

1 International Criminal Court
2 Trial Chamber III - Courtroom I
3 Situation: Central African Republic
4 In the case of The Prosecutor v. Jean-Pierre Bemba Gombo -
5 ICC-01/05-01/08
6 Presiding Judge Sylvia Steiner, Judge Joyce Aluoch and
7 Judge Kuniko Ozaki
8 Trial Hearing
9 Tuesday, 18 June 2013
10 (The hearing starts in open session at 3.10 p.m.)
11 THE COURT USHER: All rise. Please be seated.
12 PRESIDING JUDGE STEINER: Good afternoon. Welcome back to those
13 that are here in the courtroom.
14 Good afternoon, Mr Rojas.
15 THE COURT OFFICER (Via videolink): (Interpretation) Good
16 afternoon, your Honour.
17 PRESIDING JUDGE STEINER: Good afternoon, Mr Witness.
18 THE WITNESS: (Interpretation) Good afternoon, your Honour.
19 PRESIDING JUDGE STEINER: As decided orally yesterday, transcript
20 324 bis, page 2, lines 7 to 19, we will continue now with the testimony
21 of Witness CAR-D04-PPP-0004, who will testify in the afternoon sessions
22 until we finish with the testimony of Witness D04-0003, who is providing
23 testimony during the morning sessions. In accordance with the Chamber's
24 decision of 31st May 2013, decision 2646, the testimony of
25 Witness D04-0004 will be heard by means of video technology. In addition

1 pursuant to Chamber's decision of 17 June 2013 on in-court protective
2 measures, decision 2694 confidential, the Chamber has authorised the
3 continued use of a pseudonym, image, and voice distortion and the use of
4 private or closed session in order to protect the witness identity.

5 (The witness entered the video link room)

6 PRESIDING JUDGE STEINER: Mr Witness, thank you very much for
7 being with us.

8 THE WITNESS: (Interpretation) Thank you.

9 PRESIDING JUDGE STEINER: Mr Witness, I hope that somewhere in
10 front of you there is a card on which it's printed a solemn undertaking.
11 Could you please read out the words on the card.

12 THE WITNESS: (Interpretation) I solemnly declare that I will tell
13 the truth, the whole truth, and nothing but the truth.

14 WITNESS: CAR-D04-PPP-0004

15 (The witness speaks Sango)

16 (The witness gives evidence via video link)

17 PRESIDING JUDGE STEINER: Mr Witness, now that you have taken the
18 oath, can you confirm that you understand what the oath means?

19 THE WITNESS: (Interpretation) Yes, I understand.

20 PRESIDING JUDGE STEINER: Do you understand it to mean that you
21 must give answers to questions asked of you that are true and accurate to
22 the best of your knowledge and belief?

23 THE WITNESS: (Interpretation) Yes, your Honour.

24 PRESIDING JUDGE STEINER: Mr Witness, as must have been explained
25 to you by Victim and Witnesses Unit during the familiarisation process,

1 you will be questioned first by the Defence, then by the Prosecution,
2 then by legal representatives of victims, and finally by the Defence if
3 Defence wants to put some follow-up questions to you. The Chamber, as
4 well, at any time can put questions to you.

5 As you know, the Chamber has put in place measures to protect
6 your identity from the public, and you will therefore be referred to
7 during your testimony as "Mr Witness." Your image and your voice that
8 are broadcast outside the courtroom are being distorted so that the
9 public cannot identify you. In order to keep your identity concealed,
10 Mr Witness, it is very important that while we are in public session you
11 don't reveal any information that could lead to your identification. For
12 instance, you should not mention, of course, your name, name of close
13 friends or family members or neighbours, your current activities, the
14 position you occupied during the events, names of persons or situations
15 in which you were with two or three people only, and that people could
16 identify you. This kind of information, Mr Witness, if you need to
17 disclose any information of this kind, you just let us know in advance
18 and we go into private session. In private session you can speak freely,
19 because the public outside the courtroom cannot hear to what you say.

20 Do you understand the protective measures, Mr Witness?

21 THE WITNESS: (Interpretation) No.

22 PRESIDING JUDGE STEINER: You did not understand my explanations?

23 THE WITNESS: (Interpretation) Oh, with regard to my protection.

24 Yes, I've understood. That's good. Yes. Yeah, that's fine. I
25 understood that.

1 PRESIDING JUDGE STEINER: Mr Witness, it's also important that
2 you have in mind that because we speak different languages, we have
3 interpretation so that we can understand each other. Because of this and
4 the fact that you are testifying by video link, it is very important,
5 Mr Witness, that you speak slower than normal, as I'm doing now, and that
6 after any question is put to you, you wait five seconds before you start
7 giving your answer in order to allow the interpreters to complete the
8 translation of the question. We need to avoid overlapping speakers,
9 because otherwise the interpreters cannot put in the transcript exactly
10 what you are saying.

