

Trial Hearing
WITNESS: CAR-OTP-P-0801

(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 Thursday, 27 May 2021
10 (The hearing starts in open session at 9.44 a.m.)
11 THE COURT USHER: [9:44:14] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:44:39] Good morning, everyone.
15 Could the court officer please call the case.
16 THE COURT OFFICER: [9:44:42] 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: [9:45:01] Thank you.
21 I ask for the appearances of the parties, Mr Vanderpuye.
22 MR VANDERPUYE: [9:45:05] Good morning Mr President, your Honours.
23 Good morning, everyone. The Prosecution is represented by the same members as
24 configured yesterday.
25 PRESIDING JUDGE SCHMITT: [9:45:13] Thank you.

1 Mr Narantsetseg.

2 MR NARANTSETSEG: [9:45:17](Interpretation) Good morning Mr President,
3 your Honours. For the Common Legal Representatives of other crimes appearing
4 today Mr Dangabo Moussa Abdou, Ms Evelyne Ombeni, Mr Enrique Carnero Rojo,
5 and my name is Orchlon Narantsetseg. Thank you.

6 PRESIDING JUDGE SCHMITT: [9:45:33] Thank you.

7 Mr Suprun.

8 MR SUPRUN: [9:45:35] Good morning, Mr President, your Honours. The
9 former child soldiers are represented by myself, Dmytro Suprun, counsel at the
10 Office of Public Counsel for Victims. Thank you.

11 PRESIDING JUDGE SCHMITT: [9:45:44] Thank you.

12 We are now turning to the Defence. Ms Dimitri.

13 MS DIMITRI: [9:45:50] Good morning, Mr President. Good morning, your
14 Honours. Mr Yekatom, who is present in the courtroom, is represented today by
15 Mr Thomas Hannis, Ms Sabine Bayssat, Ms Wilhelmina Whittingham, and myself,
16 Mylène Dimitri.

17 PRESIDING JUDGE SCHMITT: [9:46:01] Thank you. Has the issue been solved
18 with the documents for your client?

19 MS DIMITRI: [9:46:06] Indeed, Mr President. Thank you.

20 PRESIDING JUDGE SCHMITT: [9:46:08] Okay, good. Fine. Fine.

21 Mr Knoops.

22 MR KNOOPS: [9:46:11] A very good morning, Mr President, your Honours.
23 The Defence team of Mr Ngaïssona today is composed of Ms Chiara Giudici, she's
24 chase manager; and on my -- here in the second row, you find legal intern,
25 Ms Mathilde Veronesi. And, of course, Mr Ngaïssona is present as well,

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1 Mr President.

2 PRESIDING JUDGE SCHMITT: [9:46:32] Thank you.

3 And at the video-link location, good morning and welcome to the witness, Mr Kokaté,
4 and to counsel, Mr Bangaguere. Good morning again.

5 WITNESS: CAR-OTP-P-0801 (On former oath)

6 (The witness speaks French)

7 (The witness testifies via video link)

8 THE WITNESS: [9:46:44](Interpretation) Good morning, Mr President.

9 PRESIDING JUDGE SCHMITT: [9:46:47] Mr Vanderpuye, we continue with the
10 examination by the Prosecution. You have the floor.

11 MR VANDERPUYE: [9:46:53] Thank you very much, Mr President.

12 PRESIDING JUDGE SCHMITT: [9:46:56] And a short technical issue is obviously
13 here on the side of the Registry. So it will be difficult, at least in the first session, to
14 zoom in documents, so we have to try to handle this. There's no possibility at the
15 moment, as I understand it. We can display the document, but zooming in would be
16 difficult. So I don't know how you can take this into account, if and how. But I
17 think only with regard to this technical matter, to wait until it is fixed for one or two
18 hours would also not make sense, would waste, unnecessarily, time.

19 MR VANDERPUYE: [9:47:33] Yes, Mr President.

20 PRESIDING JUDGE SCHMITT: [9:47:35] Please, Mr Vanderpuye.

21 QUESTIONED BY MR VANDERPUYE: (Continuing)

22 Q. [9:47:39] Good morning, Mr Kokaté.

23 A. [9:47:42] Good morning, Mr President.

24 Q. [9:47:49] Yesterday when we left off, I believe you had asked to speak to your
25 lawyer regarding some questions that I put to you regarding Mr Yekatom and certain

1 conversations you had with him.

2 Did you have a chance to speak to your lawyer?

3 A. [9:48:19] Yes, Mr President, I did.

4 Q. [9:48:20] And I think I had asked you some questions regarding certain advice
5 that you said that you gave Mr Yekatom in relation to information that was provided
6 to you by the prime minister regarding his comportment.

7 Are you prepared to answer that question?

8 A. [9:48:52] Mr President, the prime minister called me and asked me to come to
9 her office -- his office. Sorry. He spoke to me about information that he received
10 relating to the behaviour of Mr Yekatom. He spoke to me. What he told me is what
11 I told you. * He didn't get into the details. He merely told me that he's not at all
12 happy with the behaviour of Mr Yekatom and that there is a lot of information that he
13 is receiving and that his cabinet is receiving relating to his behaviour and he's not
14 happy, and that Mr Yekatom was not behaving correctly, and there were exactions
15 taking place in the areas which he controlled.

16 That's what the prime minister told me.

17 * And I too, in turn, because the Prime Minister had asked me to speak about it, to advise Yekatom,
18 I too, I said the same thing to him and passed on the message to him. And if I remember well, I
19 called him and he came to me once or twice at my home. I spoke to him and I said that the prime
20 minister was dissatisfied, and then I left it at that. After that he left Mr President.

21 PRESIDING JUDGE SCHMITT: [9:50:30] I think we -- we had that similarly.

22 MR VANDERPUYE: [9:50:34] Yeah.

23 PRESIDING JUDGE SCHMITT: [9:50:35] I think we should move on.

24 MR VANDERPUYE: [9:50:37] All right, Mr President.

25 PRESIDING JUDGE SCHMITT: [9:50:38] We take this answer as it is.

1 MR VANDERPUYE: [9:50:45]

2 Q. [9:50:46] Now you were appointed to your role in the prime minister's office on
3 27 February 2014; is that right?

4 A. [9:51:04] That is correct. That's correct, Mr President.

5 Q. [9:51:06] And at the time that you were appointed, you were still a member of
6 the Anti-Balaka; is that right?

7 A. [9:51:19] * Mr President, indeed I was a supporter of the Anti-Balaka and I was
8 appointed to that post because I was a support of the Anti-Balaka at that time. That is correct.

9 Q. [09:52:58] Were you a member of the coordination of the Anti-Balaka at that
10 point or at any point prior to your appointment?

11 A. [9:51:52] Mr President, I told you that I wasn't a member of the coordination of
12 the Anti-Balaka. There was a document which was signed by Mr Ngaïssona on 23
13 January, which he sent to me. And when he said I was the military coordinator, I
14 rejected it. I didn't want to accept that offer. Some weeks later, in their new
15 organisation, they appointed Mr Maxime Mokom as coordinator of operations. And
16 when they said that -- when they did that, there was no longer the wording "military
17 coordinator."

18 MR VANDERPUYE: [9:53:00] Just for the record, Mr President, I think the document
19 that the witness is referring to is CAR-OTP-2001-3372. It's not on my list, but I
20 believe that's what he's referring to. That's 23 January 2014 document which
21 indicates him as military coordinator for the -- for the Anti-Balaka.

22 Q. [9:53:22] You said that you rejected this offer. In which way did you -- in
23 which way did you do that?

24 A. [9:53:35] Mr President, already, as far as I'm aware, on 23 January 2014, I was -- I
25 remember I was in the hemicycle of the national assembly, during that time when the

1 transitional president was taking the oath. So when Mr Ngaïssona set up his
2 coordination bureau, I wasn't informed, I wasn't associated, and I clearly rejected it
3 because, as far as I'm aware, there was already a group that was there.
4 There was a coordination team where they could have had a military coordinator.
5 There was the minister of Defence who was there. There was also representatives of
6 the armed forces.

7 So why should I become the military coordinator, Mr President?

8 Q. [9:54:59] Do you know who these other members were? You've mentioned a
9 number of people that could have been or were in the coordination, but who are they,
10 to your knowledge?

11 A. [9:55:22] * Mr President, when you showed me that list – there are some people I seem
12 to think or recall who were on the list, that's all. I do remember that list but that's about it.

13 Q. [09:55:49] Okay. Well, I think we'll probably come to that at some point.
14 I want to play you a recording of something that Mr Ngaïssona said concerning you
15 on 27 February 2014, at least in part. So if we have -- I think that we have to play
16 that in evidence 2, is it? Evidence 1. Just a second. I'll give you the reference for it.
17 It will be tab 30, CAR-OTP-2073-0870.

18 All right. It's a very, very short clip, but I want you to just listen to it, and then I'll
19 ask you some questions about it.

20 (Viewing of the video excerpt)

21 THE INTERPRETER: [9:57:00] (Interpretation of the video excerpt)

22 "Is there a problem with the lead of commander of the Anti-Balaka? What is the
23 chain of command for the Anti-Balaka?

24 It's me, I'm the general coordinator, and Kokaté previously was the military
25 coordinator. But he chose other options. He can explain it to you himself,

1 everything passes through me. In principles, there are discussions, debate and I
2 have to be present in those discussions. And if there's something to discuss with the
3 authorities, it has to be me."

4 MR VANDERPUYE: [9:57:42]

5 Q. [9:57:43] Did you hear that, Mr Kokaté?

6 A. [9:57:53] Yes, Mr President. I heard that extract.

7 Q. [9:57:55] There are a few things I'd like to ask you about. First of all is the most
8 obviously, which is Mr Ngaïssona's reference specifically to you as the military
9 coordinator within the chain of command of the Anti-Balaka "*avant*" is what he said.

10 So I'd like to ask you about that.

11 What do you say about that particular part of his remark?

12 A. [9:58:26] Mr President, I don't really have much comment to make on that. * This
13 means that he himself knew that I had I refused his military coordinator offer because
14 during that time, I spoke directly with the prime minister, the head of the government.
15 And if I remember correctly, after the meeting with the prime minister and the head
16 of government, I asked all the military to leave the ranks of the Anti-Balaka at the
17 firm request of the transitional government, and all the military must return to their
18 barracks, their different units, and that I was not involved in the military coordination.
19 So I think the response of Mr Ngaïssona who said that, who confirmed that he was
20 the general coordinator of the Anti-Balaka.

21 Q. [9:59:44] All right. So you've seen a document, which you referred to in -- as
22 dated 23 January 2014, which you were shown during your previous interview, which
23 indicates that you were a military coordinator of the Anti-Balaka. You've now heard
24 a radio interview involving Mr Ngaïssona who said explicitly that you were the
25 military coordinator of the Anti-Balaka. And you said today that you refused the

1 offer to be the military coordinator of the Anti-Balaka and that you were never the
2 military coordinator for the Anti-Balaka.

3 Do you know why Mr Ngaïssona referred to you or would refer to you as the
4 coordinator of the -- military coordinator of the Anti-Balaka? Any idea?

5 A. [10:00:50] Mr President, I cannot answer in his place because it's him that
6 organised his office. It's he who organised the coordination. I was never associated
7 with the setting up of his bureau, which he's talking about. I wasn't part of that. I
8 refused the offer. And some days, he appointed someone with whom he could work.
9 So I was never military coordinator of the Anti-Balaka, and I think that's quite clear.

10 Q. [10:01:42] When did he make the offer to you to be the military coordinator of
11 the Anti-Balaka?

12 A. [10:02:01] Mr President, I -- I told you that we never sat down together. You
13 see, this document was signed on 23 December. And as far as I know, it was
14 published maybe on Ndeke Luka, or -- but, you see, when the question was put to me
15 whether I was the military coordinator, I always answered journalists saying that I
16 was not the military coordinator of the Anti-Balaka, even to the journalist of Radio
17 Ndeke Luka.

18 Mr President, you cannot be a military coordinator when people keep rejecting you,
19 keep disavowing you, so to speak, Mr President.

20 Q. [10:03:01] I tend to agree with you on that, but you understand that there's a
21 difference between being bad at your job and having a job.

22 So my question to you is: When did Mr Ngaïssona make the offer to you to be the
23 military coordinator? That's the -- that's the term that you used. You said that "I
24 refused the offer." So what offer are you talking about and when was it made?

25 A. [10:03:39] Mr President, I think I have been clear enough that when I found out

1 that I was the military coordinator of the Anti-Balaka, journalists of Radio Ndeke
2 Luka and others asked me about it, and I told them that I did not see myself as the
3 military coordinator of the Anti-Balaka. I have never accepted that. And so I
4 believe that this is an answer, a normal answer. And when I was even received by
5 the Prime Minister Nzapayéké, I said I had never been received in the capacity of a
6 military coordinator of the Anti-Balaka.

7 Q. (Overlapping speakers) All right. I'm not going to insist --

8 PRESIDING JUDGE SCHMITT: [10:04:22] Mr Vanderpuye, may I shortly?

9 MR VANDERPUYE: [10:04:24] Yes, Mr President.

10 PRESIDING JUDGE SCHMITT: [10:04:26] Do you have the reference for
11 23 January 2014 document, please, for the record, again.

12 MR VANDERPUYE: [10:04:31] Oh, yes.

13 PRESIDING JUDGE SCHMITT: [10:04:32] It would be helpful if we go through
14 the -- the transcripts, that we have it, because we are discussing it since a couple of
15 minutes.

16 MR VANDERPUYE: [10:04:40] Yes, Mr President. Just give me one of my -- one of
17 my many seconds and I'll give you the reference. I have it as
18 CAR-OTP- -- CAR-OTP-2001-3372.

19 PRESIDING JUDGE SCHMITT: [10:04:58] Okay. Thank you. And ...

20 MR VANDERPUYE: [10:05:00] If you want, we could -- we could put it on the
21 screen. I think it's in eCourt anyway.

22 PRESIDING JUDGE SCHMITT: [10:05:05] No, no, no, but we'll find it then, but
23 it's -- it's simply important that we -- that the record in the transcript is complete so
24 that we can follow, because we read that at some point in time afterwards.

25 MR VANDERPUYE: [10:05:17] I agree. Maybe we should show it just so we can

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1 confirm in fact that that's what he's talking about. That's what I surmised but

2 (Overlapping speakers)

3 PRESIDING JUDGE SCHMITT: [10:05:23] Okay. Fine with that. Yeah, yeah, good.

4 MR VANDERPUYE: [10:05:27] Okay. Maybe we can show in eCourt this
5 document, please.

6 Q. [10:05:43] Mr Kokaté, this is the document that at least I think you're talking
7 about. I wanted to just check with you to see if that is indeed what you're talking
8 about.

9 We can't blow it up, though, is the problem; right?

10 PRESIDING JUDGE SCHMITT: [10:05:53] I think it's big enough, even for me. I
11 can read it.

12 THE WITNESS: [10:06:16](Interpretation) Yes, Mr President. This is the document.

13 MR VANDERPUYE: All right. This is the -- sorry.

14 THE WITNESS: (Interpretation) And I see here it's captioned "Joint Communiqué."
15 What does that mean?

16 MR VANDERPUYE: [10:06:32]

17 Q. [10:06:33] Is this the document you were talking about that's dated 23
18 January 2014 that you just mentioned in your testimony a little bit earlier?

19 Did you hear my question, sir?

20 A. [10:07:18] Yes, I understood your question, Mr President.

21 Q. [10:07:22] Is this the document you were referring to just a little while earlier?

22 A. [10:07:27] Yes, it is, Mr President.

23 PRESIDING JUDGE SCHMITT: [10:07:29] And I think he has -- you have tried it
24 several times. He has answered what he has to say about this document and about
25 his role.

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1 MR VANDERPUYE: [10:07:37] That's right.

2 PRESIDING JUDGE SCHMITT: [10:07:38] I think we can move on.

3 MR VANDERPUYE:

4 Q. [10:07:47] Yes. I just wanted to confirm that that's what you were referencing.

5 PRESIDING JUDGE SCHMITT: [10:07:52] That's good. That's indeed -- that's
6 helpful.

7 MR VANDERPUYE: [10:07:53]

8 Q. [10:07:53] But what I'd like to ask you about is what I played, the -- the
9 recording, the Ndeke Luka recording, of Mr Ngaïssona a little earlier. And in that
10 recording, he says that the chain of command is first him as the coordinator, and then
11 he says the military coordinator, which you don't agree with, as you. And then he
12 says that everything happens under his control. And that is what I want to ask you
13 about.

14 What is your understanding or what was your understanding of Mr Ngaïssona's role
15 as the general coordinator of the Anti-Balaka in terms of the chain of command?

16 A. [10:09:04] Mr President, his role as general coordinator, I cannot really talk to
17 you about it because I myself, I'm not the general coordinator. I think it is
18 Mr Ngaïssona himself who can properly explain his role as coordinator general to
19 you. All I know is that he was the coordinator general, meaning that he was the
20 leader of all Anti-Balakas. I, for myself, I have told you - and I did so
21 yesterday - that when I left N'Djamena, I had firm instructions from the CEMAC
22 heads of states to the -- the -- they asked me to propagate the message of peace, the
23 message of disarmament of the armed groups, Anti-Balaka and Séléka included, and
24 then to also propagate the message of reconciliation.

25 So, Mr President, once I heard what President Déby told me in presence of the other

1 heads of states, all of them having asked me to return and speak only of peace and
2 that there should be no more mention of gunshots and what have you. So how then
3 could I return and then take up the position of military coordinator in the Anti-Balaka
4 coordination? That would have meant that I would be in a situation of conflict or
5 contradiction, so I wouldn't have upheld the commitment I made to the heads of state.
6 That is why I turned down that offer. I never accepted the offer.

7 So when the statement was made over Radio Ndeke Luka by Mr Ngaïssona, that
8 statement only committed himself, he spoke only for himself. You see, when I had
9 discussions with the transitional prime minister, he was aware of my role even before
10 I got to Bangui. He knew what my role was. He spoke about this with the team of
11 the international mediation team under General Essongo. * He also spoke with
12 General Mokoko, like that. And so my role, I knew what my role was. I had not
13 come with the idea of being a military coordinator or to organise or be a military
14 coordinator, and that's not what I came to Bangui for.

15 That's it, Mr President.

16 Q. All right. That's --

17 PRESIDING JUDGE SCHMITT: [10:12:15] I think we really have to move on from
18 here. It's -- we have had this several times and he has said it several times in
19 different contexts, answer to different questions, so to speak, even.

20 MR VANDERPUYE: [10:12:31] That's -- that's right. I think, I think his response is
21 to a question that wasn't asked.

22 PRESIDING JUDGE SCHMITT: [10:12:39] But nevertheless, experience in
23 courtrooms shows that perhaps further insisting would not lead to very much.

24 MR VANDERPUYE: [10:12:50] If you would allow me just a couple more shots,
25 Mr President.

1 PRESIDING JUDGE SCHMITT: [10:12:54] It's -- if you think it -- it might help, yes,
2 but not a couple of more. The first one perhaps we hear, and then we simply
3 move on.

4 MR VANDERPUYE: [10:13:05] Okay. All right.

5 PRESIDING JUDGE SCHMITT: [10:13:07] If this doesn't lead to anything.

6 MR VANDERPUYE: [10:13:09]

7 Q. [10:13:09] You said, according to you, Mr Ngaïssona was the leader, the chief, of
8 all the Anti-Balaka. That's what I heard anyway. And so my question is: Since
9 when?

