

Trial Hearing
WITNESS: CAR-OTP-P-0291

(Open Session)

ICC-01/14-01/18

1 International Criminal Court
2 Trial Chamber V
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard
5 Ngaïssona - ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and
7 Judge Chang-ho Chung
8 Trial Hearing - Courtroom 1
9 Tuesday, 13 July 2021
10 (The hearing starts in open session at 9.31 a.m.)
11 THE COURT USHER: [9:31:23] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:31:42] Good morning, everyone.
15 Could the court officer please call the case.
16 THE COURT OFFICER: [9:31:50] Good morning, Mr President, your Honours.
17 Situation in the Central African Republic II, in the case of the Prosecutor versus
18 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.
19 And for the record, we are in open session.
20 PRESIDING JUDGE SCHMITT: [9:32:05] Thank you.
21 I ask for the appearances of the parties.
22 Mr Leddy first for the Prosecution.
23 MR LEDDY: [9:32:13] Good morning, Mr President, your Honours. I'm
24 Nick Leddy, here with the Office of the Prosecutor. Today with me are
25 Kweku Vanderpuye, Pierre Belbenoit-Avich, and Yassin Mostfa.

1 PRESIDING JUDGE SCHMITT: [9:32:21] Thank you.

2 MR LEDDY: [9:32:22] Thank you.

3 PRESIDING JUDGE SCHMITT: [9:32:22] And for the Legal Representatives of the
4 Victims.

5 MS RABESANDRATANA: [9:32:26](Interpretation) Good morning, Mr President.
6 There is Madam Massidda, myself Rabesandratana.

7 THE INTERPRETER: [9:32:48] And a third name that the interpreter missed.

8 MR SUPRUN: [9:32:51](Overlapping speakers) The former child soldiers are
9 represented by myself, Dmytro Suprun, counsel at the Office of Public Counsel for
10 Victims. Thank you.

11 PRESIDING JUDGE SCHMITT: [9:33:00] Thank you.
12 And now Ms Dimitri.

13 MS DIMITRI: [9:33:03] Good morning, Mr President. Good morning your Honours.
14 Good morning, everyone. Mr Yekatom, who's present in the courtroom, is
15 represented today by Mr Thomas Hannis, Ms Léa Benoit, Mr Florent Pages-Granier,
16 and myself Mylène Dimitri.

17 PRESIDING JUDGE SCHMITT: [9:33:16] Thank you.
18 Mr Knoops.

19 MR KNOOPS: [9:33:20] Good morning, Mr President, dear members of the Chamber.
20 Everyone in the courtroom. Mr Ngaïssona's today represented by myself,
21 Ms Marie-Hélène Proulx, Sara Pedroso and Ms Despoina Eleftheriou.
22 *Merci.*

23 PRESIDING JUDGE SCHMITT: [9:33:36] Thank you.
24 And good morning, Mr Tiangaye. Nice to see you again. I hope you had a good
25 rest.

1 WITNESS: CAR-OTP-P-0291 (On former oath)
2 (The witness speaks French)
3 (The witness gives evidence via video link)
4 THE WITNESS: [9:33:49](Interpretation) Yes, good morning. Everything is fine.
5 I am in good form.
6 PRESIDING JUDGE SCHMITT: [9:34:02] You know, everybody is pleased to hear
7 that, of course.
8 And so we want to use this mood to continue quickly and I give Ms Dimitri the floor.
9 MS DIMITRI: [9:34:14] Thank you, Mr President.
10 QUESTIONED BY MS DIMITRI: (Continuing) (Interpretation)
11 Q. [9:34:32] Good morning, Maître Tiangaye.
12 A. [9:34:35] Good morning.
13 Q. [9:34:36] We are going to continue in an answer that you gave yesterday. You
14 said that some members of the army, after allegiance to Djotodia, stayed with Séléka.
15 Am I to understand that all the others, both officers and men of rank, those who fled
16 or went into exile were considered as close to Bozizé, or can that not be generalised?
17 A. [9:35:13] I don't think you can generalise. There are some of them who left for
18 reasons that no one knows. But I am convinced that all the elements who were close
19 to Bozizé, such as his close protection or those of the presidential guard, many of
20 them took the decision to go into exile.
21 Q. [9:35:49] Thank you for that clarification. Just a question, you don't know
22 the answer probably, but I will try. I remember that in 2013 Mr Yekatom was
23 assigned to the third bureau, D3. Do you hear that after Séléka took over power
24 Mr Yekatom did not flee immediately, he continued working in D3, did you hear
25 that?

1 A. [9:36:22] No, I am not aware.

2 Q. [9:36:29] I will move on to something else.

3 In paragraph 88 of your statement, it is tab 1 of the Defence list, and that is
4 CAR-OTP-2024-0036, in paragraph 88, and you talked about it yesterday also, you
5 said there were no longer any defence forces, no police or gendarmerie.

6 Now, during the Séléka regime, am I to understand that it was Djotodia's men who
7 managed everything related to public order?

8 A. [9:37:19] Yes, of course. All the Central African forces, gendarmerie, police,
9 the Defence and Security Forces did not have operational capacity to assume their
10 duties and everything related to defence was dominated by Séléka elements.

11 MS DIMITRI: [9:38:02] Mr President, if I can make a request to the interpreter
12 because I'm really trying to -- not to go too fast.

13 PRESIDING JUDGE SCHMITT: [9:38:09] I don't know why but I don't hear you at
14 the moment.

15 MS DIMITRI: [9:38:14] I said I have a request for the interpreter. I am guided by
16 his microphone, so if he can switch it off when the interpretation is finished so I don't
17 overlap like I did yesterday. I'm trying not to go too fast.

18 PRESIDING JUDGE SCHMITT: [9:38:30] Okay. So that could be helpful
19 potentially, I think.

20 THE INTERPRETER: [9:38:33] From the interpreter: That is understood.

21 PRESIDING JUDGE SCHMITT: [9:38:37] Okay. Good. Please continue.

22 MS DIMITRI: [9:38:40](Interpretation)

23 Q. [9:38:40] In paragraph 79 of the statement you said CEDAD was a political
24 police within Djotodia's services and that he appointed Nourredine Adam within
25 CEDAD. Am I to understand that Mr Nourredine Adam and his member and his

1 patrols patrolled through Bangui and controlled people and their actions?

2 A. [9:39:15] Yes, it was CEDAD which had been created by Djotodia and that
3 structure had been placed under the authority of Nourredine Adam. They had their
4 office at the *Avenue de l'indépendance* not far from the Air France offices. And this is
5 where you had some very tough questioning, arbitrary arrests, and there were
6 physical abuse of those who had been arrested.

7 So these were people who had been denounced. This structure CEDAD was placed
8 under the authority of Nourredine Adam and who reported directly to Djotodia.

9 Q. [9:40:17] And Nourredine Adam and his men, to your knowledge did they carry
10 out patrols in the markets?

11 A. [9:40:30] No, I am not aware. These are really details outside of my
12 knowledge.

13 Q. [9:40:39] Now I will move on to some other thing.

14 Do you remember on 26 September 2013 you had a speech during the 68th ordinary
15 assembly of the UNSG. You mentioned this a little bit in paragraph 82 of your
16 statement. I will show you two documents and I ask you questions.

17 During your speech on 26 September, and that is tab 12 of the list of the Defence,
18 that's CAR-D29-0012-0011 on page 0014, and I will quote you -- I will show you
19 a second document then and I will ask you a question.

20 On page 0014 you said that following the crimes, killings and pillaging in
21 the Boy-Rabe and Boeing neighbourhoods, which was the theatre in Bangui, measures
22 were taken to prevent the ex-Séléka to ensure peace and order.

23 In another document from the OTP, 42, CAR-OTP-2100-0716, and page 1797, to be
24 precise.

25 THE INTERPRETER: [9:42:35] The original tab went too fast.

1 MS DIMITRI: [9:42:38](Interpretation)

2 Q. [9:42:39] It is stated that in Boy-Rabe, Gobongo and in the Boeing
3 neighbourhood, men, women and children were brutally arrested from their parents
4 and relatives. Is it the speech that you wrote in 2013?

5 A. [9:43:04] Was it August or September?

6 Q. [9:43:09] (Overlapping speakers)

7 A. [9:43:13] Was it my speech in the General Assembly of the United Nations or is
8 it another statement?

9 Q. [9:43:22] I will explain. You drafted a speech, I believe, on 23 August 2013 and
10 you made your speech in the United Nations in September 2013.

11 A. [9:43:56] Are you waiting for my answer on the materiality of this fact?

12 Q. [9:44:03] Yes. I want to ask you questions, but I want you to confirm that this is
13 really what you said.

14 A. In August or September, because I don't know the source of this document,
15 whether I made a speech in Bangui or the United Nations General Assembly?

16 Q. [9:44:28] I will show you the first page of the document, Mr Tiangaye, and
17 maybe that will make it possible for you to -- 2100-1796. I think you made two
18 speeches and in the two speeches the information seems to be the same.

19 I think you made a speech. I wanted you to look at it?

20 A. [9:45:09] For methodology please ask questions to me relating to each single
21 document. So if you put questions to me on what happened in the 4th
22 arrondissement and Boeing, I will answer. Then if you want to ask further questions
23 about my speech of the UN.

24 Now, regarding Boy-Rabe and Boeing, this is consistent, because I deplored
25 the killings that had taken place in these popular neighbourhoods of Bangui.

1 Q. [9:45:57] My question is, in the two documents you refer to killings in Boy-Rabe
2 and Boeing. Now, in the two documents are the killings the same?

3 A. [9:46:23] Yes.

4 Q. [9:46:24] My next question will relate to the incident that you mention. Can
5 you elaborate these incidents, that is the pillaging and harassment of civilians,
6 particularly in Boeing, in September 2013?

7 A. [9:46:49] I don't have details. There were people who were massacred even in
8 Gobongo next to the Jean XXIII centre. There was a rocket which fell on a church
9 and this led to a lot of deaths and injured. And I was able to travel to the location to
10 assess the damage that had been done. So these were facts that took place, but
11 you cannot dispute the materiality of the facts.

12 Regarding the details, I no longer remember them. But these are facts that were
13 attributable to the Séléka coalition elements.

14 Q. [9:48:03] (Overlapping speakers)

15 A. [9:48:07] And it is the Cité Jean XXIII.

16 Q. [9:48:15] And regarding these events, am I to understand - and I'm talking about
17 Boeing - were civilians in Boeing victims of these violations?

18 A. [9:48:31] Most of the victims were civilians. It was the civilian population that
19 were the victims of those crimes, those killings and the pillaging, the destruction of
20 houses. It is the civilian population that bore the brunt of that.

21 Q. [9:49:04] Now, how did the civilian population of Boeing react following this act
22 in their neighbourhood?

23 A. [9:49:14] It was a situation of distress. The civilian population were left to their
24 own devices. All the systems were controlled by the Séléka, so there were no
25 security forces that could have defended the population. We were in a situation

1 where the state had practically collapsed, so it was a law of the jungle and the Séléka
2 could do practically everything that they wanted.