11 We know that it may seem unnatural to speak so -- so slowly, but
12 if you start speeding up, Mr Witness, I will have to interrupt you and
13 ask you to slow down. Please don't take offence. It should not
14 discourage you from speaking. It is just for practical reasons.

15 Do you understand, Mr Witness, our ground rules?

16 THE WITNESS: (Interpretation) Yes.

17 PRESIDING JUDGE STEINER: Wait five seconds before you answer to
18 my question, Mr Witness.

19 THE WITNESS: (Interpretation) (* No interpretation)

20 PRESIDING JUDGE STEINER: Court Officer, please could we go into
21 private session.

22 *(Private session at 3.20 p.m.) Reclassified into open session

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

24 PRESIDING JUDGE STEINER: (Redacted)

25 (Redacted)

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 THE WITNESS: (Interpretation) (Redacted).

20 PRESIDING JUDGE STEINER: (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 THE WITNESS: (Interpretation) (Redacted)

5 PRESIDING JUDGE STEINER: (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 THE WITNESS: (Interpretation) (Redacted)

12 (Redacted)

13 (Redacted)

14 PRESIDING JUDGE STEINER: Court Officer, can we go back into open
15 session, please.

16 (Open session at 3.26 p.m.)

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

18 PRESIDING JUDGE STEINER: Mr Witness, discuss for your
19 information, you will have today one session of total of two hours,
20 meaning that you will have one and a half hour of questioning this
21 afternoon, but if for any reason you need a break, you just let us know
22 and a break will be given.

23 Before you start giving your testimony, Mr Witness, do you have
24 any questions?

25 THE WITNESS: (Interpretation) No, I've got no questions.

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1 PRESIDING JUDGE STEINER: Therefore, Defence will start
2 questioning you, and for that purpose I give the floor to Mr Haynes.
3 Mr Haynes.

4 MR HAYNES: Thank you very much, your Honour, and good afternoon.

5 QUESTIONED BY MR HAYNES:

6 Q. Good afternoon, to you, sir.

7 A. Good afternoon. Good afternoon. Good afternoon, Counsel.

8 Q. Two things. Firstly, I assume I'll be allowed to sit down while
9 I examine the witness; and secondly, Mr Witness, that was not a good
10 start. You're not obeying the five-second rule. Can you wait and count
11 to five until the translation of my question has been finished.

12 Did you understand that? Mr Witness, are you receiving
13 translation of what I --

14 A. Yes, I can hear you.

15 Q. Okay. Well, we're going to find out who you are, and to do that
16 I'm going to ask, Madam President, if we can go into private session.

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

19 *(Private session at 3.29 p.m.) Reclassified into open session

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

21 MR HAYNES:

22 Q. Sir, would you mind telling us your full name, please.

23 A. My names are (Redacted)

24 Q. And when were you born, sir?

25 A. (Redacted)

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1 Q. And what are the names of your parents?

2 A. (Redacted)

3 (Redacted)

4 Q. And where were you born?

5 A. (Redacted)

6 Q. And did you live in (Redacted) throughout the whole of your
7 childhood?

8 A. Yes.

9 Q. If my arithmetic is correct, you're now (Redacted) years of age; is that
10 right? No. (Redacted) years of age; is that correct?

11 A. Yes. I am (Redacted) years old.

12 Q. And in 2002, in October, you'd have been (Redacted)

13 A. Yes.

14 Q. At that time in your life, in October of 2002, what were you
15 doing?

16 A. I was in the USP forces, and I was (Redacted).

17 Q. Thank you. You've told me your rank. To whom did you report?

18 A. The USP is the presidential security unit which reports to the
19 general, who is the general director for presidential security.

20 Q. Sir, we've heard his name, I think, a number of times in this
21 case already, but we're in private session anyway, so what is the name of
22 that man?

23 A. The general's name is Ferdinand Bombayake.

24 Q. Did you have any men under your command?

25 A. At the time I was a (Redacted).

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1 Q. (Redacted)

2 A. (Redacted)

3 Q. And are you able to give us any idea of the sides of the USP in
4 total at that time?

5 A. The USP, the presidential security unit, was headed by a general
6 director called Bombayake, and his deputy was Albert Wadane. We also had
7 a company commander whose name was Totokoesse. We had a BIO, bureau for
8 instructions and operations which was headed by Mobe Ngonye (* phon).