10 A. [10:13:38] Mr President, I think that in answer to this question, I told you in my
11 statement that when I returned from N'Djamena, I heard on the airwaves that
12 Mr Ngaïssona had organised meetings in Boeing and Boy-Rabe and informed
13 everybody that he was the general coordinator of the Anti-Balakas. That's all I can
14 say, Mr President.

15 Q. [10:14:14] And the Anti-Balaka you're talking about are the Anti-Balaka in
16 Bangui? Or are you talking about Anti-Balaka in the country, in the provinces and
17 in Bangui?

18 MR KNOOPS: [10:14:30] Mr President, really, I do not understand how the witness
19 can answer this question. If he did say that the only thing you heard that
20 Mr Ngaïssona was apparently appointed, and that's the information he got, so how
21 can he answer the question whether this expanded to Bangui or other areas?

22 PRESIDING JUDGE SCHMITT: [10:14:50] No, we -- we can hear if -- if he knows it
23 or not. I don't see -- I don't see anything why we should not at least ask him. He
24 might know something. He has different options. He can say, I don't know. He
25 can say, I have heard it, or whatsoever. So, no, I don't agree in that respect.

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1 So, Mr Kokaté, the question was do you have information if this leadership of
2 Anti-Balaka was leadership Anti-Balaka Bangui or other regions or the total country?

3 THE WITNESS: [10:15:35](Interpretation) Mr President, I don't have much
4 information on this point. All I know is that he said that he was the coordinator
5 general, and I have no other information, Mr President.

6 PRESIDING JUDGE SCHMITT: [10:15:50] So you see.

7 MR VANDERPUYE: [10:15:53]

8 Q. [10:15:53] So what do you mean when you say "all the Anti-Balaka," then?
9 What did you mean?

10 A. [10:16:16] During a meeting at the presidency in President Catherine
11 Samba-Panza's cabinet, the Anti-Balakas, in the presence of the transitional president
12 who was there with her cabinet, they declared that their single and only leader and
13 authority was Mr Ngaïssona. They are the ones who made that statement before the
14 head of state, Catherine Samba-Panza.

15 Q. [10:16:52] Thanks for clarifying that.
16 After some time that you were in the prime minister's office, were you assigned to
17 conduct a mission to Boda?

18 A. [10:17:24] Yes, Mr President, that is correct. I was on mission to Boda following
19 instructions from the prime minister.

20 Q. [10:17:30] If can I show you a document. It's tab 63, CAR-OTP-2100-1699. It's
21 in the screen already.

22 Do you -- can you see that, Mr Kokaté?

23 A. [10:18:33] Sorry. Excuse me. Let me put on my glasses. Yes. Yes,
24 Mr President, I can -- I can see the document.

25 Q. [10:18:52] Have you seen it before?

1 A. [10:19:03] Maybe we could scroll down to the bottom, but it looks like the
2 mission order which enabled us to travel on mission -- (Overlapping speakers)

3 Q. And it's dated 14 --

4 A. -- to Boda. I was --

5 THE INTERPRETER: [10:19:17] Overlapping speakers, Mr President.

6 PRESIDING JUDGE SCHMITT: [10:19:18] Mr Vanderpuye --

7 MR VANDERPUYE: Oh, I'm sorry.

8 PRESIDING JUDGE SCHMITT: -- you are too quick because there is -- quite often
9 we have overlapping speakers. So I think the witness had now --

10 Mr Kokaté, this seems to be the *ordre de mission*. Are we right?

11 THE WITNESS: [10:19:38](Interpretation) Yes, Mr President. That is correct.

12 PRESIDING JUDGE SCHMITT: Okay. Then we can move on.

13 THE INTERPRETER: [10:19:43] And the witness added he was the head of the
14 delegation.

15 MR VANDERPUYE: [10:19:50]

16 Q. [10:19:51] At the bottom of the page, you can see the dates that are foreseen.

17 You can see that there are copies that go to the Sangaris and MISCA, and it's signed
18 by the prime minister. And if we go a little bit up the page, you can see who are the
19 participants of this mission.

20 All right. So let me ask you a little bit about this mission. First of all, how did it
21 come about and what was its purpose?

22 A. [10:20:38] Thank you, Mr President. The prime minister first of all summoned
23 me to his office and told me that some very bitter findings had come in from Boda,
24 because there had never been any clashes between Christians and Muslims in Boda
25 before.

1 And curiously, after the swearing in of the transitional president, a few days
2 thereafter, the population of Boda, which hitherto had lived in symbiosis, experienced
3 a sudden outburst of conflict. Christians systematically attacked Muslims, and he
4 then instructed me to go there because the Christians were supported by the
5 Anti-Balaka, so he asked me to go there and to speak to the Muslim community, to
6 the Christian community, and then to attempt to find some ground for reconciliation.
7 That was the purpose of that mission, Mr President.

8 Q. [10:22:29] Okay. And how did it come to be that this particular team of
9 individuals was selected to go? Yours is, I think, relatively straightforward, but I see
10 here the names of Ngremangou, Kamezolaï and Yekatom.

11 So let's start Ngremangou, why was he selected for this mission, if you know?

12 A. [10:23:11] At that time, Ngremangou was the director of cabinet for the minister
13 of defence. And I believe that the prime minister is in a position to explain why he
14 was selected. As for the other two, I am in a position to provide some explanation.

15 Q. [10:23:39] Let's start with Kamezolaï.

16 A. [10:23:59] I'll -- I will take the two at once. Kamezolaï and Yekatom are both
17 Anti-Balaka. Yekatom was in charge of the south region, and Kamezolaï used to
18 work with Yekatom. The prime minister had some discussions with Kamezolaï and
19 Yekatom. The prime minister had asked me to invite them, so I called Mr Yekatom
20 and asked him to come see me at the prime minister's office along with Kamezolaï.
21 So Yekatom came to the prime minister's office, although he had been hesitant
22 somewhat initially. He was somewhat hesitant initially, but then he subsequently
23 came to see the prime minister.

24 Mr President, before I continue with the answer to this question, please, I need to take
25 a minute and talk with my counsel before continuing. Thank you.

1 PRESIDING JUDGE SCHMITT: [10:25:41] Of course, Mr Kokaté. You can confer
2 with your counsel.

3 (Witness confers with counsel)

4 PRESIDING JUDGE SCHMITT: [10:27:36] Do you want -- Mr Kokaté, do you want
5 to continue or receive the next question?

6 THE WITNESS: [10:27:55](Interpretation) Mr President, I was answering and saying
7 that it's the prime minister who issued that mission order, so he is the one who
8 decided to set up that mission. He is the one who selected the members of the
9 delegation on the mission, and I believe that he is in the best position to answer the
10 question as to why those persons on the list were selected.

11 PRESIDING JUDGE SCHMITT: [10:28:40] Mr Vanderpuye, he has said something to
12 that effect in his former statements. You could perhaps refresh his memory or -- or
13 simply continue or move on to another point or whatever you want.

14 MR VANDERPUYE: [10:28:59] I think he has spoken about it before, but I don't
15 think -- I don't think he needs his memory refreshed.

16 Q. [10:29:08] You said you were able to explain it. I think those are the words you
17 used. You said "specifically for the other two, I am able to explain it" or at least
18 provide information. So why don't you do that?

19 A. [10:29:38] Mr President, I would like to talk about how my mission unfolded to
20 Boda following instructions from the prime minister. I had clear instructions about
21 the mission, but only the prime minister can give details on the -- how the mission
22 was composed. I had a mission to work for reconciliation between Christians and
23 Muslims in Boda, and I conducted this mission with the support of the MISCA forces
24 and the Sangaris forces.

25 Q. [10:30:26] You said a moment ago that Mr Yekatom was hesitant. Why was he

1 hesitant?

2 A. [10:30:44] Mr President, I think you can put that question to Mr Yekatom. I
3 know he was hesitant. I reassured him. He came, and he met with the prime
4 minister, with Mr Kamezolaï. And then they came and we went on the mission
5 together.

6 Q. [10:31:04] What was he hesitant about?

7 A. [10:31:13] I cannot give you an exact answer to that question, Mr President.

8 Q. [10:31:20] Then tell us what you know instead.

9 A. [10:31:26] Mr President, once I left Bangui for the mission to Boda, we were to be
10 escorted. But before going on the mission, * Mr Ngremangou called me the day before
11 to say that he was feeling unwell and could not be part of the mission, so I promptly
12 informed the prime minister. So we proceeded on the mission with the others, our
13 mission to Boda.

14 Once we got to Boda, I introduced myself to the commander of the Sangaris forces
15 who was expecting me. * I think he was informed of this mission. He was waiting
16 for me, so I got there and we were installed in his base. And so I myself spent the
17 night there, along with the commander of the Sangaris forces.

18 So the Sangaris commander briefed me somewhat on the security situation in the city
19 of Boda. And he did so in the company of the commander of the MISCA forces that
20 were escorting me. * So he gave me an overview of the situation, talking about the
21 misunderstandings that were difficult to -- to manage in Boda.

22 So, Mr President, what I did then was to convene the leaders of the Muslim
23 community in Boda. They came, and we had discussions together. They explained
24 to me what had transpired and that they were somewhat surprised by the behaviour
25 of their Muslim brothers -- of their Christian brothers, rather, and then went on to say

1 that they were ready to accept my proposal for reconciliation between themselves and
2 the Christians.

3 So having concluded those discussions with the Muslim community, I also invited the
4 Christian community leaders for discussions. At that level, this assignment wasn't
5 easy at all. They were not willing to collaborate with their Muslim brothers. For
6 them, it was out of the question that they continue to live together.

7 So I reminded of the -- I reminded them of the principle of the *laïcité* -- nature of the
8 state. * And being a lay state, we therefore have to learn to live together. We have
9 to know how to forgive, and I spoke.

10 So this was somewhat -- I should say it was quite difficult for me because Christians
11 were calling for all the Muslims to leave the town of Boda. And I pointed out to
12 them that there are children here who are born of Christian and Muslim parents, so
13 where would they go?

14 * So my mission was to do everything possible for a meeting to take place and to seek
15 understanding between the two communities. And all of this happened in the presence of
16 the Sangaris commander and the head of the MISCA delegation, which was escorting me.

17 So this was a very complex situation. And the Christians -- as the prime minister
18 had told me in Bangui, he said the Christians had the support of the Anti-Balaka who
19 were in the town. Therefore, it was necessary to talk to the Anti-Balaka.

20 So I sent Mr Yekatom and Mr Kamezolaï to have discussions with the Anti-Balaka
21 and to tell them to refrain from attacking their Muslim brothers and that as soon as
22 they had successfully convinced their -- them, they should bring them back to me.

23 They left. I was seated there, along with the Sangaris forces commander and the
24 head of the MINUSCA detachment. We were there sitting and waiting.

25 Mr Yekatom and his team subsequently came back with an Anti-Balaka

1 representative. Now, this was someone I didn't know before, but I proffered a lot of
2 advice and counsel to him, and I explained to him what my mission was, namely, to
3 do everything possible for understanding to return between Christians and
4 anti- -- rather, between Christians and Muslims. And I said that apparently
5 Christians were attacking Muslims and that, going by information available to us, it
6 was the Anti-Balakas who were attacking the Muslims.

7 So I told them that if they were the ones involved in those types of actions, I was
8 asking them and issuing a government instruction from Bangui to the effect that they
9 must desist from these types of attacks.

10 So I believe that they left but then came back to tell me that they would be -- they
11 would no longer attack the Muslim community, that they had agreed to desist from
12 attacking the Muslim community.

13 So, Mr President, based on this concept -- you see, when I was in Boda, there were
14 Christians, there were Muslims, and then there was the Anti-Balaka. And so I went
15 back and reported to the prime minister, head of government. I reported back on
16 this first phase of the mission.

17 Then he told me -- he told me to do everything to raise awareness in the Anti-Balaka because
18 Christians were using the Anti-Balaka movement to -- to assess -- to attack the Muslims. Now,
19 what was their strategy? The strategy was, first of all, agree with the Anti-Balaka so that there
20 was a document signed to that effect, * signed by the Anti-Balaka, by the leaders of the
21 Anti-Balaka, the Muslim community, the leader of the Muslim community; and I signed as well.
22 The Sangaris forces commander also signed, I believe. And at the end of it all, I went back to
23 Bangui. And to my mind, there would no longer be any gunshots or any firing after I left Boda.
24 That's it, Mr President.

25 Q. [10:40:06] All right. There's a bit to unpack in what you just said. So we'll go

1 step by step.

2 The first thing I'm going to go back to is your team. And I think, as the President
3 pointed out, you did mention some things in your statement, which I'm not sure if
4 you remember or you don't remember here. So I'm going to ask you.

5 Do you remember what you said about why it was that Mr Yekatom was on that
6 mission with you when you were asked about it in 2018?

7 A. [10:41:09] Mr President, before Yekatom could travel, he had an exchange
8 between Yekatom and the prime minister. The prime minister talked to Yekatom - I
9 was present - and he said he depended on Yekatom who controlled that sector, and
10 that's why he was put into that delegation. He said that Yekatom had -- had his role
11 to play within the Anti-Balaka. So there was an exchange between Yekatom and the
12 prime minister. He was received by the prime minister, and the president said you
13 have -- prime minister said you have to do everything possible.

14 Q. [10:42:00] All right. Well, what you said was that Yekatom was the most
15 important person on that mission because he had his control over Lobaye prefecture.

16 PRESIDING JUDGE SCHMITT: [10:42:13] Please, the reference.

17 MR VANDERPUYE: [10:42:14] I'll give the reference. That is at tab 39,
18 CAR-OTP-2074-2243 at lines 285 through 299.

19 Q. [10:42:40] You say also in that same part of -- in that same transcript that
20 Yekatom controlled the south. And that's at transcript reference tab 39 again,
21 CAR-OTP-2074-2234 at 2253 through 2254, lines 660 through 688 and lines 681
22 through 687.

23 You also say that Yekatom was known in CAR as the Anti-Balaka chief who
24 controlled the south. And that's at same tab, CAR-OTP-2074-2234 at 225, lines 731
25 through 737.

1 Today, you say that there was a conversation had between Mr Yekatom and the
2 prime minister concerning the importance of him in that mission. But what you said
3 during the course of your interview, that's correct, isn't it?

4 PRESIDING JUDGE SCHMITT: [10:43:55] I think there is no -- I don't see a
5 contradiction to his interview here because I think if I -- if I see the transcript correctly,
6 he has said that there was a conversation between the prime minister and
7 Mr Yekatom and that he was present. So I think he has said that today.

8 MR VANDERPUYE: [10:44:14] That's not -- that's not the (Overlapping speakers)

9 PRESIDING JUDGE SCHMITT: [10:44:16] No, but -- also -- also the content in
10 general, you know. You won't get -- you won't get the exact wording that you
11 perhaps want -- want to get. But

12 it's -- actually it's at least my observation from here at the moment that I don't see
13 a -- a contradiction here, a substantial contradiction.

14 MR VANDERPUYE: [10:44:39] I'm not -- I'm not pointing out a contradiction,
15 Mr President. I'm pointing out what's an inconsistency, which is a difference
16 between what he's saying now and what he said then. But that doesn't mean that it's
17 contradictory. It's just different. And what he's saying now is that he -- he's saying
18 now that he doesn't know why Yekatom was on that mission, although he said he
19 was able to do that. He said (Speaks French), and then he turned around and said he
20 can't do that after he spoke to his lawyer.

21 PRESIDING JUDGE SCHMITT: [10:45:07] Ms Dimitri.

22 MS DIMITRI: [10:45:08] I'm sorry. I think, Mr President, Mr Vanderpuye is
23 mischaracterising what the witness said. He specifically answered the question, and
24 he said:

25 (Interpretation) "Before he can travel, there was an exchange between Mr Yekatom

1 and the prime minister. I was present. The prime minister said that he depended
2 on Mr Yekatom who controlled that sector and the prime minister asked Mr Yekatom
3 to play his part. He said that he had to do everything."

4 (Overlapping speakers)(Speaks English) That's what he said. So he answered your
5 question, and there's no inconsistency.

6 PRESIDING JUDGE SCHMITT: [10:45:42] Actually, this is -- thank you for your help.
7 You found it quicker than -- not that I'm surprised that you found it quicker
8 than -- than I would have, but it was -- this concords with my impression that I had,
9 and I agree with you.

10 So there is no need to get any tension into the questioning. We -- I think you can
11 move on with your questioning, and I think the witness -- indeed, there is no, if you
12 now word it contradictory inconsistency, well, we don't see it here at the moment.

13 MR VANDERPUYE: [10:46:19]

14 Q. [10:46:20] Why was Mr Kamezolaï on that mission?

15 A. [10:46:33] Kamezolaï was with Yekatom. They were always together.

16 Q. [10:46:44] What was the relationship between the two of them that they were
17 together all the time?

18 A. [10:46:58] Mr President, each time when there was a meeting between the office
19 of the prime minister and MISCA, Kamezolaï was always in the delegation, and he
20 accompanied Mr Yekatom.

21 Q. [10:47:27] Did he play a role in Yekatom's Anti-Balaka group?

22 A. [10:47:45] * Mr President, I think you've noticed that I was a facilitator between the
23 Anti-Balaka and the -- the general director of the gendarmerie at that time who is currently a
24 minister. When we went for that meeting, we saw the general staff HQ of... we saw Yekatom's
25 group. When I arrived, I was received by Yekatom and Kamezolaï. They were all together.

1 Q. [10:48:15] Mr Kokaté, you haven't answered my question. I'll repeat it you if
2 want.

3 PRESIDING JUDGE SCHMITT: [10:48:30] But the question was, to put it more
4 simply: Do you have any information what role
5 Mr Kamezolaï had inside of the Anti-Balaka if any?

6 THE WITNESS: [10:48:52] Mr President, the information which I have, for example,
7 the list which Mr Ngaïssona showed me, the list which Ngaïssona wrote in his bureau
8 on 23 January also mentions Kamezolaï, but I don't really know what role Kamezolaï
9 had within that and vis-à-vis Yekatom. I know that I rejected the offer to be the
10 military operator. That's all can I tell you, Mr President.

11 MR VANDERPUYE: [10:49:35]

12 Q. [10:49:36] So in your interaction with Kamezolaï and with Yekatom, your
13 testimony today is that it's just -- you just noticed that they happened to be together
14 and you have no other information than that. Is that the -- is that the gist of what
15 you're saying?

16 A. [10:50:01] Mr President, Kamezolaï was an officer in the army. During
17 meetings with the office of the prime minister and MINUSCA, Kamezolaï was part of
18 the delegation of Yekatom, Mr President. He was always part of the Yekatom
19 delegation. I think I have answered your question.

20 Q. [10:50:30] I think you got around to it.
21 In terms of your discourse with the Anti-Balaka in Boda, who actually went to speak
22 to the Anti-Balaka in Boda? On your mission, that is.

23 A. [10:50:58] Mr President, I just have told you. I sent Mr Yekatom to speak to the
24 Anti-Balaka. He left with his entourage to speak to the Anti-Balaka, and I, I was
25 based in the camp of the Sangaris forces, and I was there with the delegates of

1 MISCA.

2 Mr Yekatom went to speak with the Anti-Balaka. He returned one -- with one of the
3 representatives, whom I didn't know at all. He came to say he had spoken to them.
4 Now, I passed on the message, the message from the government, * because it was a
5 governmental mission. So I passed on that message to the head of the Anti-Balaka of
6 that region in that zone of Boda. So I told him the message from the government.
7 That was the purpose of my mission. And in the end, we agreed we would sign a
8 document so there would be no further attacks.