3 Q. [9:49:55] I read in certain articles - unfortunately I don't have them with me - it is
4 time for war, it is a time of war, and when that was mentioned, was the reference
5 being made to Séléka?

6 A. [9:50:14] Yes. This related to the self-proclaimed generals of Séléka, because
7 Séléka was a coalition of several armed groups and each armed group had its leader.
8 Nourredine Adam had his group, for example, CPJP, I believe. And inside that
9 group there was a split under Abdoulaye Hissène. Then you had other groups. As
10 you know, each group had its leader.

11 And it was -- well, you cannot even say there was a merger of these groups, because
12 most of the elements of the Séléka reported or obeyed directly to the leaders of their
13 own groups. So at one point Djotodia did not control the entire Séléka, so at one
14 point Nourredine Adam was the most formidable leader of the Séléka.

15 Q. [9:51:35] Thank you. Now let me go closer to 5 December. I know that you
16 were in France for a conference, but I presume that you were closely following up
17 the events of 5 December and the days that followed.

18 On paragraph 111 of your statement you state that the reprisals of the Séléka on
19 5 September (sic) was very, very violent. Can you very -- can you be more explicit?

20 A. [9:52:19] I was not in Bangui, I was in France, as I have stated in my statement.
21 What I know is that the elements of the Anti-Balaka attacked *Camp de Roux* where
22 the transitional head of state was based, that is Djotodia. And the leaders of the
23 Séléka were also based there. It was the staff headquarters of the Séléka. So
24 the Anti-Balaka had only rudimentary resources, hunting weapons, spears, machetes,
25 and so on, so the -- it was a disproportionate situation.

1 Séléka had light weapons and heavy weapons and others, so when it came to
2 the military, Séléka had the upper hand. So they used it not only to repulse
3 the Anti-Balaka attack, but -- and they went ahead and attacked people who were not
4 even involved. In my neighbourhood, the 4th arrondissement, there were killings of
5 people who were considered as Anti-Balaka. They were also massacred. So there
6 were something like 1,000 dead in the Bangui town. It was something extremely
7 serious.

8 Q. [9:54:21] You also referred in the same paragraph, you talked about carnage,
9 and in another paragraph you indicated that Séléka even injured and killed people
10 who were being treated in the hospitals?

11 A. [9:54:44] Yes. That is correct. That is information that I received. My
12 residence was even attacked by the Séléka because they felt that I was in a very bad
13 situation, in a situation of open conflict with Djotodia, because the day that I was
14 supposed to leave Bangui to travel to Paris, there was an attempt to abduct me or to
15 assassinate me because there were Muslim people who had been attacked in Boali.
16 From Boali they had been brought to Bangui and the chief, the president Djotodia
17 said that I should go and visit them. I had reservations, because if people were
18 injured they should not be kept at the gendarmerie, they should be taken to a hospital
19 centre.

20 And when I went there I was threatened by the Séléka generals and I protested
21 forcefully to Mr Djotodia for that conduct and, in the evening of 3 December, I took
22 the flight to France and Djotodia's soldiers said that I should be very careful, that I
23 should stay abroad, because if I came back they would take care of me. So it was an
24 open conflict with the transitional president. It was public knowledge.
25 These -- they were also the targets of Séléka.

1 And while I was in Paris and there was the attack, my residence was attacked by
2 Séléka elements. They even killed my bodyguards. They looted my house. They
3 stole my vehicles and other property. So I was considered as a target of the Séléka at
4 that time.

5 PRESIDING JUDGE SCHMITT: [9:57:06] I think you can move to another point.

6 MS DIMITRI: [9:57:09](Interpretation)

7 Q. [9:57:12] And specifically --

8 A. [9:57:20] With your permission, with the permission of the President, I would
9 like to give a few details, because some of my bodyguards were killed. There were
10 people who were arrested and taken to the *Camp de Roux* and they were finished off
11 with machetes. One of my bodyguards who was injured, people thought he was
12 dead, he was able to crawl and was taken by the international force.
13 When I returned he was exfiltrated. I made sure he was exfiltrated and then he went
14 for treatment to Cameroon. And he came back from Cameroon after Djotodia's fall
15 and this person still bears the scars or -- from the machete wounds that he had
16 received on the head.

17 So not only were Séléka killed in the neighbourhoods, but those who were abducted
18 or injured were taken to the *Camp de Roux* and they were finished off with machetes.

19 PRESIDING JUDGE SCHMITT: [9:58:32] No, thank you, Mr Tiangaye. That's of
20 course new information. That's absolutely okay if you add this. Thank you very
21 much.

22 Please continue.

23 MS DIMITRI: [9:58:42](Interpretation)

24 Q. [9:58:43] I have a very specific question on hospitals. When you stated that
25 the Séléka even killed people, injured people who were being treated in hospitals,

1 does that include *Hôtel l'Amitié*?

2 A. [9:59:05] It is very possible, because it must have been in all the hospitals.

3 There are about four hospitals. You have the national centre, hospital centre,

4 the general hospital, the community hospital, the *Hôtel l'Amitié* and

5 Madam Domitian's (phon) hospital. So that is where these people were taken and

6 finished off.

7 Q. [9:59:32] I have another specific question. You talked about

8 the counteroffensive of the Séléka which led to about 1,000 people. Amongst

9 the neighbourhoods that were affected, can you include Cattin and Boeing?

10 A. [9:59:57] I cannot confirm when it comes to Boeing. But since I was not in

11 Bangui -- I know that the theatre of operations were more in the 4th arrondissement,

12 Boy-Rabe, Gobongo and Fouh, based on the information that I received. But since

13 I was not in Bangui I do not have details. But since Boeing was not very far from

14 the 4th arrondissement, I think they could have also been affected.

15 So you have Boy-Rabe, Fouh, Gobongo that are close to Boeing. Cattin is further,

16 further south and I don't have more detailed information about Cattin.

17 Q. [10:00:59] One last question on the neighbourhoods and then I will show you

18 a video. Based on the information that you received, I understand that you followed

19 what happened, you were receiving phone information, phone calls. Based on

20 the information, did the counter-attack of Séléka on 5 September (sic) and

21 the following day, did they target the neighbourhoods around kilometre 5?

22 A. [10:01:45] I don't have any information relating to kilometre 5.

23 Q. [10:01:49] I will show you a video in tab 2 of the Defence. It is

24 CAR-OTP-2065-1300.

25 (Speaks English) Mr President, the video is 1 minute 25 seconds long. According to

1 the metadata, it was taken on the morning of 5 December. The metadata is tab 3
2 from the Defence binder, CAR-OTP-2065-6204. And the footage was taken
3 at 8.15 a.m. in the morning of 5 December. The video can be broadcast publicly.
4 And for the interpreters it's tab 4, ERN CAR-D29-0006-0087.

5 PRESIDING JUDGE SCHMITT: [10:02:56] That's very helpful as an introduction, I
6 think, so we don't lose much time with interpretation.

7 And, by the way, do you know the source, who made the video? I'm just interested.
8 Not that I think it might be very important. But I'm just interested.

9 MS DIMITRI: [10:03:14] The source is a Prosecution witness. I have the name in
10 mind, I'm not going to say it publicly, but I'm trying to figure out if I can find swiftly
11 the P number.

12 PRESIDING JUDGE SCHMITT: [10:03:24] No, the name is not so important, I just
13 wanted to know if it is a public source or what it is. Thank you.

14 (Viewing of the video excerpt)

15 THE INTERPRETER: [10:03:42](Interpretation of the video excerpt)

16 "Have you seen them?

17 Yes, I've seen them.

18 Have you seen them?

19 Yes, I've seen them over there. Hamza, move forward, fire from over there.

20 Cross the road, cross the road. Move forward and cross the road.

21 Get back, get back, please.

22 Film that guy over there, he's filming them -- he's shooting at them, film him.

23 Get down. Move up a bit. Aim up a bit. Come here. Where are -- where are
24 you?

25 Come back. I can see them, there they are! No, no, they've gone. We are not

- 1 going to let them -- get on the side.
- 2 Mahamat, get down.
- 3 That's enough!
- 4 You see! Over there, those people, you got them.
- 5 Lie down please."
- 6 PRESIDING JUDGE SCHMITT: [10:05:07] There seems to be agitation here, so -- in
- 7 the front row before me.
- 8 So what's going on, can you please help me?
- 9 It seems to be solved, so please.
- 10 MS DIMITRI: [10:05:29](Interpretation)
- 11 Q. [10:05:32] Mr Tiangaye, I've got a few questions about this video. Can you
- 12 confirm to me that this is Cattin and that we're not far from Cattin.
- 13 THE INTERPRETER: [10:05:52] Overlapping speakers.
- 14 THE WITNESS: [10:05:55](Interpretation) I can't confirm. There are a lot of roads
- 15 that look like that so I can't confirm exactly.
- 16 MS DIMITRI: [10:06:02](Interpretation)
- 17 Q. [10:06:04] No problem.
- 18 PRESIDING JUDGE SCHMITT: [10:06:07] Please slow down, Ms Dimitri.
- 19 MS DIMITRI: Apologies, Mr President.
- 20 THE WITNESS: [10:06:11](Interpretation) I can't confirm.
- 21 PRESIDING JUDGE SCHMITT: [10:06:19] Unfortunately sometimes the interpreter
- 22 is behind you, so -- so it would be absolutely impossible to figure out when it's over,
- 23 so to speak. Yeah.
- 24 MS DIMITRI: [10:06:35](Interpretation)
- 25 Q. [10:06:36] But can you confirm that these are the Séléka that you see there?

1 A. [10:06:42] Yes, indeed I can confirm that.

2 Q. [10:06:48] Is that because you recognise anybody there?

3 A. [10:06:55] No.

4 Q. [10:07:01] Am I right to say that you used the term Séléka counteroffensive?

5 Are you saying that when you referred to the weapons and the disproportion
6 between the Séléka and the Anti-Balaka, in terms of the Séléka are you -- is it correct
7 that what we were seeing here were fairly heavy weapons, that are these the type of
8 weapons that were being used during the counteroffensive, that this was not an
9 isolated case?

10 A. [10:07:55] I didn't understand the question.

11 Q. [10:07:57] You talked of the weapons used by the Séléka during their
12 counteroffensive on 5 December 2013. On the video we saw fairly heavy weapons.
13 Do you agree with me, with -- that what we see on the video, the weapons used by
14 the Séléka, that was not an isolated case, that they used a lot of these heavy weapons
15 in the areas of Bangui that were the object of the Séléka counteroffensive?

16 A. [10:08:39] They almost certainly used these type of weapons in that theatre of
17 operations where they attacked a number of neighbourhoods in Bangui and they
18 almost certainly used these heavy weapons where they needed to.

19 Q. [10:09:20] There are certain statements, witness statements that talk about
20 door-to-door operations by the Séléka. I'm going to show you now another video,
21 I'm going to ask a question. It's tab 5 of the Defence binder, CAR-OTP-2065-1568.
22 (Speaks English) (Overlapping speakers) Mr President, the video is 26 seconds long.
23 It was also taken on the morning of 5 December 2013, according to the metadata
24 provided by the Prosecution. You can find the metadata in tab 6 of the Defence
25 binder, CAR-OTP-2065-6338. And this footage was taken at 9.56 a.m. on

1 the morning of 5 December. It can be broadcasted publicly.