9 Q. Okay. If you don't know, you don't know, but do you know roughly
10 the total number of men in the presidential guard?

11 A. There were about 300 men in the presidential guard, that is, 300
12 to 500 men.

13 Q. And just a couple of last questions in private session. Do you
14 remember when General Bozizé's forces entered Bangui?

15 A. Yes. The death squadrons of general -- rather, they came into
16 Bangui on the 25th of October, 2002. And I'm referring there to Bozizé's
17 forces.

18 Q. Thank you. And these are the two questions: I wanted to ask in
19 private session. Where were you living at that time precisely?

20 A. (Redacted)

21 (Redacted)

22 (Redacted)

23 Q. Okay. And what were you doing there?

24 A. (Redacted)

25 (Redacted)

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1 Q. Okay. I think we might be at cross-purposes here. I don't want
2 to know where you were when General Bozizé's forces entered Bangui on
3 March the 15th, 2003. I want to know where you were when
4 General Bozizé's forces entered Bangui on the 25th of October, 2002. Do
5 you understand?

6 A. On 25 October 2002, at noon, when General Bozizé's troops - the
7 death squadrons and Zaghawa - came into Bangui, (Redacted)
8 (Redacted).

9 Q. Thank you very much. Just one other thing about you personally.
10 What languages do you speak?

11 A. I speak three languages, Sango, French, and Lingala.

12 Q. Which of those would you regard as your mother tongue?

13 A. Sango.

14 Q. And how does it come about that you speak Lingala?

15 A. I speak Lingala because Zongo is a border town to Bangui. You
16 see, at the time we had house servants who spoke to us in Lingala, and it
17 was through them that I learned to speak Lingala.

18 Q. And how would you assess your level of proficiency in Lingala?

19 A. I'm very fluent in Lingala.

20 Q. Okay. I'm now going to ask that we go into public session, sir.
21 If you feel any question I ask you requires you to give information that
22 reveals your identity, then please tell me. Do you understand?

23 A. Yes.

24 MR HAYNES: Then, your Honour, can we pass into public session,
25 please.

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1 PRESIDING JUDGE STEINER: Court Officer, please turn into private
2 session -- into open session. I'm sorry.

3 (Open session at 3.43 p.m.)

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

5 MR HAYNES:

6 Q. Sir, we're in open session so the public can hear what you are
7 saying now, so be careful not to say anything that reveals your identity.
8 What can you tell us about the entry into Bangui on the 25th of October
9 of General Bozizé's rebel forces?

10 A. On 25th October, when the rebel forces, the death squads of
11 General Bozizé, entered Bangui, those of us who were loyalists, namely
12 FACA, USP, and the SCPS militia of Ndoubabe, Victor, alongside the Sarawi
13 forces which were led by Miskine as well as Paul Barril's troops. We
14 single-handedly fought to ward off the advance by the troops of General
15 Bozizé. We were able to push them back from the presidential palace
16 which had come under attack. They then settled in the northern part of
17 the city of Bangui, that is in Fouh neighbourhood in Boy-Rabé, Gobongo,
18 PK 10, PK 12, Avenue Marabena, and part of Combatant as well as part of
19 the airport. That is the area to which they moved to seek refuge after
20 failing in their attack on the president's house.

21 Q. Okay. How close did they get to the president's house?

22 A. They came as far as Onaf, which is about 10 metres away from the
23 president as you house. Ten, 15 metres from the president's house. So
24 they came as far as Onaf.

25 Q. And on what date did they reach Onaf?

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1 A. On the 25th of October they came as far as Onaf, on the same day,
2 the 25th of October.

3 Q. Can you give us a little bit more detail about the loyalist
4 forces? How many FACA troops, if you can tell us, remained loyal to
5 President Patassé at that time?

6 A. Part of the FACA forces remained loyal. The USP remained loyal
7 to President Patassé, but in addition to that, there was the Cen-Sad
8 forces. The Cen-Sad forces were also present, and then we had the SCPS
9 militia and the Sarawi forces. We all remained loyal to President
10 Patassé.

11 Q. What -- what troops comprised the Cen-Sad forces?

12 A. The Cen-Sad forces were made up of Libyans and Sudanese as well
13 as people from Djibouti.

14 Q. And when had they originally arrived in the
15 Central African Republic?

16 A. The Cen-Sad forces arrived in 2001 after the failed coup d'etat
17 by General Kolingba on 28th April 2001. It is at that time that the
18 Cen-Sad forces came in.

19 Q. And where were they based?

20 A. The Cen-Sad forces were basically based at the presidential
21 palace. That is where the President lives.

22 PRESIDING JUDGE STEINER: Mr Haynes, did you receive
23 interpretation?

24 MR HAYNES: Of the last answer, yes, I did. I must say I have
25 the impression - I haven't heard a complaint yet - that the witness is

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1 speaking very fast.