9 Q. [10:52:26] Why didn't you speak to the Anti-Balaka yourself rather than send
10 Mr Yekatom to go speak to them and bring them to you? Why didn't you just go
11 directly by yourself or with them?

12 A. [10:52:47] Mr President, I've just told you there was an exchange in the bureau of the prime
13 minister and Yekatom. The prime minister talked directly to Yekatom about his role. And as head
14 of the mission, I just did what I had to do because I didn't know those Anti-Balaka people. * And the
15 Prime Minister clearly told Mr Yekatom: you are the one who knows the men there, you are the one
16 who can help facilitate this mission. The Prime Minister and Mr Yekatom had a discussion. I was in
17 the Prime Minister's office Mr President. So it wasn't up to me to go and talk to people I didn't know.

18 Q. [10:53:33] I think I understand. So you sent Mr Yekatom because you were the
19 chief of that mission. And it's not that the prime minister sent him, it's that you sent
20 him because you were the head of that mission; is that right?

21 A. [10:53:51] I was head of the mission. The prime minister asked
22 Yekatom -- asked Yekatom to help the mission become successful because Yekatom
23 knew that zone very well, and he knew the Anti-Balaka of that area, so he was going
24 to help.

25 PRESIDING JUDGE SCHMITT: [10:54:11] So it's in the middle, Mr Vanderpuye.

- 1 MR VANDERPUYE: [10:54:14] A bit of both, as you -- as you may say.
- 2 PRESIDING JUDGE SCHMITT: [10:54:16] That's better formulated, yes.
- 3 MR VANDERPUYE: [10:54:23]
- 4 Q. [10:54:23] I want to show you. It's tab 6, CAR-OTP-2001-4464.
- 5 Are we able to make this -- oh, we can. Good.
- 6 This is an RFI publication. It should be of 21 March 2014. Are you able to read that,
- 7 Mr Kokaté?
- 8 A. [10:55:44] Yes, Mr President.
- 9 Q. [10:55:48] I think it discusses your mission.
- 10 A. [10:56:11] Yes. Yes, well, I'm not an ex-coordinator. That's what they wrote,
- 11 but I wasn't the ex-coordinator.
- 12 Q. [10:56:27] The circumstances it discusses here, I think, it says that there are close
- 13 to 6,000 to 11,000 Muslims that were supposed to be or wanted to get into a convoy
- 14 toward Bangui, if it's possible. Do you see that there?
- 15 A. [10:57:14] Yes, I see that.
- 16 Q. [10:57:15] Are those the circumstances under which you -- which you found
- 17 when you -- when you went to Boda on that mission?
- 18 A. [10:57:31] I arrived in Boda in March, I think. Yes, it was in that timeframe
- 19 because the events started at the end of January, beginning of February, I think.
- 20 (Overlapping speakers)
- 21 Q. [10:57:46] Yeah, so did you -- I'm sorry. I interrupted you. Sorry.
- 22 Did you find the circumstances, that is, that there were thousands of Muslims who
- 23 wanted to leave the town, and I mean 6- - it says here 6- to 11,000, I think - who
- 24 weren't -- wanted to leave -- leave the town at the time that you arrived there for
- 25 reasons of security?

1 A. [10:58:19] Mr President, when I arrived in Boda, I noticed that the Muslim
2 community in Boda had an area, a very specific area, where they all clustered
3 together. And I saw that they were protected by the Sangaris forces. They were
4 really surrounded by the Sangaris. I saw the French flag around, so I noticed that.

5 MR VANDERPUYE: [10:59:05] All right. Mr President, it's 11, but I have one
6 document I'd like to show, if I could --

7 PRESIDING JUDGE SCHMITT: [10:59:12] Yeah, yeah, yeah.

8 MR VANDERPUYE: -- before the break.

9 PRESIDING JUDGE SCHMITT: Of course. I think, yeah, that might fit here.

10 MR VANDERPUYE: [10:59:14]

11 Q. [10:59:15] If I could just show you one more document perfect we break,
12 Mr Kokaté. It is tab 10, tab 10, CAR-OTP-2001-6708.

13 PRESIDING JUDGE SCHMITT: [11:00:04] I suggest that we give the witness the
14 chance to read it because it's quite long, and I think you have follow-up questions.

15 It's -- it's not that we want to go into the break, but I think it's fair because it will take
16 some time to absorb it. And as I understand it, there are comments on -- on what
17 happened on the ground there, so I think it's better to have that.

18 So, Mr Kokaté, we will have now a 30 minutes' break, and you will have the chance to
19 read that and then Mr Vanderpuye will pose questions to you.

20 THE COURT USHER: [11:00:40] All rise.

21 (Recess taken at 11.00 a.m.)

22 (Upon resuming in open session at 11.33 a.m.)

23 THE COURT USHER: [11:33:27] All rise.

24 Please be seated.

25 PRESIDING JUDGE SCHMITT: [11:33:56] Mr Vanderpuye, you still have the floor.

- 1 Please continue.
- 2 But I think it's now the time to ask you what I already indicate yesterday. Do you
- 3 have an idea how long it will take you?
- 4 MR VANDERPUYE: [11:34:09] Yes, I'll finish in this session, for sure.
- 5 PRESIDING JUDGE SCHMITT: [11:34:12] Okay. That's fine.
- 6 And, the Defence, do you have already -- to make it absolutely clear, we will not
- 7 restrict you here. But just for planning purposes. We understand.
- 8 MS DIMITRI: [11:34:23] I understand, Mr President. Thank you. In light of some
- 9 of the answers that were given, I'm going to revise part of my cross at lunchtime and
- 10 cut it down a little bit. So I'm going to be either within my five hours or perhaps
- 11 less.
- 12 PRESIDING JUDGE SCHMITT: [11:34:42] Mr Knoops, it's a little bit -- perhaps a
- 13 little bit early, but what you can say now at this point.
- 14 MR KNOOPS: [11:34:47] Yes, Mr President. We expect to use three or four session
- 15 maximum, in total.
- 16 PRESIDING JUDGE SCHMITT: [11:34:54] So I think we -- we can manage it
- 17 until -- including Monday. So we give it a try. Even perhaps we would need a little
- 18 bit of extended hours, but I think we can do that. It sounds promising.
- 19 Mr Vanderpuye, please continue.
- 20 MR VANDERPUYE: [11:35:11] Thank you very much, Mr President.
- 21 Q. [11:35:13] Good morning to you, Mr Kokaté.
- 22 Could we have the document that was in eCourt previously back up. It says
- 23 CAR-OTP-2001-6708.
- 24 Mr Kokaté, did you have a chance to read this document at the break?
- 25 A. (No interpretation)

1 Q. I didn't hear the answer. I thought he was answering, but I didn't hear it.

2 A. [11:36:08] My answer was, yes, Mr President, I read the document during the
3 break.

4 Q. [11:36:15] What can you say about it? First of all, it seems to -- it talks about
5 your mission, but it makes certain observations about what you said about it. And
6 I'd like to know what your views of it are.

7 A. [11:36:46] Mr President, I went to -- I was on an official mission, and I reported
8 back to the prime minister. Now, what is written by the media is -- does not commit
9 me in any way.

10 PRESIDING JUDGE SCHMITT: [11:37:13] I think that's a fair answer. You know, if
11 I imagine something that was written about me in the media, would be put to me, I
12 would perhaps also say something to that effect. But there might be of course
13 follow-up questions to that, perhaps a little bit more concrete.

14 MR VANDERPUYE:

15 Q. [11:37:45] I'm going to show you another document instead. This one is at
16 tab 23, CAR-OTP-2064-1015.

17 And just before we show this document, let me just ask you one clarifying question
18 regarding one that's in eCourt now. To the extent that the article alleges that you
19 lied about or exaggerated or mislead the public concerning your mission to Boda, I
20 take it that you deny that. Am I right?

21 A. [11:38:37] Mr President, I did not lie. I went on a mission. There were
22 witnesses. I reported to the prime minister, first by telephone. And then at the end
23 of the mission, there were documents that were signed by the Muslim community, by
24 the leadership of the Muslim community, and one representative of the Anti-Balaka
25 and a representative of the Sangaris and MISCA forces, and I myself signed. So I did

1 my duty, and I did not lie.

2 Q. [11:39:21] All right. Thank you for that clarification.

3 PRESIDING JUDGE SCHMITT: [11:39:23] Mr Kokaté, are you aware of what
4 happened afterwards when you went back to Bangui? Did this -- this document, let
5 me say, or the content of the document, did this hold, so to speak?

6 THE WITNESS: [11:39:54](Interpretation) Mr President, when I returned to Bangui
7 and I reported to the prime minister, a few hours thereafter or maybe one day
8 thereafter, I heard over RFI, Radio France International, that the position of the
9 brothers of the Muslim community had been again attacked by Christians. I, myself,
10 was surprised by that. The prime minister who was following our mission
11 consistently was also surprised, so what I can say is that in my country, there were
12 many agreements. People would sign something in the morning and breach the
13 same agreement in the afternoon, so it is not the first time that an agreement was
14 signed and was systematically breached, Mr President.

15 PRESIDING JUDGE SCHMITT: [11:41:17] Thank you. Please continue.

16 MR VANDERPUYE: [11:41:18] Thank you, Mr President.

17 Q. [11:41:19] I think I had referenced tab 23, CAR-OTP-2064-1015. This is another
18 document, a publication, from IRIN news. It's dated 26 March 2014.

19 If we can go down, we can see a little bit about what it talks about. And it explains
20 the circumstances in Boda. In particular, it mentions the name of somebody named
21 Edgar Flavien or Flavien Edgar, I'm not sure which way is which.

22 And then it says he told IRIN news on 19 March (Interpretation) that they could not
23 tolerate the ongoing presence of Muslims.

24 (Speaks English) So my first question is: One, do you recognise the name,
25 Flavien Edgar?

1 A. [11:42:41] Mr President, I do not recognise that name. I know that I signed a
2 document, but I don't know the individual who -- who Mr Yekatom brought along.
3 You see, the document that was signed was in the hands of the prime minister, so I -- I
4 do not know that person. I don't remember.

5 Q. [11:43:19] The person that Mr Yekatom brought you was someone that was
6 associated with the Anti-Balaka in Boda; is that right? A chief or some sort.

7 A. [11:43:41] That is correct, Mr President.

8 Q. [11:43:41] In the paragraph, yeah, just where the cursor is now and just above it,
9 it talks about -- it attributes a quote to Flavien Edgar, which ends in: (Interpretation)
10 "We don't want them in the CAR or in Boda." (Overlapping speakers)(Speaks English)
11 talking about Muslims. And it says just beneath that that he's commenting on -- well,
12 I've lost it now. He's commenting on a commitment made by the government, a
13 commitment -- a statement of the government concerning a commitment not to attack
14 Muslims anymore.

15 Do you see that there?

16 A. [11:44:45] Well, Mr President, the person who has made this statement speaks
17 for themselves. As far as I am concerned, I came back from Boda with a signed
18 document, so anything that transpired after me has nothing to do with me. Any
19 views expressed are only binding on those people who expressed them, whether they
20 contradict my mission or not.

21 Q. [11:45:20] I'd like to show -- I'd like to show you the next page, and I'd like to
22 direct your attention to the paragraph which starts with your name.

23 Let me know when you've had a chance to read it or you're finished reading that
24 paragraph and the quotes attributed to you as well.

25 PRESIDING JUDGE SCHMITT: [11:46:44] Perhaps it would be good to -- in this

1 instance to read out the portions that you refer to that are attributed to the witness so
2 we have it on the transcript.

3 MR VANDERPUYE: [11:46:54] Thank you, Mr President.

4 PRESIDING JUDGE SCHMITT: [11:46:56] That perhaps would be a good idea in this
5 instance.

6 MR VANDERPUYE: [11:46:59] I will do my best.

7 It says that you said:

8 (Interpretation) "The Anti-Balaka committed to no longer attack the Muslims and to
9 fully collaborate with the French Sangaris' mission, particularly by providing them
10 with information."

11 (Speaks English) And that's to Ndeke Luka. And then it says:

12 (Interpretation) "'The atmosphere in Boda was bad. We met the Muslim community
13 in the morning and the Christians in the afternoon and then the Anti-Balaka as well.
14 But at no point in time was there any meeting between the two communities', he then
15 added."

16 (Overlapping speakers)(Speaks English) And then it says:

17 (Interpretation) "The Muslims said they were ready to dialogue with the Christians,
18 but the Christians did not want to hear mention of that. The two communities
19 ascribe responsibility for the destruction and massacres to each other."

20 (Speaks English) So with respect to those quotes, does that sound more or less like
21 what you said?

22 PRESIDING JUDGE SCHMITT: [11:48:19] Mr Kokaté, does this reflect in your
23 recollection what you have said at the time?

24 THE WITNESS: [11:48:38](Interpretation) Mr President, I would like to confer one
25 minute with my counsel before answering this question.

1 PRESIDING JUDGE SCHMITT: [11:48:43] Of course. Actually, here, I don't see an
2 immediate reason, but of course, we have told you that, and you might -- you might
3 know better. Please take your time.

4 (Witness confers with counsel)

5 PRESIDING JUDGE SCHMITT: [11:51:23] Okay. Mr Kokaté, you have -- I think
6 you have my question in mind. It simply refers to the quotations that are ascribed to
7 you here in -- in this article and if this accords with your memory, what you said at
8 the time, or if it does not do that.

9 THE WITNESS: [11:51:53](Interpretation) Thank you, Mr President. At the time, I
10 had stated that my first meeting was with the members of the Muslim community.

11 And then I invited the Christian community with whom I had a discussion.

12 I also told you that the Muslim community was ready to meet with their Christian
13 brothers. And then later on I told you that the Christians in Boda were not at all
14 ready to meet with the Muslims. Then I told you that the negotiations were complex
15 and extremely difficult.

16 So after those negotiations with the Christians, I was bound to report by telephone to
17 the prime minister. And it is at that point that a new strategy was put in place
18 whereby Mr Yekatom was sent to go and discuss with the Anti-Balaka. So that is
19 what happened, and that's how the document was signed.

20 But I never said that I had brought the Christian and Muslim communities together.

21 I was not successful in doing that. What I said is that Mr Yekatom was sent to meet
22 with the Anti-Balaka, and then they accepted. And that is how the ceremony was
23 organised for the documents to be signed, a copy of which I took to the prime
24 minister.

25 This is my statement, Mr President.

1 PRESIDING JUDGE SCHMITT: [11:54:03] Mr Vanderpuye.

2 MR VANDERPUYE: [11:54:07] Thank you, Mr President.

3 Q. [11:54:11] If we can just go down the page a little bit. I want to ask you about
4 the next paragraph, which you can see the name of Flavien referenced again. In that
5 paragraph, it is attributed to him.

6 He says: (Interpretation) "We only have knives and machetes. We do not have
7 grenades or guns."

8 (Speaks English) And it says: (Interpretation) "He also said that his group
9 recognised Patrice-Edouard Ngaïssona as the national coordinator of the Anti-Balaka
10 and not Mr Kokaté."

11 (Speaks English) Do you see that there?

12 A. [11:55:15] Mr President, what this gentleman has said is true. I was not the
13 Anti-Balaka coordinator. I went to Boda in my capacity as special adviser to the
14 prime minister.

15 Q. [11:55:35] Did you have information at the time that you went on your mission
16 that the Anti-Balaka group that was in Boda recognised Mr Ngaïssona as the
17 coordinator -- as the national coordinator of Anti-Balaka? Did you have that
18 information? Did somebody tell you that? Did you speak about it?

19 A. [11:56:07] Mr President, a short while ago, I told you that during a meeting at
20 the presidency of the republic, the Anti-Balaka had declared to the president of the
21 republic in the presence of her cabinet that the general coordinator was
22 Mr Ngaïssona.

23 Q. [11:56:25] So this article makes sense to you in that respect; is that fair to say?

24 A. [11:56:39] What is written in the article, what I can say is that the author speaks
25 for himself or herself, but they have not lied.

1 Q. [11:56:57] I'd like to show you another document. This one is at tab 8,
2 CAR-OTP-2001-4818. This is an RFI article that's published it appears on 1 April, a
3 few days later, 2014. And if we can go down past the photograph, we can see a little
4 bit about what it -- what it concerns.

5 The first thing I would like to direct your attention to is it appears to be an interview
6 that Mr Ngaïssona had, and he's talking about Boda, and he's asked a question about
7 the Anti-Balaka controlling a good part of it. I'm sorry, this may be a Bangui. I'm
8 not sure.

9 But in any event, if you look at Mr Ngaïssona's answer, he says:

10 (Interpretation) "The Anti-Balaka are in control of almost the entire country, Bangui
11 and the hinterlands."

12 (Speaks English) Do you see that?

13 And to your knowledge, was that correct at around the time that this article was
14 published? That would have been by April of 2014.

15 A. [11:59:12] Mr President, this interview was granted to RFI by Mr Ngaïssona, so I
16 am not the one to answer on his behalf. He is the one who is responsible for his
17 statement.

18 Q. [11:59:29] I'm not asking you to answer for him. I'm asking you whether or not
19 what he's saying here meets your understanding of what the situation actually was.

20 A. [11:59:52] Well, -- but, Mr President, how can I make a comment on -- on a
21 statement by Mr Ngaïssona on RFI? He is responsible for what he said.

22 Q. [12:00:18] All right. Let me go to the next page then. Maybe this will help you
23 out.

24 PRESIDING JUDGE SCHMITT: [12:00:21] No, it's something different on the next
25 page, a different issue, because he's mentioned there specifically, so --

1 MR VANDERPUYE: That's right.

2 PRESIDING JUDGE SCHMITT: -- you can ask him if this is -- you will do what you
3 want to ask, but it's clear that there is a more direct relation to the witness as a person.

4 MR VANDERPUYE: [12:00:46]

5 Q. [12:00:46] All right. Now what we have in front of the screen is another
6 question that's put to Mr Ngaïssona. And it particularly concerns you. So if you
7 can have a look at that. Take a -- take a minute to read it and then let us know when
8 you're -- when you're finished with it.

9 A. [12:01:56] Yes, Mr President.

10 Q. [12:01:58] Thank you. In relation to the question that's put to him:

11 (Interpretation) "Part of the Anti-Balaka are represented in government. It is
12 Mr Joachim Kokaté's wing, a wing that you do not recognise. According to you,
13 would it be necessary for the persons of your coordination to also join the
14 government?"

15 (Speaks English) And then he answers it. And he says:

16 (Interpretation) "I'm not paying attention to what is said about Joachim Kokaté who is
17 always a lone ranger."

18 (Overlapping speakers) (Speaks English) and he goes on. What -- what do you say
19 in respect of how he characterises your role within the Anti-Balaka and your conduct,
20 your behaviour? "... *qui est toujours un cavalier*", What does that mean to you?

21 A. [12:03:05] Mr President, it's his statement. It's his point of view that has been
22 expressed, and he alone knows why he has addressed me as being cavalier, but that's
23 his understanding.

24 However, at the end of the N'Djamena meeting, when I was back in Bangui, I had one
25 thing in mind. And it was based on the firm instructions from the ECCAS heads of

1 state, namely, to come back and do everything to work for peace and reconciliation
2 and to avoid conflict between armed groups. So for me, my mindset was different,
3 different from his, because his statement is very clear. His French is very clear. So
4 it is not for me to comment the language that he has chosen to use, Mr President.

5 Q. [12:04:33] There are some facts in here that I want to ask you about, aside from
6 his characterisation of you. There's two things he says which I'd like to ask you
7 about.