2 And for the interpreters, in the interrupter binder it's tab 7, ERN number

3 CAR-D29-0006-0090.

4 And, Mr President, for your information, the source of the video is the same,

5 so it's P-1819.

6 (Viewing of the video excerpt)

7 THE INTERPRETER: [10:10:59](Interpretation of the video excerpt)

8 "Don't fire at him, don't fire at him.

9 Don't fire! There are people in the room. Don't fire!

10 Hey! Have you got another cigarette by any chance?"

11 MS DIMITRI: [10:11:42](Interpretation)

12 Q. [10:11:45] Do you agree with me that what we see were Séléka firing on a house
13 which, in principle, is inhabited by civilians?

14 A. [10:12:05] Yes, I can confirm. And I would add that one of the members of
15 the government, a member of the north of Bangui at PK10 was almost assassinated
16 also by Séléka. And if it hadn't been another -- that another minister of the Séléka
17 group within the government had intervened, he would have been killed. And he
18 told me that they wanted to kill him. There were people around him on the -- bodies
19 around him on the floor. So they were firing indiscriminately without
20 differentiating. They were firing -- they were young people, they were young people
21 who were old enough -- they were firing at anybody who was old enough to have
22 a weapon, but including young people.

23 Q. [10:13:15] And do you agree with me that, from this video, that it is difficult to
24 see whether the people in the house are Christians or Muslims?

25 A. [10:13:37] What I can see in this area is -- is that this area is not a Muslim area, it

1 must be a civilian area, because the constructions, enclosures and so on, it's not like
2 that in a Muslim area, to my knowledge.

3 Q. [10:13:55] You were part of the government. I presume that you have a certain
4 degree of knowledge, from whatever source, of the fact that there were Séléka bases
5 in Cattin. This is one of the things that you have become aware of?

6 A. [10:14:16] What do you mean by "Séléka bases in Cattin"? At what time are
7 you referring to?

8 Q. [10:14:27] In the Séléka time between March 2013 and December 2013. To your
9 knowledge, were there Séléka elements based in Cattin?

10 A. [10:14:46] No, no. I -- well, I don't know. I don't know. To my knowledge, I
11 don't know -- I don't know whether there were military in Cattin. I know that
12 the Séléka were at *Camp de Roux* and also at RDOT, and that I know of no military
13 camp in -- Séléka military camp in Cattin.

14 Q. [10:15:26] To avoid confusion, I'm not talking about an actual military camp, but
15 I'm talking about armed Séléka based in Cattin. Is that something you are aware of
16 or do you not know?

17 A. [10:15:43] If you are talking about armed men, they were not only in Cattin, they
18 were everywhere.

19 Q. [10:15:55] And have you ever heard of a Séléka called Aba Tom?

20 A. [10:16:02] Excuse me.

21 Q. [10:16:04] Have you ever heard of a Séléka based in Cattin by the name of
22 Aba Tom?

23 A. [10:16:16] No.

24 Q. [10:16:20] I'd now like to talk about *gris-gris*. Was *gris-gris* an ancestral belief in
25 Central Africans?

1 A. [10:16:41] I think that the question of belief in -- in forces is not simply a matter
2 for Central Africa, invisible forces, it's something that in fact exists in the whole world
3 history, and I now -- I can't say that it's only a matter for Central Africa. But as to
4 whether the Séléka used *gris-gris*, that's something in the whole world, everybody can
5 believe or not believe in whatever they so wish, in the effectiveness of these talismans.

6 Q. [10:17:38] Without talking about the effectiveness of *gris-gris*, a question about
7 the subject. Am I right that certain people can wear *gris-gris* without necessarily
8 being Anti-Balaka?

9 A. [10:17:56] (No interpretation)

10 THE INTERPRETER: [10:17:56] Inaudible.

11 MS DIMITRI: [10:18:01](Interpretation)

12 Q. [10:18:01] Do you agree with me that at the time there was a lot of
13 disinformation by journalists who qualified Christians? And I think that was
14 the case for you as well, you talk about Djotodia thinks (unclear) Anti-Balaka, but
15 there was a lot of disinformation saying that people were Anti-Balaka where they
16 were not actually necessarily part of the Anti-Balaka?

17 A. [10:18:40] This is quite possible. Quite possible. Not all Muslims were Séléka,
18 not all Christians were Anti-Balaka.

19 Q. [10:18:56] Yesterday you talked about Muslims who are on good terms with
20 their neighbours and then, after the Séléka took power, became violent and arrogant
21 and this created tension within the -- between the communities. And you also
22 explained that the victims also took their revenge once the Séléka had lost power.
23 I don't want to come back to what -- on what you said yesterday, but I do have
24 a specific question.

25 What happened to the victims, those who took their revenge after the Séléka took

1 power? Were they identified as being Anti-Balaka?

2 A. [10:20:00] These are details which I am unaware of.

3 Q. [10:20:08] I'd now like to talk about the Central African government, that which
4 followed you, in other words the government of Samba-Panza. I will start with
5 President (sic) Nzapayéké, that's the prime minister who followed you; is that
6 correct?

7 A. [10:20:37] Yes, that's correct.

8 Q. [10:20:38] And I suppose, and tell me if I'm wrong, that you followed
9 the policies of the government that took after you, that you observed them, you talked
10 to old colleagues about the matter. And so my question is simple: Did you ever
11 hear any counsellors or ministers complaining about the new government?

12 A. [10:21:18] I didn't have contact with those who complained about Prime
13 Minister Nzapayéké. What I can say is that, when I was prime minister, there was
14 no Séléka in my cabinet. There was nobody there. It was after I left, all the prime
15 ministers recruited Séléka, but -- and into the prime minister's cabinet. But in my
16 time I did not, I refused to have any in my cabinet.

17 Q. [10:22:13] Did the presence of Séléka in the cabinets of the prime ministers who
18 followed you have an effect on the governance?

19 A. [10:22:29] That's a question of political choice. My choice was not to have
20 Séléka in my cabinet. Those of the succeeding prime ministers who chose to do so,
21 that is their political choice, which I respect, and I will leave that up to them.

22 Q. [10:22:58] Were you aware, through the press or other sources, because you
23 followed politics, were you aware of Nzapayéké having lost so much support that
24 the person responsible refused to meet him in Brazzaville?

25 A. [10:23:30] I am not aware of that situation.

1 Q. [10:23:33] You spoke about Alexandre Nguendet, I believe, yesterday. Did
2 you -- are you aware that there was much criticism by him of this situation?

3 A. [10:23:55] That is -- must be part of his government programme. In fact, when
4 he took the job he certainly put forward his political programme, his general policies.
5 And that is a matter of public knowledge, a transitional government which acts as
6 interim president and which has the right to give an opinion on government activities.
7 I think that's a situation which is quite normal.

8 Q. [10:24:37] You said it was a matter of public knowledge. Do you have any
9 recollection of Alexandre Nguendet being one of the people who criticised
10 Nzapayéké to the extent that he wanted to get rid of him?

11 A. [10:25:03] It's not up to the president of the transitional government to -- who
12 nominates the prime minister who revokes him. It's the head of state,
13 the transitional head of state who has this function to nominate or to sack a prime
14 minister, and that's their discretionary power.

15 Q. [10:25:38] I agree with you, but I'm trying to avoid any confusion. I'm not
16 saying that Alexandre Nguendet sacked Nzapayéké, but he could have criticised.
17 But are you aware of him being so -- such a critic that he asked the head of state to
18 sack the person?

19 A. [10:26:18](No interpretation)

20 THE INTERPRETER: [10:26:19] Inaudible.

21 MS DIMITRI: [10:26:22](Interpretation)

22 Q. [10:26:23] And to your knowledge, because there was the prime minister
23 Nzapayéké and then Mahamat, do you know whether Nzapayéké was asked to sack
24 by the president Samba-Panza?

25 A. [10:26:50] I don't know. I don't know why Ms Samba-Panza left -- or got rid of

1 Nzapayéké.

2 Q. [10:27:02] I'm now going to talk about another individual, and that is
3 Mr Jean-Jacques Demafouth. Unless I am mistaken, the members of the government
4 were ineligible for 2015, 2016 elections, but to your knowledge did Demafouth intend
5 to stand at the elections which followed?

6 A. [10:27:39] I don't know. If he attempted to do so, then that would have meant
7 he presented his candidacy and that was rejected. But this is the first time I'm
8 hearing that he attempted to stand at these elections.

9 Q. [10:28:04] According to the information we have, Mr Demafouth was
10 responsible for the coordination of the 2016 elections, you were following the date,
11 since you would have known that he would have been denounced in the past because
12 of problems presenting certain candidates from standing. Did you ever hear or were
13 you ever aware of allegations of electoral fraud involving Demafouth for 2016?

14 A. [10:28:53] Well, I see that we've moved quite a way away from what's involved
15 in this process. I think we're now talking politics pure and simple. You're asking
16 political questions and I think it would be better for you to ask questions relating to
17 the facts related to the accused. The question of whether Demafouth participated in
18 false evidence, that has nothing to do with the people who are being prosecuted here.

19 Q. [10:29:31] You know that there is always a reason for a lawyer to ask a question,
20 in which case I am going to ask to you reply.

21 A. [10:29:44] Out of collegiality, I will say that I have no knowledge of the personal
22 participation of Demafouth in any fraud that might have been committed during
23 the elections of 2015 and 2016.

24 Q. [10:30:07] I am now going to move to another subject, but still a bit linked to
25 Mr Demafouth. Because you're a lawyer, because you contested the Patassé regime

1 for a very long time, I've got some questions about the years before 2013.

2 Are you aware of an amnesty law of 29 September 2008 which promulgated -- was
3 promulgated on 1 October 2008 in the Central African Republic for events relating to
4 the arrival in power of François Bozizé?

5 A. [10:30:55] I think these were recommendations for inclusive political dialogue.
6 And if an amnesty law was passed it was because -- it was following
7 the recommendations of the inclusive political dialogue.

8 Q. [10:31:28] I am going to show you two documents, Maître Tiangaye. The first
9 document is tab 37, CAR-OTP-2001-3936.

10 And if page 3969 can be displayed, please.

11 To help you, it is a report of the IPIS research institute dated February 2009, and I am
12 going to read a short excerpt and then a second document before asking you
13 a question.

14 The excerpt is in English: (Speaks English)

15 "Amnesty would only be given for crimes committed in 2002 and later. However,
16 Jean-Jacques Demafouth, chairman of the APRD, had already got himself talked
17 about for crimes committed before that time.

18 The bill was revised and finally promulgated on 13 October. The amnesty period
19 was extended and Demafouth was one of the people explicitly mentioned as free from
20 prosecution."

21 (Interpretation) I am going to show you a second document, tab 38,

22 CAR-D30-0007-0029, page 0073.

23 It is the law on general amnesty on personalities, militaries, elements and civilian
24 leaders of rebel groups, and I would like to draw your attention to article 1.

25 The civil and military elements who took part on the change of 15 March 2003, from

1 the date of the events right up to the date of the promulgation of this law, they will be
2 subject to this law of amnesty.

