

Trial Hearing
WITNESS: CAR-OTP-P-2328

(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 Monday, 5 July 2021
10 (The hearing starts in open session at 9.30 a.m.)
11 THE COURT USHER: [9:30:37] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:31:02] Good morning, everyone.
15 Could the court officer please call the case.
16 THE COURT OFFICER: [9:31:09] 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: [9:31:26] Thank you.
21 I ask for the appearances of the parties. We start with the Prosecution.
22 MR VANDERPUYE: [9:31:34] Good morning, Mr President, your Honours. Good
23 morning, everyone.
24 Today the Office of the Prosecutor is represented by Irina Galupa, to my left,
25 Yassin Mostfa, behind her, and myself, Kweku Vanderpuye. Good morning.

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1 PRESIDING JUDGE SCHMITT: [9:31:48] Good morning. Thank you. And we
2 continue with the representatives of the victims.

3 MR SUPRUN: [9:31:54] Good morning, Mr President, your Honours. The former
4 child soldiers are represented today by Nadia Galinier, associate legal officer, and by
5 myself, Dmytro Suprun, counsel at the Office of Public Counsel for Victims. Thank
6 you.

7 PRESIDING JUDGE SCHMITT: [9:32:05] Thank you.

8 We can't hear you at the moment. I'm not sure if the microphone is on. Okay,
9 thank you.

10 The microphone, please. It's still -- no problem. We will fix that.

11 MS RABESANDRATANA: [9:32:38](Interpretation) I'm sorry, Mr President.

12 Good morning, Mr President, your Honours. Good morning. Rabesandratana,
13 Elizabeth, representing victims of the other crimes. Today I'm assisted by our case
14 manager, Ms Mouhia Asso.

15 PRESIDING JUDGE SCHMITT: [9:32:59] Thank you. We turn to the Defence. We
16 start with the Defence of Mr Yekatom.

17 MS DIMITRI: [9:33:04] Good morning, Mr President. Good morning,
18 your Honours. Good morning, everyone. Mr Yekatom, who's present in
19 the courtroom this morning, is represented by Mr Thomas Hannis, Dr Lena Casiez,
20 Mr Gyo Suzuki, and myself, Mylène Dimitri. Thank you.

21 PRESIDING JUDGE SCHMITT: [9:33:17] Thank you.

22 And the Defence of Mr Ngaïssona.

23 MR KNOOPS: [9:33:20] Good morning, Mr President, your Honours. Good
24 morning, everyone in the courtroom. The Defence team of Mr Ngaïssona is today
25 comprised of Marie-Hélène Proulx, legal assistant, Phoebe Oyugi, and case manager

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1 Chiara Giudici. Thank you.

2 PRESIDING JUDGE SCHMITT: [9:33:39] Before we start with the testimony of the
3 witness, we go shortly to private session, please.

4 MR KNOOPS: [9:33:56] Mr President, the defendant asks for assistance of
5 the Registry. He has no sound on his --

6 PRESIDING JUDGE SCHMITT: [9:34:03] Yeah, then perhaps when we are in private
7 session we will fix that then.

8 (Private session at 9.34 a.m.)

9 THE COURT OFFICER: [9:34:07] We are in private session, Mr President.

10 (Redacted)

11 (Redacted)

12 (Redacted)

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9 (Open session at 9.39 a.m.)

10 THE COURT OFFICER: [9:39:31] We are back in open session, Mr President.

11 (The witness enters the courtroom)

12 PRESIDING JUDGE SCHMITT: [9:40:36] Good morning, Mr Demafouth. Do you
13 understand and hear me well?

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15 (The witness speaks French)

16 THE WITNESS: [9:40:43](Interpretation) Good morning, Mr President. Yes.

17 PRESIDING JUDGE SCHMITT: [9:40:45] Mr Demafouth, if you feel more
18 comfortable, you may take off your mask. That may be perhaps -- it's up to you, but
19 I think we would prefer if you could -- if we could see you and is perhaps also more
20 comfortable for you.

21 Okay. Again, good morning, now we have a face in front of us.

22 On behalf of the Chamber, Mr Demafouth, I would like to welcome you to this
23 courtroom. You are called to testify to assist this Chamber in the case of

24 Mr Yekatom and Mr Ngaïssona. Mr Demafouth, there should be a card on the desk
25 in front of you with a solemn undertaking to tell the truth.

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1 Could you please read out loud the content of this card.

