

Trial Hearing
Witness: CAR-OTP-PPPP-0015

(Open Session)

ICC-01/05-01/08

1 International Criminal Court
2 Trial Chamber III - Courtroom 1
3 Situation: Central African Republic
4 In the case of The Prosecutor v. Jean-Pierre Bemba Gombo - ICC-01/05-01/08
5 Presiding Judge Sylvia Steiner, Judge Joyce Aluoch and Judge Kuniko Ozaki
6 Trial Hearing
7 Thursday, 9 February 2012
8 (The hearing starts in open session at 9.35 a.m.)
9 THE COURT USHER: All rise. The International Criminal Court is now in session.
10 Please be seated.
11 THE COURT OFFICER: Good morning, your Honours, Madam President. We are
12 in open session.
13 PRESIDING JUDGE STEINER: Good morning. Could, please, court officer call the
14 case.
15 THE COURT OFFICER: Situation in the Central African Republic, in the case of The
16 Prosecutor versus Jean-Pierre Bemba Gombo, case reference ICC-01/05-01/08.
17 PRESIDING JUDGE STEINER: Thank you very much. Good morning. Welcome
18 Prosecution team, Maître Zarambaud, Defence team, Mr Jean-Pierre Bemba Gombo.
19 Good morning our interpreters, court reporters.
20 We will continue today with questioning of Witness 15, that in accordance with
21 decision taken by the Chamber the testimony is being given in closed session.
22 Therefore, I ask, please, court officer to turn into closed session for the court usher to
23 be able to bring the witness in.
24 *(Closed session at 9.37 a.m.) Reclassified into open session.
25 THE COURT OFFICER: We are in closed session, Madam President.

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1 (The witness enters the courtroom)

2 WITNESS: CAR-OTP-PPPP-0015 (On former oath)

3 (The witness speaks French)

4 PRESIDING JUDGE STEINER: Good morning, Mr Witness.

5 THE WITNESS: (Interpretation) Good morning, Madam President.

6 PRESIDING JUDGE STEINER: Welcome back to this courtroom and I ask whether
7 you are ready to continue with your testimony?

8 THE WITNESS: (Interpretation) Yes, I am, Madam President.

9 PRESIDING JUDGE STEINER: Mr Witness, before I give the floor to the Prosecution,
10 I need to remind you that you are still under oath. Do you understand that, sir?

11 THE WITNESS: (Interpretation) Yes, I do, your Honour.

12 PRESIDING JUDGE STEINER: Ms Kneuer, you have the floor.

13 MS KNEUER: Good morning, Madam President, your Honours.

14 QUESTIONED BY MS KNEUER: (Continuing)

15 Q. Good morning, Mr Witness.

16 A. Good morning, Counsel.

17 Q. Yesterday we broke talking about the Sibut mission of Mr Luhaka and I have a
18 few more questions on this topic before we move on. You stated that Mr Luhaka
19 travelled to Sibut by helicopter, and this is transcript 208, real-time, page 38, line 18.
20 Do you know how Mr Luhaka travelled to Bangui?

21 A. (Redacted)

22 (Redacted). What I know is that a helicopter was made available
23 to him and upon his return late in the evening he mentioned that there had been a
24 storm and so he had to stop at some point. I believe that he had sought refuge
25 somewhere with some inhabitants and some local people, but I don't know whether

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1 he spent the night there. I also know that during that mission they stopped at the
2 Bangui airport.
3 Now, as to your question as to how he went to Bangui, I am not able to tell you
4 (Redacted), but I know that a helicopter was made available to him. (Redacted)
5 (Redacted). I know that he had a stop-over in
6 Bangui and I also believe that he was accompanied on that trip by Commander
7 Valentin Senga and some journalists. I say so because the mission was conducted at
8 the time when we were preparing for the trial of the ALC troops that were involved
9 in acts of violence in the Ituri. So, Counsel, I don't have a specific answer to your
10 question regarding how he travelled or how he went to Bangui.

11 MS KNEUER: I kindly ask the court officer to please display (Redacted)
12 which is document 61 on the list of documents.

13 THE COURT OFFICER: The document as referenced by counsel is available on the
14 screens and it's a confidential document.

15 MS KNEUER:

16 Q. What can you tell us about this picture?

17 A. Counsel, this photograph testifies to the fact that the mission was indeed
18 conducted using a helicopter. Here you can see that the weather conditions were
19 harsh. The picture also shows that some media persons were present, as you can see
20 a photographer coming out of the plane and then you see another photographer to his
21 right with a blue cap and looking towards the person taking that photograph. I do
22 not recognise the other people, but I can see a lady with a handbag and this points to
23 the fact that this mission was covered by the media.

24 Q. On page (Redacted) you stated that (Redacted)
25 (Redacted). Can you tell us where this picture was taken?

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1 A. Counsel, I do not know the area or the locality at which this photograph was
2 taken. (Redacted), when returning from Sibut, they ran
3 into a storm and were forced to land. (Redacted)
4 (Redacted) the name of the exact location at which they were overwhelmed by the
5 storm and therefore forced to land, as you can see on this photograph, but I must say
6 that this happened in the -- or on Central African territory; that is within the Republic
7 of Central Africa.

8 Q. What colour does the helicopter have?

9 A. Counsel, the helicopter is blue and I think the registration number is 9T, I
10 believe. I don't know what the airline's rules are, but I believe that 9 is the number
11 representing the code for the Democratic Republic of the Congo, but I say so with all
12 caution and reserve because I don't fully master the system, but in any event this
13 helicopter belonged to President Jean-Pierre Bemba.

14 Q. Are you able to identify the entire number on the tail of the helicopter?

15 A. What I can read, Counsel, is 9T-BMT.

16 MS KNEUER: The Prosecution is tendering document CAR-OTP-0046-0224 into
17 evidence and I don't need this document any longer.

18 Q. Mr Witness, are you aware of any other mission to the Central African Republic
19 investigating the crimes committed by the MLC soldiers against CAR civilians during
20 the time 2002/2003?

21 A. No, Counsel, I do not remember any other missions for the purpose of
22 investigations carried out at that period.

23 Q. Yesterday, Mr Witness, you stated that there were allegations of massacres in
24 Sibut, and it's transcript 208, edited version, page 51, line 21. Was there any reason,
25 considering the accusation of massacres, that Mr Bemba sent Mr Luhaka and didn't

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1 travel himself to investigate these accusations?

2 A. Counsel, I think we need to revisit the context and background to be able to
3 answer this question. Journalists of the international media are present in Gbadolite
4 to cover a trial which involved ALC soldiers alleged to have committed acts of
5 violence in the Ituri. One of the journalists present was the correspondent for Radio
6 France Internationale based in Kampala. It so happens that at the same time
7 accusations are levelled against MLC troops in the Central African Republic, so that
8 was an opportunity for the MLC to avail itself of and to determine on-site whether the
9 allegations were baseless, or not. So I think the reaction was one of timeliness and
10 taking advantage of an opportunity, because at that time it was not -- it was important
11 not to confuse the Ituri situation with the situation in the Central African Republic.
12 So, Counsel, that to my mind is the context in which the mission was or rather the
13 mission was conducted in that manner but, please, would you kindly remind me of
14 your specific question? What was your specific question?

15 Q. Certainly, Mr Witness. My question was if there was a particular reason,
16 considering the allegations of massacres, that Mr Bemba sent Mr Luhaka and didn't
17 travel himself?

18 A. Counsel, I think that ordinarily it was not the practice for President Jean-Pierre
19 Bemba to travel to an investigation site himself, particularly in the Central African
20 Republic. We also need to understand that, from a psychological point of view,
21 President Jean-Pierre Bemba was in a position which was somewhat the alter ego of a
22 Head of State and it would therefore not have been proper for him to travel himself.
23 What he did, however, was to dispatch Thomas Luhaka, Commander Valentin Senga,
24 those two being his right-hand men so to speak, men he trusted, who had the ability
25 to report properly. That I believe was the approach which he opted for and which

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1 was in order.

2 Q. Mr Witness, yesterday and the day before you provided information about
3 contacts between Colonel Mustapha and Mr Bemba via satellite telephones, and I'm
4 referring to transcript 208, page 62, line 7 onwards, line 17 onwards, page 63, line 13;
5 transcript 207, page 48, line 16, page 49, line 20, page 53, lines 3 onwards and page 54,
6 line 21 onwards. Do you know if Mr Bemba was in contact with any other MLC
7 commanders in the Central African Republic despite Colonel Mustapha?

8 A. Counsel, I can't answer that question. President Jean-Pierre Bemba did have
9 communications equipment that belonged to him. There were entire -- it was
10 entirely his equipment. I can merely state that he did have satellite communications
11 with Commander Mustapha. As to his contacts with other members of -- the other
12 members of the troop, I don't know. That is possible, but I really have no specific
13 knowledge regarding that.

14 Q. During the 2002/2003 conflict in the Central African Republic, are you aware of
15 any communication, for example via telephone, between Mr Bemba and Mr Patassé?

