. They were deployed in the
9 town for a short time before being dislodged by Bozizé's rebels, when they were
10 taking power.

11 Q. Yesterday you stated that Bozizé's rebels, and here I'm speaking about the
12 edited version of the transcript, 53, from line 10 onwards, you stated, Mr Judes, that
13 these rebels came from Kaga-Bandoro. Where is Kaga-Bandoro in relation to Sibut?
14 Is it on the road from Bangui? You explained that the Banyamulengue came from
15 Bangui, or is it another road?

16 A. Kaga-Bandoro is on the road which goes to Chad. The rebels were based in
17 Kaga-Bandoro and in Dekoua. When their leader provided them with raw materials,
18 they entered into Bangui so as to take power there. When you leave Sibut you go to
19 Dekoua, Kaga-Bandoro, and then going along the border, the Chadian border, but the
20 FACA, they came from Bangui.

21 Q. You stated that they didn't have a lot of munitions - here I'm talking about the
22 rebels - they didn't have a war arsenal. They were expecting reinforcements from
23 their leader. Was it when they were in Sibut that they didn't have munitions?

24 A. I told you that they were only passing through. They spent very little time in
25 Sibut. They went to Dekoua and Kaga-Bandoro, and it was there that they were

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1 short of munitions, and afterwards they dislodged the FACA. The FACA asked us,
2 or told us to flee towards Bangui. We refused and we took refuge in our fields.
3 The rebels also shot into the air, going towards Bangui. There were no -- they didn't
4 have vehicles, they were going by foot.

5 Q. Do you have an idea as to the numbers of Bozizé's rebels, when they were going
6 through Sibut?

7 A. Counsel, what question are you asking me here? It was during the war.
8 These were people who were very bad people. How -- these were devils. How
9 could I get close to these people and start asking them questions? That would be
10 putting your life at risk.

11 Q. Mr Judes, I just asked you if you had an idea. I didn't tell you to go and ask
12 them questions. You say that these are bad people. Did they do anything to you in
13 Sibut, anything bad to you in Sibut?

14 A. I didn't say that Bozizé's rebels had committed harm in Sibut; it was the
15 over-excited troops. They were going to fight. It wouldn't be prudent on my part
16 to get close to these people, these armed people who were about to go to war. I
17 wasn't going to go up to them and start asking them questions or count them.
18 They'd think I was a traitor. I would be putting my life in danger if I did that.

19 Q. You also stated yesterday that it was because of Bozizé, on the same page, that
20 these attackers came to commit these atrocities. What did Bozizé do?

21 A. Bozizé had tried to take power in Bangui, and that is how in Bangui they
22 recruited these people to kill us.

23 Q. Even if it's impossible for you to give the approximate number of Bozizé's rebels,
24 were you able to see how they were dressed?

25 A. They weren't wearing military uniforms; they were wearing civilian clothing.

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1 They were wearing jeans, in fact.

2 Q. Witness, you stated on page 54, yesterday's transcript, the edited version thereof,
3 speaking about Cercueil, their leader, "He spoke Sango very well." Do you know if
4 he was a Central African, or a Zairean?

5 A. Cercueil was not a Central African. You know, when a foreigner speaks Sango
6 he has an accent that is slightly different, so when a foreigner speaks Sango you can
7 know that. So I confirm that Cercueil was not a Central African. He was a Zairean.

8 Q. Could you give clarifications with regards to his Zairean accent when he was
9 speaking Sango?

10 A. Counsel, what answer would you like me to give you? I just simply told you
11 that he had a foreign accent. He wasn't Central African. He was Zairean. He
12 could speak Sango, but he spoke with an accent and so I can't imitate his voice with
13 his accent.

14 Q. Mr Judes, I'm not asking you to imitate his voice. I just wanted to know how
15 you could differentiate between a foreigner who speaks Sango and a Central African
16 who speaks Sango. If you can't do that, well, we'll go on to something else.
17 You also said, where it concerns Cercueil, that he told you that he was the
18 witch-doctor of the group, on page 56, line 14 and following, because during the
19 fighting he put on ritual clothing. He had a drum. What would you describe as
20 "ritual clothing"?

21 A. Well, what are we talking about here? I think it was the same traditional
22 clothing that's used for initial -- used for circumcisions, for example. He was dressed
23 in this way and then he used a drum and he danced like a monkey, and he also said
24 that in the whole field of operations he was present and he was still the leader and it
25 wasn't his first operation because he had already been involved in other operations in

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1 other countries.

2 THE INTERPRETER: The interpreter corrects: He was rather a wizard, than a
3 witch-doctor.

4 MS DOUZIMA LAWSON: (Interpretation)

5 Q. Where you have difficulties in descriptions, if I showed you traditional clothing
6 that you are speaking about, would you be able to say whether it's a type of ritual
7 clothing that was worn by Cercueil?