2 THE WITNESS: [9:41:40](Interpretation) I solemnly declare that I will speak
3 the truth, the whole truth, nothing but the truth.

4 PRESIDING JUDGE SCHMITT: [9:41:51] Thank you very much, Mr Demafouth.

5 You are now under oath. You know what this means. I don't have to elaborate on
6 that. Since you have been sworn in you have to speak the truth, and if you don't do
7 that this is an offence within the jurisdiction of this court.

8 Before we start with the questioning by the Prosecution then, I would like to give you
9 some practical issues for this examination. You are aware that everything in this
10 courtroom is written down, but more importantly is translated into different
11 languages, so we have to speak at a relatively slow pace so that the interpreters can
12 follow.

13 And, please, Mr Demafouth, only start answering, speaking when the person that has
14 asked you the question has finished and please perhaps wait two or three seconds so
15 that everybody can follow.

16 That's it for now, and then we can start with your examination and I give
17 Mr Vanderpuye the floor.

18 MR VANDERPUYE: [9:43:15] Thank you, Mr President.

19 QUESTIONED BY MR VANDERPUYE:

20 Q. [9:43:16] Good morning, Mr Demafouth.

21 A. [9:43:22] Good morning.

22 Q. [9:43:25] My name is Kweku Vanderpuye. I just want to reintroduce myself.
23 I know we met just recently. And I'll be conducting your examination over the next
24 couple of days and you'll be testifying without protective measures, openly, in public,
25 but there may be certain areas of your testimony that we go over that might be

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1 sensitive. And if you consider that I've asked you a question that may require
2 a response that could reveal very sensitive information, just let me know and I will
3 ask the Chamber if it is possible to proceed in private session exceptionally if that's
4 necessary.

5 And all that means is that the part of the -- limited part of your testimony or your
6 answer may be received without it being disseminated publicly.

7 I've tried to organise my examination in a way that we don't inadvertently thread into
8 those kind of areas, but invariably there will be aspects of my examination which will
9 concern certain sensitive information.

10 Your testimony is important, as I'm sure you're aware, so it's also important that as
11 much of it as possible we can deal with publicly as well.

12 The judge has already instructed you about the need to speak a little bit slowly and to
13 allow a pause between question and answer because of the interpretation, so I'll try to
14 be mindful of that.

15 And last thing I would say is that if there's anything that's unclear to you in my
16 questions or you'd like me to repeat them or ask them perhaps in a different manner,
17 just let me know and I'll do my best to straighten that out so that we can understand
18 each other a little bit better.

19 That's a lot. Are you with me so far?

20 A. [9:45:55] Perfectly.

21 Q. [9:45:58] Very good. All right.

22 Let's start with some of your biographical information then. First, if you could
23 please state your name for the record.

24 A. [9:46:18] My names are Demafouth, Mafoutapa Jean-Jacques.

25 Q. [9:46:25] And what is your date of birth?

1 A. [9:46:34] I was born on 3 October 1959 in Bangui.

2 Q. [9:46:41] And what is your ethnicity?

3 A. [9:46:48] Banda.

4 Q. [9:46:52] What religion do you practice?

5 A. [9:47:01] Catholic.

6 Q. [9:47:06] Can you tell the Chamber what your current occupation is?

7 A. [9:47:16] Lawyer in the Paris Bar.

8 Q. [9:47:22] How long have you been a lawyer in the Paris Bar?

9 A. [9:47:35] Since 1993.

10 Q. [9:47:40] And have you been residing in France since then, or have you resided
11 elsewhere in that period until now?

12 A. [9:48:01] I left the Central African Republic in 1982 and I spent 10 years in exile,
13 part of those years being spent in France. In 1993 I returned to the Central African
14 Republic and from 1994 I began to hold some political positions in the Central African
15 Republic. So from time to time I would return to France. For example, after -- or
16 from 2002 I travelled to France up until 2008, then I went back to the Central African
17 Republic and then I returned to France in 2016 and I have been there to date. Each
18 time I travelled I asked for permission from the Paris Bar to be able to take up political
19 functions in the Central African Republic, and when I return to France I will ask to be
20 reinserted in the Bar and I'll continue my functions as a lawyer in France. And so I
21 have been in France from 2016 to this day.

22 Q. [9:49:31] Now, as you've alluded to, you had many titles over the years and I'd
23 like to just ask you briefly, for now, to just to cover a few of those, in particular
24 your -- your experience politically and your experience in government in the Central
25 African Republic. But in the course of your interview with the Office of the

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1 Prosecutor you provided your curriculum vitae; is that right?