3 And the next paragraph gives the names of certain individuals concerned by the law,
4 including Mr Jean-Jacques Demafouth.

5 And I would want the court officer to scroll down so that you can see. Thank you.
6 Please indicate when you are finished reading.

7 A. [10:35:27] Yes, I have finished reading.

8 Q. [10:35:30] My question is very simple: You have seen the name of Jean-Jacques
9 Demafouth in article 1 of the law and the amnesty covers all the crimes,
10 embezzlement, murder, accomplice, accomplice to murder. My question is as
11 follows: Did you know whether he negotiated the addition of his name?

12 A. [10:36:09] Now, regarding the validity of this law, these target crimes and
13 the nature of the crimes that can be the subject of amnesty, but the names of people
14 should not be included. It is the crimes that are the subject of an amnesty. And if
15 the people who perpetrated those crimes, then they will benefit. You don't have to
16 add the names of Patassé, Demafouth, Koumtamadji, so I don't know why those
17 names are mentioned.

18 Now, regarding whether Demafouth negotiated for his name to be included there, I
19 do not know. I am not aware of any such negotiation.

20 Q. [10:37:22] And if I understand you correctly, normally names should not be
21 included in an amnesty law. So if names are included in a law it means somebody
22 must have asked for that. Do you agree with me?

23 A. [10:37:46] Asked whom? Because it is a law and the law comes from an
24 institution, either the National Assembly or the transitional national council. So
25 I don't know, I am not sure whether someone asked for that, but it is the crimes that

1 are included and if these people are subject to these crimes it is feasible. Maybe if
2 these crimes were committed during Bozizé's regime, it was from 2003.

3 Q. (Overlapping speakers)

4 PRESIDING JUDGE SCHMITT: [10:38:36] I think we can move on from here --

5 MS DIMITRI: Yeah, I was going to.

6 PRESIDING JUDGE SCHMITT: -- because you don't get more out of it here.

7 MS DIMITRI: [10:38:44] Can I have just one moment, Mr President, to consult.

8 (Counsel confer)

9 MS DIMITRI: [10:39:00](Interpretation)

10 Q. [10:39:03] I don't know whether you remember in 2015 there was a Bangui

11 forum and Jean-Jacques Demafouth was appointed general coordination of the

12 technical committee of the organisation of that forum. I will show you a document,

13 CAR-D29-0002-0013. And I would like to draw your attention to page 0014.

14 Yes. And I have a simple question: If you read the excerpt:

15 "The current minister of public health, Dr Marguerite Samba-Maliavo, was designated

16 by consensus on Wednesday 15 April as the general coordinator of the Bangui forum

17 in place of Jean-Jacques Demafouth, who was challenged or contested by all

18 the population, only a few days after his appointment."

19 My question is very simple: Do you remember that the designation of Jean-Jacques

20 Demafouth in the technical committee of the Bangui forum was broadly contested,

21 not only by specific individuals but also by the general population?

22 A. [10:41:18] Yes, I remember Mr Demafouth is a very, very controversial

23 individual. I remember very well that his appointment was not accepted at all by

24 the population.

25 Q. [10:41:36] Can you elaborate, when you say that he is a very controversial

1 person and that his appointment was not accepted by the population.

2 A. [10:41:53] Well, he had an armed group, I believe it was called APRD. After
3 that he had a dispute with Patassé. That was before he was in Patassé's government.
4 And then he was prosecuted for breach of state security following the attempt against
5 Kolingba. He was arrested, prosecuted. I was responsible for his defence. And
6 then he was acquitted.

7 I think he also had serious problems with Bozizé and he set up a rebellion very far
8 away. Then we decided to exclude him because of his poor conduct, so this person
9 did not receive any consensus at all in the political domain.

10 Q. [10:43:16] Let me say, we have said he was the leader of the APRD, do you
11 remember that period?

12 A. [10:43:29] I no longer remember. I believe that it was after the departure of
13 Patassé from power. I don't know whether that is correct, but I don't remember
14 the dates. What is certain is that even before that, he was in a rebellion with
15 General Mbaikoua against Kolingba and General Mbaikoua was killed during that
16 rebellion. Demafouth went to exile in France, he became an ally of Patassé. After
17 that he was judged and acquitted and it was after that he created the APRD.
18 And then he had problems, he was arrested by the Chadian authorities and he
19 invoked his French nationality to be released. I do not have the exact chronology but
20 the facts are there.

21 Q. [10:44:52] Is it correct that when you were prime minister he was appointed
22 counsellor in the presidency in charge of DDR and the RSS?

23 A. [10:45:12] I no longer remember. But I know that he was in the presidency.
24 I don't know whether it was under Madam Samba-Panza. I think, yes, it was under
25 Samba-Panza. I don't know whether it was Djotodia or Madam Samba-Panza.

1 Q. [10:45:29] Now let me assist you. Under Samba-Panza, I think he was minister
2 counsellor responsible for security, but I'm talking about the period during which you
3 were prime minister. When you were prime minister, for a certain period
4 Mr Demafouth was a member of the Djotodia government?

5 A. [10:46:03] Oh, no, when I was prime minister he was not at all in the
6 government. Not at all.

7 Q. [10:46:10] He did not hold any position in the Djotodia government?

8 A. [10:46:16] I am talking about my government, that is the government that I led,
9 he was not a member. It is possible that he may have appointed at the presidency
10 with a rank of minister counsellor, but not during my government.

11 Q. [10:46:37] That is what I am referring to, Mr Tiangaye, when he was minister
12 counsellor at the presidency under Djotodia?

13 A. [10:46:49] That is possible. As you know, Djotodia appointed many people, so
14 I do not remember all the appointments to the presidency of the Republic. There
15 were so many of them. I know that under Samba-Panza he was a minister
16 counsellor who was very close to Madam Samba-Panza because he has a relationship,
17 a familial relationship with her.

18 Q. [10:47:23] Now let me talk of the period that you remember, the period that he
19 was minister counsellor under Samba-Panza. Did you ever have any discussion
20 with any members or advisors of the Samba-Panza government and anyone else,
21 discussions related to Mr Demafouth and criticisms of him?

22 A. [10:47:53] No, I'm not really interested in the person of Mr Demafouth. I know
23 that he was not appreciated in political circles.

24 Q. [10:48:06] And it was widely known that he was not appreciated?

25 A. [10:48:15] What is certain is that the general tendency in politics, well, within

1 that concept he was not appreciated.

2 Q. [10:48:30] (Overlapping speakers) Sorry.

3 (Interpretation) You said that he was very close to Madam Samba-Panza, that she
4 listened to him because they had a family relationship, so I understand that he had
5 great influence on Madam Samba-Panza based on what you heard?

6 A. [10:49:01] I believe so, yes. Now I remember, under Djotodia he was
7 responsible for a position, because I know that during a meeting of the National
8 Security Council he took part in those meetings as advisor of Djotodia.

9 Q. [10:49:34] And earlier on you say that he had been dismissed for bad conduct
10 because of the opposition candidates -- or, rather, by the opposition candidates. Can
11 you elaborate.

12 A. [10:49:57] This was in 2011. The elections of 2010, 2011, he was with us in
13 the position, but we felt that he was not faithful to the principles that we defending
14 and so we excluded him.

15 Q. [10:50:35] Do you know former minister Isabelle Gaudeuille and former minister
16 Wangao?

17 A. [10:50:46] Yes, I know them.

18 Q. [10:50:49] Did you ever hear that they expressed at one point or the other
19 the intention of issuing an arrest warrant against Mr Demafouth for his involvement
20 in certain events in 2014?

21 A. [10:51:11] I am not aware of that.

22 Q. [10:51:23] Do you know Barrie Freeman, director of the political division of
23 MINUSCA, and Diane Corner, deputy representative of the secretary-general of the
24 United Nations?

25 A. [10:51:37] Yes, I knew them.

1 Q. [10:51:40] To your knowledge, did they also express their important concerns
2 vis-à-vis Mr Demafouth?

3 A. [10:51:50] In any case, not to me.

4 Q. [10:52:01] According to some evidence disclosed by the OTP, Mr Demafouth is
5 supposed to have orchestrated attacks in Paoua and Bozoum in August 2013 while
6 you were prime minister. Did you ever hear about those allegations against him?

7 A. [10:52:35] Not, not at all.

8 Q. [10:52:37] I will show you an article. It is tab 10 of the Defence.

9 CAR-D29-0002-0023. And I will allow you some time to read it.

10 If the court officer can scroll down. Thank you.

11 PRESIDING JUDGE SCHMITT: [10:53:23] It's quite a long article, do you expect
12 the witness to read everything? Please tell the court officer.

13 MS DIMITRI: [10:53:30] I could -- I could sum it up.

14 PRESIDING JUDGE SCHMITT: [10:53:31] Yeah, because I think it's -- it's better if he
15 reads it, but do you want him to read everything?

16 MS DIMITRI: [10:53:39] No. I'll -- I'll direct him so we can go faster.

17 PRESIDING JUDGE SCHMITT: [10:53:43] Okay, fine.

18 MS DIMITRI: [10:53:44] Thanks. (Interpretation)

19 Q. [10:53:46] The second paragraph, it is written:

20 "Fatal arm of Jean-Jacques Demafouth is his familial relationship with Samba-Panza."

21 A. [10:54:07] Yes, I have already read it. I -- I think I have known him for a long
22 time. So if you have questions put them to me. What is written is a reflection of the
23 reality. The substance is reflect -- is a reflection of the reality.

24 Q. [10:54:39] Thank you, Maître Tiangaye. You have shortened my questioning
25 on this matter.

1 Just a small matter. In the article it is written that five personalities known as
2 hard-working and productive, assisting the president are targets of Jean-Jacques
3 Demafouth and he is inventing stories to tarnish their images. Do you know who
4 those five personalities would have been?

5 A. [10:55:16] No, I do not know them.

6 Q. [10:55:20] I would like to show you a video now.

7 PRESIDING JUDGE SCHMITT: [10:55:25] (Overlapping speakers) Do we entertain
8 now another area.

9 MS DIMITRI: [10:55:27] Another subject. Yes. Well, it's -- it's -- no, I'm sorry. It's
10 linked. It's directly linked. It's a video of Mr Tiangaye where I have two follow-up
11 questions. So I'm in your hands, because after this video and my questions I
12 completely change subject.

13 PRESIDING JUDGE SCHMITT: [10:55:46] How long will it take, do you think?

14 MS DIMITRI: [10:55:49] The video is 2 minutes 30 seconds.

15 PRESIDING JUDGE SCHMITT: [10:55:56] I think let's have the coffee break and
16 start with the video and the questions afterwards --

17 MS DIMITRI: Thank you.

18 PRESIDING JUDGE SCHMITT: -- because it might take some time.

19 We'll now have a break until 11.30.

20 THE COURT USHER: [10:56:06] All rise.

21 (Recess taken at 10.56 a.m.)

22 (Upon resuming in open session at 11.32 a.m.)

23 THE COURT USHER: [11:32:59] All rise.

24 Please be seated.

25 PRESIDING JUDGE SCHMITT: [11:33:22] Ms Dimitri, you still have the floor and

1 you can show us now the video and then put your questions.

