

Trial Hearing
Witness: CAR-OTP-P-245

(Open Session)

ICC-01/05-01/13

1 International Criminal Court
2 Trial Chamber VII - Courtroom 1
3 Situation: Central African Republic
4 In the case of The Prosecutor v. Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba,
5 Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and
6 Narcisse Arido - ICC-01/05-01/13
7 Presiding Judge Bertram Schmitt, Judge Marc Perrin de Brichambaut and
8 Judge Raul Pangalangan
9 Trial Hearing
10 Tuesday, 20 October 2015
11 (The hearing starts in open session at 9.30 a.m.)
12 THE COURT USHER: All rise.
13 The International Criminal Court is now in session.
14 PRESIDING JUDGE SCHMITT: Good morning, everybody.
15 Good morning, Mr Witness.
16 Court officer, please call the case.
17 THE COURT OFFICER: Good morning. Yes, your Honour.
18 Situation in the Central African Republic in the case of The Prosecutor versus
19 Jean-Pierre Bemba Gombo, Aimé Kilolo Musamba,
20 Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido, in the
21 case ICC-01/05-01/13.
22 And for the record, we are in open session.
23 PRESIDING JUDGE SCHMITT: Thank you very much.
24 I ask now for the appearances, as I do every day in the morning. Please,
25 Mr Vanderpuye.

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1 MR VANDERPUYE: Good morning, Mr President, your Honours. We are the
2 same configuration as yesterday.
3 PRESIDING JUDGE SCHMITT: Mr Nève.
4 MR NÈVE: (Interpretation) Good morning, Mr President.
5 PRESIDING JUDGE SCHMITT: Thank you. Mr Gosnell and so forth.
6 MR GOSNELL: (Interpretation) Good morning, Mr President, your Honours.
7 Our team is the same as yesterday. Thank you
8 MR DJUNGA: (Interpretation) Good morning, Mr. President, your Honours. Our
9 team is the same.
10 MR LAROCHELLE: (Interpretation) Good morning, your Honour. Good
11 morning, your Honours. For Arido we have Mr Taku, Mr Goncalves, and myself,
12 Philippe Larochelle.
13 MR KILENDA: (Interpretation) Good morning, your Honours. For Mr Fidèle
14 Babala Wandu sitting to my right, the team remains the same.
15 MS TAYLOR: Good morning, Mr President, your Honours. The Bemba team
16 remains unchanged. Thank you.
17 PRESIDING JUDGE SCHMITT: Thank you very much. We now continue with the
18 examination by the Prosecution.
19 I would like to remind Mr Vanderpuye that you have until now used three hours of
20 the four that you promised that you would need for the examination-in-chief. Please
21 continue.
22 MR VANDERPUYE: Thank you very much, Mr President. Good morning to you
23 again, your Honours.
24 QUESTIONED BY MR. VANDERPUYE: (Continuing)
25 Q. Good morning to you, Witness.

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1 Just a couple of things I would like to clarify from yesterday, if I may. You
2 mentioned at transcript page 5, lines 1 through 3, that when you were interviewed by
3 Mr Kilolo and the white woman you said he was with in February of 2012, that you
4 spoke in Lingala, and that Mr Kilolo translated what you were saying. Is that your
5 recollection?

6 WITNESS: CAR-OTP-P-245 (On former oath)

7 (The witness speaks Sango)

8 A. Yes, I remember.

9 Q. And did you interview with Mr Kilolo in and around that period on more than
10 one occasion?

11 A. I was interviewed on a single occasion, that is, during our first meeting.

12 Q. All right. Thank you for that clarification.

13 During the course of that interview, if I can just ask you, did Mr Kilolo ask you for
14 any document or any item indicating or showing that you were a military person,
15 such as a photograph or an ID or diary or something like that?

16 MR LAROCHELLE: Just for the record, this is leading, your Honour.

17 PRESIDING JUDGE SCHMITT: I think I overruled that because it's a question that
18 the witness can easily answer, and I think we all know the answer, so we can continue
19 with that.

20 I don't know how much weight this fact, if at all, will have, but we continue with that.

21 Please answer the question.

22 THE WITNESS: (Interpretation) No, he did not ask me to produce any document
23 or any other piece of paper indicating that I was a soldier.

24 MR VANDERPUYE:

25 Q. And what about the woman that he was with, did she ask you any such

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1 question during the course of your interview?

2 A. No, she did not ask any questions. I was interviewed by Mr Kilolo. The
3 white lady was simply noting down whatever I said.

4 Q. Thank you for that clarification.

5 MR VANDERPUYE: Mr President, can we go into private session, please.

6 PRESIDING JUDGE SCHMITT: Private session.

7 (Private session at 9.37 a.m.)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

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5 (Open session at 9.49 a.m.)

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

7 MR VANDERPUYE:

8 Q. Witness, can you tell the Chamber how it is that you came to meet Mr Kilolo in
9 May of 2013? How was it arranged?

10 A. This meeting was organised by Mr Kilolo before his arrival. In January or
11 February 2013, he sent me an email, and this is what he said: (Redacted) we will be
12 travelling to Cameroon in February. I have tried to contact you without success.
13 And if you receive this email, you should get in touch with me and also contact your
14 companions."

15 And when I received that email, I immediately called him.

16 MR VANDERPUYE: Can we go into private session for a moment please,
17 Mr President.

18 PRESIDING JUDGE SCHMITT: Private session.

19 (Private session at 9.51 a.m.)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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- 12 (Recess taken at 11.01 a.m.)
- 13 (Upon resuming in open session at 11.33 a.m.)
- 14 THE COURT USHER: All rise.
- 15 THE COURT OFFICER: Mr President, for the record we are in open session.
- 16 PRESIDING JUDGE SCHMITT: And since we hear nothing else from Mr
- 17 Vanderpuye, we stay in open session?
- 18 MR VANDERPUYE: I think not, Mr President. Yes, I'm going to try and wrap this
- 19 up very quickly.
- 20 PRESIDING JUDGE SCHMITT: So we go into private session, I understand?
- 21 MR VANDERPUYE: Yes, please.
- 22 PRESIDING JUDGE SCHMITT: We go into private session, and we trust what you
- 23 said, that you'll wrap it up.
- 24 (Private session at 11.34 a.m.)
- 25 (Redacted)

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- 15 (The hearing ends in private session at 1.01 p.m.)