2 PRESIDING JUDGE STEINER: (Microphone not activated) ...

3 MR HAYNES: Okay. We'll wait then.

4 PRESIDING JUDGE STEINER: Mr Haynes, can you say something,
5 please?

6 MR HAYNES: Good afternoon, your Honour.

7 PRESIDING JUDGE STEINER: Good afternoon. Now I can hear you.
8 Thank you.

9 MR HAYNES:

10 Q. Sir, can you speak as clearly and slowly as possible. I just
11 have the impression you're speaking very fast, and the interpreters are
12 struggling to keep up with you. Is that okay?

13 Okay. The Cen-Sad forces at the presidential palace, do you know
14 if they had a particular task to perform?

15 A. Yes. Those forces were there to protect the head of state and
16 the palace.

17 Q. Can you tell us approximately how many Cen-Sad forces there were
18 protecting the head of state?

19 A. About 500 troops.

20 Q. And how were they armed?

21 A. They had heavy weaponry from Libya, Cen-Sad weapons that had been
22 brought in by the troops to the locations around the presidential palace.
23 That is where they were located.

24 Q. Thank you. Can we move on now to the SCPS. Who are they?

25 A. The SCPS was a militia force, the presidential militia. It was

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1 led by Sergeant Ndoubabe (* phon) Victor.

2 Q. Do you know what their numerical strength was?

3 A. About 1.000 troops.

4 Q. And can you help us with the origins of that militia?

5 A. That militia was made up of people from the president's ethnic
6 group, namely the Kaba, as well as Saras (* phon), Ngambayes (* phon) and
7 Kodos.

8 Q. Thank you. And can you tell us as how they were deployed on the
9 25th of October?

10 A. Their base was very close to the presidential palace, so on the
11 25th of October, we fought alongside with them to defend the palace and
12 to stop General Bozizé's Zaghawa and death squadrons from taking over the
13 presidential palace.

14 Q. Okay. Just a couple more. You mentioned a group called the
15 Sarawi. Can you tell us a little bit more about them?

16 A. The Sarawi forces were former Chadian rebels who came or who
17 followed Abdoulaye Miskine and who were operating with him, that is, with
18 Abdoulaye Miskine.

19 Q. How many of them were there?

20 A. There were many of them. Most of them were there on the ground.

21 Q. And in what way were they deployed on the 25th of October?

22 A. On 25 October, alongside the Sarawi forces of Abdoulaye Miskine
23 and the SCPS, we were all deployed together in order to ward off the
24 attacks by the Zaghawa and the death squads of General Bozizé.

25 Q. Okay. Just one more person that you've mentioned and that's

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1 Paul Barril. Who is he?

2 A. Lieutenant Paul Barril is a French mercenary. He was hired by
3 the head of state or hired to join the camp of the head of state so that
4 he could provide training, training for the militia.

5 Q. Did he have any forces of his own or was he only hired for
6 training?

7 A. Yes. He had a few -- a few men with him. These were civilians
8 who volunteered to work with him.

9 Q. Okay. Was anybody in overall operational command of the defence
10 of the president?

11 A. I'm not sure that I understood your question.

12 Q. Of course. You have described to us a number of different forces
13 which were defending the president on the 25th of October. What I want
14 to know is whether any one person was in overall command of all those
15 forces?

16 A. Yes. There was the General Staff and the CCOP which commanded
17 all the troops on the ground.

18 Q. Who at that time was the chief of General Staff?

19 A. The chief of General Staff was General Betibangui. The Chief of
20 Staff was General Mazi.

21 Q. We've heard --

22 A. The minister of staff was Ongwa (* phon). The deputy Minister of
23 Defence was General Yangongo.

24 Q. Thank you. You mentioned in your answer the CCOP. What is that?

25 A. The CCOP is the commander -- is the commandment -- the commander

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1 of operations. The centre of command of operation.

2 Q. And where was the centre of the command of operations?

3 A. Of course it was at the staff HQ.

4 Q. And who was in charge of the CCOP?

5 A. The CCOP was commanded by Colonel Lembi.

6 Q. Thank you. For how long did these forces fight with
7 General Bozizé's rebels before they pushed them back?

8 A. We started to free the -- around the palace, the presidential
9 palace, after two days. And after two days, they came back to the area
10 which I just mentioned to you. They withdrew from the area I just
11 mentioned to you.