2 MS DIMITRI: [11:33:29] Thank you, Mr President.

3 PRESIDING JUDGE SCHMITT: [11:33:30] But I assume that you soon will leave
4 the subject of questioning this witness about another witness.

5 MS DIMITRI: [11:33:38] Yes, Mr President. I have a video, follow-up questions and
6 then I change subject.

7 And I know your Honours like to have an (Overlapping speakers)

8 PRESIDING JUDGE SCHMITT: [11:33:45] It's not that we would want to establish
9 a rule, so to speak, that this is not possible, but of course the proportion should also
10 be maintained in that regard.

11 MS DIMITRI: [11:34:02] And just to give your Honours an update, I know you like
12 an update from time to time, I will definitely -- I'll definitely finish today. I'll be way
13 below my six hours. And my aim, but don't hold it against me if I can't, my aim is to
14 finish at lunchtime. I will do my best.

15 PRESIDING JUDGE SCHMITT: [11:34:18] Then we start immediately without
16 further delay.

17 MS DIMITRI: [11:34:26](Interpretation)

18 Q. [11:34:29] I'd now like us to watch a video together, which you're probably
19 familiar with, it's CAR-OTP- -- D-2023 and -- 2023-2425 (sic). We're going to watch it
20 from the beginning.

21 And for the interpreters, the transcript is tab 34, lines 5 to 28. And that is
22 CAR-D29-0006-0221.

23 I think that it's your press *communiqué* in May 2014 when -- which relates to the attack
24 on the church where there were a number of deaths, including the priests. But let us
25 watch the video and then we can discuss it.

1 (Viewing of the video excerpt)

2 THE INTERPRETER: (Interpretation of the video excerpt)

3 "Party for the republican convention for progress social, CRPS.

4 Press *communiqué* relating to the massacre in Fatima.

5 While we were expecting there to be an improvement of the situation regards security,

6 the city of Bangui was, on Wednesday 28 May 2014, the scene of despicable carnage in

7 the church of Notre Dame de Fatima causing the death of around 20 innocent people,

8 including the priest Paul-Émile Nzalé, as well as around 30 wounded. Around 20

9 people were abducted and taken hostage. We have no information about their fate.

10 Criminal acts like these which disgrace the perpetrators are liable to plunge our

11 country into the abyss.

12 The CRPS condemns most strongly these anonymous crimes perpetrated

13 disgracefully on civilian populations who have fled to a church. We understand

14 the reprobation and general indignation of the population which has been expressed

15 in the streets of Bangui. The party also condemns the odious assassination at KM5

16 on 25 of May 2014, of three young Muslims whose bodies were mutilated and which

17 was no doubt the pretext for the outpouring of hate which led to the carnage of

18 Notre Dame de Fatima. This is a cycle of alternating revenge which is liable to take

19 our country into chaos.

20 In view of the gravity of the situation, the CRPS calls for the population to be calm

21 and presents its sincerest condolences to the families of the victims and also to

22 the Central African clergy;

23 Secondly, expresses its compassion for the wounded and wishes them a speedy

24 recovery;

25 Thirdly, demands that light be shed on these odious crimes and that their perpetrators

1 be sought and prosecuted and severely condemned."

2 MS DIMITRI: [11:38:50](Interpretation)

3 Q. [11:38:52] I've got some very specific questions. Do you recall having made
4 this statement shortly after the attack on Fatima in May 2014?

5 A. [11:39:09] Yes.

6 Q. [11:39:12] Do you, at the time - not only you - did you denounce this, but you
7 also said that the perpetrators should be prosecuted; is that correct?

8 A. [11:39:33] Yes.

9 Q. [11:39:34] I would like now to show you two newspaper articles and ask you
10 questions about. The first is tab 40 in the Defence tab and that is
11 CAR-OTP-2101-3413 and I would draw your attention to 3417.

12 And if we could please here show the box.

13 So this is an article from 6 June 2014, so a few days after the massacre in the church,
14 where it says that Jean-Jacques Demafouth is considered by the Prosecutor. In
15 the part on the right here it says that, in relation to Demafouth, it's much more by a
16 report to his supposed implication in the events of Fatima.

17 Before asking you the question I will show you a second article, this will be tab 35,
18 CAR-D29-0002-0049. This is another article relating to Demafouth and I would ask
19 the court officer to enlarge the article on this page 49.

20 Before enlarging this, let us proceed as we should. This is an article from 6 June 2014
21 and this seems to include something from the same article, the mandate to appear.

22 And if we can now go down, you see the -- Jean-Jacques Demafouth is --

23 THE WITNESS: [11:42:46](Interpretation) Sorry, could we have this enlarged a bit
24 more.

25 THE INTERPRETER: [11:42:49] Asks the witness.

1 And there is a passage that reads the named Jean-Jacques Demafouth accused of an
2 attack on the security of the state.

3 MS DIMITRI: [11:43:03](Interpretation)

4 Q. [11:43:03] But I would like to show you the second page of the article.

5 I don't know whether we can arrange it to show paragraphs 1 and 3 at the same time.

6 In the first paragraph, the author of the article seems to indicate his opinion that
7 everything is converging on Jean-Jacques Demafouth as being the main instigator of
8 the attack on the church.

9 And then lower down it says, in the third paragraph, that Samba-Panza, who is
10 his -- the niece of Demafouth.

11 So, Mr Tiangaye, you denounced the massacre in the church and you ask for
12 the perpetrators to be prosecuted. To your knowledge, did you at the time hear of
13 the fact that the authorities were considering Jean-Jacques Demafouth for his
14 participation in these events?

15 A. [11:44:36] I was not aware.

16 Q. [11:44:42] Thank you.

17 I would now like to change subject, but I can't see the witness anymore. We can't see
18 the whole picture.

19 PRESIDING JUDGE SCHMITT: [11:44:55](Overlapping speakers) Actually, we see
20 part of the witness. I would not say we don't see him anymore.

21 Mr Tiangaye, there seems to be another point of view for the camera. So we
22 only -- we don't -- we don't see your -- yeah, now it's better. A little bit more up.
23 Yeah. That's fine. That's fine. Thank you very much.

24 MS DIMITRI: [11:45:22](Interpretation)

25 Q. [11:45:24] Thank you.

1 Do you recall an individual by the name of Léopold Narcisse.

2 THE INTERPRETER: [11:45:41] Overlapping speakers.

3 MS DIMITRI: (Interpretation)

4 Q. [11:45:44] My question is very technical. Bara was named as a minister. Is
5 there a time for handover of power between Nzapayéké and the person who followed
6 him?

7 A. [11:46:08] I believe this is so, because after the nomination there is a handover of
8 power between him and me previously. That's the practice. The incoming minister
9 is given the information.

10 Q. [11:46:29] (No interpretation)

11 THE INTERPRETER: [11:46:33] I am sorry, but the counsel is not leaving me enough
12 time to finish my sentences. I do apologise.

13 PRESIDING JUDGE SCHMITT: [11:46:39] I'm reminded that you please --

14 MS DIMITRI: Slow down.

15 PRESIDING JUDGE SCHMITT: -- be slower

16 MS DIMITRI: [11:46:50] My apologies again.

17 Q. [11:46:54](Interpretation) How many days would there be between the minister
18 arriving, the handover, and the time the new minister can exercise his function? So
19 how long would this handover be?

20 A. [11:47:19] It's virtually immediate, two or three days, unless there is any
21 problem. It could run up to five days in that case.

22 Q. [11:47:34] I would now like to turn to FOMAC. Did you hear anything about
23 the -- any problems with the Chadian contingent of the FOMAC in 2013, 2014?

24 A. [11:48:07] There were incidents, serious incidents because the Chadian
25 contingent was accused of other matters by the Séléka, and -- and possibly Deby at

1 the time. The withdrawal of the Chadian contingent, I believe that when they
2 withdrew there were incidents involving civilians being killed or wounded. I don't
3 know whether it was in the name of FOMAC or MISCA, but it was at that period
4 during the transition.

5 Q. [11:49:13] And what do you mean by this? Have you got more details on these
6 allegations?

7 A. [11:49:31] Yes, because the Séléka had come with elements and then we knew
8 that taking power, well, the Séléka was assisted by Deby, given that the Séléka was
9 the same denomination. The people quickly put these things together and, therefore,
10 the hostilities towards the population from -- on the part of the population towards
11 the Chadian contingent. It was for these reasons that Deby gave this information.

12 Q. [11:50:34] Could you please get closer to the mic, you're more difficult to
13 understand.

14 Can you recall any allegations according to which elements of the Séléka gave things
15 from the FOMAC?

16 A. [11:51:04] I was no information of that nature.

17 Q. [11:51:13] I would now like to return to a subject that came up yesterday, and
18 that's intercommunal violence. You gave the example of neighbours turning on each
19 other and the victims of these Muslim attacks who then took their revenge later once
20 the Séléka lost power. I don't want to question what you said yesterday, but my
21 question is very specific.

22 When -- am I right to understand that after the loss of power by the Séléka
23 the population's anger against -- the non-Muslim population's anger increased.

24 A. [11:52:17] The context in which the massacres had taken place, been committed
25 by Séléka elements, so this context was explosive, because there were people who saw

1 their father or brother or sister assassinated in conditions that were cruel and
2 unacceptable and therefore there was a spirit of revenge. And once the perpetrators
3 of the crimes left, there was an outpouring of violence for the victims. There was
4 this outpouring of violence on Muslims because most of the Séléka elements were
5 Muslims. The civilian population, Muslim, was -- had to pay. That was
6 the -- the idea. That was how it was justified.

7 Q. [11:53:36] And how did this anger -- anger manifest itself? That's my very
8 specific question. I'm just talking about the non-Muslim civilian populations.
9 When you say that they were angry and that they took revenge, what did that mean?

10 A. [11:54:04] Well, that was a question of -- of revenge. People who -- on people
11 who they felt were complicit. But not necessarily all Muslims. There were also
12 Christians who were accomplices, they also had to pay (Overlapping speakers).

13 Q. (Overlapping speakers)

14 PRESIDING JUDGE SCHMITT: [11:54:25](Overlapping speakers)

15 Ms Dimitri, no overlaps. You know, I -- I hear the translation. I read the transcript
16 in French, so -- but you overlap with -- with the translation, so you really need to take
17 your time a little bit when you continue speaking.

18 So the last thing, for example, haven't -- yeah, so, please continue.

19 And I think I'm -- also with regard to what the witness said yesterday, we have
20 covered that, that civilian population, the Christian civilian population took revenge,
21 and so -- so if you don't have anything new or more specific on that, I think you could
22 move to another subject.

23 MS DIMITRI: [11:55:22] Can I have just a moment, please.

24 PRESIDING JUDGE SCHMITT: [11:55:24] Like always.

25 (Counsel confer)

1 MS DIMITRI: [11:55:38] With your leave, Mr President, I'm in your hands. I know
2 we covered the subject, but I have a few videos, and because he was prime minister at
3 the time and it was after his return from France, I would like --

4 PRESIDING JUDGE SCHMITT: [11:55:53] Actually, actually the videos, I think it's
5 a good idea to show them, because this is also, you know, this visualises matters for
6 everyone and also for the Chamber, but you could simply perhaps then afterwards
7 ask short questions, do you want to comment on that, or something, if you have
8 something specific. But the videos, I think they are fine, they are good to see, good
9 to watch.