8 A. I think it's traditional clothing which is made from trees, from -- it's made -- it's
9 made for traditional dances and it uses bark creepers, or lianas in fact. That's what
10 it's made of.

11 MS DOUZIMA LAWSON: (Interpretation) With the permission of the President, I
12 would like the court officer to present the photographs, CAR-OTP-0035-0291.

13 PRESIDING JUDGE STEINER: Maître Douzima, I suppose this is a confidential
14 document; am I correct?

15 MS DOUZIMA LAWSON: (Interpretation) Yes, it's confidential.

16 PRESIDING JUDGE STEINER: Then I ask please, court officer, to close the blinders
17 behind the witness. The photograph cannot be shown out of the courtroom.
18 Mr Haynes.

19 MR HAYNES: While we are waiting for the number to come up, what is the
20 document number on Ms Douzima's list of documents, please?

21 PRESIDING JUDGE STEINER: Number 5.

22 THE COURT OFFICER: Document CAR-OTP-0035-0291 is available on your screens.
23 It's a confidential document and it would only be displayed inside this courtroom.

24 MS DOUZIMA LAWSON: (Interpretation)

25 Q. Mr Judes, you can see on the screen -- can you see a photograph on the screen?

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1 A. I see it.

2 Q. The traditional dress that you are speaking about, is it this type, of this kind?

3 A. Exactly.

4 Q. Do you want to say it's in exactly this way that (Redacted) was dressed?

5 A. Yes.

6 Q. Do you recognise the person on this photo, or these persons?

7 A. I think I recognise the soldier wearing -- with the traditional clothing. I think
8 that's (Redacted), given the (Redacted) that he has in his hand.

9 Q. And it is because of this (Redacted) - that you recognised him, is that it,
10 or did you know otherwise that it was him?

11 A. I think it was because -- I think it was when he had this dress on, or this clothing
12 on, that he -- we met him. It was also because of the boots that he had on his feet.
13 He also had those on at the time. I think it was his clothing that made him appear in
14 this way, but this was a very elegant person, very good looking, but he was dressed in
15 this manner.

16 MS DOUZIMA LAWSON: (Interpretation) Thank you, Mr Judges.

17 I no longer need this photograph, your Honour.

18 PRESIDING JUDGE STEINER: Maître Douzima, before the photograph is taken
19 from the screens, I would like to ask the witness the other person that is at the side of
20 this person with traditional clothing is wearing a uniform. Do you know to which
21 army, or which group, this person may belong?

22 THE WITNESS: (Interpretation) I think that this is an (Redacted)
23 (Redacted), because they had a particular way
24 of dressing. Those who had (Redacted) out of them (Redacted)
25 (Redacted).

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1 PRESIDING JUDGE STEINER: And finally, Mr Witness, do you recognise by chance
2 where this picture may have been taken?

3 THE WITNESS: (Interpretation) No, I don't know this place, but it does appear to
4 be towards the Damara road.

5 PRESIDING JUDGE STEINER: Thank you very much for the clarification. Maître,
6 I think we go into the lunch-break.

7 Mr Witness, we will suspend now for a while for the lunch-break. That will allow
8 you to have lunch, take some rest. It's 1 o'clock. We'll be back at 2.30.

9 I ask, please, court usher to accompany the witness outside the courtroom. In the
10 meantime, we will suspend and resume at 2.30.

11 (The witness stands down)

12 THE COURT OFFICER: All rise.

13 (Recess taken at 1.00 p.m.)

14 (Upon resuming in open session at 2.33 p.m.)

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

16 PRESIDING JUDGE STEINER: Good afternoon and welcome back. We will
17 continue with the testimony of Witness V2. Before we get the witness in the
18 courtroom, I would like to ask Maître Douzima whether Maître Douzima estimates is
19 going to conclude its questioning; if possible, an estimation, of course.

20 MS DOUZIMA LAWSON: (Interpretation) Thank you, Madam President. I think
21 I will be done today.

22 PRESIDING JUDGE STEINER: Thank you very much, Maître. I ask, please, court
23 usher to bring the witness in.

24 (The witness enters the courtroom)

25 PRESIDING JUDGE STEINER: Monsieur Judes, welcome back.

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1 THE WITNESS: (Interpretation) Good afternoon, Madam President.

2 PRESIDING JUDGE STEINER: Did you manage to take some rest during the break?

3 THE WITNESS: (Interpretation) Yes, madam, I was able to get some good rest.

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

5 THE WITNESS: (Interpretation) Yes, I am, madam.

6 PRESIDING JUDGE STEINER: Maître Douzima, you have the floor.

7 MS DOUZIMA LAWSON: (Interpretation)

8 Q. Monsieur Judes, good afternoon.

9 A. Good afternoon, Counsel.

10 Q. Mr Judes, in yesterday's transcript, page 52, lines 21 onwards, in your testimony
11 you stated that the rebels were aware that the attackers were on their way to Damara
12 and therefore withdrew to Dekoua. Who informed the rebels that the attackers were
13 on their way to Damara?