12 Q. Okay. And what can you tell us about General Bozizé's forces?
13 How numerous were they and how were they armed?

14 A. General Bozizé, with the Zaghawa and the death squads, a special
15 unit, a Chadian unit, they were heavily armed.

16 Q. How far did you manage to push them back after two days?

17 A. It could be said to 1 kilometre and a half or 2, and they took
18 refuge at the fourth roundabout towards Lycée Boganda.

19 Q. And what was the military situation then?

20 A. Confused, of course.

21 Q. Were the loyalist forces able to push them back any more than
22 that?

23 A. The objective firstly was to drive them out from the presidential
24 palace, and after they made a strategic withdrawal towards the fourth
25 roundabout. Then they organised themselves, and then they were

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1 counter-attacked. So we gave them the time where I told you with regards
2 to the distance.

3 Q. Did you receive any reinforcements?

4 A. Yes. There were reinforcements.

5 Q. Where did they come from?

6 A. On the orders of the president of the republic, the minister
7 delegate for the defence, he -- well, they crossed over the river in
8 order to go and negotiate that the people from the MLC would come and
9 reinforce us. It was General Yangongo who crossed the river.

10 Q. Who's General Yangongo?

11 A. Deputy Minister of Defence at the time.

12 Q. Do you know when the reinforcements arrived from the other side
13 of the river?

14 A. They arrived from the 29th, 29th of October, 2002.

15 Q. And how did they arrive?

16 A. They crossed the river with barges, Central African barges, and
17 they crossed over the river with these barges from Sokataf (* phon).
18 After crossing over the river, they went to the naval base.

19 Q. Did you see them crossing over the river?

20 A. At that time, I was in the field, but they crossed over that
21 river.

22 Q. Where and when did you first see MLC forces?

23 A. For the first time I saw them, that was at the naval base.

24 Q. I think we know where the naval base is, but just you tell us,
25 would you?

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1 A. The naval base is just opposite the river. When you cross over
2 the river, there's the naval base which is there next to it, towards the
3 Renaissance palace in town, on the road going to Ouango. Next to the
4 French embassy.

5 Q. And about how many of them were at the naval base when you saw
6 them?

7 A. If I tell you the exact name it would be a lie, but there were
8 lots of them, maybe 400. There were others who were trying to cross over
9 as well still.

10 Q. Okay.

11 THE INTERPRETER: Exact number, corrects the interpreter, not
12 "the exact name."

13 MR HAYNES:

14 Q. What did they look like? How were they dressed?

15 A. They had boots. They were wearing boots on their feet. And some
16 of them didn't have uniforms. People were in civilian clothing and
17 others had uniforms. Some people had jeans and other people were in
18 uniform and some had T-shirts.

19 Q. And was anybody there to meet them at the naval base?

20 A. There were the authorities who were there in order to receive
21 them.

22 Q. What authorities?

23 A. At that particular time, there was the deputy minister for the
24 defence General Yangongo and there was Lionel --

25 THE INTERPRETER: The interpreter didn't get the name.

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1 THE WITNESS: (Interpretation) There was Lengbe, there was Mazi,
2 there was commander of the naval base Dandito. All of these people were
3 there in order to receive the MLC?

4 Q. If you need to go into private session to answer this question,
5 please say so, but why were you there?

6 A. Can we go into closed session?

7 MR HAYNES: I thought so.

8 PRESIDING JUDGE STEINER: Court Officer, please current into
9 private session.

10 *(Private session at 4.13 p.m.) Reclassified into open session

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

12 MR HAYNES:

13 Q. Sir, we're in private session now, so nobody can hear what you're
14 saying. Why were you present at the naval base at the time these troops
15 were being greeted by the authorities?

16 A. I was at the naval base because (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 Q. What happened while you were there?

23 A. When we arrived there with them, well, we got to know each other,

24 and we had found the authorities already in place. So we saw that --

25 said to the general yes the men have already started to cross over. And

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1 at that particular time it was necessary to take them to the support
2 regiment.

3 Q. Where is the support regiment?

4 A. The support regiment is in avenue -- Avenue Dendbomos (* phon).
5 Just after you come to Onaf and it's before you come to the assembly.
6 That is where you will find on your left the support regiment.

7 Q. How did these soldiers from across the river arrive at the
8 support regiment?

9 A. They were transported in vehicles, pickups, 4 by 4s, and we
10 transported them, and we took them to the support regiment, several
11 vehicles, of course.

12 Q. I know it's difficult ten years later, but do you remember
13 approximately how many vehicles it took to transport these men?