16 A. Counsel, in response to that question, I can say that President Jean-Pierre Bemba,
17 (Redacted) explanations or the reasons rather why the MLC soldiers had
18 intervened, (Redacted) it was subsequent to a call from President Patassé and he
19 (Redacted) President Patassé was -- well, had practically been abandoned by his
20 own troops, by the regular forces of the Central African Army, so I can attest that
21 there was a telephone conversation and then certainly afterwards, but I wasn't
22 officially aware of that. President Jean-Pierre Bemba did not tell me about that.
23 MS KNEUER: I ask the court officer to please play an audio recording and it is
24 (Redacted) which is
25 document (Redacted) on the list of documents and the transcription of that audio

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1 recording is number (Redacted) on the list of documents and the translation number
2 (Redacted) on the list of documents.

3 PRESIDING JUDGE STEINER: Ms Kneuer, the court officer is asking whether
4 interpreters are expected to translate for the record for the transcript the content of the
5 audio?

6 MS KNEUER: Madam President, I think that was so far the practice in this entire
7 Court and the Prosecution provided the transcription to the interpreters to facilitate
8 the interpretation.

9 PRESIDING JUDGE STEINER: Yes, it is just a matter of speed that maybe we have
10 to interrupt from time to time the audio in order to give interpreters sufficient time to
11 make the translation.

12 THE INTERPRETER: Message from the interpreters: If the Prosecution could be so
13 kind as to provide the page and line reference of the transcript? Many thanks.

14 MS KNEUER: The transcription bears the ERN number (Redacted) and
15 the sequence that I ask the court officer to play can be found in that document on
16 page 1, which is (Redacted) starting at line 6 and should run until line 41 -- sorry, line
17 44 on the next page, which is (Redacted). Perhaps I can make a proposal with regard
18 to the translation. As it can be seen looking at the transcription different speakers
19 appear and in the transcribed versions there are paragraphs and perhaps one
20 paragraph after the other could be translated.

21 PRESIDING JUDGE STEINER: Yes, Mr Haynes?

22 MR HAYNES: And perhaps, just out of fairness to the witness, some indication of
23 what this recording is might be placed on record before it's played to him?

24 PRESIDING JUDGE STEINER: Fair enough.

25 Ms Kneuer?

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1 MS KNEUER:

2 Q. Mr Witness, in a few moments the court officer will play for us an audio
3 recording (Redacted) about an
4 operation in Mongoumba.

5 THE INTERPRETER: "We'll be looking at Central Africa in our news bulletin.

6 We'll be looking at the town of Mongoumba, a subprefecture lying 200 kilometres
7 from Bangui on the banks of the Ubangi River separating Central Africa from the
8 DRC. Mongoumba has between 8,000 and 10,000 inhabitants but today the town lies
9 devastated. On 5 and 6 March it was ransacked by Jean-Pierre Bemba's Congolese
10 MLC fighters who are allied with Bangui. After stripping some Central African
11 soldiers of the spoils of their pillaging, they conducted a veritable punitive operation
12 against the town's population, the civilian population. This in any case is what the
13 locality's MP is now complaining -- claiming.

14 Roger Gbeda is the MP for Mongoumba. When he arrived in the capital of Bangui
15 he explained what had happened in his town early in the month. It all began on
16 3 March when according to the MP some Congolese MLC soldiers transporting their
17 spoils of war were intercepted on the Bangui River by some soldiers from the FACA,
18 the Forces armées centrafricaines, technically their allies in the war against the
19 rebellion.

20 They were in dugouts, two dugouts slashed together and heavily loaded. There
21 were appliances, generators, fridges, items that had been pillaged following the
22 attacks on Bozoum and Bossangoa. It's a section of the army that handles border
23 surveillance, so they intercepted them and they spent the night at the brigade.

24 The next morning the booty had disappeared. The MP stated that Central African
25 soldiers had taken it. The Congolese fighters vowed to get revenge. On 5 March

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1 they returned in force and ransacked the entire town. Like almost all the inhabitants
2 Roger Gbeda took refuge in the bush during the events and when he returned to his
3 town it lay desolate.

4 The town now exists in name only. It's a major catastrophe. What have the local
5 population got to do with the soldiers? A local population that has been brought
6 right to its knees because there is not -- nothing, nothing to eat, no medicine,
7 pharmacies. Everything has been cleared out. It's a way of punishing the local
8 people, but unfortunately you also are destroying man.

9 The MLC has issued a denial. There was never any punitive operation there. The
10 Congolese rebel movement Secretary-General Olivier Kamitatu claimed that FACA
11 soldiers had mistreated Congolese fighters.

12 Everything we had in the motor canoe for resupplying our garrison was stolen.
13 Amongst other things there are were 4,000 boots, there was soap and there were
14 razors, so there aren't any spoils of war and there's nothing dubious about it as you're
15 implying.

16 This version of events was confirmed by one of Patassé's close advisers who visited
17 the place. The 18 Central African soldiers who pillaged and mistreated the fighters
18 have been arrested."

19 PRESIDING JUDGE STEINER: So just to inform the parties and legal
20 representatives that there was some difficulties in catching up with the speed mostly
21 for the French interpreters, so they will of course listen to the tape at the edited
22 version of the transcript will bring a more accurate version than the current one.

23 Ms Kneuer, you can proceed.

24 MS KNEUER: Thank you very much, Madam President, and it is the intention of the
25 Prosecution to tender the audio recording, plus the transcription and the translation

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1 into evidence at a later stage, and thank you very much to the interpreters for the
2 speedy translation.

3 Q. Mr Witness, would you like to listen to the audio recording again, or are you
4 comfortable to respond to questions? I know it's a very difficult exercise, so I would
5 like to give you the choice?

6 A. No, I'm ready, Counsel.

7 Q. (Redacted)?

8 A. (Redacted)

9 (Redacted)

10 MR HAYNES: (Redacted) I just
11 heard a news broadcast. (Redacted)

12 PRESIDING JUDGE STEINER: (Redacted)
13 (Redacted)

14 (Redacted)

15 MR HAYNES: (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted).

20 PRESIDING JUDGE STEINER: (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 THE WITNESS: (Interpretation) (Redacted)

25 (Redacted)

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1 PRESIDING JUDGE STEINER: Ms Kneuer, you can proceed please.

2 MS KNEUER:

3 Q. Mr Witness, what I will try to establish first is laying a foundation (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 A. I don't remember, Counsel. I just heard -- in the course of that report I heard

8 about events that occurred on 3 March, but I don't remember specifically the day on

9 which (Redacted)

10 Q. You stated on page (Redacted)

11 (Redacted)

12 (Redacted)

13 A. (Redacted)

14 (Redacted)

15 (Redacted) I've already said Radio France Internationale was the media that people

16 listened to the most in the Democratic Republic of the Congo amongst those who

17 monitored the situation, or at least the francophone side of the media. We were

18 open to all media, so I can't specify whether there was a specific name or number, but

19 there were many people who were following the situation.

20 Q. Do you recall the circumstances under which (Redacted)

21 (Redacted)

22 A. (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted) It was really a matter of the movement's credibility (Redacted)

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1 (Redacted)
2 (Redacted) or from people who
3 were the most directly affected by the situation. That was the mode of operation
4 when it came (Redacted). I couldn't tell you any more
5 without hearing an answer from witnesses or from people who had been involved in
6 the situation. So that was the means of operation.
7 As for Mongoumba, (Redacted)
8 (Redacted), to determine what had happened. Let
9 us not forget that the political wing, although it was totally disconnected from the
10 military wing, when the military wing was having a hard time of things it would not
11 be the military wing that would respond, it would be the political wing. (Redacted)
12 (Redacted)
13 (Redacted)
14 PRESIDING JUDGE STEINER: Ms Kneuer, if you allow me? I think this last part
15 of the witness's answer brings me back to some -- for asking some clarifications
16 because, Mr Witness, here on page 15, as from line 5, you say something that you had
17 said before more than once, that the political wing was totally disconnected from the
18 military wing and that's the reason that for many times you said you were not really
19 aware of what was going on because that belonged -- those information -- this
20 information belonged to the military wing, but now you are saying that (Redacted)
21 (Redacted)
22 (Redacted). Am I correct in my understanding, or I'm
23 making -- I'm not really clear (Redacted)
24 THE WITNESS: (Interpretation) Your Honour, I was relatively specific when I
25 mentioned (Redacted)

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- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted).
- 8 PRESIDING JUDGE STEINER: (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 THE WITNESS: (Interpretation) (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 (Redacted). So
- 21 there you have it, your Honour. I think we need to make a distinction here when it
- 22 comes to some situations, and particularly we have to see the general context in
- 23 which all of this occurred.
- 24 PRESIDING JUDGE STEINER: Thank you for the clarification, Mr Witness, but may
- 25 I assume that at least between mid-January and mid-March (Redacted)

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1 (Redacted)

2 (Redacted)

3 THE WITNESS: (Interpretation) Madam President, indeed, (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted). I believe therefore that, in similar manner to

7 what we have just listened to, if any other interviews were conducted you may be

8 able (Redacted)

9 (Redacted)

10 PRESIDING JUDGE STEINER: Ms Kneuer.

11 MS KNEUER:

12 Q. Sir, on page 14, lines 17 to 23, you stated the following, and I quote, "It was

13 really a matter of the movement's credibility (Redacted)

14 (Redacted)

15 (Redacted) or from people who were the most directly affected by

16 the situation. That was the mode of operation when it came to (Redacted)

17 (Redacted) quotation end.