8 The first thing is that he says: (Speaks French). (Speaks English) That's number
9 one. (Interpretation) "They haven't got two entities."

10 (Speaks English) The second thing he says is: (Interpretation) "The Anti-Balaka
11 which I coordinate is a single and same movement which is distributed throughout
12 the territory."

13 (Speaks English) Those are statements of fact. So I'd like to ask you about those and
14 what your view of them is, whether you agree with them, disagree with them.

15 A. [12:05:30] Mr President, I think yesterday I said to you that when I met the
16 prime minister, after that meeting, the journalists heard me say, with the microphone,
17 and I said during our meeting with the prime minister, it is clear that we are going to
18 ask the military who are still in the ranks of the Anti-Balaka to leave the Anti-Balaka
19 and go back to their units. This is a presidential order.

20 After having made that statement, I think it is not part of the view or opinion of
21 Mr Ngaïssona that he contradicts me, because he always seems to have a
22 contradictory view to mine. What he says is up to him entirely. His French is quite
23 clear. I was never coordinator or general of a Balaka unit. There are coordinators.
24 There's Mokom. There's Ngaïssona. I was never mentioned as a coordinator. So
25 there's no Anti-Balaka wing which Kokaté managed, Mr President.

1 Q. [12:07:21] All right. The last sentence in this paragraph is:

2 (Interpretation) "When I give an order to those children, the Anti-Balaka, I think it is
3 immediately followed by action."

4 (Speaks English) That's also a statement of fact. Do you agree with that or disagree
5 with it?

6 A. [12:07:58] It's his words. It's what he's saying. He is confirming his way of
7 operation. He is saying how he organises the Anti-Balaka. He's saying what he
8 does. * When he gives an order, then it's immediately followed and things happen.
9 That's what he's saying.

10 Q. [12:08:29] Again, Mr Kokaté, we -- we understand that that's what he says, but
11 the question is what do you say about that fact? Do you agree with that fact? Is
12 that something you saw? Is that something someone told you? Do you know if it's
13 true or not true? That's what I want to know, not what -- not who said it because it's
14 clear who said it.

15 A. [12:09:02] Mr President, I said to you -- and I think I answered this question
16 already before. I've answered this question before. The Anti-Balaka said that
17 they -- that they follow the orders of Ngaïssona who organised them and financed the
18 Anti-Balaka. They said that to the transitional government. And Ngaïssona
19 confirmed that in his statement, what the Anti-Balaka said to the head of the state of
20 the transitional government. And when he said that, they were listening.

21 Q. Okay.

22 PRESIDING JUDGE SCHMITT: [12:09:42] Please move on.

23 MR VANDERPUYE: [12:09:43] I'm just going to go down the page a little bit,

24 Mr President.

25 If we could go down to the question about: (Interpretation) "Why do the Anti-Balaka,

1 who are in the town of Boda, why don't they let the Muslims move around where you
2 can clearly see they are not armed."

3 (Speaks English) And then you see Mr Ngaïssona's response, which reads in part:

4 (Interpretation) "As regards Boda" - it says Bola, but it should be Boda - "the
5 government has committed a mistake by sending someone there who is not known to
6 the Anti-Balaka to talk to those children."

7 (Speaks English) I take that to mean a reference to you and your mission. Do you
8 understand it the same way?

9 A. [12:10:48] Yes, I understand it in the same way, Mr President.

10 Q. [12:10:51] And do you agree with him that it was a mistake for the government
11 to send you on that mission because you're not known by the Anti-Balaka there?

12 A. [12:11:07] The government didn't commit an error. I think Ngaïssona said
13 that -- and confirmed that I wasn't known by the Anti-Balaka. It was a statement by
14 Mr Ngaïssona. I wasn't known to those Anti-Balaka. * I -- I went there as the
15 Special Adviser of the Prime Minister, and I was doing my duty. What he says is not
16 wrong. I wasn't known to those Anti-Balaka.

17 Q. [12:11:34] Okay. Well, do you agree with him that it was a mistake to send
18 somebody who wasn't known by the Anti-Balaka in an effort to try to establish peace
19 there? That's what -- how I understand what he's saying here. Do you understand
20 that the same way?

21 A. [12:12:00] Mr President, this answer is something that
22 Mr Ngaïssona can elaborate upon. He is in a better position to talk about that.
23 What he says is not incorrect. I was a supporter. I was a mere supporter, so I have
24 a role to play as facilitator, and that is what I normally do.

25 Now, if you say that it's a mistake, so be it. It's up to him to explain what happened,

1 but I'm saying he's not wrong because I wasn't known to those Anti-Balaka. I wasn't
2 known to the staff of the Anti-Balaka. I was only a supporter. I didn't have a
3 specific role to play within Anti-Balaka, so he's not wrong.

4 PRESIDING JUDGE SCHMITT: [12:12:57] The question -- the question is answered.

5 MR VANDERPUYE: [12:13:03]

6 Q. [12:13:03] In the next question that's posed to him, it's asked:

7 (Interpretation) "If you had gone, would the results be different? Is that what you
8 mean to say?"

9 (Overlapping speakers) (Speaks English) he says in response to that:

10 (Interpretation) "Very different."

11 (Speaks English) Is he right about that, that if he were consulted and he were engaged
12 in that mission, the result would have been different which is, effectively, not a failure
13 of the mission that you led?

14 A. [12:13:45] Mr President, he is talking as a general coordinator, so he knows his men. It's not like
15 me who went there and didn't know the men. *It's not like me who went there and didn't know the
16 men. You needed to go through Yekatom to talk. People signed the document not to touch the
17 Muslim community. But after, they attacked the Muslim community. So what he says is not wrong.

18 Q. [12:14:15] All right. I have your answer. Thank you.

19 I want to show you another document. This is at tab 27, CAR-OTP-2069-3557. This
20 is a document I think you've seen before, and it's dated 16 March 2014. It's a little bit
21 blacked out on this one.

22 Mr President, we have a cleaner copy of this which I can refer to at a different point,
23 but effectively it's that.

24 If we go to the bottom of this document, you can see that you've initialed it so you
25 know that it's the same document you looked at before, the very bottom on the right.

1 Do you recognise your initials there?

2 A. [12:15:48] My initials?

3 Q. [12:15:50] Yes. Under the date at the bottom of the document on the bottom
4 right.

5 A. [12:15:56] Yes, yes, yes. Yes, yes, I remember that.

6 Q. [12:16:06] Now I'd like to go the substance of it.

7 Up the page, please. Okay.

8 And what you can see here is a reference to your name as well as the name of

9 Léopold Bara and a certain Wilibozoumna.

10 Do you -- first of all, do you recognise those two other names? Bara I think you've
11 spoken about before. Wilibozoumna?

12 A. [12:16:46] Yes, Wilibozoumna, he was responsible for work within the
13 presidency.

14 Q. [12:16:58] And it talks about not having a mandate in the government with
15 respect to the Anti-Balaka. I think that's how I understand it.

16 Do you understand it similarly?

17 A. [12:17:26] Yes, I understand it in the same way, Mr President.

18 Q. [12:17:28] It says: (Interpretation) "... insist to the compatriots to take part in an
19 important meeting with the Anti-Balaka on Wednesday 19 March at 9 o'clock at
20 the -- so that the anti -- combat can be initiated and can take place in Boy-Rabe so that
21 they can discuss this issue."

22 (Speaks English) So the first thing I want to know is: Did you receive this -- did you
23 receive this press communiqué at the time back in 2014 March?

24 A. [12:18:21] Yes, Mr President.

25 Q. [12:18:24] And it notes in the following paragraph:

1 (Interpretation) "The Anti-Balaka fighters reserves the right to ask to withdraw these
2 personalities from the governmental bodies in case of rejection of those interested to
3 take up content."

4 (Speaks English) Did you take part in the meeting? Were you called in, and did you
5 go?

6 A. [12:19:00] Mr President, I didn't go to that meeting. I didn't answer positively
7 to that invitation, and I didn't go to the meeting.

8 Q. Why didn't you go?

9 A. [12:19:24] Already in this invitation, it was clear that they were going to talk
10 about me and the others, and it was in the period when I had the mission or order to
11 go to Boda. It was during that period there. And I think this is the logical
12 consequence of that mission to Boda, so I never went.

13 Q. [12:20:10] All right. Now, you can see some names at the bottom of this
14 document and various positions, and I wanted to point out name number one, which
15 is Commandant Mokom Gawaka Maxime, it says (Interpretation) national
16 coordinator of operations.

17 (Speaks English) In your view, is that the position of a military coordinator? In other
18 words, is there a difference between a military coordinator and a coordinator of
19 operations?

20 A. [12:20:56] Mr President, it's just the labelling that changes. When I was called
21 military coordinator and I refused, they changed the name, the term. That's all. But
22 it's the same thing.

23 Q. [12:21:13] Okay. I'm done with this document. And I want to ask you a few
24 questions about the structure of the organisation -- or the structure of the group,
25 rather.

1 Did it come to your attention at any point that there was a rift between the
2 Anti-Balaka of the north and the Anti-Balaka of the south?

3 A. [12:21:48] Yes, Mr President. At a certain point in time, I learnt -- well, firstly, I
4 was in France, and I learnt that there were two Anti-Balaka movements. There is
5 Wenezoui who proclaimed himself as general coordinator of the Anti-Balaka. So ...

6 Q. [12:22:29] Okay. Do you know the circumstances under which Mr Wenezoui
7 was proclaimed the coordinator of -- a general coordinator of the Anti-Balaka? Do
8 you know how that came about?

9 A. [12:22:47] I was in France, Mr President, when that meeting took place and
10 when he made the declaration on the radio saying that he was the general coordinator
11 of the Anti-Balaka.

12 When I returned from Paris, Mr Ngaïssona had some exchanges with me physically.

13 * And he told me: how can this Wenezoui whom Ngaïssona had helped so much, how
14 can he try to rival him by setting up another coordination?

15 * And given that situation, Ngaïssona came up with the idea and asked me to become
16 the deputy general coordinator which was, again, the second proposition that I rejected.
17 It was an offer which I rejected because it did not tally with how I saw things.

18 And after, there was a meeting which was held within the United Nations development
19 programme, and that meeting discussed how one could organise an Anti-Balaka entity, a single
20 Anti-Balaka entity. * And before coming to that meeting, I informed the prime minister. I
21 attended the meeting. * And after discussions in the meeting, there was agreement and the
22 conclusion was reached unanimously that Ngaïssona would be confirmed as the single general
23 coordinator, and Wenezoui became the deputy general coordinator. That is it.

24 Q. [12:25:17] I want to just walk you back a little bit in terms of your narrative. So
25 you were contacted by Ngaïssona. You were told that there was -- that Wenezoui

1 had become or been elected as a general coordinator in the group. But I want to ask
2 you even before that a couple of questions.

3 The first is you mentioned that there was a meeting that was held when Wenezoui
4 was elected or designated to be a general coordinator.

5 Did you know anything about that meeting beforehand?

6 A. [12:26:11] All I know is that there was a meeting in the southern part of Bangui
7 in Bimbo. They had that meeting in the southern part of Bangui in Bimbo, and that's
8 where they made the statement.

9 When I was in France, I was informed about this meeting. *I also spoke to Ngaïssona before coming to the
10 phone, and I also think I spoke to Wenezoui on the phone, and I was in favour of them agreeing to speak
11 the same language because the division was not necessary -- *I had my own mission and a different vision.

12 Each time they talked about the coordination and other such things, I wasn't for it. I had my way of seeing
13 things. I wanted to speak to the Anti-Balaka so that they all put down their arms. But they kept talking
14 about the coordination for this and for that. So I think I must have said so in my statement Mr President.

15 Q. [12:27:32] All right. I'd like to show you some video footage regarding that
16 meeting that you described.

17 MR VANDERPUYE: It's a bit long, Mr President. It's about five minutes. I'm not
18 sure exactly how we'll handle the translation, but it's in French anyway, so he should
19 be able to follow it, and if necessary, we can -- we can just review the
20 transcript -- review the transcript of the meeting afterwards.

21 I'd like to -- it should be tab 57. The ERN is CAR-OTP-2084-1327. The transcript
22 should be CAR-OTP-2107-1583.

23 PRESIDING JUDGE SCHMITT: [12:28:37] The footage is -- do you know the date,
24 for the record?

25 MR VANDERPUYE: [12:28:43] I don't think it's mentioned in the footage, but

1 it's 15 May 2014 or thereabout.

2 Q. [12:29:09] Mr Kokaté, I'd just like to play this footage. I'd like you to listen to it,
3 and then I'll have a few questions for you at the end of it.

4 Just before we play it, do you recognise the individual standing in the frame right
5 now holding the microphone?

6 A. [12:29:30] Yes, Mr President. It's Mr Léopold Bara.

7 Q. [12:29:35] All right. And Léopold Bara was on the document that I just showed
8 you a little while that was calling you to a meeting following the mission in Boda;
9 right? He's named in that same document.

10 A. [12:29:53] Yes, Mr President.

11 Q. [12:29:55] All right. Let's listen to what Léopold Bara has to say.

12 (Viewing of the video excerpt)

13 PRESIDING JUDGE SCHMITT: [12:30:04] Actually, I don't hear anything.

14 MR VANDERPUYE: Neither do I.

15 PRESIDING JUDGE SCHMITT: So we would have to start from the beginning
16 again.

17 (Viewing of the video excerpt)

18 PRESIDING JUDGE SCHMITT: Still no tone.

19 THE COURT OFFICER: [12:31:02] Mr President, I'm afraid to inform that we are not
20 getting audio in the system. We've called the technicians to see if there is a problem
21 that we can fix.

22 PRESIDING JUDGE SCHMITT: [12:31:14] Okay. Technician will be in soon.

23 So he seems to be on his way. So I always prefer at least to give it a try without that
24 we go back to the deliberation room.

25 I think in the meantime, simply ask other questions so we don't -- don't waste our

1 time here. I think that would make sense.

2 MR VANDERPUYE: [12:32:21] I agree, Mr President. I'm almost done is the thing,
3 so ...

4 Q. [12:32:26] There are a couple of things that I'd like to ask you, and we're going to
5 have to jump into a different period of time. But yesterday, we were talking about
6 Alfred Ngaya, and that was way in October 2014 or so and the circumstances that he
7 talked about in a letter regarding a meeting that -- that you and he and others had
8 with the transitional president where he was accused of having mishandled certain
9 monies, I think, among other things. And I wanted to you ask about the
10 circumstances.

11 Do you recall what was the reason that you had to meet with the -- with the
12 transitional president to begin with around that time, September, October 2014?

13 A. [12:33:35] Mr President, I think that it was towards end of September or early
14 October that there was dissatisfaction within the Anti-Balaka, and there was a crisis
15 between the government and the Anti-Balaka and the city -- the city -- how can I put
16 it? People could not move about for about a week or more within the city. People
17 could not go to work, and I believe that it is after that crisis between the government
18 and the Anti-Balaka that this meeting took place at the presidency of the republic.

19 Q. [12:34:49] When you say that the people couldn't go around and people couldn't
20 circulate, how did that happen? What was the cause of this?

21 A. [12:35:07] Well, Mr Ngaïssona had decided that
22 Anti-Balaka -- the Anti-Balaka should block the roads. And if I'm not mistaken,
23 there were roadblocks across the roads. People could not go out. They could not
24 go to work, and that was the expression of the dissatisfaction of the Anti-Balaka.
25 And for Mr Ngaïssona, according to him, government had not -- the government had

1 not answered or responded to the demands -- I should say demands or requirements
2 or the wishes expressed by the Anti-Balaka.

3 PRESIDING JUDGE SCHMITT: [12:36:07] Now I think it is fixed. We could see
4 and listen, especially listen to it, to the video footage.

5 MR VANDERPUYE: [12:36:17] Okay. We can do that, and then I'll come back to
6 this topic and finish it.

7 All right. I'll stop at this answer. I'll come back to it after we watch this video, and
8 I'd like you to see this video concerning the 15 May meeting that I think you
9 described

10 Mr Léopold Bara speaking. So listen carefully, and then I'll ask you some questions
11 about it.

12 (Viewing of the video excerpt)

13 PRESIDING JUDGE SCHMITT: [12:36:49] That -- that is not a significant
14 improvement, to put it this way. Simply continue with the -- with the questioning
15 and then --

16 MR VANDERPUYE: [12:37:01] We'll go back September 2014.

17 PRESIDING JUDGE SCHMITT: [12:37:04] Let me put it this way: Go back to
18 where you were.

19 MR VANDERPUYE: [12:37:06] Thank you.

20 Q. [12:37:07] All right. We'll continue where we left off then with the
21 question -- with your answer.

22 You said that there was some crisis in relation to -- well, rather, people were blocked
23 and couldn't circulate around the town because of a tension between the Anti-Balaka
24 and the government in respect of certain wishes with respect to representation in the
25 government of Anti-Balaka members.

1 You said that people didn't go to work or were not allowed to go to work and that
2 kind of thing, that is, members of the Anti-Balaka as well?

3 A. [12:37:57] Yes, Mr President. When that decision was taken or made by
4 Mr Ngaïssona, I made sure that I informed the prime minister, head of government at
5 the time, who was Mr Mahamat Kamoun. And I informed him by letter telling him
6 that: Mr Prime Minister, the Anti-Balaka coordination is not satisfied in relation to
7 the promises that were made by government and have demanded that -- well, in the
8 days ahead, there would be a crisis which will break out, and people are being asked
9 not to go to work.

10 So I suggested to the prime minister to meet with the general coordinator, Ngaïssona,
11 because of the possibility of an impending crisis in the days ahead. So I informed
12 the prime minister, and he was aware of these things.

13 Later on, I saw a copy of my letter in the written media, the local written media. So
14 there you have it.

15 Now, at the onset of the crisis, on that day, the prime minister called me and asked
16 me to come to work. I went to work to see him at the prime minister's office. I
17 went to see him. He is my boss. So I went to see him and I told him, "Mr Prime
18 Minister, I fear for my life and for my security when I come to work because if I do
19 come to work, my life will be under threat, and that is why I had to go back home."
20 That is what I told the prime minister. I explained to him that I feared for my life
21 and my security, and that's how he let me return to my home.

22 Thereafter -- thereafter, the next day, the situation became almost -- well, the city was
23 in an entire shutdown.

24 PRESIDING JUDGE SCHMITT: [12:40:51] I think we can give it now a try because
25 the technician is still in the room, so this sounds promising. So maybe we try it

1 again.

2 MR VANDERPUYE: [12:41:09] I still don't hear anything, to be honest.

3 PRESIDING JUDGE SCHMITT: [12:41:15] Nevertheless, there is hope.

4 MR VANDERPUYE: [12:41:17] Should I continue with the ...

5 PRESIDING JUDGE SCHMITT: [12:41:19] I think we have the technician now here
6 in the front row. So if anyone can fix it, I think he can fix it. And if not, we have to
7 accept it simply for the moment.

8 It seems to be -- any sound is something promising, I would say.

9 (Viewing of the video excerpt)

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

11 "But it is with regret that I will say what I'm going to say."