14 A. I can -- can't really remember.

15 Q. And why was it necessary at that time to take them to the support
16 regiment?

17 A. It was really necessary to take them to the support regiment
18 because the loyalists were also there. The FACA were divided. The FACA
19 who stayed loyalist, they stayed at the support regiment, and we had a
20 base at the support regiment, and it was probable that they would be
21 taken to the support regiment.

22 Q. The MLC troops you saw at the naval base, were they armed?

23 A. Only the -- well, they had machine-guns which I saw in their
24 hands.

25 Q. What happened when they arrived at the support regiment?

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1 A. When they arrived at the support regiment, there was an emergency
2 meeting where the -- which the authorities had, and after this meeting
3 the president gave the order that the MLC men be dressed or uniformed,
4 that they be given uniforms, military uniforms, because what they had
5 brought wasn't comfortable, and it was necessary for them to be given
6 military uniforms, ranges, and to -- hand those over to them. They got
7 walkie-talkies and they got radios to transmission. They had pickups,
8 and they had BG75s and Fawo (* phon) were made available to them.

9 Q. When you say the president gave the order, who do you mean by
10 that?

11 A. Ange-Felix Patassé.

12 Q. And how do you know he gave that order?

13 A. He was the supreme chief of the armies. It was only he who could
14 give such an order.

15 Q. And how was his order carried out?

16 A. He gave the order to the General Staff and the CCOP, and the
17 staff executed the order with General Bombayake.

18 Q. Okay. How did General Bombayake execute the order?

19 A. Immediately we -- he took the key where the uniforms were and we
20 filled the BG75s with uniforms and shoes and took them to the regiment in
21 order to distribute them to the MLC troops. With the weapons, of course.

22 Q. Right. The key. The key to what?

23 A. Firstly, the key to the container, because the uniforms were in a
24 container. The container key. And even the key to -- the key to the
25 arms depot so that the weapons could come out. That was opened as well.

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1 And we took what was necessary in order to be able to supply the MLC.

2 Q. I understand, but I just want to get the detail of it. Where did
3 the key come from?

4 A. From President Patassé.

5 Q. And were you present when the key was handed over by
6 President Patassé?

7 A. When he provided the key I wasn't present, but General Bombayake,
8 when he left the compound in order to go towards the containers, that's
9 where I was.

10 Q. Okay. I think we can go back into open session now, but I'm
11 going to carry on with the containers and the arms cache, (Redacted)
12 (Redacted)
13 (Redacted), then we'll go
14 back into private session, but for the time being I'd like to see if we
15 can deal with this in open session, please. Do you mind? Is that okay,
16 sir?

17 PRESIDING JUDGE STEINER: Mr Witness, can you hear me?

18 THE WITNESS: (Interpretation) Yes. I can hear you very well.

19 PRESIDING JUDGE STEINER: Mr Haynes wants to turn back into
20 public session and asked you if that was fine with you, and you didn't
21 answer. Can we have your answer?

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

23 PRESIDING JUDGE STEINER: Court Officer, please turn into public
24 session.

25 (Open session at 4.26 p.m.)

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1 THE COURT OFFICER: We're in open session, Madam President.

2 MR HAYNES:

3 Q. So where were the uniforms kept by the FACA?

4 A. The uniforms were just next to the presidential palace at 124.

5 Q. And what were they kept in?

6 A. As I told you a moment ago, these uniforms were kept in
7 containers. They were FACA uniforms stocked in containers.

8 Q. How big were these containers?

9 A. The containers were 20 -- 20-foot containers.

10 Q. And how many of them were there?

11 A. If I tell you the exact number, well, I'd be wrong, but there
12 were lots of containers that were there.

13 Q. Okay. And where did the FACA keep its weapons?

14 A. The FACA keep their weapons at the Camp Kasaï. And it was
15 firstly at Camp Kasaï. But after several mutinies, then they changed it.
16 The arms, the weapons and the arms cache was moved to Camp Deroux, but
17 there was a USP arms cache which was at the domicile of the president,
18 and that was only for the USP.

19 Q. Were the MLC soldiers given uniforms?

20 A. Yes, they received uniforms and Rangers as well.

21 Q. Where did the uniforms and Rangers come from?

22 A. As I told you a short while ago, the uniforms and the Rangers
23 came from the container. The president had given the keys to the
24 general, and the general opened the container to take out the uniforms
25 and provide them to the MLC.

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1 Q. And where were they provided to the MLC?

2 A. At the support regiment. That is where they were based. The
3 uniforms were taken to them at the support regiment.

4 Q. Okay. Now can we come on to weapons. Were the MLC provided with
5 weapons?

6 A. Yes. They were given heavy weapons.

7 Q. Where did those weapons come from, and where were they provided
8 to the MLC?

9 A. The weapons came from the FACA and USP arms caches, and they were
10 all provided to them still at the support regiment.