14 A. The rebels withdrew from Sibut town because they knew that the
15 Banyamulengue were in Damara, and they had been coming to fight between
16 Damara and Sibut before returning. Those rebels withdrew from the town one week
17 before the arrival of the Banyamulengue. In fact, they were able to obtain
18 information through informants and other sources, as well as communication
19 workers who obtained such intelligence.

20 Q. Thank you, Witness. Thank you, Mr Judes. Yesterday's transcript, page 57,
21 line 8, at that point you testified that many cases of rape of ten-year-old girls had
22 taken place and that some of the girls even died. How did you become aware that
23 ten-year-old girls were raped and that some of them died?

24 A. Thank you for that question. Well, you may want to understand that I was
25 born in Sibut. I was the president of a youth movement and, in that capacity, I was

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1 supposed to be aware of all what was happening. After the Banyamulengue came in,
2 I went back home to find out what was happening. Then I went to the hospital to
3 see the body of that man who had been killed, and it is while at the hospital that I
4 noticed that some complaints had been filed or introduced. In fact, there was a girl
5 who was fleeing entirely naked. She was throwing up sperm, and after those events
6 some Red Cross workers came to identify victims. Some of the parents who came to
7 complain were disappointed because they couldn't stand it any more.

8 As far as I am concerned, I have already told you that what you need to do is to send
9 an investigator to Sibut to investigate these things. I was there, and people came to
10 complain, men and women alike, in the afternoon and the complaints were that these
11 men had brought on desolation and sadness on our city.

12 Today I am talking to you about it, and you seem to question what I am saying. Do
13 you think that I am lying to you? Please, you must understand that as I talk to you
14 of these events today, I remember all of those things and it really does stress and
15 sadden me to remember these things.

16 Q. Mr Judes, I am not in any way whatsoever questioning the information that you
17 are providing to the Court. Yesterday I told you that the questions I am putting to
18 you simply seek to enable you to provide information which the Chamber will assess
19 and evaluate. So I am not putting questions to you to disturb you; I'm simply giving
20 you an opportunity to clarify your testimony regarding those matters that you are
21 talking about to the Court.

22 Let me remind you that you are the one who is a witness to those events that
23 happened in Sibut. No one present in this courtroom was a witness to those events.
24 It is for this reason that you have been called to appear before this Court to testify
25 about the things that happened in Sibut. So, once again, please be reassured I am

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1 not questioning the validity or any aspect of the information that you have provided
2 to the Court. Do you understand that?

3 PRESIDING JUDGE STEINER: Maître, if you allow me?

4 Mr Witness, the interpreter could not listen to your answer when Ms Douzima asked
5 you if you understood what she said. Could you repeat your answer, please?

6 THE WITNESS: (Interpretation) I have understood.

7 MS DOUZIMA LAWSON: (Interpretation)

8 Q. Yesterday you also testified that the attackers -- and I'm referring here to page
9 55, from line 18. You said that, "The attackers broke down all the doors, collected
10 foam mattresses and kitchen utensils, and they even tore birth certificates and
11 I believe there was generalised chaos or disorder everywhere. They did not spare
12 any house." And then at line 24 you say the following, "I think there were three
13 convoys."

14 Now, which convoys were you referring to and, if convoy, convoys of what? You
15 said three convoys from that locality to Possel.

16 A. This is what happened. They started firing from 1 to 5 a.m. and then there was
17 a lull. We were under the mango trees in the JPN camp. Some people crossed over
18 the bridge and I personally crossed the bridge at about 9 a.m. They greeted me, and
19 I went on to find out what had happened to my family, what the situation was with
20 my family. So one worker from the (Redacted) and his wife were there, but
21 then thereafter I went to see the body of my father's ally. He had been struck in the
22 neck and his neck was in tatters.

23 Thereafter, I returned to the house and one of my neighbours was complaining about
24 not having found his son. The Banyamulengue who went to fetch cassava leaves
25 had taken their son with them. The wife had gone to look for that son, but had been

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1 driven back.

2 So I swear to you that they did not spare a single house. All the doors of all homes
3 were broken. Cotton or foam mattresses were taken and cotton mattresses were torn
4 open as they looked for money.

5 THE INTERPRETER: From the Sango booth, Madam President, could the witness
6 be asked to slow down?

7 MS DOUZIMA LAWSON: (Interpretation)

8 Q. Mr Judes, the interpreters are saying once again that you have sped up your
9 testimony. Can you slow down? Can you slow down?