18 (Redacted)

19 (Redacted)

20 A. (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted). I think that the only source of that information

24 could have been the commander-in-chief of the MLC himself, (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 Q. Again regarding the quotation, and also considering that (Redacted)

5 (Redacted) as you stated on page (Redacted), how did it function in practice;

6 meaning (Redacted)

7 (Redacted)

8 A. Counsel, a short while ago I said that it was necessary for reasons of credibility

9 to answer any questions from the media, particularly from Radio France

10 Internationale which was reporting extensively and on a regular basis on the events in

11 the Central African Republic. (Redacted)

12 (Redacted)

13 (Redacted). The context at the time, Counsel, was quite peculiar. As I have already

14 stated, between 16 January and 16 March, we had made a commitment to withdraw

15 from the Central African Republic, or in any event to ensure that no more troops of

16 the ALC will be based in the Central African Republic by 16 March at the very latest.

17 That was the context.

18 Secondly - and this is important - President Bemba, as I have already stated,

19 mentioned that President Patassé no longer had a regular army and it is for that

20 reason that MLC troops had been invited to support him. (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 You also asked me whether (Redacted) President Jean-Pierre Bemba about
2 these issues, and my answer to you was that, (Redacted)
3 (Redacted)

4 Q. You just mentioned the withdrawal of the MLC troops from the Central African
5 Republic and I will come back to that matter later. Do you recall any investigations
6 that were conducted following the reported crimes committed by the MLC troops in
7 Mongoumba?

8 A. Counsel, I am not aware of any investigation into the Mongoumba situation.

9 Q. Sir, we've heard about allegations of crimes committed in Sibut and
10 Mongoumba. Do you know if Mr Bemba was aware of any other allegations of
11 crimes committed by his troops?

12 A. Counsel, I do not know whether President Jean-Pierre Bemba was specifically
13 aware of the very specific facts that may have occurred. What we knew is that there
14 were a number of reports in the media, aired particularly by Radio France
15 Internationale and of course all the media, but I am not in a position to tell you
16 whether President Jean-Pierre Bemba was aware of the specificity of the facts.

17 Q. Do you know if Mr Bemba at that time listened himself to RFI and other media?

18 A. Counsel, I do believe that President Bemba himself, like everyone else by the
19 way, listened to the media. I don't know how frequently he did so, I don't know
20 how often he listened to RFI, but I believe that he was aware of the reports that were
21 broadcast over that radio station.

22 Q. Mr Witness, you already stated that in the sequence (Redacted)
23 (Redacted)

24 (Redacted)

25 A. (Redacted)

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1 (Redacted), and the answer appeared to be quite logical to my mind for an obvious
2 reason; namely, that we did not perceive how the Central African Republic, which
3 was more or less without an army and the requisite discipline and leadership, we did
4 not see how Central African troops could have become looters and turned around to
5 attack supplies to the MLC. (Redacted)

6 (Redacted).

7 MS KNEUER: Madam President, the Prosecution tenders into evidence

8 (Redacted); and (Redacted); and the

9 Prosecution tenders the entirety of this track of the audio recording based on the
10 majority ruling in decision 1470, paragraph 11, and as examples in decision 21 -- 2012,
11 paragraphs 90 and 143.

12 PRESIDING JUDGE STEINER: Ms Kneuer, if you allow me, before you go into
13 another topic, I just want to complete one question that was put by the Prosecution on
14 page 20, starting on line 8. The question was that "You heard about allegations of
15 crimes committed in Sibut and Mongoumba. Do you know if Mr Bemba was aware
16 of any other allegations of crimes committed by his troops?", and in your answer you
17 just say that you don't know whether President Jean-Pierre Bemba was specifically
18 aware of the very specific facts that may have occurred. Just to complete my
19 understanding of your answer, (Redacted)

20 (Redacted)

21 THE WITNESS: (Interpretation) Your Honour, I have no such recollection. When
22 I used the word "specific" in my answer, it is because from October to January RFI
23 had broadcast a number of reports and so what I said is that there were no specific
24 facts and incidents that were brought to my attention with details such as number of
25 victims and types of demonstrations, or types of actions, or what have you. What

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1 we were dealing with was a picture painted by a radio station, which we could have
2 questioned and wondered whether the information had not been manipulated. It is
3 for this reason (Redacted) this mission to Sibut. It was an
4 opportunity - a timely opportunity - due to the presence of the international media in
5 Gbadolite. That is the backdrop and that is why I used the word "specific" in my
6 answer.

7 PRESIDING JUDGE STEINER: So you don't have any recollection about (Redacted)
8 (Redacted)
9 (Redacted) No recollection at all?

10 THE WITNESS: (Interpretation) No. No, your Honour, no recollection.

11 PRESIDING JUDGE STEINER: Ms Kneuer.

12 MS KNEUER: Madam President, I am planning to turn to a new topic and I think it
13 is more reasonable to continue after the break, with your leave?

14 PRESIDING JUDGE STEINER: Thank you, Ms Kneuer.

15 Mr Witness, we will go now into our short break. We will suspend now and resume
16 at 11.30.

17 I ask, please, court usher to accompany the witness outside the courtroom.

18 (The witness stands down)

19 THE COURT OFFICER: All rise.

20 (Recess taken at 10.54 a.m.)

21 *(Upon resuming in closed session at 11.34 a.m.) Reclassified into open session.

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

23 PRESIDING JUDGE STEINER: Welcome back.

24 I ask, please, court usher to bring the witness in.

25 (The witness enters the courtroom)

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- 1 PRESIDING JUDGE STEINER: Mr Witness, welcome back.
- 2 THE WITNESS: (Interpretation) Good morning, your Honour.
- 3 PRESIDING JUDGE STEINER: Are you ready to continue with your testimony?
- 4 THE WITNESS: (Interpretation) Yes, I am, your Honour.
- 5 PRESIDING JUDGE STEINER: Ms Kneuer, you have the floor.
- 6 MS KNEUER: Thank you, Madam President.
- 7 Q. Welcome back, sir. I would like to turn to a new topic now and that is the
- 8 withdrawal of the MLC troops from Bangui. You had stated yesterday, and I quote
- 9 from transcript 208, English edited version, page 43, lines 20 onwards, "It is at that
- 10 time in mid-January (Redacted)
- 11 (Redacted) the French
- 12 republic did not in any manner whatsoever support the Bangui operations.(Redacted)
- 13 (Redacted)
- 14 (Redacted) and today you stated on page (Redacted)
- 15 "As I have already stated, between 16 January and 16 March we had made a
- 16 commitment to withdraw from the Central African Republic, or in any event to
- 17 ensure that no more troops of the ALC will be based in the Central African Republic
- 18 by 15 ..." -- sorry, "... by 16 March at the very latest."
- 19 Can you please elaborate further upon the information (Redacted)
- 20 (Redacted) and under which circumstances the MLC troops withdrew from
- 21 the Central African Republic?
- 22 A. Counsel, well, to tell you more about that, for me that means talking about two
- 23 situations: The first one goes back to the year 2001, the first intervention of the MLC
- 24 troops in the Central African Republic, and then the second situation relates to the
- 25 events of 2002/2003. That way I can better explain to you the reasons (Redacted)

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1 (Redacted).

2 At the outset, in 2001 we had fought and this was at the request of President Patassé
3 who had been the victim of an attempt to overthrow him. That was by the former
4 president, Kolingba, once again for the reasons relating to having a rear base, and so a
5 decision had to be made. The events of 2001 led the MLC soldiers deployed in the
6 Central African Republic to ensure the integrity -- preserve the integrity of the French
7 Embassy and France did not formally, but in a veiled manner, was grateful to the
8 MLC for protecting the embassy. Now, of course, there never was any official
9 statement made in this regard and that's quite a normal thing. (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 Now, the second intervention, that was no longer in keeping with the wishes of the
14 French authorities in 2002 and 2003, but I am speculating, I have no proof, and I will
15 refrain from making a statement in this regard. (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted) the presence of the MLC in the Central African Republic was not tolerable,
20 it could not be tolerated, and the MLC absolutely had to withdraw from the Central
21 African Republic and that meant that we were no longer in the same situation as the
22 one that prevailed in 2001. (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted). There was absolutely no ambiguity. Since Radio

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1 France Internationale is a public French radio service, it was easy to deduce that the
2 MLC would be subject to a smear campaign. This was -- really, it was an illustration
3 of the official position of the French government, and so the discussion (Redacted)
4 (Redacted) related to this issue: Did we have to
5 withdraw? What would happen with Bangui in terms of it being a rear base of the
6 MLC? One mustn't forget that this was just a few weeks from the signature of the
7 Sun City 2 agreement and that -- and that in the history of the MLC the page was
8 turning. There was this commitment to reunification and we were going to go back
9 to Kinshasa and at that time we didn't see Bangui as remaining a rear base for us, but
10 rather there would be another institution stemming from the Inter-Congolese
11 dialogue. For these reasons, the president, Jean-Pierre Bemba, announced on
12 16 March that the MLC troops would withdraw from the Central African Republic,
13 and that announcement was made on 16 January and so I think we all agree that the
14 decision regarding a total withdrawal of MLC soldiers from the CAR within a
15 deadline of 90 days.
16 So those were the circumstances surrounding this decision and, when the decision
17 was implemented, there were a number of difficulties. President Jean-Pierre Bemba
18 passed on that decision to President Patassé. I don't know what happened, I am not
19 privy to that conversation. (Redacted), but before the MLC withdrew, before
20 the withdrawal became effective, one last military operation was conducted to repel
21 as far away from Bangui as possible the troops of President Bozizé and there were
22 many questions asked about that. Before totally withdrawing from the Central
23 African Republic, President Jean-Pierre Bemba was careful to push back President
24 Bozizé's troops all the way back to the border with Chad in the north of the Central
25 African Republic, and the withdrawal was then conducted quite hastily.