12 MR VANDERPUYE: [12:42:23] I suppose we can play it.

13 THE INTERPRETER: [12:42:23] (Interpretation of the video excerpt)

14 "To set up a single coordination, but it is regretfully that I'm going to say what I have
15 to say. You cannot set up a single coordination without involving those on the other
16 side. Normally, in this meeting, I should have seen the presence of Ngaïssona. I
17 should have seen Namsio and Konate. All those who are part of the other branch of
18 the Anti-Balaka. Because our concern is unity within the movement. Our concern
19 is not to set in place a structure today which will automatically be challenged
20 tomorrow because they would not have participated in it. I myself was not informed,
21 because I was a member of government, they respected this principle, and that is why
22 they did not inform me. But upon reflection and when I asked the question to those
23 on the other side, I said, "There's a meeting, are you aware of it?" They said no, they
24 are not. And so I said I was going to show up in order to build awareness in
25 everybody here. We have done a laudable thing, and history will definitely retain

1 that the Central African youth, in spite of the paucity of resources, stood up at some
2 point in its time, made the sacrifice to liberate the country. Unfortunately, there has
3 been recuperation, there have been opportunists who have taken advantage of this
4 situation and who are taking things out on Muslims today because of their belonging
5 to a religious community. I urge you to fight this in the same manner in which we
6 fought Séléka yesterday. Anyone who takes it out on a Muslim because he's a
7 Muslim, we have to take it out on them because in this world, we should -- you
8 cannot have a world of Muslims only. So we cannot have a single nation made up of
9 Muslims only or Muslims of animists.

10 It is an era of globality, diversity, which is a reflection of the dynamism of our nation.
11 I urge you to come together under a single coordination because there's already a
12 coordination in place under the aegis of the international community, and that is
13 under the general coordinator, Mr Ngaïssona. I was the political coordinator
14 spokesperson. The military coordinator was Konate. The chief of staff was
15 Kamezolaï, and the chief of staff of operations was Konate, and the adviser was
16 Caroline Deboulet. That coordination had been set up, but if we have to restructure
17 our movement, please, let us make sure that we do not forget those who are on the
18 other side, regardless of the divergences we have with them. We all want to work
19 towards peace. We all want peace. Peace to come back and unity in points of view.
20 I, therefore, say that today, whether we want it -- like it or not, the actions that we
21 have taken from the beginning till today, those abuses that can be imputable to the
22 Anti-Balaka, we are responsible for them. We cannot forget that. It is not because
23 Mr Bara is in government today that he can think that he would escape justice from
24 the ICC. The general coordinator one day has to be answerable for the abuses of the
25 Anti-Balaka. Let us have an explanation as to why today criminality continues to

1 persist, why abductions continue to persist for 50,000, 300,000, and cars are being
2 abducted and what have you. So I want to call on you and on your conscience to say
3 that we are responsible for what is happening. Beware that the ICC and all its
4 jurisdiction are without time prescription. Even in 100 years, we shall be prosecuted.
5 So if today, somebody attacks a Muslim because they are Muslim, let us rise up again
6 as before to defend our country and to defend our Muslims. Once again, it is these
7 positive actions that will contribute to our protection and to protection for the entire
8 world. I am done.

9 Thank you, Mr Minister, you have pronounced a long speech, and so in order to help
10 all and sundry here, I would like to call on all of you to come to me, the president of
11 the organising committee, because we are meeting here in a general assembly and ..."

12 PRESIDING JUDGE SCHMITT: [12:47:21] First of all, thank you very, very much to
13 the interpreter. That was far from being easy to follow that.

14 Mr Vanderpuye.

15 MR VANDERPUYE: [12:47:31] Thank you very much, Mr President. I think I have
16 the transcript reference in any event. We'll tender that, but ...

17 PRESIDING JUDGE SCHMITT: [12:47:39] But I think it's now on the transcript of
18 today. It's really -- it was really a great job.

19 MR VANDERPUYE: [12:47:47] Thank you.

20 Q. [12:47:50] Mr Kokaté, you had a listen -- you could hear that, I hope. We don't
21 want to play it again.

22 A. [12:47:58] Yes, I heard it clearly, Mr President.

23 Q. [12:47:59] So there are a few questions I have, and I'll keep them short.

24 One is you heard what Mr Bara had to say, and he was your colleague in the
25 government, I guess on the president's side, and you were on the prime minister's

1 side.

2 Did you discuss what he said here with him at any point?

3 A. [12:48:33] Mr President, I just told you that when they held their general
4 assembly, I was in France, so I wasn't informed, and I only learnt about this
5 subsequently. And it is only subsequently that I had discussions with Mr Ngaïssona
6 and Wenezoui on the -- by phone. I wasn't present. There was never a discussion
7 between the minister -- (Overlapping speakers)

8 Q. No, that's fine. I just wanted --

9 A. -- and myself, because I wasn't there, Minister Bara.

10 Q. (Overlapping speakers) -- to know if you had spoken to him about it --

11 PRESIDING JUDGE SCHMITT: [12:49:08] Not so quick, please, Mr Vanderpuye,
12 again. Can you repeat it because it was overlapping.

13 MR VANDERPUYE: [12:49:15]

14 Q. [12:49:16] I just wanted to know if you had spoken to Bara about it at any point,
15 whether it was on that day or even a year later. That's what I wanted to know. But
16 I have your answer, which is, no, you never spoke to him about that.

17 The question then I have is you heard what he said, and he made certain statements
18 of fact, as I call them. He says certain things happened and certain things are going
19 on.

20 To your knowledge and to your understanding, is he right about that? Do you agree
21 with that? Did you make similar observations or similar statements?

22 MS DIMITRI: [12:49:52] Mr President, there were quite a few statements of facts.
23 Maybe my learned friend could be more precise.

24 PRESIDING JUDGE SCHMITT: [12:49:59] Indeed. And it would perhaps be easier
25 for the witness if you could break it down a little bit, what kind of facts do you mean.

1 Indeed, there are so many facts, so the witness could simply pick out some that he
2 feels comfortable with and perhaps leave out others he does not feel comfortable with.

3 So I think it's also in your interest to break it down.

4 MR VANDERPUYE: [12:50:24] Understood, Mr President.

5 Q. [12:50:27] He talked about peace and the importance of bringing peace to the
6 country and the importance of a united coordination. Is that something that you
7 agreed with?

8 A. [12:50:51] Well, Mr President, I already told you that when I had discussions
9 with Mr Ngaïssona, he wasn't in favour of two coordinations. He proposed that
10 there would be a single coordination. He said he would be the general coordinator
11 and I would be the deputy, and I rejected that, so I said he should have a discussion
12 with Wenezoui, and they had those discussions. And then there was a meeting at
13 the UNDP headquarters. And thereafter, there was a united coordination.

14 So as for Bara, maybe he said the same things that I was saying. He spoke maybe a
15 different language, but we were saying basically the same thing. And I can point out
16 one example for your attention. When Mr Ngaïssona was invited by the MINUSCA
17 official having observed that there had been many abuses in the city and within the
18 country and that if Mr Ngaïssona did not assume his responsibilities, then he would
19 be committing his responsibility, so to speak, before the tribunals.

20 And I myself, when I was invited - and I think I said yesterday as well - during that
21 meeting, there were some Anti-Balakas, and then there was talk about the behaviour
22 and conduct of the Anti-Balaka across the country. This was said by the MINUSCA
23 representative. He -- he asked for people to calm down, and he said that anyone
24 who continued to act in a disorderly manner would be responsible for their conduct.

25 So I took the floor, and I spoke directly to the Anti-Balaka who were there at

1 Boy-Rabe. I asked them to stop committing crimes, to stop these acts of brutality, to
2 avoid attacking their fellow countrymen and women because such conduct was
3 punishable under international and national justice, which will catch up with them.
4 So I think I was saying the same thing that Bara is saying.
5 Now, when he talked about the coordination -- and that was in May 2015. In
6 May 2015, he said that the military coordinator was Kokaté; whereas, in February or
7 March, there was already a coordinator who was playing the role of operations
8 coordinator. And, therefore, I want to point out the distinction as to the role of the
9 military coordinator. Thank you, Mr President.

10 Q. [12:54:31] If can I show you a document, tab 28. It's CAR-OTP-2069-3560. Yes,
11 I think so. This is a document --

12 And again, Mr President, it's -- there's a duplicate of this document, and I can give
13 you the ERN a little bit later, but it's -- it's later than the video that we just played.
14 And I believe it's from around June or July of 2014.

15 It's a document that purports to represent the composition of the national
16 coordination of the Anti-Balaka. It's a document you've seen before.

17 If we can just go to the bottom of the page very quickly.

18 And we can see your initials there. Do you see that, sir?

19 A. [12:55:46] Yes, Mr President, I can see that.

20 Q. [12:55:56] And do you see your name on this document?

21 A. [12:56:06] Yes, Mr President, I see my name clearly on this document.

22 Q. [12:56:11] You're indicated at number 13 in this document, (Interpretation)
23 special adviser in charge of external relations. (Speaks English) Is that correct?

24 A. [12:56:23] Yes, Mr President, that's correct.

25 Q. [12:56:25] And is that a position that you accept you were actually in at that

1 time?

2 A. [12:56:39] Yes. Mr President, I can tell you that in the organigram of this
3 bureau, which I recognise, I proposed myself to this position. I imposed it because it
4 tallies with what I was doing. First of all, I was still a member of cabinet in the
5 prime minister's office, and I was, therefore, a liaison between the international
6 mediation office. * And I often went to MISCA or MINUSCA. And I eventually
7 had exchanges with Mr Ngaïssona with a view to finding or building awareness in
8 the Anti-Balaka to -- to halt violence. And I was also passing on these messages to
9 government because I also belonged to the office of the international mediation.
10 That is the only role that I accepted to play within the Anti-Balaka coordination.

11 Q. [12:58:24] I have two questions to ask you. One is: Is that the capacity in
12 which you attended the Brazzaville conference in in July 2014? That's the first
13 question.

14 A. [12:58:42] Yes, that is correct, Mr President.

15 Q. [12:58:45] All right. I want to show you a document then. And while that
16 document is up, I'll ask you a different question. And hopefully, I'll be finished right
17 on time.

18 This is at tab 11. The document is CAR-OTP-2001-6924.

19 And while that's loading, I'll ask you the question because I'm going to jump in
20 period of time back to 2014 October or September, where you said that you had asked
21 the prime minister to remain at home, not work, because there was a directive - I
22 understood it - for Anti-Balaka members not to go to work, in effect, to boycott or
23 protest the government.

24 Do I have that right?

25 A. [12:59:57] Yes, Mr President, I have understood the question. But at the time of

1 that decision, I actually played my role because I made sure that I informed the prime
2 minister in writing. * And that was my duty, I informed the prime minister in
3 writing and recommended that he should attempt to meet with the Anti-Balaka
4 general coordinator.. Otherwise, an impending crisis was going to happen.

5 Q. (Overlapping speakers) And you did that -- sorry.

6 PRESIDING JUDGE SCHMITT: [13:00:32] I think we have the document now.

7 What do you want to show to the witness?

8 MR VANDERPUYE: [13:00:37] The document is a separate issue. I just wanted to
9 ask the witness another question while it was loading in a different period. But I
10 can -- I can go very quickly through this document.

11 This is a document indicating the list of participants at the Brazzaville, as you can see.
12 So now we're back in July 2014. And I just want to go to the third page of this
13 document, ERN 6926. We can go down the page. Yes, that's -- not too far, just so
14 that he can see what's the heading over there and who participated.

15 Q. Do you recognise the names here of the participants from the Anti-Balaka side
16 at the Brazzaville talks in July 2014?

17 A. [13:01:40] Yes, Mr President. Yes, if you're talking about
18 Brazzaville -- (Overlapping speakers)

19 Q. And you see your --

20 A. -- I recognise the names.

21 Q. [13:01:45] (Overlapping speakers) -- name in position number 4 as a member or
22 part of the Anti-Balaka delegation; is that right?

23 A. [13:01:57] Yes, Mr President, I have seen my name clearly.

24 Q. [13:02:01] And the head of that delegation and the signatory to that agreement
25 on behalf of the Anti-Balaka was Mr Ngaïssona; is that right?

1 A. [13:02:14] That is correct, Mr President.

2 MR VANDERPUYE: [13:02:16] Okay. I'm finished with this document.

3 Mr President, if you give me three minutes, I think I can finish.

4 PRESIDING JUDGE SCHMITT: [13:02:22] Okay. Of course we would not -- I trust
5 your word, so to speak. Three minutes.

6 MR VANDERPUYE: [13:02:25] I've abused it many times, so I'm sorry about that,
7 but I'll try.

8 PRESIDING JUDGE SCHMITT: [13:02:28] Good.

9 MR VANDERPUYE:

10 Q. [13:02:34] The last question or series of questions I wanted to ask you concern
11 back, again, to September, October of 2014.

12 In respect of your position with the Anti-Balaka, as we just mentioned, as part of the
13 coordination and involved in external relations, around that time in October or so, did
14 you make a declaration in respect of the incumbent government that was critical of it?

15 A. [13:03:19] Yes, Mr President, I made that declaration.

16 Q. [13:03:22] Can you briefly tell the Chamber what that declaration was, why you
17 made it and what the consequence of it was?

18 A. [13:03:38] Yes, Mr President. There was a crisis, and after the crisis - I think it
19 was in October, I think it was end of October - the head of government of the
20 transitional government made a statement in a meeting in the hemicycle of the
21 national assembly that said * she no longer collaborated with the Anti-Balaka and we
22 would have zero impunity, and there was no agreement, generally speaking, with the
23 behaviour of the Anti-Balaka. And then Mr Ngaïssona was called to the meeting. I
24 was present at that meeting. Everyone was unhappy and dissatisfied with the
25 declaration of the head of the government vis-à-vis the Anti-Balaka.

1 * After the declaration, they said we must answer to the head of state of the
2 transitional government and the person who has to respond to that was me. They
3 told me to respond on behalf of the head of government, and I knew the
4 consequences that would happen. All that I know before going to that meeting is
5 that I was informed, and I did inform the prime minister that I'm going to go to that
6 meeting. They -- Mr Ngaïssona asked me also to attend and I responded. The
7 national government -- the transitional government wasn't happy with the
8 Anti-Balaka and the Anti-Balaka didn't agree with them and they listened to what I
9 had to say. The consequences was that systematically -- said that -- and a few hours
10 later I was revoked. There was a presidential decree who abrogated me from all my
11 duties.

12 MR VANDERPUYE: [13:06:33] Mr Kokaté, thank you for that response.

13 And, Mr President, that concludes my direct examination of the witness.

14 PRESIDING JUDGE SCHMITT: [13:06:38] Okay. Thank you. Then we go into the
15 lunch break and we reconvene at 2.30.

16 THE COURT USHER: [13:06:42] All rise.

17 (Recess taken at 1.06 p.m.)

18 (Upon resuming in open session at 2.31 p.m.)

19 THE COURT USHER: [14:31:03] All rise.

20 Please be seated.

21 PRESIDING JUDGE SCHMITT: [14:31:26] Good afternoon, everyone. I give the
22 Yekatom Defence the floor, and I think that Ms Dimitri will question.

23 MS DIMITRI: [14:31:36] Thank you, Mr President.

24 QUESTIONED BY MS DIMITRI: (Interpretation)

25 Q. [14:31:41] Good afternoon, Mr Kokaté.

1 A. [14:31:55] Good afternoon, Counsel.

2 Q. [14:31:58] We met a few days ago. My name is Mylène Dimitri, one of
3 Defence counsel for Mr Yekatom. I'm going to ask you questions in French, and I
4 will ask you to take a pause of about three seconds before answering my question
5 because the interpreters have to interpret my question to English and Sango, and the
6 same will apply for the answer. Is that okay?

7 A. [14:32:38] Yes.

8 Q. [14:32:40] And if in the course of my questions you do not understand anything,
9 do not hesitate to tell me, and I will clarify. And if you want to consult your lawyer,
10 please kindly interpret, and the judge will allow you to do so. But do not hesitate to
11 ask me to repeat.

12 Mr Kokaté, before going into the substance of the issues that I will deal with you, I wanted to clarify what
13 you said yesterday during – with the Prosecutor. *You talked about a soldier, about a former soldier who
14 had issues with Mr Yekatom, and at the request of the prime minister, you talked with Yekatom asking him
15 to release this gentleman. I am not going to ask you Mr Kokaté to provide details on or hop back to that issue.
16 I just want you to answer my question by yes or no. Is it Lieutenant Konzi that we were talking about?

17 A. [14:33:52] Yes.

18 Q. [14:33:56] Konzi was a Christian Catholic, and this was in October 2014?

19 A. [14:34:06] I did not understand your question.

20 Q. (Overlapping speakers)

21 PRESIDING JUDGE SCHMITT: [14:34:11] Ms Dimitri, you are very quick, I have to
22 say. I also try to follow in French. Of course, this is my problem, if I try to do that.
23 But you're really very quick, so give yourself also a little bit of time. And so I think
24 also the interpreters, their life will be easier then.

25 Please continue.

1 MS DIMITRI: [14:34:35] I apologise, Mr President. I'll -- Thank you for reminding
2 me.

3 Q. [14:34:44] (Interpretation) Mr Kokaté, is it correct that Lieutenant Konzi is a
4 Christian, a Catholic, and that the incident that you talked about was in October 2014?

5 A. [14:35:00] I do not know whether it was in October, but I know that such an
6 incident took place, and I went to go and see Mr Yekatom. I do not remember the
7 month.

8 Q. [14:35:21] And you agree with me that Lieutenant Konzi is a Christian?

9 A. [14:35:28] Yes.

10 Q. [14:35:30] Thank you. You don't remember the month, but you agree that it
11 was at least in the second half of 2014?

12 A. [14:35:49] What is certain is that when I was going to that mission, I was still
13 special adviser at the prime minister's office. I do not remember the exact date, and I
14 think Konzi himself or Mr Yekatom can remember the month and precise date.

15 Q. [14:36:15] A second clarification, Mr Kokaté. The Prosecutor showed you a
16 video yesterday in which Mr Yekatom claimed to have 3,000 men. Do you
17 remember?

18 A. [14:36:34] Yes, I saw the video.

19 Q. [14:36:42] And you stated yesterday that that statement was binding only
20 Mr Yekatom. I'm not going to go back to what was said in that video, but to your
21 knowledge, during that period, since you were adviser in charge of DDR, is it correct that
22 at that time, 2013, 2014, the leaders had a tendency * to inflate their own numbers of men
23 either to benefit from the DDR or to mislead the adversary or both, do you agree with that?

24 A. [14:37:33] I really cannot give you a precise answer because that statement was
25 made by Mr Yekatom, and it is up to them to answer that question.

1 Q. [14:37:59] According to you, based on your experience, based on what you heard at
2 the time, did leaders have the tendency to inflate the numbers of their men?

3 A. [14:38:25] The leaders themselves stated the numbers of their elements, and they
4 would hand them over either to the commission in charge of DDR or directly to the
5 cabinet of the prime minister or the head of state and to MISCA or MINUSCA also.

6 Q. [14:39:05] And when a leader, without necessarily handing over that list to
7 MISCA -- * when a leader made statements to journalists at that time, did you observe,
8 and I do not necessarily mean just Mr Yekatom but any leader or ComZone, did you
9 think that at that time they had a tendency to inflate the real numbers?

10 A. [14:39:44] Yes -- well, well, well, given that I did not make such a statement
11 myself, they were the ones who made those statements, it is up to them to clarify.

12 PRESIDING JUDGE SCHMITT: [14:39:54] Yeah, I think you don't get another answer,
13 but I would perhaps also have tried two or three times.

14 MS DIMITRI: [14:40:05] Thank you, Mr President. I'll move on.

15 Q. [14:40:11] Now, Mr Kokaté, before going into the substance, you talked at length * about
16 your role as adviser at the prime minister's office. You were there for the two prime ministers,
17 Mahamat Kamoun and Nzapayéké.