10 MS DIMITRI: [11:56:17] Thank you. I only had videos and one follow-up question
11 after each video, so it's going to go swiftly. Thank you.

12 PRESIDING JUDGE SCHMITT: [11:56:23] But I -- actually, I assume with regard to
13 potential comments by the witness, if it is not very specific, there will be nothing new
14 in substance, but give it a try.

15 MS DIMITRI: [11:56:36] Thank you, Mr President.

16 Q. [11:56:42](Interpretation) I'm going to show you a video, 1 minute 36 seconds,
17 taken in Bangui on 28 December 2013. It's tab 13 of the Defence and the reference is
18 CAR-OTP-2020-0301 (sic).

19 For the interpreters it's tab 14, D29-0006-0005.

20 I would ask you to watch the video and then I will have questions.

21 (Viewing of the video excerpt)

22 THE INTERPRETER: [11:57:36](Interpretation of the video excerpt)

23 "This has become the daily business in Bangui. A crowd of Christians contained by
24 the men of operation Sangaris is awaiting the occasion to loot and attack Muslims
25 who are passing.

1 Every time there is a threat, the French soldiers fire in the air to disperse the crowd.
2 A Muslim man, wounded by Christians, comes out of the crowd. And he is taken
3 into the care of the French soldiers.
4 But I -- I don't understand. I've been attacked, I don't know why.
5 Look how you're leaving me. They took my motorbike, everything, everything.
6 Just, just look.
7 We weren't there -- if we hadn't been there it would have been worse.
8 Finally, the man is taken into the protection of the African force.
9 Well, he's been taken directly home, that one.
10 Is that because there was a risk for him?
11 And, yes there is definitely a risk because -- well, basically because he's a Muslim.
12 And the population is anti them at the moment ...
13 A few minutes later, two young Muslims, once again the target of a furious crowd,
14 ask the French soldiers to provide aid.
15 We can't help these people one by one, it's just not possible."
16 MS DIMITRI: [11:59:37] I'll move on. I'll ask my question, Mr President, but I'm
17 told that the English interpretation is incomplete. But we could always fix it later by
18 (Overlapping speakers)
19 PRESIDING JUDGE SCHMITT: [11:59:46](Overlapping speakers) Yeah, so,
20 so -- actually the real-time transcript is not -- is far from being 100 per cent, so really
21 reliable in the end will be the edited transcripts. I think I said that before, the French
22 is much better for certain reasons, obviously, but actually I think we cannot fix now
23 the real-time English transcript for the moment. So please ask your question and we
24 simply continue like that until the break.
25 MS DIMITRI: [12:00:26](Interpretation)

1 Q. [12:00:28] We spoke of the anger of the civilian population and here we've got a
2 journalist who talks of a furious crowd and -- and this -- a Muslim has become
3 the new target of a furious crowd.

4 To your knowledge at the time, was it difficult to control this anger, even for
5 international forces?

6 A. [12:01:15] Yes, of course. It was very difficult to actually have a handle of these
7 people who were carrying out reprisals is what -- is the general situation. They were
8 uncontrollable.

9 PRESIDING JUDGE SCHMITT: [12:01:45] I think you can go over to the next video.

10 MS DIMITRI: [12:01:51](Interpretation)

11 Q. [12:01:51] I will show you another video, it is number 15, CAR-OTP-2074-0075,
12 Bangui, dated 11 December 2013. We will go to the 46th second.

13 And the transcript is tab 16 for the interpreters. It is CAR-D29-0006-0001 and from
14 lines 3 to 20.

15 (Viewing of the video excerpt)

16 THE INTERPRETER: [12:02:42](Interpretation of the video excerpt) "This
17 morning -- well, in Bangui Christians do no longer want to accept Muslims.

18 This morning, certain Christians are attacking the mosque and the neighbourhood.

19 Yesterday, they ransacked it. And it is a supreme insult. They were torn, rage in

20 their stomachs, and they tore the *livres* -- the books of the Koran. These Christians

21 are calling themselves "Anti-Balaka" -- the Anti-machetes. They are constituted into

22 militias, and they are carrying out reprisals against Muslims, the minority in power
23 since last March.

24 When you throw a rotten egg, it is finished, you no longer can eat it. Muslims are
25 a rotten egg.

1 You are going to continue to revenge yourself against the Muslims.
2 Effectively, right up to the very end, right up to the cleaning up of the country.
3 We can no longer accept Muslims here.
4 Here, the hatred against the Muslims is growing from day to day. The reconciliation
5 between them seems to be very highly unlikely now."

6 MS DIMITRI: [12:04:05](Interpretation)

7 Q. [12:04:06] My question is very specific. The journalist saying that these are
8 Anti-Balaka, do you agree with me that in fact is the civilian population?

9 A. [12:04:23] I do not agree with the report. It's not necessarily the Anti-Balaka.
10 It is the population involved in an uprising. When you look at the crimes to which
11 the population had been subjected, so they were rebelling against this, so many of
12 them are not -- they are not all Anti-Balaka. Many are not even armed. So it is
13 collective fury, so they were rising up against Muslims, against mosques and others.
14 So you cannot say that all those people are entirely made up of Anti-Balaka.

15 Q. [12:05:25] Yesterday you talked about convoys of Muslims who left the country.
16 Do you agree with me that one of the reasons that the Muslim populations were
17 leaving the country en masse were, amongst other things, because of this
18 uncontrolled anger expressed in the acts that we have seen in the video?

19 A. [12:05:58] Yes, that is indeed correct.

20 Q. [12:06:03] I would like to go to another video, tab 17 on the Defence.

21 CAR-OTP-2120-0303.

22 And for the interpreters, it is tab 18, CAR-D29-0006-0056, lines 4 to 12.

23 Just to place you in context, it is a report of French television dated 10 December 2013,
24 according to the metadata of the Prosecutor. And I would like to show it in three
25 parts, beginning with the first 30 seconds, lines 4 to 12.

1 (Viewing of the video excerpt)

2 THE INTERPRETER: [12:07:06](Interpretation of the video excerpt)

3 "The Séléka? The Séléka? Against the wall! Against the wall, spread your legs,
4 spread your legs, spread your legs.

5 At this time, this man that the French people are searching is supposed to be in his
6 barracks for several hours now. The disarmament has started and the former rebels
7 no longer have the right to move about armed in the town.

8 You should have to return to barracks, you have to return to your barracks, are we
9 agreed?

10 No weapon was found on him and in the final analysis he was released."

11 MS DIMITRI: [12:07:47](Interpretation)

12 Q. [12:07:49] My first question is do you agree with me that the man seen on
13 the video is the one described as a former rebel who no longer has no right to
14 circulate in the town and he -- they have to be in barracks, and this refers to Séléka
15 who normally have to be billeted?

16 A. [12:08:27] Based on the uniform he's wearing is the uniform of the regular army,
17 so it's difficult to know whether it is a Séléka or not. It depends on the period since
18 the French soldiers arrived Bangui.

19 Was it at the beginning of the operations? I really do not have any particular
20 comment on this.

21 Q. [12:09:05] I will show you another excerpt of this video and put another
22 question to you. So it's still number -- tab 17.

23 So for the interpreters it would be lines 13 to 19. For the record, it is 30th second to
24 1:13.

25 (Viewing of the video excerpt)

1 THE INTERPRETER: [12:09:38](Interpretation of the video excerpt)

2 "In this neighbourhood that was seriously affected by the crime, French soldiers
3 has -- have set up a checkpoint where they are searching all the inhabitants and all
4 the vehicles.

5 You can stand up, please? Machetes.

6 Several hidden machetes, even in the most unexpected places. In a few hours, this is
7 the arsenal that has been seized: Kalashnikovs, hunting rifles, rockets, and the vast
8 majority of them seized from civilians. Their proprietors have been detained and are
9 being questioned in this -- being questioned in this shop, that is away from curious
10 people."

11 MS DIMITRI: [12:10:39](Interpretation)

12 Q. [12:10:40] Once again my question is very specific. The journalist is saying that
13 the majority of the weapons were seized from civilians. Do you agree with me that
14 during that period December 2013 there were many weapons in the hands of civilians
15 and not necessarily armed groups?

16 A. [12:11:11] Well, I am not in a position to confirm that. It is possible that
17 the groups had weapons and ammunition. It's also possible that civilians had them.
18 With the permission of the president, I would like to state that when the Séléka had to
19 leave Bangui, they were not disarmed. They left with their weapons and their
20 property to the north of the country, so they were not disarmed.

21 MS DIMITRI: [12:12:03] If I can just have one moment, Mr President.

22 PRESIDING JUDGE SCHMITT: [12:12:05] Of course, of course.

23 MS DIMITRI: [12:12:06] Thank you.

24 (Counsel confer)

25 MS DIMITRI: [12:12:29](Interpretation)

1 Q. [12:12:31] I will show you one last excerpt of the video, still tab 17, from 1:15
2 to 2:36 -- no, to 1:36.

3 So it is now, for the interpreters, lines 20 to 22.

4 And I would like to ask you to pay special attention to the proprietors of the shops
5 at 1:32.

6 (Viewing of the video excerpt)

7 THE INTERPRETER: [12:13:06](Interpretation of the video excerpt)

8 "While the disarmament operation appears to be under control, in several
9 neighbourhoods of the town, looting and violence has broken out.

10 Bangui is going back into a situation of chaos."

11 MS DIMITRI: [12:13:35](Interpretation)

12 Q. [12:13:41] The scenes of looting that have just been seen on the screen by
13 the civilian population, is this something that was reported to you at the time that
14 the civilians were looting the markets and the shops of Muslims?

15 A. [12:14:02] It is highly likely. But each time there are events in the country, it
16 was not only the crisis of 2013. There are other events, elections and others, where
17 there is looting. So it could have been during this period when the shops and
18 property of the Muslim were looted and destroyed, particularly in kilometre 5, and
19 other areas where there were Muslims and there was pillaging and
20 destroy -- destruction there.

21 Q. [12:15:01] I would like now to talk about the Boeing sector. You refer to it in
22 paragraph 123 of your statement and this is tab 12 of the list of evidence of
23 the Prosecutor. It is CAR-OTP-2024-0063.

24 I would wait for the document to be displayed to you on the screen. And if you can
25 zoom it to the level of "captain Gremangou" at the bottom.

1 You can see it is written "captain Gremangou" and Boeing in brackets. Are you with
2 me there?

3 A. [12:16:16] Yes. What is the question?

4 Q. [12:16:21] Now, based on the information that you received at that time, was
5 Captain Ngremangou positioned in Boeing in December 2013?

6 A. [12:16:34] I do not know this captain. These are documents given to me and I
7 did not know the details, the precise details of the people mentioned in the document.

8 Q. [12:16:46] Very well. Let me move on to something else.

9 Regarding the situation in Boda in 2013, 2014, in your capacity as a Central African
10 prime minister, even after your departure from the government, did you follow up
11 the situation happening in Boda in both the print media and over the radio or
12 television? So I simply want to know.