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1 Now, this withdrawal, in light of the circumstances, indeed on the day of 15 to
2 16 March, during that time-frame, (Redacted) and it was
3 clear that a great deal of pressure was being exerted upon Jean-Pierre Bemba (Redacted)
4 (Redacted)
5 (Redacted)
6 (Redacted) - the implementation of this would
7 lead to a number of issues. President Jean-Pierre Bemba spoke (Redacted)
8 on several occasions by telephone discussing the withdraw of troops kilometre by
9 kilometre leaving the capital of the Central African Republic, and so that is how it
10 came to be that on 16 March 2003 President Bozizé took over the capital and it was
11 like plucking a piece of ripe fruit off a tree. There was no one opposing him. So
12 there you have it. I can tell you more. I have spoken now about the circumstances in
13 which we withdrew from the Central African Republic.

14 Q. Thank you, Mr Witness.

15 JUDGE ALUOCH: Ms Kneuer, may I seek a clarification just before we go too far?

16 Page 25, it's line 17, when the witness says, "Now, the second intervention, that was
17 no longer in keeping with the wishes of the French authorities in 2002 and
18 2000 -- I don't know whether it is 3, it's not indicated, "but I am speculating, I have no
19 proof and I will refrain from making a statement in this regard. (Redacted)
20 (Redacted)

21 (Redacted) Mr Witness, you have given quite detailed information about this.

22 Is this -- then why do you start by saying "I don't know. I'm speculating"? Can you
23 just clarify, is this what you are speculating, or is it a reason or -- I didn't quite
24 understand what you meant when you said "... but I am speculating, I have no proof
25 and I will refrain from making a statement in this regard." I didn't quite understand

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1 that statement from you, please.

2 THE WITNESS: (Interpretation) Well, your Honour, President Patassé was in
3 power. He was the president of the republic. There never was any official
4 declaration from the French republic against President Patassé at that time and the
5 French republic would never have said that they supported a coup d'état in one way
6 or another, so that's why I'm being cautious here. The French position in 2002 was
7 really in -- was in no way comparable to the situation in 2001 in relation to the MLC
8 and I want to be very clear. I can't say today that France was against President
9 Patassé. I deduced that because of the very clear willingness (Redacted) for
10 us to withdraw from the Central African Republic, so that is why I said I was being
11 cautious and I'm being cautious. I can't say to you that France was opposed to
12 President Patassé. I can say that what we were asked to do was not favourable to
13 President Patassé and so I made the deduction that France was *no longer favourable
14 to President Patassé.

15 THE INTERPRETER: Says the witness.

16 PRESIDING JUDGE STEINER: Ms Kneuer, before giving you back the floor, I have
17 just a chronological clarification from the witness, because the witness says that (Redacted)
18 (Redacted) President Bemba for withdrawing from the Central African
19 Republic was taken on -- was made on 16 January "and so I think we all agreed that
20 the decision regarding a total withdrawal from MLC from the CAR within a deadline
21 of 90 days." If the withdrawal complete was on 16 March it's not 90 days, so is there
22 any in correction in that statement, Mr Witness? If it is 90 days or the announcement
23 was made in December, not in January. This is the clarification I want.

24 THE WITNESS: (Interpretation) You are quite right, your Honour. I made a
25 mistake. It was the third month. In my mind I was thinking 90 days, but you're

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1 quite right. We decided and the official release was sent out on 16 January and we
2 were careful to withdraw on 16 March. It was the third month. I got mixed up
3 between the third month and 90 days. I'm sorry about that. You are quite right,
4 your Honour.

5 PRESIDING JUDGE STEINER: And my second clarification that here on -- sorry, I
6 don't have the page. I'll give the page very soon, but you say, "Before totally
7 withdrawing from the Central African Republic, President Jean-Pierre Bemba was
8 careful to push back President Bozizé's troops all the way back to the border with
9 Chad in the north of Central African Republic and the withdrawal was then
10 conducted quite hastily," but then you mention later that when you -- when the MLC
11 withdraw on 16 March there was no opposition in Bangui. The troops of General
12 Bozizé were already there. So it's a matter of chronology here. When -- this is on
13 page 28, you say that "It came to be that on," only on line 4, "That on 16 March 2003
14 President Bozizé took over the capital and it was like plucking a piece of ripe fruit off
15 a tree." So if the troops of Bozizé were pushed back all the way back to the border of
16 Chad when the troops of MLC withdraw on 16 March, how could these same troops
17 be in Bangui and took over Bangui on 16 March? Maybe there is a clarification on
18 chronology here that I would like to have.

19 THE WITNESS: (Interpretation) Well, your Honour, the MLC on 16 January
20 announced its withdrawal from the Central African Republic and set the date and
21 that date was 16 March before the total withdrawal of the MLC from the Central
22 African Republic. A final operation - a final military operation - was organised to
23 push back all the way back to the border with Chad. That is a distance - a
24 considerable distance - to push back the armed troops of President Bozizé, and this
25 offensive took several weeks. So we're talking about the time between January and

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1 most likely, I don't have specific dates since I wasn't involved in the operations, but
2 probably until a few days before 16 March. I learned about that because once again
3 there were reports to this effect on Radio France Internationale saying that refugees
4 from the Central African Republic had gone to Chad and that these people were
5 fleeing the MLC offensive. This last offensive, now, I don't know why it was
6 ordered. (Redacted) we thought that it was a bit pointless, but
7 perhaps Jean-Pierre Bemba, the commander-in-chief, wanted to help President
8 Patassé one last time and that is why the definitive withdrawal from Bangui. You
9 must realise that the capital of the Central African Republic is really right on the very
10 border with the DRC, so it was on the last few days just before 16 March. That is
11 when the troops crossed over to honour the commitment that had been made, and
12 with regard to the circumstances that withdrawal, one kilometre at a time. The
13 French authorities were well-informed by President Jean-Pierre Bemba of this
14 withdrawal, one kilometre at a time, this gradual withdrawal of the MLC, and so
15 finally on 16 March President Bozizé took power. So there you have it. That is the
16 exact time-line of the various events, your Honour.

17 PRESIDING JUDGE STEINER: Thank you.

18 Ms Kneuer, I apologise for the long interruption.

19 MS KNEUER: Thank you, Madam President.

20 Q. Mr Witness, you provided a lot of information on the withdrawal and I would
21 like to go through this information step-by-step. If I may make one additional
22 comment on the clarification that Madam -- the first clarification that Madam
23 President sought by the witness, it would also clarify a -- the record on page 26, lines
24 22 until 25. I don't think I have to go back to the details, because the witness clarified
25 the dates and the 90 days.

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1 Mr Witness, you mentioned on page 27, line 9 to 10, and again upon Madam
2 President's enquiry that there was a last military operation conducted by the MLC
3 troops. Did you receive any information about abuses committed by the MLC
4 troops while they conducted this one last military operation, or during their
5 withdrawal?

6 A. No, Counsel, we did not (Redacted) receive information relating to
7 that operation of any abuses and acts of violence. However, RFI reported on
8 inhabitants who had sought refuge at the Chadian border and RFI focused
9 extensively on the humanitarian fate of those people and pointed a finger of
10 responsibility to the MLC in that regard. I am aware of that, but we did not hear
11 reports of any acts of violence during that period.

12 Q. Again in relation to this last military operation, you stated on page 31, line 23,
13 and I quote -- sorry, it already starts at line 22, (Redacted) we thought
14 that it was a bit pointless, but perhaps Jean-Pierre Bemba, the commander-in-chief,
15 wanted to help President Patassé one last time and that is why the definite
16 withdrawal from Bangui," et cetera, et cetera, et cetera. Why did you think that this
17 last military operation was "a bit pointless"?

18 A. Several reasons. For several reasons, Counsel, the first being that we had
19 clearly opted to withdraw by 16 March, so quite logically we no longer had any
20 reason to put our troops' lives in danger, that is the troops of the MLC which were in
21 the CAR, but that (Redacted). This is our own analysis, but we
22 did not have all the details about what was going on. So if we were to think things
23 through clearly we would have seen that President Patassé did not have any army
24 which would stand up against a rebellion in the Central African Republic, so that time
25 could have been used meaningfully to put together a civil self-defence force, or a

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1 rudimentary army, or some kind of resistance movement, and that is why one can
2 understand President Patassé -- President Bemba's desire, rather, to -- one can
3 understand President Bemba's desire to give President Patassé an opportunity to
4 organise his defences. Now, whether he had the will and the capacity to do so, I
5 don't think any of us can answer that question today.

6 When I talk (Redacted) I am not referring to an official decision or a text
7 or an instrument or a meeting held (Redacted)
8 which was opposed to President Jean-Pierre Bemba. I have already told you that we
9 were wise enough not to oppose decisions that were already taken by the president of
10 the movement. That notwithstanding, (Redacted)
11 (Redacted) activity that may have taken place. It is for
12 these reasons that I simply say that this was a last ditch struggle, or a final stand of
13 honour, regarding that final decision that was taken by President Jean-Pierre Bemba.