10 A. The vehicles that were transporting this -- these objects had the steering on the
11 right side and they had the items deposited at a location, and those of us who were
12 owners of the property could not do anything. We couldn't say a thing. We were
13 entirely powerless. We were like their slaves and while we cried and wept there
14 was no one to console us, and so one day after they had left with our property the
15 FACA arrived and yet they had already taken off with our property.

16 Q. Where is Possel located, and if you could give the direction in relation to
17 Damara that would be useful, or rather in relation to Sibut, correction? Where is the
18 location of Possel in relation to Sibut?

19 A. When you get to Galafondo, then you go towards Possel. Then you can go
20 towards Possel, through Koto, Balel (phon) and other villages. That -- thereafter you
21 need to take a ferry, or a raft, before going to Possel, and opposite Possel is Zaire.
22 Our gendarmes were located in Possel.

23 Q. How did the Banyamulengue troops get their food?

24 A. Counsel, they hunted down animals. They pulled off windows and doors
25 from people's homes and used those as firewood.

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1 Q. This morning you told the Court that some authorities returned to Sibut, while
2 others remained in Bangui. What was the reaction of the authorities that returned to
3 Sibut to those acts of violence and excesses committed by the Banyamulengue?

4 A. What could the préfet have done? What could his reaction have been? In fact,
5 some of the figures of authorities preferred to remain there because they knew that
6 our area was a battle-ground.

7 So during the conflict, those civil servants used short-cuts in the neighbourhoods to
8 escape. What I know is that during, or after the events rather, some lawyers went to
9 that area to conduct investigations, but many of the civil servants preferred to stay
10 where they had found refuge.

11 MS DOUZIMA LAWSON: (Interpretation) Madam President, with your leave, I
12 would now like to ask the court officer to display on the screen a confidential excerpt
13 of a video that was shot in Sibut from minute 27.29 seconds to 31 minutes 4 seconds.

14 PRESIDING JUDGE STEINER: Maître Douzima, I'm sorry. May I just check with
15 you that this video has already been displayed in Court during the questioning of
16 further witnesses?

17 MS DOUZIMA LAWSON: (Interpretation) Yes, Madam President.

18 PRESIDING JUDGE STEINER: My question is because the -- if it is the same video it
19 is a video spoken in French; is that correct?

20 MS DOUZIMA LAWSON: (Interpretation) Yes, your Honour.

21 PRESIDING JUDGE STEINER: And we don't have here with us the transcripts in
22 English; is that correct?

23 MS DOUZIMA LAWSON: (Interpretation) That is the case, Madam President.

24 (Trial Chamber confers)

25 PRESIDING JUDGE STEINER: So, therefore, I ask the Prosecution and

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1 Defence whether we could authorise the video to be displayed without simultaneous
2 interpretation into English? That would take a long time, because we would have to
3 go to the -- into the video and pause every 30 seconds in order to authorise
4 simultaneous interpretation. Since we had already watched this video with the
5 English transcript of it, so my question is whether the Prosecution and Defence would
6 agree in facilitating the taking of this evidence? Prosecution?

7 MR BADIBANGA: (Interpretation) Thank you, Madam President. The
8 Prosecution has no objection, and you have indeed put your finger on the point
9 which we wanted to raise; namely, that this video had already been presented by the
10 Defence in this trial and I was wondering whether there was not already an English
11 transcript of the video on the record. Thank you, Madam President.

12 PRESIDING JUDGE STEINER: Mr Haynes.

13 MR HAYNES: Your Honour, there is, and I'm sure it can be found within a few
14 minutes, and for the best practice printed for the benefit of the Bench to follow. That
15 would, in our submission, be better than asking the interpreters to translate it
16 piecemeal. This is quite a long section that Ms Douzima wants to play, and I agree
17 with Mr Badibanga and disagree with Ms Douzima, this is not a confidential exhibit;
18 it's a public exhibit.

19 PRESIDING JUDGE STEINER: Mr Haynes, the Chamber -- I consulted my
20 colleagues, the Chamber is satisfied in order -- to follow the video without having at
21 hand the English transcript. That can be checked later, even because the
22 Chamber has already followed the same -- very same video. Therefore, if it is fine
23 for the Defence, we are going to proceed without transcription into English.

24 MR HAYNES: No, I have no difficulty. It's not the best way forward. I can't
25 remember, does the witness speak French or will it have to be translated into Sango

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1 for him?

2 PRESIDING JUDGE STEINER: It will be translated into Sango. From French into
3 Sango.

4 MR HAYNES: Okay. Thank you.

5 PRESIDING JUDGE STEINER: Court officer, the video can be displayed.

6 THE COURT OFFICER: Yes, Madam President. For the record, the video that is
7 going to be shown, I presume it's document number 3 of the list of documents, which
8 correspond to the document referenced as CAR-DEF-0001-0832. It's a public
9 document. No interpretation and no transcription of this video will be provided,
10 except the Sango interpretation.