13 A. [12:17:29] I heard about many towns in the Central African Republic. So if
14 there are specific questions to be asked about anything, please do so.

15 PRESIDING JUDGE SCHMITT: [12:17:42] I think that's fair enough.

16 MS DIMITRI: [12:17:44] Yeah. I was just wondering whether I show him audios
17 and videos, but first I -- if -- you know, I wanted to know if he followed the situation
18 or not, so.

19 PRESIDING JUDGE SCHMITT: [12:17:55] Yeah. Yeah, yeah, of course, but if
20 he -- he might have specific information or he might have not. But you can show
21 the videos, I think, and simply follow from there.

22 MS DIMITRI: [12:18:07](Interpretation)

23 Q. [12:18:10] I will make you listen to two audios in the situation at Boda after
24 government missions. And these were government missions after the Samba-Panza
25 government. The first was produced by Mr Kokaté, advisor at the prime minister's

1 office, after a peace mission in March 2014 in Boda to try to reconcile the Muslim and
2 non-Muslim populations.

3 I will also -- it is also a second document, 25 May 2014, after a mission of the national
4 transitional commission on 13 and 14 May 2014 in Boda.

5 The first video is tab 22 of the Defence, CAR-OTP-2042-3464.

6 For the interpreters the translation is tab 23, CAR-D29-0006-0053.

7 Please listen to that and then you listen to a different audio.

8 (Playing of the audio excerpt)

9 THE INTERPRETER: [12:19:54](Interpretation of the audio excerpt)

10 "The anger of the Christians. They had the time to explain to us why they no longer
11 want to collaborate with the Muslims.

12 To begin with, they say that they are natives of the town of Boda and that they
13 accepted to receive Muslims in their area.

14 Christians, they do not understand why it is only since the date of 28 January that
15 these unfortunate events are taking place in Boda ... and they are wondering why,
16 why the houses were burnt now and why people were killed, and they are not ready
17 to reconcile. As long as the Muslims do not provide explanations that are clear to
18 them, they will not reconcile with them.

19 We are going to try to discuss with the Christians. They tried to go a lot further, but
20 the message - I cannot hide it from you - it was difficult for them.

21 They accepted the Muslims in their area. The Muslims arrived, they did everything.

22 They became rich, they were living in good conditions. There were children with
23 the Muslims. And even when the Séléka arrived Boda, the Muslims received

24 the Séléka. They, the natives, they also received the elements of the Séléka coalition
25 in Boda. They were living in perfect harmony. There were no troubles in Boda.

1 But, to their great surprise, on 28 January last ... after the departure of the elements of
2 the Séléka coalition, a few hours afterwards, the Muslims took up arms to attack them
3 and burnt down their houses. It is because of this that they are compelled to defend
4 themselves. And a few days afterwards, the Anti-Balaka are forced to group
5 themselves and defend themselves."

6 MS DIMITRI: [12:22:07](Interpretation)

7 Q. [12:22:10] Maître Tiangaye, we were waiting for the English translation, that is
8 why I did not ask my question immediately.

9 Now, there is a second audio from the radio, Central African radio. It's tab 24,
10 CAR-OTP-2042-4040.

11 For the interpreters, it's tab 25, CAR-OTP-2122-9433.

12 (Playing of the audio excerpt)

13 THE INTERPRETER: [12:22:56](Interpretation of the audio excerpt)

14 "The situation in Boda is a situation that is extremely difficult; because there are two
15 communities that have always lived together - the Muslim community and
16 the non-Muslim community, who have been living together forever - and then they
17 have started killing themselves and rejecting themselves mutually. The government
18 and the national transition had to travel for two days, that is on the 13 and
19 14 May 2014 in Boda, they listened to the two parties and listened to the population,
20 and today the government and the National Transitional Council are in a position to
21 say with precision that -- what has really happened and what were the causes of the
22 killings today that has led to many people suffering in the Central African Republic.
23 The non-Muslim community is accusing the Muslim community, because they have
24 been living together and they are accusing them of having gotten up one morning and
25 started killing them. This non-Muslim community had to flee to take refuge in

1 the Saint Michel church, and many of them went into the bushes, and the victims,
2 the number of victims are very heavy on both sides. The Muslim community, on
3 the contrary, said that they had to defend themselves. The non-Muslim community
4 lost everything because the houses were razed to the ground, their property was
5 destroyed, and many people were killed in Boda. Today, the non-Muslim
6 community is asking - and it is nonnegotiable - for the departure of all the Muslims
7 from Boda. On the contrary, the Muslim community is saying that they are ready to
8 accept forgiveness of the non-Muslim community. And they are ready to relearn
9 how to go on living together once again with their non-Muslim brothers."

10 MS DIMITRI: [12:25:29](Interpretation)

11 Q. [12:25:29] My question is simple. You talked about intercommunity violence in
12 Bangui in light of the information that you received. Now, with the two audios that
13 we have listened to, do you agree that the intercommunity violence was not limited to
14 Bangui? It happened in the interior of the country also, specifically in Boda, where
15 the two communities attacked themselves.

16 A. [12:26:08] I confirm that it was not only Bangui or Boda, it was every -- almost
17 everywhere in the CAR. I can give you the example of Bouca town. All
18 the Muslims there were chased out and when you arrive that town there is no Muslim.
19 That is what I remember. Many of those victims were chased out. I do not know
20 whether some of them have come back. But during that time, many of them in
21 certain towns were chased out after the reaction of the non-Muslim population.

22 Q. [12:27:02] And do you specifically remember, in the case of Boda, that
23 the government that succeeded you tried to send several missions to Boda but it took
24 a long time for peace to return because the population was feeling very strongly?

25 A. [12:27:30] It is possible that the government took measures for pacification.

1 What I know is that, today, social harmony has started to return, not only in Bangui
2 but also in the other towns of the CAR.

3 Q. [12:27:55] Do you remember the former minister Willybiro-Sako? I'm sorry if I
4 did not pronounce the name very well.

5 A. [12:28:11] Yes. Very well. He was a former minister and his -- will become
6 a minister of state today. So he was a former minister in a past government and in
7 this new government he has become a minister of state.

8 Q. [12:28:34] And is it correct that he is from Boda?

9 A. [12:28:38] Yes, that is correct.

10 Q. [12:28:44] I will show you one last video on Boda. Tab 27 of the Defence,
11 CAR-OTP-2023-2764.

12 And for the record, we will view from the beginning to 2:52.

13 I'm sorry, the sound is not very good. But you will recognise Minister
14 Willybiro-Sako.

15 For the interpreters, it is tab 28, D29-0006-0103. And reading is from page 1 to line
16 12 of page 2.

17 (Viewing of the video excerpt)

18 THE INTERPRETER: [12:30:00](Interpretation of the video excerpt)

19 "Dear telespectators, the guest of the news today is former minister of state Jean
20 Willybiro-Sako. And with him, we are going to discuss the situation which is
21 prevailing in Boda, Boda, which is one of the *sous-préfectures* of Lobaye.

22 Good morning, Excellency.

23 Good morning, sir.

24 Now, recently, you were part of a delegation that went to Boda; what was
25 the objective of that trip?

1 Well, the point is, as you were able to follow and you have mentioned it elsewhere,
2 the situation in Boda is concerning and has been so for several long months. And
3 recently, since 20 August, this situation has even become more serious with
4 the killings that took place in the town. You know that in Boda, today, it is a town
5 that has been particularly hard hit because several houses have been burnt down,
6 destroyed, set on fire. And many people have been compelled to leave. At the
7 same time many people left, but, equally, many Muslims fled the violence in the other
8 localities of the country and in the environs around Boda. This meant that, in
9 the enclave which was hosting barely 2,000, 3,000 people, today you have more
10 than 8,000 people, 8 to 10,000 people.

11 And there are so many acts of violence after the departure of the Séléka from Boda
12 town that the two communities, Muslim and non-Muslim, well, they have become
13 enemies, because - we have to use these terms - because, from time to time, there is
14 violence, acts of hostility, which are triggered either in the camp of the non-Muslims
15 or in the camp of the Muslims. And this has created a lot of frustration, a lot of
16 hatred amongst the population.

17 The town which was very beautiful in the past has almost been all destroyed, at least
18 half of it has been destroyed. And the non-Muslim population is living, for the most
19 part, in the plantations surrounding the town, in the fields and bushes. And this
20 tells you precisely that living in this way, under these conditions, with all
21 the disadvantages, you have many people with diseases, with malaria, diarrhoea, and
22 other forms of diseases.

23 So, the situation in Boda was particularly difficult such that the local authorities,
24 particularly the prefect and the bishop of Mbaïki, after all the attempts at
25 reconciliation took place but did not succeed, thought this time around that they

1 should call on the inhabitants of Boda, the resource persons originating from Boda,
2 and they can come, reflect on the situation and be able to make proposals or
3 recommendations to the government."

4 MS DIMITRI: [12:33:41](Interpretation)

5 Q. [12:33:44] You recognise this minister who originates from Boda?

6 A. [12:33:49] Yes. It is indeed Minister of State Willybiro-Sako.

7 Q. [12:33:59] And do you agree with me that he described the situation in Boda in
8 a way that is similar to the other documents that we have seen together, the two
9 communities became enemies, Muslim and non-Muslims?

10 A. [12:34:22] I confirm that it is the reality.

11 Q. [12:34:29] Do you agree that he is referring to several attempts at reconciliation
12 in Boda which, unfortunately, did not succeed because the situation was almost
13 incontrollable?

14 A. [12:34:44] Yes, that is correct. In the beginning, the situation was difficult to
15 control because of the feelings of the two communities.

16 Q. [12:35:05] One last question on this matter. A consequence of this crisis in
17 Boda - and I think the minister talked about it - non-Muslims are living in the bushes,
18 they no longer have houses, and the Muslims are living in an enclave?

19 A. [12:35:32] Yes, that is true. The people -- he was the one there and he knows
20 the situation, so I think that description is realistic.

21 Q. [12:35:48] Thank you. Mr Tiangaye, one last subject I'd like to raise are PK9.
22 It was raised briefly yesterday.

23 Before, you referred to a video, which I'm going to show to you, but I've got a number
24 of questions about this, Muslims and Séléka. Do you agree that once the Séléka had
25 taken power in March 2013 the Séléka also went into the interior of the country and

1 went to PK9, and there were also crimes between PK9 and Mbaïki, including Boda?

2 And I'm talking here about the Séléka period.

3 A. [12:36:50] They took the control of the whole country, not only that area of
4 Mbaïki.

5 Q. [12:37:02] And do you agree that, as they did in other places, Boda, Bangui and
6 so on, the Séléka terrorised the population along the road PK9-Mbaïki, the people
7 who lived along this axis?

8 A. [12:37:31] I don't have any precise information. But wherever the Séléka were,
9 there were crimes committed against the Séléka -- the civilian population, that's
10 absolutely uncontestable.