14 Q. (Redacted)

15 A. (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 Q. (Redacted) about this pointless operation with

20 Mr Bemba?

21 A. I do not recall (Redacted) discussion on that matter. President
22 Bemba had the option to have such a discussion with whoever he chose to, but I do
23 not recall whether there was any general meeting at which this offensive was
24 discussed. In any event, what I can tell you is that President Jean-Pierre Bemba's
25 position was that he would have liked to see President Patassé consider the total

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1 withdrawal of the MLC troops as a serious matter, because he felt that President
2 Patassé did not take that position seriously because maybe he believed that some
3 MLC troops will remain behind with him.
4 I say this because during one of the conversations (Redacted)
5 (Redacted) with Commander Mustapha,
6 Commander Mustapha told him that President Patassé had offered to make him the
7 commander of a foreign legion which he wanted to set up in his country and he had
8 offered to make Commander Mustapha the chief or commander of this legion, so this
9 put a smile, so to speak, on President Bemba's face given that it is Mustapha who was
10 reporting to him about such a proposal from President Patassé and this pointed to the
11 fact that President Patassé did not have any plans to build or set up his own army or
12 his own militia or his own self-defence forces. This information (Redacted)
13 President Jean-Pierre Bemba, which I must say is a reflection of the mindset and the
14 prevailing situation at the time.

15 Q. Sir, on page 34, lines 12 onwards, you state, and I quote, "When I talk about the
16 (Redacted) I am not referring to an official decision or a text or an instrument or a
17 meeting held by (Redacted), which was opposed to
18 President Jean-Pierre Bemba. I have already told you that we were wise enough not
19 to oppose decisions that were already taken by the president of the movement."
20 What I'm interested in is (Redacted)
21 (Redacted)

22 A. Counsel, I do not know whether I said "wise enough" but I used the words
23 "disciplined." We talked about discipline. I said we were disciplined enough. We
24 had enough self-discipline, so to speak, and sometimes discipline and wisdom may
25 overlap.

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1 Q. Sir, you stated earlier on page 25, lines 24 onwards, and I quote -- it's in the
2 context of (Redacted). I
3 quote, (Redacted) the presence of the MLC in the Central African
4 Republic was not tolerable, it could not be tolerated and the MLC absolutely had to
5 withdraw from the Central African Republic and that meant that we were no longer
6 in the same situation as the one that prevailed in 2001." Can you further explain
7 what you meant by (Redacted)

8 A. As far as I understand, when an order comes from (Redacted) it is a clear
9 and forceful position. It was not anything couched in diplomatic terms. It was an
10 order, an injunction.

11 Q. And why did (Redacted)
12 (Redacted) that the presence of the MLC in the CAR was not tolerable? What did they
13 (Redacted)

14 A. What was not tolerable was the fact that MLC troops would meddle with
15 internal -- with the internal politics of the Central African Republic. That is the
16 understanding we must give to the intolerable nature of the MLC's presence at that
17 time in the Central African Republic.

18 Q. You further stated, sir, on page 27, lines 18 onwards, "(Redacted)
19 (Redacted) it was clear that a great deal of pressure was being exerted
20 upon Jean-Pierre Bemba and the decision (Redacted)," et cetera,
21 et cetera. Can you explain further how this "great deal of pressure" looked like at
22 that time?

23 A. Counsel, (Redacted)
24 (Redacted) indicated at the same time the determination of
25 (Redacted) Jean-Pierre Bemba and that very person's

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1 apprehensions. Well, as Mr Jean-Pierre Bemba provided information on the
2 situation of the withdrawal of the MLC troops, it would seem to me that there was a
3 desire to pace the withdrawal. I therefore think that it was clear that a Head of State
4 was leaving office and a new Head of State was coming into office and that these
5 things had to happen at a pace which was not the normal pace of operations on the
6 ground, but rather some kind of pace that may have been driven by other
7 considerations. And I want to be very cautious here. You see, a capital falling into
8 the hands of a rebel movement is not something that should be taken lightly by the
9 State which has come to that decision. It is for these reasons that I talk about these
10 events.

11 Now, Counsel, let me provide you with the historical background about how
12 pressure may have been exerted on Jean-Pierre Bemba from other capitals and from
13 other -- and in other circumstances and this might help you to understand what I am
14 talking about. When President Laurent Kabila was assassinated on 16 January 2001,
15 two years -- one year/two years before, in the night of 16 to 17 January the same levels
16 of pressure were exerted from several capital cities on President Bemba asking him
17 not to take advantage of the situation and conduct any military operation. So, as you
18 can see, a number of decisions come in by telephone and need to be interpreted. So
19 that is some kind of example that points you to the types of decisions that cannot be
20 taken only exclusively by the president of the MLC. So, as I said, we were
21 disciplined enough not to object to his decisions because he alone was in a position to
22 come to those decisions after interpreting the various surrounding circumstances.

23 Q. Was there any other State or individual organisation or whatsoever who also
24 put pressure on Mr Bemba to withdraw his troops?

25 A. Counsel, I am not aware, but maybe there were some other States, but I do not

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1 know.

2 PRESIDING JUDGE STEINER: Ms Kneuer, if you allow me? Thank you.

3 Mr Witness, on page 37, starting on line 15, the Prosecution asked you that in your

4 view -- sorry, starting on line 10, (Redacted)

5 (Redacted) the presence of the MLC

6 in the CAR was not tolerable and why should that be, and your answer you say that

7 what was not tolerable was the fact that MLC troops would be intervening with

8 internal politics of Central African Republic. My question is: (Redacted)

9 (Redacted)

10 they never mentioned the fact that intervention in CAR was not tolerable because of

11 the crimes that had been committed against civilian population? This issue was

12 never discussed (Redacted)

13 (Redacted)?

14 THE WITNESS: (Interpretation) No, Madam President. (Redacted)

15 (Redacted) about any crimes and acts of violence in the Central

16 African Republic. (Redacted) to our attention.

17 But, Madam President, let me call you -- let me ask you to bear in mind that there

18 were two situations obtaining practically 18 months apart from each other. The first

19 one was in end of May, early June 2001, at which time President Patassé was almost

20 overthrown by the former president, Kolingba. Already at that time President

21 Patassé himself was threatened by other forces or political groups which had already

22 contacted the MLC, and I'm referring here (Redacted)

23 (Redacted), and this was in 2001. The context for that intervention was

24 quite peculiar.

25 Then in 2002/2003, (Redacted)

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1 should no longer intervene in internal matters, so at that time there was an armed
2 force which was not supporting Kolingba -- which was not Kolingba, but rather
3 President Bozizé's, the current president's forces. There were other forces including
4 former members of the Central African armed forces, as well as forces from Chad.
5 So the situation in 2003 was even much more complicated. So when you want to
6 interpret (Redacted), particularly with (Redacted)
7 (Redacted), you must understand that we were fully aware that there had already
8 been a previous intervention in the CAR in 2001 which must be distinguished from
9 this second operation of 2003 which was quite specific in its own nature. This is
10 what (Redacted).

11 PRESIDING JUDGE STEINER: Thank you.

12 Ms Kneuer.

13 MS KNEUER: (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 A. (Redacted)

18 (Redacted).

19 Q. (Redacted)

20 A. (Redacted)

21 (Redacted)

22 (Redacted)

23 PRESIDING JUDGE STEINER: Ms Kneuer, I'm sorry. It's just to make it clear if I
24 understood the answer given by the witness, or if we have a translation problem,
25 because the question put by Ms Kneuer on page 41, 11, is whether (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 THE WITNESS: (Interpretation) (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 MS KNEUER:

15 Q. Mr Witness, you stated earlier, and it starts on page (Redacted) that a

16 decision was taken to withdraw the MLC troops from the Central African Republic

17 and that Mr Bemba passed on that decision to Mr Patassé. Who took the decision to

18 withdraw the troops?

19 A. Counsel, the commander-in-chief took the decision, so the president of the MLC,

20 and if I am speaking about this decision, well, (Redacted).

21 There was probably beyond the information that Jean-Pierre Bemba would be able to

22 have from his side, there was also precise information that (Redacted)

23 (Redacted), so

24 it is no hazard that this decision was taken quickly. There was a press release, which

25 sanctioned this decision, and it was also communicated in the media as well I think.

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1 I no longer remember the precise information in it, or the sentences as they were
2 written, but I do have quite a precise memory of the fact that (Redacted)
3 President Bemba. (Redacted). We would have
4 wished that we have an immediate withdrawal. (Redacted). I think
5 that Jean-Pierre Bemba was aware that an immediate retreat -- withdrawal could also
6 put at risk the MLC with regard to what we had already experienced in the past with
7 the Central African Republic. That took us to this operational means of action,
8 which was to have an immediate announcement of this decision to withdraw, so
9 formally it was the president of the MLC who took the decision to withdraw.

10 Q. Who ordered the last military operation that was conducted before the MLC
11 troops withdrawal on 16 March 2003?

12 A. I don't remember, Counsel, the commander who was in the field in the capital,
13 Bangui, but I do remember very well that Jean-Pierre Bemba was informed, as I said a
14 moment ago, at that very time of the situation with regard to the withdrawal. Now,
15 in terms of who was deployed in the field, in order to give the order to the troops,
16 that is something I can give you no clarification about.