11 I see in the real-time English transcripts that the minute to be played is starting from
12 minute 27.29 seconds, and it says to minute 24.04 seconds, so I think I would like to
13 ask Counsel Douzima to please precise once more the document -- the time-stamp
14 that she wants to play.

15 MS DOUZIMA LAWSON: (Interpretation) It is from 27 minutes 29, up until
16 31 minutes 04 seconds.

17 PRESIDING JUDGE STEINER: Yes, Mr Haynes.

18 MR HAYNES: And for everybody's benefit, that in the transcript appears as the fifth
19 section. So the interpreters, who I know have the document in French, can read
20 from that rather than try and listen to the videotape.

21 (Video excerpt played)

22 MS DOUZIMA LAWSON: (Interpretation)

23 Q. Mr Judes, do you recognise this lady who was just speaking?

24 A. Yes. That lady, Ms Maliomo (phon), was the lady I spoke of yesterday who
25 was the former mayor and she was stripped of her duties, actually. That is the lady.

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1 Q. Was she still the mayor when Bemba's troops arrived in Sibut?

2 A. First of all, she was the mayor of the town and then she was relieved of her
3 duties. Recently she was re-elected to this position.

4 Q. When was she relieved of her duties?

5 A. Well, she was relieved of her duties and then she was brought back. But
6 during the events she was not -- she wasn't there, and when she left in an aeroplane,
7 she left together with them in the aeroplane. She was the only woman who was
8 with them.

9 Q. What do you think of her entire statement?

10 A. I can't make sense of this scene. It frightens me, really. I don't understand.
11 I don't understand everything that she said. The rebels, when they were there, they
12 didn't mistreat anyone and when she spoke about the inhabitants who had fled and
13 gone into the bush, honestly, I can't make any sense of this. When Bemba's men
14 arrived she, she was with them in their vehicle. I doubt the truth of what she's
15 saying there. What people was she speaking of when she said that the inhabitants
16 had fled into the bush, when the rebels were in the town?

17 Q. She also said that she was thanking Jean-Pierre Bemba on behalf of the entire
18 local population; even the babies.

19 A. I believe that this lady hid somewhere and then dreamed up this scene. When
20 she went to the Kanga neighbourhood where this was filmed, I don't know because
21 she was together with Bemba's men. Unofficially, she was the mayor, and I don't
22 know. Was it there where she dreamt this all up? I don't know. During the
23 events, it is true that when Bemba's men were there they fled, local inhabitants fled
24 into the bush, and some people stayed in the bush and they cultivated their fields.
25 Others returned once peace had returned.

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1 This is the second time I've heard talk about this lady. The first time it was said that
2 the whole population of Sibut had gathered and come together to thank Bemba, but I
3 doubt that statement. The population lost all their possessions, so how could they
4 come together and send a message of thanks to Mr Bemba? I think that this really is
5 something that was dreamt up in the Kanga neighbourhood.

6 Q. Mr Judes, why were the children calling out and yelling?

7 A. I don't even know where -- where she might have dreamt this all up. What
8 meeting at the town hall? I really doubt the truth of this scene, and this is the second
9 time I've made mention of that.

10 MS DOUZIMA LAWSON: (Interpretation) With your leave, your Honour,
11 I would like to ask for permission to move on to the second part. This is from 35
12 to --

13 THE WITNESS: (Interpretation) I beg your pardon, the man who was killed was
14 killed at his home.

15 THE INTERPRETER: Interpreter's correction: Sequence 35 minutes 30 seconds to
16 38 minutes 18 seconds.

17 Message from the Sango interpreter, could the witness please be asked to repeat his
18 last reply?

19 MS DOUZIMA LAWSON: (Interpretation)

20 Q. Sir, the interpreters did not hear what you said. Would you please repeat?

21 A. The man who was killed by the Banyamulengue was just opposite. They were
22 neighbours. The man -- I wanted to mention this man who had been killed and the
23 lady in question. I don't understand why this lady took it upon herself to say such
24 things. Was this video shot in front of her home? I don't know, but I'm surprised
25 to hear her speaking this way. This is the second time.

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1 PRESIDING JUDGE STEINER: Mr Witness, we are going to watch now another part
2 of the same video and the Sango interpreter will translate it to you, but it's important
3 that you pay attention to the images.

4 Court officer, please.

5 (Video excerpt played)

6 MS DOUZIMA LAWSON: (Interpretation)

7 Q. Mr Judes, did you listen to this video and understand it?

8 A. Yes, I did listen to it.

9 Q. Do you recognise the man who was speaking in this video?

10 A. I recognise him. His first name is Adam. He's the son of Siebou (phon).

11 Q. So he is an inhabitant of Sibut?

12 A. I just told you that he was the son of Siebou.

13 Q. Did you recognise the place where he made that statement?

14 A. No. I know those people, but the place where that statement was made, that
15 was not his home. I don't know all the people around him, just him. I do know
16 him.