2 A. [9:50:15] Yes.

3 Q. [9:50:16] Just for the Chamber's reference, that's tab 2, CAR-OTP-2099-0232.

4 You've been active, Mr Demafouth, in the Central African politics for a very long time;
5 isn't that right?

6 A. [9:50:42] Yes.

7 Q. [9:50:43] For how long about have you been active in Central African politics?

8 A. [9:50:55] I entered into politics in 1979 in the Central African Republic. I was
9 20 years old then and I have been in it to this day.

10 Q. [9:51:11] Now, from 1993 to 1997 you were *Ministre conseiller juridique à la*
11 *Présidence*; is that right?

12 A. [9:51:32] Yes. But in addition to being minister, legal adviser, I also handled
13 some diplomatic missions and I also served as a security advisor while also leading
14 up a centre known as the national research and investigations centre, which was
15 attached to the presidency of the republic charged with investigations, whether
16 criminal or economic, and this was located within the presidency of the republic.

17 Q. [9:52:20] At that time who was the president of the republic?

18 A. [9:52:23] Ange-Félix Patassé.

19 Q. [9:52:27] In 1999 or from 1999 to 2001, you were defence minister; is that right?

20 A. [9:52:40] Yes.

21 Q. [9:52:43] And that was also under Patassé; is that right?

22 A. [9:52:49] Yes.

23 Q. [9:52:51] And in 2013 you were appointed *Ministre conseiller à la Présidence chargé*
24 *de DDR et RSS*; is that correct?

25 A. [9:53:13] Yes. In April -- April 2013 I was appointed minister advisor at the

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1 presidency in charge of the DDR and the reform of the security sector.

2 Q. [9:53:34] And at that point, who was the -- who was the head of state?

3 A. [9:53:45] Michel Djotodia.

4 Q. [9:53:51] And how long did you hold that position, by the way, if you recall?

5 A. [9:53:58] I was in that position until January 2014.

6 Q. [9:54:05] Okay. And from February 2014, you were *Ministre conseiller à la*
7 *Présidence chargée de la sécurité et des relations avec la* FOMAC, MISCA, Sangaris; is that
8 right? Is that when you were appointed?

9 A. [9:54:30] Yes. First of all, as minister in charge of security at the presidency, in
10 addition to other functions, including relations with FOMAC, with MISCA, and then
11 with MINUSCA and then with the Sangaris.

12 Q. [9:54:54] And how long did you serve in that position, if you can recall?

13 A. [9:55:04] From 2014 to December 2015.

14 Q. [9:55:12] Okay. And at some point you were *Ministre conseiller à la Présidence*
15 *chargé de la coordination des opérations électorales*?

16 A. [9:55:25] Yes, from January 2016 I was given the responsibilities for the material
17 and technical organisation of elections, so I was the minister advisor at the presidency
18 in charge of electoral operations in relation with the United Nations mission and
19 the Sangaris.

20 Q. [9:55:54] And did that relate to the organisation of the elections following
21 the transition?

22 A. [9:56:05] Yes, the idea was to prepare the elections of the new authorities who
23 would take over the business of state after the transitional period.

24 Q. [9:56:19] And in that period who was the head of state?

25 A. [9:56:27] It was Madam Samba-Panza.

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1 Q. [9:56:30] And the elections that you were involved in organising materially
2 resulted in the end in the election of the current president of the Central African
3 Republic; is that right?

4 A. [9:56:49] Yes.

5 Q. [9:56:52] Now, you yourself have also stood for presidential elections in
6 the Central African Republic; isn't that true?

7 A. [9:57:12] Yes, twice. I was a candidate in 2005 and then again I ran in 2011.

8 Q. [9:57:20] Now, in 2005 when you were a candidate for president, you were in
9 exile at least in part of that period; is that right?

10 A. [9:57:33] Yes, I was in France. I was in France, but I had filed my papers as
11 a candidate. But President Bozizé did not authorise me to return to my country, so I
12 campaigned while in exile, so to speak, by radio. But my application was expected
13 to run -- I was accepted to run as a candidate.

14 Q. [9:58:07] If you can recall just briefly, what was the reason that Bozizé refused
15 your return to the country to run for the presidency back in -- back in 2005?