11 Q. And how were they taken to the support regiment?

12 A. From the support regiment? Well, after the MLC had been provided
13 with weapons, uniforms, walkie-talkies, and signalling radios, they were
14 also provided with 4 by 4 pickups, the BG75, and Fawo vehicles.

15 Q. Where did the vehicles come from?

16 A. Some of the vehicles came from the FACA, while others came from
17 the USP. In fact, they came, in general terms, from the chief of general
18 staff or from the headquarters.

19 Q. This process of providing the MLC with uniforms, boots, arms,
20 radios, and vehicles, how long did this all take?

21 A. About half a day.

22 Q. And can you help us now as to which half a day it was and what
23 date?

24 A. I already told you that the MLC troops crossed over on the 29th.
25 After crossing over, they were taken to the support regiment and it is at

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1 that time that they began to receive the material.

2 Q. Okay. So once they had been given all this material, what
3 happened then?

4 A. Once the material was issued to them, a meeting between the
5 general and the MLC troops took place. Thereafter and after the MLC
6 platoon and the Central African platoon were merged, they then went on
7 the field, that is on the 30th.

8 Q. I hope you don't if we just go back over what you've just told
9 us. There was a meeting. Who conducted the meeting?

10 A. The meeting was organised by the headquarters of the FACA
11 General Staff.

12 Q. And who was the general who you referred to at that meeting?

13 A. Bombayake.

14 Q. At that meeting, were you aware of a commander of the MLC troops
15 at all?

16 A. Yes. There was an MLC troops commander there.

17 Q. What was his name?

18 A. That commander's name was Moustapha.

19 Q. You said that the Central African platoon and the MLC platoon
20 were merged. How were they merged?

21 A. After the organisation, there was a liaison commander for the MLC
22 and FACA. The MLC and Central African platoons were merged following a
23 ratio of 1:2. Two Central African platoons to one MLC platoon.

24 Q. Do you know who decided that?

25 A. It was the General Staff, of course.

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1 Q. And how was that put into practical effect?

2 A. Well, it was easy to organise. Since the men were there, all it
3 took was to organise them into platoons and that was it. The Congolese
4 platoon will be merged with the Central African platoon. That was quite
5 simple. You see, we were already ready, and as soon as they arrived and
6 things were organised, then the platoons were merged accordingly.

7 Q. Okay. So that we know what language we're speaking, as it were,
8 how many men do you say are in a platoon?

9 A. When we talk of a platoon, we are referring to a military unit
10 comprising two sections. So a platoon would have 64 men.

11 Q. And at this meeting were there Central African foot soldiers or
12 were there just MLC soldiers and General Bombayake?

13 A. As I told you, the FACA are an armed force and therefore they
14 have foot soldiers. Of course, there were Central African foot soldiers.

15 Q. But what I'm trying to find out from you is whether they were at
16 the support regiment or whether they were already in the field at that
17 time.

18 A. At the time of the merger, we were all at the support regiment to
19 begin with, and that is where the merger took place. Orders,
20 instructions, were issued at the support regiment.

21 Q. Thank you. And who issued the orders and instructions at the
22 support regiment?

23 A. The president forwards the orders to the headquarters, the CCOP
24 forwards the orders to the MLC, and that is how the orders are
25 transmitted, and that is how we received them.

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1 Q. How long did this meeting last for at the support regiment?

2 A. Three hours.

3 Q. And at the end of it, describe to us what happened.

4 A. That is what I was telling you. At the end of the meeting, the
5 platoons were merged, as I said, and then thereafter we took all the
6 necessary measures and then moved forward to the battleground.

7 Q. Did they move on foot or in vehicles or a combination of both?

8 A. They moved by vehicle and on foot. You see, the 4th district or
9 the 4th roundabout was not very far away from the support regiment. I
10 travelled in a vehicle, but other FACA troops were on foot. Those of us
11 who were there and some of the MLC troops went in vehicles and in the
12 BG75s.

13 Q. Okay. Can you help us now as to how many axes were involved in
14 this operation towards the 4th arrondissement?

15 A. Before reaching the Lycée Boganda where our troops were
16 positioned, we had, first of all, to free up the Boy-Rabé axis which was
17 on the mountain and then move forward straight to Fouh, to Gobongo,
18 PK 10, and then PK 12, and then from the Marabena axis towards the
19 airport.

20 Q. Sir, you'll have to help me. Is that more than one axis of
21 attack or one until you reached Boy-Rabé?

22 A. When you get to the 4th arrondissement, Boy-Rabé is on the
23 mountain. That's one axis. Then the axis towards Fouh is another one,
24 and then there was a third axis as well. So there were three axes.