17 Q. What do you think of his entire statement?

18 THE INTERPRETER: Interpreter's correction: In a previous reply, the witness also
19 mentioned that this man was a butcher.

20 THE WITNESS: (Interpretation) I don't think this is a good statement. I have the
21 impression that they hid somewhere to dream up this video, to make this statement.
22 There were authorities in the town, but those people were all alone. I don't know
23 where they hid to film this video. I can see some trees, trees all around, but I don't
24 know which specific neighbourhood the video was filmed in. There was the town
25 hall, the centre of the town, but I don't know where they went, what place they went

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1 to. They should have gone to a centre -- to a public place of some kind to make this
2 statement. This person who spoke in the video his name is Adam, and the
3 Banyamulengue asked him to dig his very own grave so that he could be buried in it.

4 Q. And did he indeed dig his own grave?

5 A. Yes, he did dig the grave, but someone else -- the Banyamulengue wanted to
6 shoot someone else and bury that person, but that particular person intervened so
7 that this -- so that the other person would be spared.

8 Q. Do you have doubts about the truthfulness of what he said?

9 A. Yes, I do have doubts, Counsel. I'm sure that they hid somewhere to make this
10 statement. He said exactly the opposite of what happened.

11 Q. In your opinion, what was the purpose of making this statement which runs
12 counter to everything that occurred?

13 MR HAYNES: Witnesses aren't entitled to give their opinions. It's a question
14 inviting outrageous speculation.

15 PRESIDING JUDGE STEINER: Ms Douzima, rephrase your question. Although
16 the witness has already given so many opinions, the Chamber at the end will be able
17 to separate what is speculation and what is not, but in any case if you could rephrase
18 your question, Maître Douzima.

19 MS DOUZIMA LAWSON: (Interpretation)

20 Q. Witness, why did he make this statement?

21 A. We are before the Court. In my opinion, they did all of that only to get a little
22 bit of money from them. I can see that Ms Maliambo (phon) lied. Those people
23 came and looted the town, and other people are denying what happened and are
24 saying the exact opposite. They were looking for -- they were out for money.

25 PRESIDING JUDGE STEINER: Ms Douzima, before you continue, I would like to

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1 seek a clarification from the witness. Mr Witness, here on page 56, lines 18 to 21,
2 you said that, "This person who spoke in the video his name is Adam, and the
3 Banyamulengue asked him to dig his very own grave so that he could be buried in it."

4 How do you know that? Who gave you that information?

5 THE WITNESS: (Interpretation) Please listen to me. The Banyamulengue
6 grabbed someone and asked this person to dig his own grave. It is the person in the
7 video who spoke so that this person would be spared.

8 PRESIDING JUDGE STEINER: So the grave was not for Adam, it was for another
9 person. And this person, Adam, spared this other person's life; is that correct?

10 THE WITNESS: (Interpretation) It was the son of (Redacted), and that was how
11 he became a friend of the Banyamulengue to make it possible for him to make all
12 these statements.

13 PRESIDING JUDGE STEINER: Who is (Redacted)

14 THE INTERPRETER: Could we ask the witness to reply again, because there was a
15 problem with the microphone.

16 MS DOUZIMA LAWSON: (Interpretation)

17 Q. Mr Judes, the interpreters weren't able to follow what you've just said.

18 A. I said that the son, (Redacted) and it was he who the
19 Banyamulengue took so that he could dig his own grave. Adam was passing by,
20 and Adam complained to the Banyamulengue such that this boy's life would be saved.
21 The person who was in the video, it was that person who spoke with the
22 Banyamulengue so that these Banyamulengue would leave or release the boy in
23 question. This boy was called (Redacted).

24 PRESIDING JUDGE STEINER: Judge Aluoch has also a clarification to seek.

25 JUDGE ALUOCH: Yes, Mr Judes, and this is on the transcript, the English version

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1 at page 53. First of all, page 52, line 25, where Ms Douzima asked you, "Mr Judes,
2 do you recognise this lady who was just speaking?" And your answer was, "Yes,
3 that lady, Ms Maliomo, was the lady I spoke of yesterday, who was the former mayor,
4 and she was stripped of her duties actually. That is the lady." The next question,
5 "Was she still the mayor when Bemba's troops arrived in Sibut?" Your answer was,
6 "First of all, she was the mayor of the town and then she was relieved of her duties.
7 Recently she was re-elected to this position."

8 What I want you to clarify is, please, when was she relieved of her duties; after those
9 incidents or before? After the incidents of Banyamulengue or before? Do you
10 remember?