11 Q. [12:37:48] Sir, you mentioned this slightly yesterday. Would you say that in
12 the prefecture Lobaye and other places, self-defence groups were created to defend
13 themselves against their enemies, the Séléka. And I'm not talking about
14 the Anti-Balaka, I'm talking about civilian self-defence groups which were in the
15 interior, particularly in Lobaye?

16 A. [12:38:25] The question is can one distinguish between a self-defence group and
17 Anti-Balaka. The word "Anti-Balaka" relates to the massacred population who
18 wanted to defend themselves and therefore organised themselves to do so. So I
19 personally think that there is no real distinction to be made between the self-defence
20 elements and the Anti-Balaka.

21 That's why the Anti-Balaka, I think, covers all this portion, this segment of the
22 population, the non-Muslims who felt that this part of the population needed to
23 organise themselves to defend themselves against the crimes being committed by
24 the Séléka.

25 Q. [12:39:32] One precision, one clarification, this non-Muslim population

1 organising themselves to defend themselves against the Séléka, this part of the
2 population getting together in 2013 after Séléka in 2013 is -- was a similar movement
3 already found in the prefecture of Lobaye, do you agree?

4 A. [12:40:09] Yes, I do.

5 Q. [12:40:10] In that case, I would now like to move to a video to which you
6 referred yesterday. You have a good memory. You said that there was at the time
7 a video which came probably from France 24 in which there was Mr Yekatom at the
8 bridge at PK9 in conversation with officers -- or with soldiers from the French
9 operation Sangaris. And I would like to show you three different extracts from this
10 video which I think are those to which you were referring. The first one is at tab 29,
11 CAR-OTP-2055-2610.

12 And the transcript for the interpreters is CAR-OTP-2107-6906, which is tab 30. And
13 so the translation into French for the interpreters is tab 31, 2122-2271.

14 We are going to first look at an extract 2:20 -- well, it starts at 2:20 and then continues.
15 So its lines 84 to 114.

16 (Viewing of the video excerpt)

17 THE INTERPRETER: [12:42:14](Interpretation of the video excerpt)

18 "The group of militias is commanded by corporal-chef Rombot. He and his men
19 installed themselves here in the most difficult part of the crisis, six weeks ago. At the
20 time, Rombot was working -- this former soldier of the Central African army is
21 carrying out an offensive on the port -- on the bridge of PK9. Under his orders,
22 a number of armed -- heavily armed Anti-Balaka. They have barricaded themselves
23 into this house and are harassing the position facing them. Their objective is a guard
24 post held by Séléka fighters, the former rebellion which was with a Muslim majority.
25 Under international pressure, President Djotodia whom they brought to power has

1 just left and Bangui is in complete chaos.

2 At this point, Captain Souleymane and his men are continuing to hold the position
3 even though the Séléka generals are fleeing.

4 Did you listen properly?

5 Yes.

6 Today the guard post is held by soldiers of the African Union."

7 PRESIDING JUDGE SCHMITT: [12:44:03](Overlapping speakers)

8 THE INTERPRETER: [12:44:05](Interpretation of the video excerpt)

9 "We are -- here we find Captain Souleymane, his life has changed a lot. Séléka is
10 accused of having committed numerous crimes and the Christians are taking their
11 revenge. Most of the ex -- the former rebels have left. Souleymane has chosen to
12 remain, but is keeping a low profile.

13 MS DIMITRI: [12:44:33](Interpretation)

14 Q. [12:44:40] Before I ask you a question, can you confirm that that is the video to
15 which you were referring.

16 A. (Overlapping speakers)

17 Q. [12:44:51] And do you recognise PK4 -- PK9 with Yekatom on one side and the
18 others on the other?

19 A. (Overlapping speakers)

20 Q. [12:45:07] Do you agree with me that in the Séléka group there is Captain
21 Souleymane Daouda?

22 A. [12:45:23] I don't know Captain Souleymane Daouda. He is one of the Séléka, I
23 think, but I don't know him personally.

24 Q. [12:45:39] I am going to show you a photo which may refresh your memory.

25 It's tab 32 of the Defence binder. CAR-D29-0002-0041.

1 Can we first show the whole picture and then -- of the article and then pick out
2 a detail.

3 Captain Souleymane Daouda was a minister and he unfortunately died. You see
4 that in the article he died in August 2020 and was buried at the mosque.

5 Can you see? He was a minister of technical education and literacy.

6 A. (Overlapping speakers)

7 PRESIDING JUDGE SCHMITT: (Overlapping speakers) So do you -- do you recall
8 the -- do you recall the person now?

9 THE WITNESS: [12:47:27](Interpretation) I think I remember that, yes. This is
10 somebody I do not know. But I know that there was a minister who died. But
11 I didn't know that he was a former Séléka soldier.

12 PRESIDING JUDGE SCHMITT: [12:47:48](Overlapping speakers) I think we don't
13 get further here.

14 MS DIMITRI: [12:47:52](Interpretation)

15 Q. [12:47:56] So we saw it on the video, we saw his name on the video,
16 Captain Souleymane, former Séléka. And he was a Muslim, as we see in the article.
17 And I'd now like to show a second part of this video and now we're going to go from
18 6:18 -- this is now on lines 178 to 188 in the transcript in French.

19 THE INTERPRETER: That's 6:42 to 7:52.

20 (Viewing of the video excerpt)

21 THE INTERPRETER: [12:48:56](Interpretation of the video excerpt)

22 "We take the road again. Souleymane salutes one -- salutes one of his former
23 acquaintances.

24 Surprise, it's caporal-chef Rombot cleanly shaven. The two men who were firing at
25 each other six weeks ago are meeting at the hospital. They know each other and

1 have done so for years. Rombhot's wife is ill and he has brought her to get
2 medication. He's too much in a hurry to speak to us. He is giving us -- makes an
3 appointment with us for the next day at PK9."

4 This is a repetition, being shown for a second time.

5 MS DIMITRI: [12:50:06](Interpretation)

6 Q. [12:50:08] Do you agree with me that we've just seen together, Yekatom and
7 Souleymane Daouda together, who were fighting each other at PK9 six weeks prior to
8 this occasion?

9 A. [12:50:41] And what is your question exactly.

10 MS DIMITRI: [12:50:43] I'll rephrase it.

11 PRESIDING JUDGE SCHMITT: [12:50:47] I think we have eyes to see and watch.

12 What you can ask the witness:

13 Mr Witness, you said you did not know this -- this person, so I think the question was
14 did you recognise the person along with Mr Yekatom in this video. But of course
15 it's -- if you don't know the person, you might have recognised him nevertheless.

16 THE WITNESS: [12:51:14](Interpretation) I don't know this person.

17 PRESIDING JUDGE SCHMITT: [12:51:16] Okay.

18 MS DIMITRI: [12:51:19](Interpretation)

19 Q. [12:51:22] I would suggest that this person is the same as we saw attacking
20 Mr Yekatom, Séléka side, at PK9. Whether you know him or not, I wanted to
21 establish that it was the same person that we saw attacking Mr Yekatom.

22 I'd now like to show a final extract from the video, from 7:31 to 7:52.

23 For the interpreters, tab 31, from lines 200 to 213.

24 (Viewing of the video excerpt)

25 THE INTERPRETER: [12:52:16](Interpretation of the video excerpt)

- 1 "But Souleymane, the last time we saw each other you were ... six weeks ago, you
2 were on this side of the bridge and he was on the other.
3 Yes.
4 And you were firing at each other?
5 We were there with our brothers, the Séléka.
6 Yes.
7 Yes, indeed.
8 And yet you know each other, you were both ...
9 Yes, we know each other but if he wants to kill us, what are we going to do? We
10 have to defend ourselves."
11 PRESIDING JUDGE SCHMITT: [12:52:49] I think this is interesting, the video, but
12 I don't see a question to put to the witness with regard to what he has already
13 answered.
14 MS DIMITRI: [12:52:57] It's coming, the question.
15 PRESIDING JUDGE SCHMITT: [12:53:00](Overlapping speakers) Okay. I'm --
16 MS DIMITRI: [12:53:03] I'll give it a try.
17 PRESIDING JUDGE SCHMITT: [12:53:05] I'm really interested.
18 MS DIMITRI: [12:53:10](Interpretation)
19 Q. [12:53:10] You testified, Mr Tiangaye, that, according to a document, that
20 Mr Yekatom controlled the axis PK9-Mbaïki. Do you agree with me that this extract
21 filmed on that road shows two things with regard to the video you saw at the time.
22 On the one hand, Mr Yekatom, that he was defending himself against his brother in
23 arms when he was armed in PK9, and also a few weeks later Mr Yekatom shows no
24 animosity to this Muslim ex-Séléka when he meets him?
25 A. [12:54:06] Those are your conclusions. I have no judgment to make on this.

- 1 MS DIMITRI: [12:54:11] That was my last question, Mr President.
- 2 PRESIDING JUDGE SCHMITT: [12:54:12] So not unexpected, if I may comment.
- 3 MS DIMITRI: [12:54:16](Interpretation)
- 4 Q. [12:54:17] Thank you, Maître Tiangaye. That was my last question and I thank
- 5 you very much for having answered my questions.
- 6 PRESIDING JUDGE SCHMITT: [12:54:26] Thank you, Ms Dimitri.
- 7 And of course this, like always, begs the question - I assume Ms Proulx is going to ask
- 8 the witness - do you have an estimate?
- 9 MS PROULX: [12:54:36] Yes, Mr President. I think I will not go above two hours.
- 10 If I'm lucky, things will go fast and maybe we can finish in one session this afternoon,
- 11 but I'm not going to promise to -- to achieve that.
- 12 PRESIDING JUDGE SCHMITT: [12:54:51] Yeah.
- 13 (Trial Chamber confers)
- 14 PRESIDING JUDGE SCHMITT: [12:55:10] So for reasons that I don't want to explain
- 15 we, the Chamber, prefers to finish for today and then we -- we start tomorrow and
- 16 finish the examination of the witness tomorrow.
- 17 And there is this other issue, Prosecution witness, I think, 2625. But we will get
- 18 information on that, Mr Vanderpuye, I assume.
- 19 If you don't have it yet ...
- 20 MR VANDERPUYE: [12:55:36] I'm sorry, Mr President, I wasn't keeping up with
- 21 you.
- 22 PRESIDING JUDGE SCHMITT: [12:55:38] It can happen.
- 23 I think there is also -- we also need the information about how to proceed with
- 24 Witness 2625 I think it's ...
- 25 MR VANDERPUYE: [12:55:48] Right. What I can tell you at this moment is I'm not

- 1 overly optimistic about it. We don't have sufficient information from our partner, so
2 I wouldn't even schedule it in at this point.
- 3 PRESIDING JUDGE SCHMITT: [12:56:01] But, nevertheless, what I also can say is
4 this is something that could be squeezed in, so to speak, any time this week, next
5 week, whenever it fits. So I can already assure you that this will be possible. Okay.
6 Thank you very much.
- 7 So this concludes the hearing for today.
- 8 Thank you very much, Mr Tiangaye. We meet again tomorrow at 9.30. Have
9 a good rest and, as you have heard, it will not last much longer. So have a good day.
- 10 THE COURT USHER: [12:56:32] All rise.
- 11 (The hearing ends in open session at 12.56 p.m.)