17 Q. As commander-in-chief, did Mr Bemba follow the withdrawal of his troops?

18 A. Yes, Counsel, the commander-in-chief did follow the withdrawal of the troops.

19 At least (Redacted) the withdrawal from Bangui. Now, what happened
20 elsewhere, outside Bangui, in other -- during other time periods, well, (Redacted)
21 (Redacted) President

22 Jean-Pierre Bemba in his lounge where he had the communication devices. (Redacted)
23 (Redacted), but as for the rest, did he follow the withdrawal of all
24 other troops deployed in the Central African Republic, that's something I cannot say.

25 Q. Do you know if Mr Bemba -- if Mr Patassé paid Mr Bemba for his assistance in

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1 the 2002/2003 conflict in the Central African Republic?

2 A. With regards to this question, (Redacted) if

3 the intervention was subject to a financial transaction. Nevertheless, I did find out
4 some time after (Redacted)

5 (Redacted) that an amount of several hundred thousand dollars was

6 said to have been paid, also taking into account that (Redacted)

7 (Redacted) with the Central African Republic,

8 in that area, (Redacted)

9 information, but (Redacted), so I cannot

10 confirm this information. This is something that I had heard.

11 Q. Were the MLC soldiers paid or compensated for taking part in the CAR
12 operation?

13 A. Thereto, I don't think that the MLC soldiers were in any way paid by the MLC.
14 For the little that we know about the resources of the MLC, yesterday you saw the
15 means of functioning of the MLC finances. Well, if they were paid, it wasn't with
16 MLC money, at least not through their treasury in Gbadolite. I don't think that the
17 soldiers deployed in the Central African Republic were able to live beyond the
18 standard of other soldiers who were deployed in the other regions of the Democratic
19 Republic of Congo. We would have had a two-speed army if that were the case and
20 the concern for unity within the army meant that wherever the soldiers were they
21 weren't paid. So, as I said yesterday, they had their rations, they had their
22 equipment, but they were not paid as such by the MLC.

23 Q. Sir, you stated yesterday that you heard about sexual -- acts of sexual violence
24 and looting committed by MLC soldiers in the CAR, and I'm referring to transcript
25 208, real-time, page 34, line 20 onwards, and you also commented on the discipline

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1 among MLC troops, and I'm referring as an example to the same transcript, page 39,
2 line 16 to 17, and page 3, lines 10 to 12. Based on what you know, was there any
3 explanation for the abuses committed by the MLC troops?

4 A. If such abuses turned out to be true, Counsel, and if a reason had to be found for
5 them, that could only be because these troops were outside the Democratic Republic
6 of Congo. They were in a situation which was very particular, but at the time we
7 had a lot of suspicions. When I say (Redacted) who
8 were listening to the radio and we had a lot of suspicions with regards to the
9 impartiality of RFI. The Movement of Liberation of Congo operating outside of the
10 Congo was a situation which was, well, very particular and certainly wouldn't be
11 something which would please everybody, and in this sense sometimes we doubted
12 the truth of what was said on RFI.

13 Nevertheless, you asked me a precise question. Could there be a disciplined army,
14 disciplined on the one hand, and could it become an army which carries out such acts
15 on the other? Well, this particular situation in the Central African Republic with an
16 armed rebellion, President Bozizé with extremists operating outside the law, such as
17 Mr Miskine, in a climate where crime was committed where the State no longer
18 existed, well, that's a very particular situation. So I don't have a precise answer to
19 give you to your question in order how to explain the attitude. All I can do is
20 imagine if this is true that such acts were committed that perhaps the fact that they
21 were in contact with a population with whom they shared no common destiny or
22 future, perhaps that explain such extremism. That is the only reason.

23 Q. Have you ever heard the term "Article 15"?

24 A. In the Democratic Republic of Congo, this is the synonym that everybody has to
25 fend for themselves, survival.

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1 Q. Do you know where this expression comes from?

2 A. No, Counsel, I don't know.

3 Q. In the context of an operation, if a soldier is told to apply Article 15, can you tell
4 us what that means?

5 A. No, Counsel, I couldn't say. In the very short military training that we had, it's
6 an expression that I never heard.

7 MS KNEUER: Madam President, I'm about to turn to a new topic and with your
8 leave I would like to do so after the lunch-break.

9 PRESIDING JUDGE STEINER: Yes, Ms Kneuer, but before we suspend I will take
10 the opportunity that we still have two or three minutes to turn back to an issue that I
11 would like to get more information. On page 42, 11, by answering the question that I
12 put to you in relation to possible contacts that (Redacted)
13 (Redacted), your answer is, "Your Honour, it is possible (Redacted)
14 (Redacted) but I don't remember the type of such contacts at the
15 moment, or the nature of such contacts at the moment."

16 Maybe if you have some time you can try to remember, because having contacts with
17 (Redacted) is not something that is easily forgotten, but my question is
18 in order to try to see if I help you in refreshing your recollection: During the period
19 of the events, (Redacted) let's say of MLC gone to
20 (Redacted)

21 THE WITNESS: (Interpretation) Your Honour, I remember that (Redacted)
22 (Redacted). Why didn't I remember that? Well, because in reality the
23 (Redacted) contacts that were established by
24 (Redacted)
25 and so he was following a lot more closely the relations (Redacted)

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- 1 (Redacted) and that is why I didn't
2 really remember much (Redacted). They
3 were -- happened pretty much by chance, they were pretty rare, so that's -- it was
4 (Redacted)
5 (Redacted) but I don't really remember much about that. (Redacted)
6 (Redacted)
7 (Redacted)
8 PRESIDING JUDGE STEINER: Thank you, Mr Witness. I think that after the break
9 I will come back in order to obtain some more details in relation to these trips to
10 (Redacted) but for the time being
11 we have to suspend for our lunch-break. It's 1 o'clock. We will return -- resume at
12 2.30.
13 I ask, please, court usher to accompany the witness outside the courtroom.
14 (The witness stands down)
15 THE COURT OFFICER: All rise.
16 (Recess taken at 1.00 p.m.)
17 *(Upon resuming in closed session at 2.33 p.m.) Reclassified into open session.
18 THE COURT USHER: All rise. Please be seated.
19 PRESIDING JUDGE STEINER: Welcome back. I ask, please, court usher to bring
20 the witness in.
21 (The witness enters the courtroom)
22 PRESIDING JUDGE STEINER: Mr Witness, welcome back.
23 THE WITNESS: (Interpretation) Good afternoon, your Honour.
24 PRESIDING JUDGE STEINER: Are you happy to continue, or ready better saying to
25 continue with your testimony?

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1 THE WITNESS: (Interpretation) Both at the same time, your Honour.

2 PRESIDING JUDGE STEINER: Ms Kneuer, you have the floor.

3 MS KNEUER: Thank you, Madam President.

4 Q. Good afternoon, sir.

5 A. Good afternoon, Counsel.

6 Q. I have a few more questions with regard to the 2002/2003 operation in Bangui.

7 You told us that you had heard about looting and rapes. Do you have information

8 what was looted in the Central African Republic, meaning what kind of items were

9 looted by the MLC soldiers?

10 A. No, Counsel, I can't be specific. It was not established by the MLC -- well, no

11 list was drawn up of items looted by possible members of the MLC in the Central

12 African Republic.

13 Q. Do you know what happened to these pillaged items?

14 A. Well, if items were looted, ma'am, the locality of Zongo directly opposite Bangui

15 would have been the place where they would have had to cross. Such items would

16 have to be taken across to that place, goods, merchandise. So clearly, if any such

17 looted items went by way of that border town, perhaps across the Ubangi River, they

18 would have been hidden immediately. That is why, other than the local population

19 or the authorities in Zongo at the time, no one else could state whether something had

20 been looted. If equipment had been looted or taken by violent means, you would

21 have had to have been present when the goods were taken across. You would have

22 had to be right on the shores of the river, or right in the town, to see such a thing, to

23 be a witness, so I think it really would be the inhabitants of Zongo who would know.

24 Q. How did the soldiers cross over from Bangui to Zongo?

25 A. Counsel, I was not a witness to that. The crossing was by dugout or canoe.

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1 That is how people crossed, because the Ubangi River which separates the capital of
2 the Central African Republic from Zongo can be crossed by either means. There is
3 no bridge between the two towns.

4 Counsel, I should add that there was a ferry-boat as well. It wasn't just dugouts or
5 canoes. There was also a ferry-boat that used to go back and forth between the two
6 towns.

7 Q. Do you know if any MLC soldier was punished for the crimes committed in the
8 Central African Republic?

9 A. Counsel, if that were the case, well, I have no specific recollection of punishment
10 being inflicted on soldiers who may have been involved in acts of violence or abuse in
11 the Central African Republic. That may have occurred but, if that were the case, the
12 punishment was not announced widely. It remained an internal matter, something
13 within the military wing.

14 Q. Did Mr Bemba stop the operation in Bangui and in Ituri at the same time?

15 A. Counsel, the Bangui operation ended with the capture of Bangui by President
16 Bozizé in March, and the events in Ituri ended -- well, I don't have a specific date, but
17 before the definitive withdrawal of troops. I believe it was somewhat before the trial
18 of the MLC soldiers. That trial occurred around 20 or 21 February before the
19 definitive withdrawal from Bangui.