11 THE WITNESS: (Interpretation) I just stated that she was relieved of her duties
12 long time before the arrival of the Banyamulengue. She got her post back less than a
13 year ago. This lady was known by everybody. It was she who put up passers-by,
14 and that's how people knew her. That's how these people knew her.

15 MS DOUZIMA LAWSON: (Interpretation)

16 Q. Mr Judes, how were you aware of the story about (Redacted) who the
17 Banyamulengue asked to dig his own grave?

18 A. Thank you for this question. (Redacted) is not far from myself. He usually stays
19 at my place, in my workshop, and it was he who gave me this information that his life
20 had been saved thanks to the intervention of Adam, because he had been asked to dig
21 his own grave and even he, he didn't know that it was his own grave at the time. It
22 was only afterwards that he had learnt that, that he had learnt of that.

23 PRESIDING JUDGE STEINER: Court officer -- so first Prosecution.

24 MR ZENELI: Thank you, Madam President. I'm just concerned of the use of
25 names at this stage, because we realise that the person for whom the grave was dug

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1 was not actually the person who we saw on the public video. So we -- I need to be
2 careful to not mention that person's name or his father's name.

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

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

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

6 PRESIDING JUDGE STEINER: (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted). Thank you very much. Court officer, please turn into

14 open session.

15 (Open session at 3.39 p.m.)

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

17 MS DOUZIMA LAWSON: (Interpretation)

18 Q. Mr Judes, you and I, we have to avoid speaking the names of people who are

19 not in the case. Have you understood that?

20 A. That is well understood.

21 MS DOUZIMA LAWSON: (Interpretation) Your Honour, with your leave,

22 I would request that we go on to the next sequence; 38 minutes 25 seconds,

23 51 minutes to 51 seconds; and then from 40 minutes 35 seconds, 41 minutes 37

24 seconds.

25 PRESIDING JUDGE STEINER: Court officer, please.

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1 (Video excerpt played)

2 MS DOUZIMA LAWSON: (Interpretation) Before I start asking questions to the
3 witness, could we go to the next sequence? 40 minutes 35 seconds, 41 minutes and
4 37 seconds.

5 (Video excerpt played)

6 PRESIDING JUDGE STEINER: Yes, I've just been informed by my court officer that
7 because of the number of redactions we are at this moment without broadcasting
8 because the tape has to be reset.

9 Mr Haynes.

10 MR HAYNES: Yes, it's -- I suppose it's an objection. What Ms Douzima Lawson
11 appears to have done is excised from this four minute section of tape about one
12 minute in which the person speaking gives some very germane information about
13 what he says General Bozizé's troops did in Sibut.
14 Now, it seems to me that's a rather selective and misrepresentative way of playing the
15 videotape to the witness and is in terms unfair to him, but in any event I make the
16 point that, if Ms Douzima Lawson isn't going to play the whole of this section of this
17 tape, I will. So it might save time if we just watch the whole of this gentleman's
18 interview now, but in any event we might be running out of time.

19 PRESIDING JUDGE STEINER: Any comment, Ms Douzima?

20 MS DOUZIMA LAWSON: (Interpretation) Your Honour, I just wanted to -- I'm
21 the master of the proof that I just wanted to show to the witness and, as is the case for
22 the first video, I didn't take everything. We had the first sequence, that was the case
23 with the second sequence and the third sequence I wanted to also present to the
24 witness important information which are even favourable to the Defence. And
25 among the documents I've seen of the Defence they are going to present more or less

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1 the same video, so I really don't see how it could prejudice the interests of the
2 Defence, your Honour.

3 PRESIDING JUDGE STEINER: As Mr Haynes said, you'll be -- if it is important for
4 the Defence, the Defence will be authorised to display again the video, the full four
5 minutes if need be. Ms Douzima, you can continue.

6 MS DOUZIMA LAWSON: (Interpretation) Thank you, your Honour.

7 Q. Mr Judes, you've followed this video with us. Do you know this person whose
8 testimony we've just heard?

9 A. The person that you see is the inspector for youth deployed in the locality, and
10 his wife was an inhabitant in the locality. He lives in the town centre. His house is
11 next to (Redacted). He experienced all the events. Even his -- even his
12 brother-in-law was a victim of pillaging of the Banyamulengue. And the road that I
13 saw, well, I can't even identify that. Myself, what I am telling you here is what I saw
14 and I doubt the truth of what is being said.

15 THE INTERPRETER: The interpreter corrects: It wasn't the station, but the bridge.

16 MS DOUZIMA LAWSON: (Interpretation)

17 Q. Thank you very much, Mr Judes. I would now like to ask you: You spoke
18 about Bozizé's rebels after they left. The Banyamulengue came a week afterwards,
19 and after the Banyamulengue it was the FACA and after the FACA it was Bozizé's
20 troops who came to dislodge them when they took power. In addition to these three
21 troops, did you also know other troops, apart from them, who arrived, who were
22 perhaps coming through the town of Sibut at that time?