18 A. [14:40:30] That's correct.

19 Q. [14:40:35] And Prime Minister Kamoun was appointed around August 2014; is that
20 correct as far as you recall?

21 A. [14:40:51] Yes. That tallies with my recollection.

22 Q. [14:40:55] The first day of your examination by the Prosecutor, Mr Kokaté, you said that
23 you knew Mr Yekatom for the first time in Congo Brazzaville. * You said that your father was a
24 soldier, and that that's where he introduced himself to you. Do you remember saying that?

25 A. [14:41:16] Yes.

1 Q. [14:41:18] To your knowledge, Mr Kokaté, Mr Yekatom is someone who was born
2 in the Central African Republic * and was he not in Brazzaville?

3 A. [14:41:38] *I, myself, was born in the Central African Republic and we found ourselves in the Congo.

4 Q. [14:41:46] I don't think you answered the question.

5 To your knowledge, Mr Yekatom was indeed born in the Central African Republic?

6 A. [14:41:57] I never saw the birth certificate of Mr Yekatom. It is up to him to say
7 where he was born.

8 Q. [14:42:06] But according to information that you had, because you knew him at
9 the time you knew his father -- if you don't know, you don't know, but as far as you
10 know, is it correct that he was born in the CAR?

11 A. [14:42:20] I don't know that information. I don't know whether he was born in
12 Bangui or elsewhere. I do not know.

13 Q. [14:42:33] Mr Kokaté, since you knew Mr Yekatom even before he was soldier, is it
14 true that at that time he was already bearing the name of Alfred * Rombhot Yekatom?

15 A. [14:42:59] I really do not remember. I know his first name, Alfred.

16 Q. [14:43:10] I would like to show you two documents, Mr Kokaté. The first is tab
17 58, CAR-D29-0001-0081. I will ask you, Mr Kokaté, to look at the document on the
18 screen. Do you recognise this type of document? Not necessarily this document, I
19 don't think you have seen it before, but do you recognise this type of document? I
20 will give you the time to read it.

21 A. [14:44:36] Yes, this is a decision of integration in the Central African armed
22 forces.

23 MS DIMITRI: [14:44:57] Please can you scroll down a little bit.

24 PRESIDING JUDGE SCHMITT: [14:44:59] How far?

25 MS DIMITRI: [14:45:02] I'm getting my paper copy to -- to assist the court officer.

1 PRESIDING JUDGE SCHMITT: [14:45:06] Okay. At least the paper copy of is use,
2 not only for some of us in this room.

3 MS DIMITRI: [14:45:26] Madam Court Officer, if we could go to page 0085, please.

4 Q. [14:45:43] (Interpretation) Mr Kokaté, can you see the page in front of you?

5 (Speaks English) If you could go a little bit below. Yes, thank you.

6 (Interpretation) Can you see the middle of the page, there is the name

7 Alfred Yekatom?

8 A. [14:46:07] Yes, I've seen Alfred Yekatom.

9 Q. [14:46:11] Do you agree with me, Mr Kokaté, that it is written that Mr Yekatom recruited in
10 2004 * was integrated into the republican guard of the provincial battalion as a second class soldier?

11 A. [14:46:31] Yes, that is what this document says.

12 Q. [14:46:35] I will show you a second document, Mr Kokaté. It is tab 59,

13 CAR-D29-0001-0087.

14 Do you recognise this type of document, Mr Kokaté?

15 A. [14:47:16] I'm looking at it with you. It is possible that it is an official document
16 of appointment. I'm reading it along with you.

17 Q. [14:47:35] Please take your time.

18 PRESIDING JUDGE SCHMITT: [14:47:46] And I think you want then to go to 0089?

19 MS DIMITRI: [14:47:49] Correct.

20 PRESIDING JUDGE SCHMITT: [14:47:50] And it would also be good 0090, that we
21 have the date.

22 MS DIMITRI: (Interpretation)

23 Q. [14:47:59] Can you look at the page 009 -- 89, Mr Kokaté.

24 Do you agree with me that it can be seen there that Mr Yekatom was promoted to the
25 rank of *caporal-chef* in the provincial battalion of the republican guard. That is what

1 it is in the document.

2 A. [14:48:37] That is what I can see also.

3 Q. [14:48:39] Now, go to the last page of the document where I'm taking you,

4 Mr Kokaté. It is dated the 29 December 2011.

5 PRESIDING JUDGE SCHMITT: [14:48:57] I think that's not a question. We simply
6 see. So you can proceed.

7 Also I would say sometimes I understand, for all parties, that they want the Chamber
8 to take notice of a document. And since we have eyes to see and ears to hear, but in
9 that -- in that instance, eyes to see, I think it's enough, and you simply alert us, so this
10 is -- because the witness could only answer, "I also see that is 29 December 2011".

11 Okay.

12 THE WITNESS: [14:49:32](Interpretation) Yes, yes, I can see the document signed on
13 29 December 2011.

14 MS DIMITRI: [14:49:39] (Interpretation)

15 Q. [14:49:40] To your knowledge, Mr Kokaté, Mr Yekatom was never a member of
16 the presidential guard -- Mr Yekatom was never a member of the presidential guard?

17 A. [14:49:57] I cannot answer that question because I was in France at that time. I
18 left the country in 2004, and I returned around July 2012, so I cannot know those
19 details.

20 Q. [14:50:15] But you have never heard it said that Mr Yekatom was a member of
21 the presidential guard?

22 A. [14:50:23] In any case, when I returned, I saw him once in his military uniform
23 in town. That is all.

24 Q. [14:50:42] And during your testimony, Mr Kokaté, you said that you knew
25 Mr Yekatom and Kamezolai. In 2013, 2014, both of them were *caporal-chef* and

1 captain; is that correct?

2 A. [14:51:03] Yes.

3 Q. [14:51:04] I will show you another document, Mr Witness, tab 23,

4 * CAR-OTP-2001-0835.

5 THE INTERPRETER: [14:51:20] Mr President, it's still a bit difficult to get the
6 speakers to slow down.

7 PRESIDING JUDGE SCHMITT: [14:51:25] Ms Dimitri, I'm admonished, but you are
8 still a little bit too quick. I think -- I think allow yourself also when you -- before you
9 put the next question to the witness, allow yourself two or three seconds. I think
10 that would help.

11 MS DIMITRI: [14:51:46] I'll do that, Mr President. Apologies to the interpreters.

12 Q. [14:52:17] At page 0876.

13 (Interpretation) Can you see the document in front of you, Mr Kokaté?

14 Mr Kokaté, I am not asking you to read the document - it is in English - but I would
15 like to draw your attention to the middle of the document. It is written there FACA
16 Lieutenant Gilbert Kamezolai.

17 Can you see that?

18 A. [14:53:18] FACA -- yes, I've read it.

19 PRESIDING JUDGE SCHMITT: [14:53:22] Perhaps we also should tell the witness
20 what this document -- where it's coming from - that it's from Security Council panel
21 of experts - so that he can orient himself.

22 MS DIMITRI: [14:53:32] I was about to do that.

23 PRESIDING JUDGE SCHMITT: Okay.

24 MS DIMITRI: Thank you, Mr President.

25 Q. [14:53:39] (Interpretation) Mr Kokaté, this is a United Nations document drafted

1 by a panel of experts which traveled to the CAR in March 2014 and that made some
2 assessments and then submitted a report to the UN Security-General.

3 My question is as follows: Do you agree with me that those who have drafted this
4 report made an error when they stated that
5 Mr Kamezolaï had the rank of lieutenant in 2014?

6 A. [14:54:28] Yes, I know that in 2014 Mr Kamezolaï was a captain.

7 Q. [14:54:36] Thank you. Now, I will talk to you about the Séléka and your
8 personal knowledge of what you heard, experienced, read.

9 Do you agree with me that after the Séléka coup d'état in March 2013, many civilians
10 joined the ranks of the Séléka?

11 A. [14:55:11] I was not there when they took over power, I was not in Bangui, so I
12 cannot give you an answer to that question, precisely.

13 Q. [14:55:28] I don't want to limit myself to what you saw, but you are a politician.
14 So I suppose that you had discussions with colleagues on the situation in your
15 country.

16 Now, to your knowledge, in light of the information that you have today, after the
17 Séléka coup in March 2013, did many civilians join the ranks of Séléka?

18 A. [14:56:06] This was information that was circulating that many civilians joined
19 the Séléka, but I was outside of the country. But this was information that was
20 circulating, and I just heard about it.

21 Q. [14:56:31] And amongst the pieces of information circulating, did you also hear
22 that many traders in * Bangui, Cattin, Boeing, PK5, many of them joined Séléka, and
23 then they became informers and collaborators of Séléka after March 2013?

24 A. [14:57:04] Given that I was outside of the country, I cannot confirm or deny this
25 type of information because it was information that was simply circulating. I cannot

1 confirm or deny it.

2 Q. [14:57:30] But this was information that was circulating at the time; right?

3 A. [14:57:37] It was information that was circulating. I was absent from the
4 country. That is why I said that I cannot confirm or deny it.

5 Q. [14:57:51] Would you agree with me, in light of the information that you
6 received as an adviser in the prime minister's office, * would you agree with me that
7 the number of Séléka fighters moved from about 7,000 to 15,000 and even 20,000
8 between March 2013 and November 2013?

9 A. [14:58:29] Between March 2013 and November, December 2013, I cannot give
10 you a precise answer. I was not in Bangui. I returned to Bangui in January 2014.
11 So it is better for someone from Séléka to give you this type of information.

12 Q. [14:59:01] And when you returned to the country in January 2014 and then you
13 later assumed your duties in February 2014, now, this figure of 20,000 Séléka fighters,
14 is it consistent with what you saw or heard in light of the information that you
15 received?

16 A. [14:59:33] While I was in the prime minister's office, I can tell you that the
17 Séléka members were billeted at the M'Poko camp, the Béal camp, and the * RDOT
18 camp.

19 Q. [15:00:06] What about the numbers?

20 A. [15:00:13] The figure of 20,000 individuals, well, I cannot confirm that to you.

21 * Between the RDOT, the M'Poko camp, and camp Beal, I cannot confirm to you that
22 20,000 people can live in those camps. What I can say is that the Séléka authorities
23 had handed over a list of the members of their group to the prime minister and the
24 president, and these people were in those military camps.

25 Q. [15:01:13] When you took up office at the cabinet of the prime minister's office,

1 did you at any time whatsoever become aware of these figures relating to the number
2 of Séléka combatants during the last half -- the last part of 2013 and the first part
3 of 2014?

4 A. [15:01:44] All I can tell you is that at the time we had a list of Séléka combatants
5 who were at Camp Béal, and then there was a list of Séléka combatants at RDOT and
6 * that the list of those men was handed over to the prime minister and to the president
7 of the transitional government. So I don't have any -- personally any figures because
8 if I give you any figures, I might be making a mistake.

9 Q. [15:02:27] As far as you know, Mr Kokaté, and based on the information that
10 was available at the time, that was circulating at the time, or based on something you
11 heard, the Séléka took a significant amount of weapons at the time of the coup d'état;
12 is that correct?

13 A. [15:02:48] Yes, that is what we learned.

14 Q. [15:02:52] Did you also learn directly or indirectly that the Séléka distributed
15 many weapons to civilians?

16 A. [15:03:14] Well, we learned of such information because at some point at PK5,
17 which had become a hot spot, it was said that there were many weapons at PK5.

18 Q. [15:03:37] So you learned that weapons had been distributed by Séléka?

19 A. [15:03:46] Yes, we did, but at that time I was not in the country. I was away
20 from the country, * but what is surprising is that many weapons ended up in the -- in
21 the neighbourhoods.

22 Q. [15:04:04] Mr Kokaté, I'll show you another document at tab 15, and for the
23 record it's CAR-OTP-2126-2719.

24 Do you see that document before you, Mr Kokaté? I would like to ask you to help
25 me understand what this document is about, especially with your experience as

1 adviser at the prime minister's office. I see the caption is, "Location of the Dignitaries
2 of Djotodia". I see "Defence" under "Function". Are you with me? And then we
3 see -- under "Localisation" we see "Katin" neighbourhood.

4 Are you with me?

5 PRESIDING JUDGE SCHMITT: [15:05:59] I think perhaps to orientate the
6 witness -- yeah, okay.

7 THE WITNESS: [15:06:03](Interpretation) No, no, I don't see it yet.

8 PRESIDING JUDGE SCHMITT: [15:06:05] No, Mr Witness, on the right side. And
9 there is -- and the third column it is, and it's "*Camp de Roux, Face UCATEX, Quartier*
10 *Katin*," and so on and so forth. Do you see it now? There are a lot of different
11 locations where the person with the name Michel Djotodia --

12 THE WITNESS: [15:06:28](Interpretation) Yes, I'm there now. I'm there. I'm there
13 now.

14 MS DIMITRI: Thank you, Mr President.

15 Q. [15:06:33] (Interpretation) Am I to understand from this document that there
16 were Séléka combatant positions in some neighbourhoods, particularly in Cattin
17 neighbourhood?

18 A. [15:06:52] This is the first time that I see this document, and I -- I really don't
19 have any knowledge of it.

20 Now, location of dignitaries, what does this mean and what does it relate to? That's
21 the question that comes to mind for me.

22 Q. [15:07:17] If you don't know, it's as easy as that.

23 A. [15:07:24] Well, I don't know.

24 Q. [15:07:27] Going by the information available to you at the time or thereafter, or
25 when you were in the prime minister's cabinet, would you agree with me that under

1 the Séléka regime there were military positions on the Cattin road?

2 A. [15:07:59] When I was at the prime minister's office, I know that there was a
3 military position on the Cattin road because that -- that road, Cattin road, at some
4 point it -- * he was obliged to station MISCA troops there permanently in order to
5 avoid any clashes.

6 Q. [15:08:32] Mr Kokaté, the Cattin road -- and this is for clarification for the
7 Chamber. And we talk about Cattin road and Séléka, would that be from the Cattin
8 roundabout from west to east towards PK5, is that the road you're talking about?

9 A. [15:08:53] Yes, that is correct. Government had stationed MISCA soldiers along
10 that road because at some point there were many difficulties in that sector.

11 Q. [15:09:12] Mr Kokaté, we couldn't hear you clearly. What did you say there
12 were at -- I didn't hear what you said.

13 A. [15:09:24] There were many problems, problems in that sector.

14 Q. [15:09:32] * As far as you know, the Séléka military positions on the Cattin road,
15 were they in place in December 2013 at the very least?

16 A. [15:09:50] The problem is that in December 2013 I was not in Bangui. I arrived
17 in Bangui in January 2014, so I -- I'm not able to speak with precision about the
18 positions of various stakeholders because I wasn't there. I'm not able to speak about
19 that.

20 Q. [15:10:16] I do understand what -- but when you were at the prime minister's
21 office, you heard mention of the fact that government had stationed MISCA soldiers
22 along that road. Did you at any time whatsoever receive any information that those
23 positions, those Séléka positions on the Cattin road had been in place for a number of
24 months?

25 A. [15:10:47] Yes, I did receive information that the Séléka troops were there on

1 that axis a few months before.

2 Q. [15:11:03] Did you or have you already heard mention of Séléka soldiers, two of
3 them on this sector, namely Aba Tom and Bichard?

4 A. [15:11:25] I do not recall, but what I know is that there were many problems in
5 that area and that's why MISCA troops were posted there, as far as I remember.

6 Q. [15:11:44] Mr Kokaté, I know that you were not in the country at the time, but
7 you know that information circulates. It is your country, a country which you love,
8 and so would you agree with me that after the March 2013 coup d'état, * the Séléka
9 destroyed many public facilities because the police, the gendarmerie and the judicial
10 system were no longer functioning in Bangui?

11 A. [15:12:11] Yes, I agree with you because it became necessary to seek support
12 from foreign -- from friendly countries to build back the various police precincts and
13 courts and what have you.

14 Q. [15:12:35] Would you agree with me, also, that the Séléka also attacked the
15 archives -- state archives and civil status archives that were held in the town halls, for
16 example?

17 A. [15:12:54] To this very day, if you go to the Bangui city hall, you would notice
18 that there is a lot of data that is missing. If you go to the immigration services, you
19 would see people complaining about what Séléka did to them during that period. So,
20 yes, archives did disappear.

21 Q. [15:13:23] So you would agree with me that the civil status registry, archives,
22 when we say that those are destroyed, we'll be referring to birth certificates; is that
23 correct?

24 A. [15:13:35] Yes, I agree with you.

25 Q. [15:13:45] Let me hop back to the Séléka reprisals.

1 And did you hear over the news, did you hear mention of any abuses committed by
2 the Séléka by way of reprisals? Now, would it be correct to say that based on the
3 information you were receiving, many civilians had joined the Séléka and helped to
4 identify houses belonging to FACA soldiers and -- who were being tracked by Séléka?

5 A. [15:14:28] I was absent from the country and the information that we received
6 was that the Séléka coalition members had created -- * well, they committed acts that
7 were dissatisfactory to many Central Africans. Even by people who had applauded
8 them initially when they arrived. People were forced to flee and to abandon their
9 homes. That is the kind of information that I -- I received. Otherwise, I cannot say
10 anything specific. The information is only of a general nature.

11 Q. [15:15:31] Would I be correct to say that many civilians joined Séléka once they
12 had come to power and went out to point out to the assailants, who did not know the
13 town very well, the residences of individuals who were quite well-to-do so that they
14 could loot their vehicles and furniture and items of value?

15 A. [15:16:03] I have told you that I was outside of the country at that time and I
16 wasn't able to know what was happening. And these things were information that
17 came to us and you see, so, well --

18 Q. [15:16:16] Do you want to talk to your lawyer?

19 A. [15:16:20] Yes.

20 MS DIMITRI: [15:16:24] I'm sorry, Mr President. I didn't want to give permission
21 myself. I thought he would ask you. Sorry.

22 PRESIDING JUDGE SCHMITT: [15:16:29] No, no, no, I don't have an issue with that.
23 Yeah, but perhaps I would have an additional question to him. Let's wait what he's
24 coming back with.

25 (Witness confers with counsel)

1 PRESIDING JUDGE SCHMITT: [15:18:58] Mr Kokaté, you are back. I think there
2 were a lot of questions where you -- and this is absolutely -- and we understand you, I
3 think, then you said you were not in the country at the time, but I think Counsel and
4 also the Chamber would also be interested if you got information -- you know, I
5 understood you were in Paris and -- but I also presume, and I think you said
6 something to that effect, that you had contact with a lot of people in the
7 Central African Republic at that time and it's only what you got information from
8 there, I think, that we can reasonably expect from you. So it's not that anybody
9 expects from you to say, you know, "I have direct knowledge of it" because, as you
10 point out, you have not been in the country. But still it would be of interest to know
11 what you heard from your conversations with people who lived in the country at the
12 time.

13 So perhaps you -- I don't know if you want to repeat the last questions. It would
14 perhaps make sense and -- because it was -- several times, I think, this was the issue a
15 little bit with the witness.

16 MS DIMITRI: [15:20:12] Thank you, Mr President.

17 I'm making an effort to give a gap for interpretation. That's why I'm slow.

18 Q. [15:20:31] (Interpretation) Mr Kokaté, would I be right in saying that the information
19 you may have received from calls to your close relations in the Central African Republic
20 or in Paris and information obtained through your position, would it be correct to say that
21 many civilians joined the Séléka * and went about pointing out to the Séléka assailants the
22 homes of people who were well to do and who might have pointed out where there was
23 property and vehicles and money that could have been looted?