20 Q. Did the media give greater coverage to either of the operations in Mambasa or
21 Bangui?

22 A. Counsel, well, if my memory serves me correctly, both. Both events were
23 covered identically by the media, in my assessment, both the operation that was
24 referred to as "Effacer le tableau," that was the slogan that was used that the media
25 reported on, and then the events in Bangui. The same tone was set and the media,

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1 the press, echoed. It was the same amount of coverage, I would say.

2 Q. From conversations you had with Mr Bemba, did the scope of the media
3 coverage play any role with regards to Mr Bemba's decisions related to the two
4 operations to withdraw or put a hold on it?

5 A. Counsel, I think that the media -- well, the review conducted by the media of
6 these events must have had an influence on the decisions being taken by Jean-Pierre
7 Bemba. The extent of that influence I couldn't say, but it is clear that it did affect the
8 image of the MLC as it had been upheld up until the time of the events and it could
9 certainly tarnish the reputation of the movement and later the position in the
10 negotiations that were being conducted at that time. So it was important for us to be
11 able to clear the MLC's name and it was also a reason for the implementation of the
12 Sibut mission, because we had just concluded a round of negotiations and it was
13 important for us to keep a credible image before the definitive agreement was signed,
14 the definitive Sun City agreement.

15 MS KNEUER: Can the court officer please display (Redacted), which is
16 number (Redacted) on the list of documents.

17 THE COURT OFFICER: The document as referenced to by counsel is available on
18 the screens and it's a public document, but would not be broadcasted outside.
19 Unless otherwise instructed, it will remain public.

20 MS KNEUER:

21 Q. Sir, please read the document for yourself and the court officer will certainly
22 scroll down and turn to the next page according to your pace.

23 (Pause in proceedings)

24 Do you recognise this document?

25 A. Yes, indeed I do recognise this document.

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1 Q. Mr Witness, I forgot to mention that like I did for the other documents we
2 looked at I will first ask some foundational questions and then we will turn to the
3 substance. Can you tell us how you recognise this document?

4 A. The content of the document was mentioned (Redacted)

5 (Redacted)

6 (Redacted). I don't know who -- who drafted the text, who wrote the

7 text, the final version as it was signed by Jean-Pierre Bemba, but it does correspond

8 entirely to the position that he had been advised to take to clear the MLC of any

9 accusations against the movement. As I said earlier, Counsel, we were in the process

10 of conducting negotiations and it was important for us to maintain the image of a

11 credible movement and that was the reason why this correspondence was drafted,

12 this letter was drafted.

13 Q. What is the date of that letter, and perhaps the court officer can scroll up a little

14 bit?

15 A. 4 January 2003. Early in January 2003.

16 Q. Whose letterhead does this document contain?

17 A. This is the letterhead of the MLC and this is indeed the letterhead of the

18 president of the MLC.

19 Q. Sir, if you look at the first paragraph on the first page of this document, what

20 does this letter state as the entry date of the MLC troops in the Central African

21 Republic?

22 A. 27 October 2002, Counsel.

23 Q. I have to go one step back, sir. I forgot to ask you to whom this letter is

24 addressed?

25 A. To the Special Representative of the Secretary-General of the United Nations in

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1 the Central African Republic; namely, General Cissé, Counsel.

2 Q. Can you please focus on the second paragraph on that page, and maybe the
3 court officer can scroll up a little bit? What were the reasons that Mr Bemba
4 provided to Mr Cissé with regards to the intervention of his MLC troops into the
5 Central African Republic?

6 A. Counsel, the president of the MLC mentions the invitation or request from the
7 President of the Central African Republic on the one hand, as well as the desire of the
8 MLC to protect itself from enemies that may be at the borders. Those are the two
9 reasons put forth by President Jean-Pierre Bemba in this letter.

10 Q. Can you explain what is meant when it is stated that the MLC wanted
11 preventatively to, and I quote from the French version, "protéger ses arrières"?

12 THE INTERPRETER: To protect its rear.

13 THE WITNESS: (Interpretation) Counsel, like I said earlier, in 1998 the Central
14 African Republic had given free way to President Laurent Kabila's troops to attack the
15 MLC forces in the Democratic Republic of the Congo. Therefore, securing MLC
16 interests meant that having an MLC ally in Bangui was an indispensable thing to the
17 extent that the Bangui international airport would then be used to fly in and out
18 troops. This location being only a few kilometres from the DRC that arrangement
19 could have been a threat for the MLC, so for preventive reasons and mindful of the
20 things that had happened in 1998, and you may want to know also that in that context
21 the Republic of Chad had some troops which supported President Bozizé and those
22 troops at the time were part of the contingent that attacked the MLC in 1998. It
23 didn't therefore require rocket science to understand that President Bozizé was not in
24 favour of an alliance with the MLC. It is for this reason that the MLC expressed the
25 desire to avoid any threat that may be lurking at the borders of its territory.

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1 MS KNEUER: Can the court usher please display the second page of that document
2 and in particular focus paragraph 2 on the screen?

3 Q. Mr Witness, what was Mr Bemba referring to in his letter to Mr Cissé when he
4 stated, and I'm quoting from the French version, fifth line from the top,
5 (Interpretation) "serious violations of human rights"?

6 A. Counsel, that paragraph refers to serious violations of human rights and again
7 states the position of the MLC regarding such serious violations. It emerges from
8 what is written in that paragraph that the MLC would not condone behaviour that is
9 contrary to the code of conduct for its troops. The paragraph further states that
10 instructions had been issued to officers as well as the troops before they left, so I think
11 that the content of the paragraph, as we can see, is quite explicit.

12 Q. What can you tell us about the preventive arrest of eight soldiers that are
13 mentioned in this paragraph?

14 A. Counsel, just like you would, my interpretation is that these soldiers were not
15 officers, contrary to the situation in the Ituri. Reference here is made to "soldiers"
16 and I therefore take it that it was ordinary soldiers. I also note that reference to
17 "preventive arrest" must mean that it was not acceptable for such conduct to continue
18 and that is why it was necessary to prevent any further excesses and, as you can see, I
19 too note that eight soldiers were arrested and that the measure was taken in order to
20 check impunity where such conduct were found to have taken place.

21 Q. Were these eight soldiers convicted for grave violations of human rights, to
22 which Mr Bemba refers in that paragraph?

23 A. Counsel, I can only rely on what is written in this paragraph. However, as I
24 said a while ago, military matters were handled by the military itself, that is among
25 soldiers, so I cannot compare what happened here regarding Bangui and what

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1 happened in the Ituri, or rather I could compare the two, and what I would say is that,
2 yes, these things may have been said, but I have not seen any documents about any
3 sanctions. Yesterday you asked me whether those sentences were served and again
4 today I can tell you that I am not in a position to say so, but what I can confirm is that,
5 yes, indeed those soldiers were arrested.

6 Q. I would like to draw your attention now to the third paragraph on this page and
7 in particular to the first sentence, which talks about investigations to be conducted.

8 To your knowledge, did Mr Bemba conduct any investigations into crimes committed
9 by his MLC troops in the Central African Republic?

10 A. Apart from the mission by Thomas Luhaka to Sibut, Counsel, I am not aware of
11 any other missions that we may have carried out. I therefore do not believe that any
12 MLC funds were used at that time to pay for any other such mission. However, this
13 letter includes a request for collaboration and I think it is explicit enough.

14 Q. Is there anything else you wish to add with regards to this letter?

15 A. All I would like to add, Counsel, is that we should not lose sight of the context
16 that we must bear in mind here as indicated by the signatory of the letter. Officers
17 had been raised to the ranks, which we talked about yesterday, and they all wanted to
18 belong to a regular army. So while the political wing sought to maintain the
19 credibility of the MLC, with a view to getting significant positions within the
20 government, the military wing also wanted to secure the image of the soldiers with a
21 view to a positive integration of the forthcoming national army. So the context was
22 such that in a few weeks the transitional institutions were expected to be set up and
23 this letter must be understood within that context.

24 MS KNEUER: Madam President, your Honours, the Prosecution tenders document
25 (Redacted) into evidence.

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1 Can the court officer please display document (Redacted), which is
2 document number (Redacted) on the list of documents?

3 THE COURT OFFICER: Document (Redacted) is available on the screens
4 and it's a public document.

5 MS KNEUER:

6 Q. Mr Witness, please take time to read this document for yourself.

7 (Pause in proceedings)

8 Do you recognise this document?

9 A. I was not aware of this document, or should I say I do not remember the
10 document, but I must say that I think that it is an authentic document.

11 Q. Who sent this letter? Who signed it?

12 A. Counsel, it is the representative of the Secretary-General of the UN to the
13 Central African Republic, General Cissé.

14 Q. Does this document bear the letterhead of the UN and a seal of the United
15 Nations, as you can see it?

16 A. Yes, Counsel.

17 Q. To whom was this letter addressed?

18 A. The letter is addressed to President Jean-Pierre Bemba.

19 Q. What is the date of this letter?

20 A. 27 January 2003, Counsel.

21 Q. What is the subject matter of this letter?

22 A. As specified, Counsel, it is a reply to the letter of 4 January 2003 which we just
23 looked at.

24 Q. How do you understand this response?

25 A. The reply can be said to have two components, Counsel. It states a readiness

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1 for an MLC investigation to be conducted and then it recalls that both States, the CAR
2 and Chad, had agreed to the setting up of an international commission of inquiry.
3 The representative of the Secretary-General therefore grants a favourable reply, but is
4 also mindful and refers to the agreement between the two States regarding the setting
5 up of an international commission of inquiry.