23 A. The only troops who came into the town were the three troops. First of all,
24 you had the rebels, then the Banyamulengue who came and committed the different
25 atrocities, and after they withdrew the FACA arrived and some days later Bozizé's

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1 men came to drive them out to take power in Bangui. The people who had done
2 harm were exclusively the Banyamulengue.

3 Q. After the departure of the Banyamulengue, who you said were causing harm,
4 did the population complain, because you say that nobody was saved, nobody was
5 spared this?

6 A. Who could you lodge a complaint with? With whom? The Red Cross officers
7 came and then other white persons came, and they invited us to go to the Catholic
8 church so that a survey would be carried out - a census - and this was carried out, but
9 with which authority could you lodge a complaint? These authorities came back
10 into the locality only after Bozizé took power. The people that you will see, the
11 people who put this -- the people who were in the video, they just were people who
12 were desperate for money and those are the -- all these bad things were done so that
13 people could get money.

14 Q. Mr Judes, what do you expect from these proceedings, from this trial?

15 A. I haven't understood your question, Counsel.

16 Q. I asked you if the population had lodged a complaint against the
17 Banyamulengue troops. You answered me, saying that the population hadn't
18 lodged a complaint because they didn't know who to address such a complaint to,
19 and that what happened -- well, the judgment of that is being done here, if I interpret
20 what you're saying, and that's the reason why I would like to ask you to tell us
21 yourself, you as a victim, what you expect from this trial which is being carried
22 out -- what do you expect to be done with regard to the atrocities that were
23 committed by the Banyamulengue in Sibut?

24 A. Myself, I already lodged a complaint with the Court. I don't have the strength
25 to impose anything. I'm available to you. I think that lawyers, who went to the

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1 locality, weren't able to survey all the victims. Some of them were angry because
2 they saw that they hadn't been taken into account. At a certain time the
3 investigators had no more forms, and that prevented them from finishing their work.
4 What is true was that there were some authorities in place at the time, but people
5 didn't know who you could turn to in order to complain.

6 Now the case is before the Court; it's up to the Court to decide on it and to rule on it.

7 Q. Mr Judes, if I told you that the Banyamulengue claim that they did no harm to
8 the population of Sibut, and that they were rather liberators, and that Jean-Pierre
9 Bemba claims that he never set foot in Sibut, what would you say to that?

10 A. Really, it's not good for a high figure to lie. We can lie, but God sees us. God
11 has the last word. The plane that landed in this place, who did that belong to?
12 Who did that plane belong to?

13 Q. In order to finish, Mr Judes, what you and the population of Sibut suffered in
14 2002 --

15 THE INTERPRETER: 2003, corrects the interpreter.

16 MS DOUZIMA LAWSON: (Interpretation) -- with the Banyamulengue, which you
17 testified to here, did you suffer such atrocities before or after the Banyamulengue
18 came through?

19 A. I've never experienced such atrocities. The thing that still causes me hurt is
20 that I lost both of my machines; one belonged to me and one belonged to a friend of
21 mine. The second machine was destroyed -- correction, it was looted by them, and I
22 still -- I still have that one. And my clients, whose clothing was taken away from
23 them, all that makes me very sad. Luckily, among my clients, there were some who
24 came to console me, telling me they would no longer demand their clothing. I tell
25 you here, if you were there to see yourself the atrocities which we suffered, the

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1 property which we lost, you would not make such a statement here. The counsel of
2 Bemba would not say what he is saying here, but everything we -- everything that we
3 suffered only God is a witness of that.

4 MS DOUZIMA LAWSON: (Interpretation) Thank you very much, Mr Judes.
5 Your Honour, I have finished as I promised.

6 PRESIDING JUDGE STEINER: Thank you very much, Maître Douzima.

7 Mr Witness, it is enough for today. You need to take some rest. Our interpreters
8 and court reporters, as well. We will adjourn. We hope you have a restful
9 weekend. VWU will give you all assistance you need during the weekend. We
10 will resume on Monday morning at 9.30 in the morning when Maître Zarambaud,
11 also legal representatives of victims, will start questioning you followed by the
12 Prosecution.

13 We wish you a very restful weekend. I thank very much the Prosecution team, legal
14 representatives of victims, Defence team, Mr Jean-Pierre Bemba Gombo. I thank
15 very much our interpreters, our court reporters. We wish you all a restful weekend.
16 I ask, please, court usher to accompany the witness outside the courtroom. In the
17 meantime, we will adjourn and resume on Monday at 9.30.

18 (The witness stands down)

19 THE COURT OFFICER: All rise.

20 (The hearing ends in open session at 4.03 p.m.)

21 RECLASSIFICATION REPORT

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

23 ICC-01/05-01/08-3038, the version of the transcript with its redactions becomes Public.