24 A. [15:21:18] The information that I received was of a general nature because I was
25 absent from the country. However, what I can tell you is in connection somewhat

1 with when I returned to the country. When I went back, I took up my office and we
2 observed, for example, that there were problems with documents in the immigration
3 services, documents such as passports and birth certificates which could not be found
4 or located at the city hall in Bangui. People were not able to find the originals of
5 their -- or the duplicate of their birth certificates. These are the types of complaints
6 that we received from staff from the mayor's office or from the immigration offices.
7 The other type of information was information of a general manner that one would
8 happen upon, but I did not have the time to delve into any details in connection with
9 that information.

10 Q. [15:22:36] Did the general information that came to your ears one way or the
11 other, did you hear through such information that Séléka members had attempted to
12 track down and locate FACA members and assassinate them most of the time, and
13 when the FACA were not found by the Séléka members, they would then attack
14 members of the family of such persons? Is this the kind of information that you
15 came by?

16 A. [15:23:12] All I can tell you is that many soldiers went into exile, many fled for
17 reasons of security. Some said that their houses had been occupied by Séléka.
18 That's about all I heard by way of information. Other than that, I don't know
19 anything else much more.

20 Q. [15:23:45] Mr Kokaté, you have said that soldiers went into exile. Would it be
21 correct to say that because of the acts of violence committed by the Séléka at the time,
22 civilians and soldiers would leave their various neighbourhoods and only come back
23 at night * in order to escape from the grip of the Séléka? Is that something that you
24 heard about?

25 A. [15:24:18] At that time, things were confused and people sought whatever

1 means available for their own protection. So this kind of information I got while I
2 was out of the country, but I cannot give you any further details. I also know that
3 people say that they had left their homes and they had fled, but I don't have any
4 details to give you. I don't know anything about the details.

5 Furthermore -- well --

6 PRESIDING JUDGE SCHMITT: Please continue.

7 THE WITNESS: [15:25:01] (Interpretation) Well, at the time, things were so bad, the
8 situation was so complex that many people fled, fled their homes. Many people lost
9 their property, and the information we had was that the Séléka coalition members had
10 even taken away * people's vehicles and driven them to Chad and Sudan. So many
11 civilians and soldiers fled their homes out of fear for their own safety and security.

12 Well, I don't know if I have provided an exact answer to your question, Counsel.

13 MS DIMITRI: (Interpretation)

14 Q. [15:25:51] Thank you, Mr Kokaté. Yes.

15 Now, based on the very serious situation as you have just described it, is it correct to
16 say that the people or population of the Central African Republic ended up deciding
17 spontaneously to defend themselves and in so doing created a spontaneous
18 movement, a movement which would subsequently be called the Anti-Balaka?

19 But I'm drawing your attention to that time, that time which you referred to as being
20 extremely difficult wherein people had no choice but to flee their homes in order to
21 save their lives.

22 Is it correct to say, then, that a spontaneous movement arose through which the
23 population defended itself and that such a movement was spontaneously created?

24 A. [15:26:58] * First of all, there was a feeling of rejection of the population vis-a-vis the
25 members of the Séléka coalition. I believe that in one of the answers I provided to the

1 president, I said that there was a sentiment of rejection. You see, when Séléka came to
2 power on 24 March, they had been acclaimed by the population. But this very population
3 found out that they had acclaimed people who had come but who had turned against
4 them, against us, so generally speaking * there was a feeling of rejection of the
5 population. In fact, some Séléka supporters who initially thought that it was the right
6 solution ended up regretting it, so there was a sense of general regret.

7 Q. [15:28:06] Would you agree with me, then, that the consequence of that feeling
8 of rejection on the part of the people of the Central African Republic, that the
9 consequence of such a feeling would be -- would be the -- the -- the spontaneous
10 creation of -- no, not the creation, the spontaneous emergence of a self-defence
11 popular movement of civilian -- of the civilian population which could no longer
12 stomach, so to speak, the Séléka and therefore decided to take things into their own
13 hands?

14 A. [15:28:56] Yes, I agree with you.

15 Q. [15:28:58] We will revisit this point subsequently in the course of your testimony,
16 Mr Kokaté, but for now, would you agree with me still that it is these -- it is still these
17 very civilians who spontaneously decided to defend themselves that would
18 sometimes be referred to by the media as the Anti-Balaka?

19 A. [15:29:25] Madam, let me tell you something. There was a feeling. First of all,
20 the Séléka coalition started up by attacking peaceful citizens who had nothing to do
21 with politics. Now, the religious groups or persons of religious inclinations and
22 servants of God were assassinated in cold blood, churches were -- Christian churches
23 were systematically torched and so all of that created a sense of general discontent.
24 Now, coming to your question, this caused the young people to come together in
25 order to defend themselves.

1 Q. [15:30:36] Mr Kokaté, to your knowledge, what happened to the judicial system
2 in the areas under Séléka control?

3 A. [15:30:52] I cannot tell you about the legal system. I cannot tell you about that
4 because during that period I was out of the country, so I cannot give you any concrete
5 information about the judicial system when Séléka was in control of the country.

6 Q. [15:31:20] But did you hear anything about what happened to the judicial
7 system of your country, Mr Kokaté?

8 A. [15:31:31] All I can tell you is that I was not very interested in this matter. I
9 didn't really want to know what was happening within the justice system because
10 everyone was complaining in the country during that time, so there was a feeling of
11 discontent. I also think that for the legal system to be strong, it is necessary to also
12 have a strong security and defence system because you need gendarmes and police
13 and so on for the legal system to work. So the situation was very complicated.

14 Q. [15:32:53] I know you were outside of the country during that period, but in
15 light of the information that you received while there and even subsequently, do you
16 agree with me that during Séléka reign there was summary executions, convictions
17 without trials * and that some of the Muslims became more violent against their
18 Christian compatriots?

19 A. [15:33:38] I heard about summary executions, but regarding convictions, I do
20 not have any information about who was convicted or not, but I had news about
21 summary executions.

22 Q. [15:33:55] Mr Kokaté, did you hear about the fact that certain Muslims became
23 even more violent against their Christian compatriots after the arrival of the Séléka?

24 A. [15:34:17] All I can tell you is that before 24 March, Central Africans lived in
25 harmony. There was no issue about Christians and Muslims. It was only after

1 the 24th that this issue arose between Christians and Muslims. That is what I can tell
2 you about that.

3 Q. [15:34:52] And in light of the information that you received, * the longer the
4 Séléka government remained in power, the worse the situation of the people became;
5 is that correct?

6 A. [15:35:12] I think that issue was discussed in N'Djamena when the people's
7 representatives, the national councillors arrived in N'Djamena. * They expressed
8 that opinion before the heads of state of ECCAS. They raised the bitter issue you have
9 just mentioned with the ECCAS heads of state.

10 Q. [15:35:53] A short while we talked about the popular movements, the
11 populations that spontaneously decided to defend themselves.

12 Now, according to the information that you received, would I be correct to say that
13 the young people in the provinces and in Bangui decided instinctively to save what
14 remained of them, that is farmers, hunters, herders and so on? These were the
15 people that spontaneously created self-defence groups?

16 A. [15:36:44] These people themselves made those statements. I was not there.
17 They're the ones who decided to defend themselves. I was not there. I was out of
18 the country.

19 Q. [15:37:03] I understand that you were outside of the country, Mr Kokaté. I am
20 not asking what you personally witnessed or what you saw. You followed news of
21 your country because you have your country at heart; is that not correct?

22 A. [15:37:24] Yes.

23 Q. [15:37:24] Now, when you were following news of your country, even when you
24 were outside either by telephone, email from your colleagues, family members, your
25 Central African compatriots, did you hear that the young people of the provinces,

1 because they wanted to survive from the Séléka, decided to save what they had
2 remaining and -- for themselves and their families, the farmers, the hunters, * the
3 craftsmen, fishermen and so on, they decided spontaneously * to revive these
4 self-defence groups?

5 A. [15:38:25] Counsel, I said it was these young people who themselves made
6 statements to say that the situation had become unbearable. Even many
7 Central Africans expressed themselves through the social media.

8 Q. [15:38:50] But if I understand you correctly, they made statements such as what
9 I have just told you; is that correct?

10 A. [15:38:58] Yes.

11 Q. [15:39:04] Mr Kokaté, I suppose that even from abroad you watched television
12 on Central African news, and so on, and you discussed with your fellow citizens.
13 Amongst the things that you saw in the media and in the social media, did you learn
14 that during that period some Central Africans, and even after your return in
15 January 2014, some Central Africans were wearing *gris-gris* and they were not
16 necessarily Anti-Balakas?

17 A. [15:39:53] Wearing *gris-gris* is a choice that people make. That is the answer I
18 can give you.

19 Q. [15:40:01] When you say it is a choice, Mr Kokaté, am I to understand that some
20 Central Africans wear *gris-gris* but are not necessarily Anti-Balaka, and certain -- and
21 certain Anti-Balaka do not wear *gris-gris* but are Anti-Balaka?

22 A. [15:40:25] I cannot answer that question because it is those wearing *gris-gris* who
23 know why they wore *gris-gris*, and those who were not wearing *gris-gris* knew why
24 they were not wearing them. That is all I can say.

25 Q. [15:40:49] Would you agree with me - and I'm not talking necessarily about 2013

1 because you were not there - as from the time that you returned to the country, would
2 you say that it was not always possible to identify an Anti-Balaka, that it was difficult
3 to distinguish between an Anti-Balaka and a young Central African person who
4 decided to arm himself, for example?

5 A. [15:41:27] Yes, it is difficult to make that distinction because in order to know
6 who is an Anti-Balaka and who is not an Anti-Balaka, you have to put them together
7 because the Séléka, for example, they were in the Béal Camp, * in the RDOT Camp, so
8 it is difficult to know who is Anti-Balaka and who is not.

9 Q. [15:42:09] Mr Kokaté, do you also agree with me, or did you hear during that
10 period that there were many people, civilians who self-proclaimed themselves as
11 Anti-Balaka in order to benefit from the situation?

12 A. [15:42:37] This is a very difficult question because in order to know a true
13 Anti-Balaka from a false Anti-Balaka is already very difficult.

14 Q. [15:43:00] What is a false Anti-Balaka?

15 A. [15:43:05] You have just asked me to distinguish between people who said they
16 were Anti-Balaka whereas they were not. It is difficult to answer that question
17 because people were not billeted. If there were meetings in Mr Ngaïssona's house,
18 for example, you could see people there, then after you did not see them, so I cannot
19 tell you precisely who was Anti-Balaka and who was not.

20 Q. [15:43:41] So would I be correct to say that this is a problem that the government
21 had to deal with at that time? There were many civilians who claimed to be Anti-Balaka
22 and who, as you say, were false Anti-Balaka *, there were many civilians who were
23 described as Anti-Balaka, whereas they were not, and who were described by the media
24 by anti- -- as Anti-Balaka but who were not. * So during that period, it was difficult for
25 the government at the time to distinguish between them, to identify them; is that correct?

1 A. [15:44:29] Yes, it was very difficult to identify them because this matter was
2 dealt with at a very high level of the state. It was treated with * the president of the
3 transition, with the prime minister, so it was a very difficult topic for which to find a
4 solution.

5 Q. [15:45:02] Mr Kokaté, it was so difficult that you will agree with me that for
6 anyone to have control of whatever was having -- happening in the zones would have
7 been very difficult if it is impossible or difficult to identify them?

8 A. [15:45:28] I will give * you an example of the Séléka members that were identified and billeted
9 in two camps, Camp Béal and camp RDOT. So I think the leaders of the Séléka coalition are in a
10 better position to speak about these people at camps Beal and RDOT with greater precision. The
11 elements that were billeted in those two camps had the right to food every weekend, they had
12 some money every weekend, contrary to the Anti-Balaka who were not barracked or billeted. So
13 this issue was raised on several occasions to billet them so as to be able to have them under control.
14 * But now that they are not in barracks, they ... well .. how will we know if there are
15 acts of violence, in Boy-Rabe, in Bimbo, in other neighbourhoods of Bangui, you need
16 time to find out what is happening. It is difficult. And if people are not billeted or
17 barracked, obviously that is going to create security problems in the country.

18 Q. [15:47:27] So if I summarise correctly what you have just told us, when people
19 are not billeted, it is difficult for anyone to control what is happening?

20 A. [15:47:44] That is correct.

21 Q. [15:47:49] Tab 30, I would like to show you an interview, CAR-OTP-2023-1738.
22 It is a video. The transcript is CAR-OTP-2122-7495, page 7497. And we are going
23 to begin the video, 04:31 to 05:20.

24 PRESIDING JUDGE SCHMITT: [15:48:48] Can you give beforehand the information
25 of when the interview is, and perhaps it would make it easier to immediately put it

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1 into perspective?

2 MS DIMITRI: [15:49:10] If I'm not mistaken, I checked before coming. I think it's
3 March 2014, but let me just confirm so I don't --

4 PRESIDING JUDGE SCHMITT: [15:49:19] Okay.

5 MS DIMITRI: (Interpretation)

6 Q. [15:49:33] Mr Kokaté, it is an interview dated 6 March 2014. Are you the one to
7 the right of the screen?

8 A. [15:50:02] Yes, that's me.

9 Q. [15:50:09] Are you ready? I will play the video for one minute and ask you
10 questions on what you said.

11 (Viewing of the video excerpt)

12 PRESIDING JUDGE SCHMITT: [15:50:30] There seems to be the same issue that we
13 had before the break. Give it another try. If not, I think -- so we would need, again,
14 the technician, but I think it's better to fix this until tomorrow somehow so -- so also
15 we need a little bit of flexibility here. Perhaps you continue with your examination
16 and we come back to that tomorrow morning.

17 And, of course, in the meantime, there should happen something, so that we don't
18 have the same situation.

19 MS DIMITRI: [15:51:45] Could you give me just a minute, Mr President, because I
20 have to skip a series of questions that was for the video?

21 PRESIDING JUDGE SCHMITT: [15:51:52] No problem. I understand.

22 MS DIMITRI: Thank you.

23 PRESIDING JUDGE SCHMITT: I understand.

24 MS DIMITRI: [15:51:54] (Interpretation)

25 Q. [15:52:24] Mr Kokaté, we are going to change the subject until tomorrow

1 because we have problems with the video.

2 Now, just a few questions relating to what you told my colleague of the OTP a few
3 days ago. When you talked about the first meeting in the residence of President
4 Madam Samba-Panza, to clarify, my questions relate to the meeting at the residence,
5 not at the presidential palace.

6 I'm going to show you a document, tab 16, CAR-OTP-2427-9027 (sic).

7 A. [15:53:29] I can't see anything.

8 Q. [15:53:30] Is it better now?

9 PRESIDING JUDGE SCHMITT: Not yet.

10 MS DIMITRI: (Interpretation)

11 Q. I will show you a document, tab 16, CAR-OTP-2087-9027.

12 PRESIDING JUDGE SCHMITT: [15:53:53] Now, there should be something on the
13 screen.

14 MS DIMITRI: (Interpretation)

15 Q. [15:54:11] I'm suggesting to you, Mr Kokaté, that this is the attendance list
16 during the meeting at the residence of Madam Samba-Panza. Does that ring a bell?

17 A. [15:54:36] Yes, I remember that.

18 Q. [15:54:39] Just a few questions of clarification. Mr Yekatom did not take the
19 floor during that meeting, but you can see the letters C/CH in front of his name?

20 A. [15:55:03] Yes.

21 Q. [15:55:08] Am I to understand that he introduced himself as
22 *Caporal-Chef* Rombhot Yekatom?

23 A. [15:55:18] It is written here *caporal-chef*.

24 Q. [15:55:28] Now, the document can be scrolled down.

25 *Do you remember that during that meeting when Mr Yekatom introduced himself, I do understand

1 he did not take the floor and that everybody – introduced themselves; when he spoke he did not use the
2 name Anti-Balaka but instead referred to his group *Révolution des forces centrafricaines pour le peuple*? Do
3 you remember that that is the name that Yekatom pronounced, he did not use the name Anti-Balaka?

4 A. [15:56:21] I no longer remember.

5 Q. [15:56:26] Do you agree that during that meeting it was not everyone who were
6 members of the Anti-Balaka coordination?

7 A. [15:56:42] I think I told you, and I said that yesterday to the President, that there
8 were people there that I saw for the first time that I did not know. So my answer is
9 clear, there are many people that I did not know, I saw for the first time, we greeted
10 each other, so it was my first time of meeting with people in that delegation also.

11 Q. [15:57:15] I understand.

12 Now, let me talk about the second meeting. And just to be very clear, between you
13 and me, I'm talking about the first meeting at the presidential palace, but which was
14 in fact the second meeting with the head of state, Madam Catherine Samba-Panza.

15 A. [15:57:46] Yes, I understand.

16 Q. [15:57:49] When you were talking about that meeting, you said as follows, you
17 used the word "I think", "I think that Mr Yekatom was also present there." I would
18 like to ask you, Mr Kokaté, to reflect a little bit. If I put it to you that Mr Yekatom
19 was not present, would you agree with me? I'm talking about the meeting at the
20 presidential palace.

21 A. [15:58:27] I said that I thought. It is not up to me to prepare the attendance list
22 of who was there or who was not there. I was not confirming or denying. I simply
23 said I thought.

24 Q. [15:58:55] I understand that you are not certain that he was there. Now, talking
25 about Mr Kamezolai, you mentioned that Mr Kamezolai was present in certain

1 meetings with the head of state, Madam Samba-Panza. As far as you know, and
2 based on what you observed, did Mr Kamezolaï want a position, did he express the
3 desire to have a certain position during the meetings?

4 A. [15:59:38] I think Mr Kamezolaï expressed the desire to be appointed to a
5 position. I think he talked to the prime minister head of government.

6 Q. [16:00:02] Are you talking about Mr Nzapayéké when you are talking about
7 "prime minister head of government"?

8 A. [16:00:11] Yes, that is correct.

9 Q. [16:00:21] We talked about Mr Léopold Bara, and if I'm not mistaken, you said
10 that he was present during the meetings at the residence of Mrs Panza and at the
11 presidential palace.

12 Do you remember?

13 A. [16:00:49] At the residence of Mrs Panza, yes, but there were two meetings at the
14 presidential palace. I do not know whether he was there. There is a service at the
15 presidency that passed around an attendance list.

16 PRESIDING JUDGE SCHMITT: [16:01:19] Do you think -- do you have, in this
17 context, further questions? So I think we finish that and then we -- yeah.

18 MS DIMITRI: [16:01:27] One or two questions, Mr President.

19 PRESIDING JUDGE SCHMITT: [16:01:30] No, no, that's fine. Because of that --

20 MS DIMITRI: [16:01:32] Thank you very much.

21 PRESIDING JUDGE SCHMITT: [16:01:35] I'm enquiring, yeah.

22 MS DIMITRI: (Interpretation)

23 Q. [16:01:37] Mr Kokaté, I read somewhere that Mr Bara, during the first or second
24 meeting with Mr -- with Mrs Panza, is supposed to have threatened you?

25 A. [16:02:02] I do not remember that.

1 Q. [16:02:12] Apparently, you told him you -- whatever happens, you will be killed.

2 You told Mr Bara that?

3 A. [16:02:25] * I can never make such an utterance, especially at the residence of
4 Mrs Samba-Panza, the head of State. Saying such words would be really worrying.
5 Even if it were at the Presidency, it would be of concern. I never said any such words.

6 Q. [16:02:46] So you never said such a thing to Mr Bara; is that correct?

7 A. [16:02:52] No, not at all.

8 MS DIMITRI: [16:02:57] (Interpretation) Thank you. That will be the end of my
9 questions for today. We'll see you tomorrow, Mr Kokaté.