6 Q. Do you have any information about this joint international commission by the
7 CAR and Chad?

8 A. I do not have any information on that inquiry, or rather that commission of
9 inquiry. I do not know whether it was created. I do not know whether it set about
10 to do any work. All I know is that the MLC was never invited to be part of such a
11 commission if it ever was set up and, if it had been set up, it did not invite the MLC to
12 its work.

13 Q. I ask you a similar question in a different context, sir. After the receipt of this
14 letter, are you aware of any investigations initiated by Mr Bemba into the crimes
15 committed by his troops in the Central African Republic?

16 A. Counsel, I already answered you when I said that the only mission I was
17 specifically aware of was the mission by Thomas Luhaka to Sibut. That is the only
18 mission that I remember.

19 Q. Mr Witness, on page 59, lines 15 to 17, you stated, and I quote, "I was not aware
20 of this document, or should I say I do not remember the document, but I must say
21 that I think that it is an authentic document." Considering the answer you gave I'm
22 not sure if you are in a position to respond to my next question, but I will still ask it.
23 Do you have any information how this letter was received or perceived by the MLC
24 and Mr Bemba?

25 A. No, Counsel, I don't have any information as to how President Jean-Pierre

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1 Bemba perceived this letter.

2 Q. Are you aware of any other contacts Mr Bemba had with the United Nations
3 during the time-frame of the CAR operation?

4 A. No, Counsel, I am not aware of any other contacts with the United Nations.

5 Q. (Redacted)

6 (Redacted)

7 A. (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 MS KNEUER: Madam President, your Honours, the Prosecution tenders document
12 (Redacted) into evidence.

13 PRESIDING JUDGE STEINER: Ms Kneuer, before you go into another subject, still
14 in relation to this document that is still displayed, Mr Witness, can you please read on
15 the top of the document the date on which this document apparently was issued, this
16 letter better saying?

17 THE WITNESS: (Interpretation) Your Honour, this letter was sent, or at least it
18 was drafted, on 27 January 2003. The date of sending and its reception, well, I can't
19 confirm that. I can't see if it's a fax, or whether an emissary or an envoy of the
20 United Nations put this letter into the hands of President Bemba, so I can only
21 confirm what I can read and that is the date of 27 January.

22 PRESIDING JUDGE STEINER: And on 27 January 2003, the president of the Central
23 African Republic was still Mr Patassé?

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

25 PRESIDING JUDGE STEINER: So when the letter says "La RCA et le Tchad sont

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1 convenus de la creation d'une commission d'enquête internationale," it's saying that
2 President Patassé agreed with Chadian authorities in creating an international
3 commission of inquiry?

4 THE WITNESS: (Interpretation) That is correct, your Honour.

5 PRESIDING JUDGE STEINER: Thank you.

6 Ms Kneuer.

7 MS KNEUER:

8 Q. Mr Witness, you stated on Tuesday - and I'm referring to transcript 207, English
9 edited version, page 10, line 18 - that you (Redacted)

10 (Redacted)

11 A. (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 Q. (Redacted)

18 (Redacted)

19 A. (Redacted) believe in the capacity of

20 President Jean-Pierre Bemba to lead the Democratic Republic of the Congo. The first
21 things which undermined this certainty was the failure of the negotiations in Sun City,
22 Sun City 1, and the refusal of President Bemba to implement this first peace
23 agreement. (Redacted)

24 (Redacted) In 2002, so after this failure, until March 2003, given there were

25 very painful events that took place, we went through the transition in a climate which

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1 was very much affected by these doubts, these poisonous doubts that had come into
2 being. (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 Q. (Redacted)
17 A. (Redacted)
18 (Redacted). Well, it was at
19 the time of the MLC, the political and military movement, which was unhappy with
20 the (Redacted) at the time, and as such there needed to be freedom of expression
21 through a type of thinking, a line of thinking, whether somebody could express their
22 line of thinking within the party, and (Redacted). There was no space for
23 such a discussion and as such, (Redacted)
24 (Redacted), but we did not have the feeling and we didn't
25 express that within the MLC publicly and expressing certain considerations with

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1 regards to these events.

2 THE INTERPRETER: And the interpreter corrects; it wasn't (Redacted)

3 (Redacted)

4 MS KNEUER:

5 Q. (Redacted)

6 (Redacted)

7 A. (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 Q. (Redacted)

17 (Redacted)

18 A. Yes, prior to that. Indeed between the end of December 2005 and March 2006

19 decisions were taken by the governing body of the MLC at the time to take the

20 (Redacted).

21 Q. When you say "decisions were taken by the governing body of the MLC," to

22 which body are you referring?

23 A. I think, Counsel, that those must be the founders, if I'm correct. These were the

24 directors of the party, probably the founders. (Redacted)

25 (Redacted). Those were the steps that were taken to

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1 (Redacted).

2 Q. (Redacted)

3 A. (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 Q. The decision taken by the directors of the party, probably the founders as you
13 stated on page 66, lines 15 and 16, to (Redacted)

14 (Redacted)

15 A. I think that it was certainly inspired, if not approved, by the president of the
16 MLC.

17 Q. What do you mean by "inspired"? Was it his decision then?

18 A. It was indeed his decision.

19 Q. Sir, you stated earlier - and for the record it's page 23 -- sorry, page 63, lines 23
20 onwards, "In 2002, so after this failure, until March 2003, given there were very
21 painful events that took place, we went through the transition in a climate which was
22 very much affected by these doubts, these poisonous doubts, that had come into
23 being." When you say "very painful events," what are you referring to?

24 A. Counsel, here I'm referring to Ituri and Bangui, and I always say that if the
25 president, Jean-Pierre Bemba, had accepted the Sun City agreement, Sun City

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1 agreement 1, we would never have experienced Ituri or Bangui, but you can't remake
2 the world with ifs and buts.

3 Q. And what did you mean when you referred to "poisonous doubts"?

4 A. Most of the members (Redacted) of the MLC always -- had
5 always considered that President Jean-Pierre Bemba had more capacity and
6 temperament in leading the Democratic Republic of the Congo and that is the reason
7 why (Redacted) there was respect for the decision of the president of the
8 MLC and a very large amount of discipline. As such, the refusal of the president of
9 the MLC to accompany his political team, or to go along with them in the choices that
10 had been made in 2002, destroyed this certainty and that is the reason why it
11 poisoned, if you like. It's like a poison that can take hold.

12 Q. Sir, you made another statement - and I'm referring to page 64, line 25 - and I
13 quote, "Well, it was at the time of the MLC, the political and military movement,
14 which was unhappy with the (Redacted) at the time and as such there needed to
15 be freedom of expression through a type of thinking, a line of thinking, whether
16 somebody could express their line of thinking within the party (Redacted)
17 (Redacted)

18 Can you please further explain what you mean when you're talking about "freedom
19 of expression," "line of thinking" (Redacted)?

20 A. Counsel, (Redacted)-- if one was opposed to Bemba on essential political
21 aspects, if one was diametrically opposed, well this was the real question. So with
22 regards to the temperament and perhaps beyond that the customs within this party as
23 there are in any company, there is a company culture. In a political party there's also
24 an organisational culture. There are practices. It was not clear how you could
25 break with such a culture within the MLC and that's the reason why I use or the

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1 expression of a courant, a line of thinking, which broke up the practices which
2 historically had taken root within the MLC. There was a construction of a
3 politico-military movement, a political party. This was a very difficult exercise.
4 MS KNEUER: Madam President, I will not be able to finish with this topic today. I
5 may need tomorrow 15 minutes, certainly not more than 30 minutes.

6 PRESIDING JUDGE STEINER: Thank you, Ms Kneuer. I also have some further
7 clarifications to ask from the witness, but I think now it's time for the witness to take
8 some rest. Mr Witness, thank you very much. We will adjourn for today and
9 resume tomorrow morning at 9.30 in the morning.

10 Maître Zarambaud will also start tomorrow morning with the questions that were
11 authorised by the Chamber and he will be representing Maître Douzima-Lawson as
12 well. Maître Douzima is not able to be in Court, she's attending the funerals of her
13 father, and Maître Zarambaud was authorised to address the witness with the
14 questions of Maître Douzima as well.

15 Mr Witness, thank you very much. I thank very much the Prosecution team, Maître
16 Zarambaud, the Defence team, Mr Jean-Pierre Bemba Gombo. I thank very much
17 our interpreters, our court reporters. We will adjourn and resume tomorrow
18 morning at 9.30.

19 I ask, please, court usher to take the witness outside the courtroom.

20 (The witness stands down)

21 THE COURT OFFICER: All rise.

22 *(The hearing ends in closed session at 4.00 p.m.) Reclassified into open session.

23 CORRECTION REPORT:

24 The Court Interpretation and Translation Section has made the following correction in the
25 transcript:

Trial Hearing

(Closed Session)

ICC-01/05-01/08

Witness: CAR-OTP-PPPP-0015

- 1 *Page 23 line 13
- 2 " I made the deduction that France was more favourable to President Patassé."
- 3 Is corrected by
- 4 " I made the deduction that France was no longer favourable to President Patassé."
- 5 RECLASSIFICATION REPORT
- 6 Pursuant to Trial Chamber III 's Orders, ICC-01/05-01/08-2223 and
- 7 ICC-01/05-01/08-3038, the version of the transcript with its redactions becomes Public.