25 Q. Did you yourself take part in this operation?

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1 A. Yes.

2 Q. And we're in public session so I'm going to try and keep the
3 questions general for now. What other forces were involved in the
4 operation on the same axis as you?

5 A. The SCPS was there commanded by -- well, we also had the Sarawi
6 forces and Paul Barril's forces as well.

7 Q. Were there any MLC forces on the same axis as you?

8 A. Yes.

9 Q. Okay. And if you don't mind me asking, because there might have
10 been quite a lot of you, which axis -- at which axis of the operation did
11 you take part in?

12 A. I was on the Fou-Gobongo-PK 10-PK 12 axis.

13 Q. Okay. Can you briefly describe the combat that took place on
14 your axis, please.

15 A. As I already told you, at the time (Redacted)
16 (Redacted). You see, the USP was in charge of the heavy
17 weapons, (Redacted), and we were part
18 of the MLC troops. We were all merged together.

19 Q. Sir, remember we're in open session, will you. Did you encounter
20 any fighting on -- on your axis?

21 A. Yes. I took part in some fighting.

22 Q. Was it heavy fighting?

23 A. Yes. It was heavy fighting. You see, the Zaghawa and the death
24 squads did not want to give up. They were heavily armed, and so the
25 fighting was quite heavy.

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1 Q. In what areas in particular?

2 A. From the 4th roundabout. At that level fighting was already very
3 intense.

4 Q. Okay. Now, you told us earlier that Bozizé's troops had occupied
5 the northern districts of Bangui after you had pushed them back. Were
6 you able to observe the northern districts of Bangui and the civilian
7 populations there after you pushed Bozizé's troops out?

8 A. Yes. After pushing back General Bozizé's troops and the Zaghawa
9 who had taken over the northern neighbourhoods, after that the population
10 welcomed us. These are the people of Fou and Gobongo. They received us
11 with cheers.

12 Q. What did those neighbourhoods look like when you arrived in them?

13 A. When we arrived in those neighbourhoods, we noticed that
14 General Bozizé's men had looted, had raped, and had even killed and
15 abducted people. I can give you a few examples of abductions that took
16 place at that time.

17 Q. Are you comfortable doing that in open session, because I'd like
18 to hear your examples of abductions, please.

19 A. Yes, I can.

20 Q. What abductions did you see or hear about?

21 A. The government spokesperson Mr Prosper N'Douba was abducted by
22 Joan Bozizé's troops.

23 Q. Where did that happen?

24 A. It happened at PK 12.

25 Q. Did you hear of any other abductions?

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1 A. Many. Young persons or youths who were forcibly abducted,
2 children forcibly abducted by General Bozizé's people and the Zaghawa,
3 and to have them fight with them.

4 Q. Did you see evidence of or hear about any rapes that had been
5 committed by General Bozizé's force?

6 A. General Bozizé's forces committed several rapes. The former
7 Prime Minister's wife was raped, for example. Mr Gbezera-Bria, his wife
8 was raped by General Bozizé's people.

9 Q. And what evidence did you see or hear of looting in the
10 4th arrondissement?

11 A. The 4th district police office was looted. Houses around the
12 police district were looted. General Bozizé's people or General Bozizé's
13 troops caused a lot of damage in that area and destruction.

14 MR HAYNES: Well, sir, I think if it's not inconvenient to
15 anybody else, we'll leave it there for this afternoon. We will start
16 again with you sometime tomorrow. I hope in the morning but probably the
17 afternoon. So thank you for today.

18 THE WITNESS: (Interpretation) Thank you.

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

20 Mr Witness, it's enough for today, your first day testifying. We
21 will adjourn now. It's 5.00. We will resume tomorrow with your
22 testimony at 3.00. We hope you have a very restful evening.

23 I thank very much the Prosecution team, the legal representatives
24 of victims, Defence team, Mr Jean-Pierre Bemba Gombo. I thank very much
25 our interpreters, our court reporters.

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1 Thank you very much, Mr Rojas.

2 THE COURT OFFICER (Via videolink): (Interpretation) Thank you,
3 Madam President. You're welcome.

4 PRESIDING JUDGE STEINER: Mr Witness, thank you very much. The
5 hearing is adjourned.

6 THE COURT USHER: All rise.

7 (The hearing ends in open session at 4.59 p.m.)

8 RECLASSIFICATION REPORT

9 Pursuant to Trial Chamber III's Orders, ICC-01/05-01/08-2223 and
10 ICC-01/05-01/08-3038, the version of the transcript with its redactions
11 becomes Public

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