16 A. [9:58:26] Well, what I must say is that there is some litigation between
17 President Bozizé and myself which goes back to the time when I was minister advisor
18 in charge of security under Patassé and then subsequently as minister of national
19 defence. At the time, he was my chief of general staff and, therefore, he did not
20 particularly enjoy my presence in the country at the time when he had just taken over
21 power.

22 So, military justice, through the military court of the Central African Republic,
23 summoned me in relation to a dossier relating to a mission which had been ordered
24 by President Bozizé when he was chief of general staff. But when he became
25 president of the Republic, he claimed that I was the one as the minister of defence

1 who had organised the mission and had been given authorisation to do so, so he
2 wanted to charge me and my lawyers had argued the case in return. And so he had
3 threatened me and many African heads of state at the time advised that I do not
4 return to the country.

5 Furthermore, he himself stopped me from returning home after I had got a plane
6 from Gabon to go to my country. When we took off from Libreville for Bangui,
7 the gendarmes were dispatched to the airport to stop my plane from landing and that
8 is how we ended up landing in Chad where I was received by the Prime Minister
9 Déby who strongly advised me to go back. And that is why I did not go to
10 the Central African Republic to conduct my campaign in 2005.

11 Q. [10:01:00] Thank you for that explanation.

12 Now, in 2011 you also ran for the presidency as you indicated. And that is
13 the election that Bozizé won - and we can talk about that a little bit later on - but was
14 somewhat contested; is that fair to say?

15 A. [10:01:27] Yes. I think I was the last there. He gave -- I had 2 per cent of the
16 vote and the result was challenged by the entire opposition. Of all the candidates,
17 I was the only one who accepted by him and was present at his swearing in ceremony.
18 At that time, my position was closely followed. I just had to move amongst
19 the opposition to contest his elections, that the country would fall into civil war
20 because at that moment he and I, we signed a peace agreement. I was appointed
21 the president of the movement, which is called APRD, and we made an agreement
22 with Bozizé and I was hoping for peace. So I didn't want any further troubles, so I
23 accepted the results so that the country wouldn't fall into chaos. *I was reproached
24 for that by the opposition, but I think it was the best solution at that particular
25 point in time.

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1 Q. [10:02:58] Okay. We'll come to a little bit more of that as -- as we go on.

2 You mention that you were in the APRD. That is the *l'Armée Populaire pour la*
3 *Restauration Démocratie*.

4 Can you tell the Chamber when that group was formed?

5 A. [10:03:21] I can't say for certain, because at that time I was in Paris.

6 The mission of the United Nations in CAR went to meet the leaders of that movement
7 in a region in -- called Paoua in CAR and asked them to appoint someone to
8 participate in a peace process and discussions with the government. And those
9 officers came together and looked and asked at Patassé who was in exile in Togo.
10 That movement was set up by people who were close to President Patassé and
11 President Patassé suggested that I be appointed. I was in Paris at that moment and
12 I was informed by the United Nations office that the rebels of APRD had chosen me
13 as president so that a dialogue could be started for peace.

14 So from Paris I went directly to Libreville where I was introduced to the president of
15 Gabon and also Bozizé and also the officers of the APRD and saying, "Look, APRD
16 would like you to lead this movement and to represent them in all discussions."
17 The discussions took 48 hours in Libreville, and we agreed and I signed on their
18 behalf an agreement for peace and disarmament.

19 This was carried out completely.

20 Q. [10:05:24] So you remained as the president of the APRD through 2012; is that
21 right?

22 A. [10:05:35] Yes. The movement was officially dissolved in 2012. But in 2012, in
23 January 2012 President Bozizé put me in prison. I was arrested and put into prison
24 for about four months. He charged me that I had disturbed the security of the state
25 and after four months of investigation the court realised that there was -- I was not

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1 accountable for anything and I therefore resumed my activities. Because at that
2 moment I was a consultant within the United Nations office in CAR and responsible
3 for disarmament and the reinsertion of the ex-combatants, both for the APRD and
4 the other movements. The integrated bureau of the United Nations had a tenderer.
5 They were looking for someone with the competence to carry out this disarmament
6 programme and the reinsertion of ex-combatant. I put myself forward. My case
7 was taken and accepted. So I worked at the bureau of the United Nations before he
8 put me in prison and after four months I was released and I resumed those activities.
9 I continued with disarmament, and at the end of disarmament I announced
10 the dissolution of the APRD, which then no longer existed.