10 (Speaks English) We can break now, Mr President.

11 PRESIDING JUDGE SCHMITT: [16:03:04] It's exactly like that. We reconvene
12 tomorrow at 9.30.

13 THE COURT USHER: [16:03:07] All rise.

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

15 CORRECTION REPORT

16 The following correction, marked with an asterisk and included in the audio-visual
17 recording of the hearing, is brought into the transcript.

18 Page 62 line 14:

19 "Rambhot" is corrected to:

20 "Rombhot"

21 SECOND CORRECTIONS REPORT

22 The following corrections, marked with an asterisk and not included in the
23 audio-visual recording of the hearing, are brought into the transcript:

24 Page 4 line 11:

25 "He didn't have the details." is corrected to:

1 "He didn't get into the details."

2 Page 4 lines 17-20:

3 "And I too, in my way, because you asked me to speak about it, I too, I said the same
4 thing. I will pass on the message. And if I remember, he came to me once at my
5 home. I spoke to him and I said I was dissatisfied and that the prime minister was
6 dissatisfied, and then he left, Mr President." is corrected:

7 "And I too, in turn, because the Prime Minister had asked me to speak about it, to
8 advise Yekatom, I too, I said the same thing to him and passed on the message to
9 him. And if I remember well, I called him and he came to me once or twice at my
10 home. I spoke to him and I said that the prime minister was dissatisfied, and then I
11 left it at that. After that he left Mr President."

12 Page 5 lines 7-8:

13 "Mr President, indeed I was a member of the Anti-Balaka because I was a support of
14 the Anti-Balaka at that time. That is correct." is corrected to:

15 "Mr President, indeed I was a supporter of the Anti-Balaka and I was appointed to
16 that post because I was a support of the Anti-Balaka at that time. That is correct."

17 Page 6 lines 11-12:

18 "A. [9:55:22] Mr President, when they -- I guess some people I seem to think were
19 on the list, but they're no longer on the list. I seem to remember that there was a
20 list." is corrected to:

21 "A. [9:55:22] Mr President, when you showed me that list -- there are some people I
22 seem to think or recall who were on the list, that's all. I do remember that list but
23 that's about it."

24 Page 7 lines 12-13:

25 "He said that I refused his offer as military coordinator" is corrected to:

1 “This means that he himself knew that I had I refused his military coordinator offer”

2 Page 12 lines 11-14:

3 “He also spoke with General Essongo. And so my role was simply not one that
4 involved being a military coordinator to organise operations” is corrected to:

5 “He also spoke with General Mokoko, like that. And so my role, I knew what my
6 role was. I had not come with the idea of being a military coordinator or to organise
7 or be a military coordinator.”

8 Page 18 line 10:

9 “Mr Ngremangou called me in the evening” is corrected to:

10 “Mr Ngremangou called me the day before.”

11 Page 18 lines 15-17:

12 “I think he was expecting this mission. So I got there and we were installed in his
13 base. And so we spent the night there, along with the commander of the Sangaris
14 forces.” is corrected to:

15 “I think he was informed of this mission. He was waiting for me, so I got there and
16 we were installed in his base. And so I myself spent the night there, along with the
17 commander of the Sangaris forces.”

18 Page 18 lines 20-21:

19 “So he gave me an overview of the situation, talking about the misunderstandings
20 that were difficult to -- to manage.” is corrected to:

21 “So he gave me an overview of the situation, talking about the misunderstandings
22 that were difficult to -- to manage in Boda. “

23 Page 19 lines 8-9:

24 “And being such a state, we, therefore, have to learn to live together. We have to
25 know how to forgive so that we could live together.” is corrected to:

1 “And being a lay state, we therefore have to learn to live together. We have to know
2 how to forgive, and I spoke.”

3 Page 19 lines 14-15:

4 “So my mission was to do everything possible to seek understanding between the two
5 communities.” is corrected to:

6 “So my mission was to do everything possible for a meeting to take place and to
7 seek understanding between the two communities.”

8 Page 20 lines 20-22:

9 “signed by the Anti-Balaka, by the leaders of the Anti-Balaka. And I signed as well.
10 The Sangaris forces commander also signed, I believe”” is corrected to:

11 “signed by the Anti-Balaka, by the leaders of the Anti-Balaka, the Muslim
12 community, the leader of the Muslim community; and I signed as well. The Sangaris
13 forces commander also signed, I believe.”

14 Page 23 lines 22-25:

15 “Mr President, I think you've noticed that I was a facilitator between the Anti-Balaka
16 and the -- the general -- the director of the gendarmerie at that time. During that
17 meeting, we saw the chief of staff of Yekatom. When I arrived, I was received by
18 Yekatom and Kamezolai. They were always together.” is corrected to:

19 “Mr President, I think you've noticed that I was a facilitator between the Anti-Balaka
20 and the -- the general director of the gendarmerie at that time who is currently a
21 minister. When we went for that meeting, we saw the general staff HQ of... we saw
22 Yekatom's group. When I arrived, I was received by Yekatom and Kamezolai.
23 They were all together.”

24 Page 25 lines 4-5:

25 “because it was a governmental message.” is corrected to:

1 "because it was a governmental mission."

2 Page 25 lines 14-17:

3 "And so it was Mr Yekatom who was there to contact them, to tell them the message,
4 because Yekatom was in the office of the prime minister, so it wasn't up to me to go
5 and talk to people I didn't know." is corrected to:

6 "And the Prime Minister clearly told Mr Yekatom: you are the one who knows the
7 men there, you are the one who can help facilitate this mission. The Prime Minister
8 and Mr Yekatom had a discussion. I was in the Prime Minister's office Mr President.
9 So it wasn't up to me to go and talk to people I didn't know."

10 Page 38 line 8:

11 "When he gives an order, then it's immediately followed up." is corrected to:

12 "When he gives an order, then it's immediately followed and things happen."

13 Page 39 lines 14-15:

14 "I -- I went there at the request of the prime minister, and I was doing my duty" is
15 corrected to:

16 "I -- I went there as the Special Adviser of the Prime Minister, and I was doing my
17 duty."

18 Page 40 lines 15-17:

19 "It's not like me who went there and didn't know the men. It's not like Yekatom
20 who went to speak to the men as well. I spoke to the Muslim community, so what
21 he says is not wrong. " is corrected to:

22 "It's not like me who went there and didn't know the men. You needed to go
23 through Yekatom to talk. People signed the document not to touch the Muslim
24 community. But after, they attacked the Muslim community. So what he says is not
25 wrong. "

1 Page 43 lines 13-14:

2 “And he said Wenezoui, who Ngaïssona had helped a lot, how could he do this and
3 put himself there?” is corrected to:

4 “And he told me: how can this Wenezoui whom Ngaïssona had helped so much, how
5 can he try to rival him by setting up another coordination?”

6 Page 43 lines 15-17:

7 “And given that situation, Ngaïssona came up with the idea that he would become
8 the deputy general coordinator which was, again, something that I rejected. It was
9 an offer which I rejected because it wasn't how I saw things.” is corrected to:

10 “And given that situation, Ngaïssona came up with the idea and asked me to become
11 the deputy general coordinator which was, again, the second proposition that I
12 rejected. It was an offer which I rejected because it did not tally with how I saw
13 things.”

14 Page 43 line 20:

15 “And I informed the prime minister of that.” is corrected:

16 “And before coming to that meeting, I informed the prime minister.”

17 Page 43 lines 21-23:

18 “And after discussions in the meeting, the conclusion was reached unanimously that
19 there would be a single general coordinator, and Wenezoui became the deputy
20 general coordinator” is corrected to:

21 “And after discussions in the meeting, there was agreement and the conclusion was
22 reached unanimously that Ngaïssona would be confirmed as the single general
23 coordinator, and Wenezoui became the deputy general coordinator. That is it.”

24 Page 44 lines 9-11:

25 “I also spoke to Ngaïssona by phone, and I also think I spoke to Wenezoui on the

1 phone, and I was in favour of that because they spoke the same language because the
2 division" is corrected to:

3 "I also spoke to Ngaïssona before coming to the phone, and I also think I spoke to
4 Wenezoui on the phone, and I was in favour of them agreeing to speak the same
5 language because the division was not necessary."

6 Page 44 lines 11-14:

7 "I had my own mission, and each time they talked about coordination, I wasn't part of
8 it. I had my way of seeing things. I wanted to speak to the Anti-Balaka so that they
9 all put down their arms and not become involved in the coordination. That's what I
10 was thinking." is corrected to:

11 "I had my own mission and a different vision. Each time they talked about the
12 coordination and other such things, I wasn't for it. I had my way of seeing things. I
13 wanted to speak to the Anti-Balaka so that they all put down their arms. But they kept
14 talking about the coordination for this and for that. So I think I must have said so in
15 my statement Mr President."

16 Page 55 lines 6-7:

17 "And I often went to MISCA or MINUSCA. And in that capacity, I had exchanges
18 with Mr Ngaïssona" is corrected to:

19 "And I often went to MISCA or MINUSCA. And I eventually had exchanges with
20 Mr Ngaïssona"

21 Page 56 lines 2-4:

22 "And that was my duty, I informed the prime minister in writing and recommended
23 that he should attempt to meet with the Anti-Balaka coordination." is corrected to:

24 "And that was my duty, I informed the prime minister in writing and recommended
25 that he should attempt to meet with the Anti-Balaka general coordinator."

1 Page 57 line 21:

2 “we would no longer collaborate with the Anti-Balaka” is corrected to:

3 “she no longer collaborated with the Anti-Balaka”

4 Page 58 lines 1-2:

5 “After the declaration, they said we have to do something about the head of
6 government of the transitional government” is corrected to:

7 “After the declaration, they said we must answer to the head of state of the
8 transitional government”

9 Page 59 lines 13-16:

10 “You talked about former soldiers who had concerns with Mr Yekatom, and they
11 talked about releasing this gentleman. I am not going to ask you any questions.

12 Just say yes or no.” is corrected to:

13 “You talked about a soldier, about a former soldier who had issues with Mr Yekatom,
14 and at the request of the prime minister, you talked with Yekatom asking him to
15 release this gentleman. I am not going to ask you Mr Kokaté to provide details on or
16 hop back to that issue. I just want you to answer my question by yes or no.”

17 Page 60 lines 22-23:

18 “to inflate their numbers of mens during the -- of men during the DDR so as to obtain
19 more resources?” is corrected to:

20 “to inflate their own numbers of men either to benefit from the DDR or to mislead the
21 adversary or both, do you agree with that?”

22 Page 61 lines 7-9:

23 “when a leader made statements to journalists, and not necessarily just Mr Yekatom,
24 ComZone, Yekatom, do you think that at that time they had a tendency to inflate the
25 real numbers?” is corrected to:

1 “when a leader made statements to journalists at that time, did you observe, and I do
2 not necessarily mean just Mr Yekatom but any leader or ComZone, did you think
3 that at that time they had a tendency to inflate the real numbers?”

4 Page 61 lines 15-21:

5 “about your role as adviser at the prime minister's office. You were there for the two
6 prime ministers, Mahamat Kamoun and Nzapayéké. And Prime Minister Kamoun
7 was appointed on 12 April 2014; is that correct?

8 A. [14:40:51] Yes.” is corrected to:

9 “about your role as adviser at the prime minister's office. You were there for the two
10 prime ministers, Mahamat Kamoun and Nzapayéké.

11 A. [14:40:30] That is correct.

12 Q. [14:40:35] And Prime Minister Kamoun was appointed around August 2014; is
13 that correct as far as you recall?

14 A. [14:40:51] Yes. That tallies with my recollection.”

15 Page 61 lines 23-24:

16 “You said that your parents -- your fathers were soldiers, and that's where you
17 introduced yourself.” is corrected to:

18 “You said that your father was a soldiers, and that that's where he introduced himself
19 to you.”

20 Page 62 line 2:

21 “and was in Brazzaville?” is corrected to:

22 “and was he not in Brazzaville?”

23 Page 62 line 3:

24 “I, myself, was born in the Central African Republic.” is corrected to:

25 “I, myself, was born in the Central African Republic and we found ourselves in the

1 Congo.”

2 Page 63 line 10:

3 “was integrated into the republican guard as a second class soldier?” is corrected to:

4 “was integrated into the republican guard of the provincial battalion as a second class
5 soldier.”

6 Page 65 line 4:

7 “CAR-OTP-2001-4836 (sic).” is corrected to:

8 “CAR-OTP-2001-0835”

9 Page 66 line 22:

10 “Bangui, Cattin, Boeing, and so on,” is corrected to:

11 “Bangui, Cattin, Boeing, PK5.”

12 Page 67 lines 6-9:

13 “would you agree that the number of Séléka fighters moved from about 7,000 to
14 15,000 and even 20,000 between March 2013 and November 2013?

15 A. [14:58:29] Between March 2013 and November 2013” is corrected to:

16 “would you agree with me that the number of Séléka fighters moved from about
17 7,000 to 15,000 and even 20,000 between March 2013 and November 2013?

18 A. [14:58:29] Between March 2013 and November, December 2013”

19 Page 67 line 17:

20 “the BOT (phon)” is corrected to:

21 “the RDOT “

22 Page 67 line 21:

23 “Between the RDOT, the M’Poko camp, and the other camp,” is corrected to:

24 “Between the RDOT, the M’Poko camp, and camp Beal,”

25 Page 68 lines 6-8:

1 “that those lists were handed over to the president of the transitional government.

2 So I don't have any -- any problem with the figures because if I give you any figures, I
3 might be making a mistake.” is corrected to:

4 “that the list of those men was handed over to the prime minister and to the president
5 of the transitional government. So I don't have any -- personally any figures because
6 if I give you any figures, I might be making a mistake.”

7 Page 68 lines 20-21:

8 “but what is clear is that there were many weapons in the -- in the neighbourhoods.”
9 is corrected to:

10 “but what is surprising is that many weapons ended up in the -- in the
11 neighbourhoods”

12 Page 70 lines 4-5:

13 “it became necessary to station MISCA troops there in order to avoid any clashes.”
14 is corrected to:

15 “he was obliged to station MISCA troops there permanently in order to avoid any
16 clashes.”

17 Page 70 lines 14-15:

18 “As far as you know, the military positions on the Cattin road, were they in place in
19 December 2013 at the very least?” is corrected to:

20 “As far as you know, the Séléka military positions on the Cattin road, were they in
21 place in December 2013 at the very least?”

22 Page 71 lines 8-10:

23 “the Séléka destroyed many public facilities because the police, the gendarmerie and
24 the judicial system were no longer functioning?” is corrected to Page 71 line 8-10:

25 “the Séléka destroyed many public facilities because the police, the gendarmerie and

1 the judicial system were no longer functioning in Bangui?"

2 Page 72 lines 6-9:

3 "well, they committed acts that were dissatisfactory to many Central Africans. Even
4 people who had applauded them initially ended up having to abandon their homes."
5 is corrected to:

6 "well, they committed acts that were dissatisfactory to many Central Africans. Even
7 by people who had applauded them initially when they arrived. People were forced
8 to flee and to abandon their homes."

9 Page 73 lines 21-23:

10 "and went about pointing out the homes of people who had property" is corrected to:

11 "and went about pointing out to the Séléka assailants the homes of people who were
12 well to do"

13 Page 74 line 23:

14 "in order to avoid the attacks of the Séléka?" is corrected to:

15 "in order to escape from the grip of the Séléka?"

16 Page 75 line 10:

17 "people's vehicles and driven them to Chad." is corrected to:

18 "people's vehicles and driven them to Chad and Sudan."

19 Page 75 line 24 - Page 76 line 1:

20 "A. [15:26:58] First of all, the population felt rejected by the members of the Séléka
21 coalition. I believe that in one of the answers I provided to the president, I said that
22 people felt rejected." is corrected to:

23 "A. [15:26:58] First of all, there was a feeling of rejection of the population vis-a-vis
24 the members of the Séléka coalition. I believe that in one of the answers I provided
25 to the president, I said that there was a sentiment of rejection."

1 Page 76 lines 4-5:

2 “there was a feeling of rejection by the population or of the population.” is corrected
3 to:

4 “there was a feeling of rejection of the population.”

5 Page 77 lines 17-18:

6 “and that some of the members became very violent against their Christian
7 compatriots?” is corrected to:

8 “and that some of the Muslims became more violent against their Christian
9 compatriots?”

10 Page 78 lines 3-5:

11 “the longer the Séléka government remained there the worse the situation of the
12 people became; is that correct?” is corrected to:

13 “the longer the Séléka government remained in power, the worse the situation of the
14 people became; is that correct?”

15 Page 78 lines 7-9:

16 “They expressed that opinion before the heads of state of ECCAS, so they decided to
17 deal with this issue to bring it as part of the issues to talk with the heads of state.” is
18 corrected to:

19 “They expressed that opinion before the heads of state of ECCAS. They raised the
20 bitter issue you have just mentioned with the ECCAS heads of state.”

21 Page 79 lines 2-3:

22 “the artists” is corrected to:

23 “the craftsmen.”

24 Page 79 lines 3-4:

25 “to put in place these self-defence gro+ups?” is corrected to:

1 “to revive these self-defence groups?”

2 Page 80 line 7:

3 “in the M’Poko Camp” is corrected to:

4 “in the RDOT Camp”

5 Page 80 lines 22-23:

6 “. There were many civilians who were described as Anti-Balaka, whereas they were
7 not” is corrected to:

8 “, there were many civilians who were described as Anti-Balaka, whereas they were
9 not”

10 Page 80 lines 24-25:

11 “So during that period, it was difficult to distinguish between them, to identify them;
12 is that correct?” is corrected to:

13 “So during that period it was difficult for the government at the time to distinguish
14 between them, to identify them; is that correct?”

15 Page 81 lines 2-3:

16 “president of the republic” is corrected to:

17 “president of the transition”

18 Page 81 lines 8-10:

19 “you an example of the Séléka members that were identified and billeted in two
20 camps, Camp Béal and RDOT. So it was possible to identify these people with
21 greater precision.” is corrected to:

22 “you an example of the Séléka members that were identified and billeted in two
23 camps, Camp Béal and camp RDOT. So I think the leaders of the Séléka coalition are
24 in a better position to speak about these people at camps Beal and RDOT with greater
25 precision.”

1 Page 81 lines 14-15:

2 "Now, if there are acts of violence" is corrected to:

3 "But now that they are not in barracks, they ... well .. how will we know if there are
4 acts of violence,"

5 Page 83 line 25 - Page 84 line 3:

6 "Do you remember that during that meeting when Mr Yekatom introduced himself,
7 not everybody -- not everybody spoke, but they introduced themselves *révolution des*
8 *forces centrafricaines pour le peuple*? Do you remember that that is the name that

9 Yekatom pronounced, he did not use the name Anti-Balaka?" is corrected to:

10 "Do you remember that during that meeting when Mr Yekatom introduced himself, I
11 do understand he did not take the floor and that everybody -- introduced themselves;
12 when he spoke he did not use the name Anti-Balaka but instead referred to his group
13 *Révolution des forces centrafricaines pour le peuple*? Do you remember that that is the
14 name that Yekatom pronounced, he did not use the name Anti-Balaka?"

15 Page 86 lines 3-4:

16 "I can never make such an utterance, especially in the presence of Mrs Panza. In
17 order to say such words, that is really worrying. I could not have said that and I
18 never said such words." is corrected to:

19 "I can never make such an utterance, especially at the residence of Mrs Samba-Panza,
20 the head of State. Saying such words would be really worrying. Even if it were at the
21 Presidency, it would be of concern. I never said any such words."