11 Q. [10:07:21] Okay. Tell the -- well, let me ask it this way. The NAP, *Nouvelle*
12 *Alliance pour le Progres*, that was a political group that you founded; is that right?

13 A. [10:07:44] Yes, in 2010 when there were elections, I couldn't go to the elections as
14 the president or the chair or the leader of the APRD, so it didn't have
15 the characteristics of a political party. So I was at the head of the APRD by accident,
16 if you like, and only for a single mission for a limited period of time. And that is
17 the reason why I set up the new alliance which was registered at the ministry of
18 administration of territories, and it was through this that we went to the elections.
19 And this party still continues to exist.

20 Q. [10:08:30] I have a document concerning the registration of the NAP that I will
21 show you a little bit later, which seems to indicate a date of 2008, but we can discuss
22 that as we go.

23 In any event, you took part in various peace negotiations, forum and platforms within
24 the Central African political context over the years. You've mentioned already
25 Libreville in 2008. But you were also involved in other forums, such as in 2013; is

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1 that right, in Gabon?

2 A. [10:09:15] Yes.

3 Q. [10:09:18] Okay. And also in N'Djamena in 2014?

4 A. [10:09:29] Yes.

5 Q. [10:09:29] And in Brazzaville, Congo-Brazzaville?

6 A. [10:09:34] Yes.

7 Q. [10:09:35] In July 2014. And were you a participant or participate in
8 the organisation of the Bangui forum in 2015 as well?

9 A. [10:09:50] Yes.

10 Q. [10:09:51] And I also understand that you were on the team with
11 President Catherine Samba-Panza and the transitional government regarding
12 the creation of the special court; is that right?

13 A. [10:10:05] Yes.

14 Q. [10:10:08] And when was that, by the way?

15 A. [10:10:15] I can't recall the precise date.

16 Q. [10:10:20] All right. I'd like to ask you just a few questions about your previous
17 statement to the Office of the Prosecutor in 2018. But before I do, let me just -- let me
18 just add, the Special Court is a court -- is a domestic court that is especially
19 constituted to deal with cases involving genocide, war crimes, crimes against
20 humanity, that nature of crimes; is that correct?

21 A. [10:10:52] Yes. But what we thought at the time was there was a weakness in
22 our legal system in CAR and a total absence of security and defence in our system.
23 This meant that everybody was involved in crimes and everything that related to
24 military and political activities in Central African Republic, we wanted to have some
25 sort of jurisdiction, that at least we would have neutral, impartial people who could

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1 assist us in setting up the justice system. At the same time, we also took steps to do
2 something and we called upon the ICC. At that time we felt, it's true, there was
3 a category of people who could be heard in the Central African Republic, but there
4 were also others who could not. There was a lot of risk involved in our country at
5 that time.

6 Q. [10:12:14] Okay. About your statement, you recall giving a -- being
7 interviewed by members of the Office of the Prosecutor in 2018; is that right?

8 A. [10:12:28] Yes.

9 Q. [10:12:28] And that was over the course of several days in December, from the
10 10th until 14th, does that sound about right to you?

11 A. [10:12:39] That's correct.

12 Q. [10:12:42] And that interview took place in Bangui, was it?

13 A. [10:12:49] No.

14 Q. [10:12:55] Where was it, if you recall?

15 A. [10:12:56] It took place here, in The Hague.

16 Q. [10:13:00] Okay. And the purpose of that interview, as was explained to you,
17 concerned the events in the Central African Republic, principally that had taken place
18 from about 2012 to 2014. Does that sound right?

19 A. [10:13:22] Yes.

20 Q. [10:13:23] Okay. And you were -- you were asked about the background of the
21 crisis, historical context, and those sorts of things.

22 A. [10:13:35] Yes.

23 Q. [10:13:37] And your interview comprised information that you might have or
24 that you might have acquired during that period, and in particular regarding
25 the Anti-Balaka and the Séléka. Is that right?

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1 A. [10:13:52] Yes.

2 Q. [10:13:54] As well as -- as well as the main actors involved in those groups and
3 the events that came to your attention or which you had knowledge; is that right?

4 A. [10:14:07] That is correct.

5 Q. [10:14:09] And that also included the roles or participation of the accused in this
6 case, Alfred Yekatom and Patrice-Edouard Ngaïssona?

7 A. [10:14:23] Yes.

8 Q. [10:14:25] And before testifying here today, you had an opportunity to review
9 and read through that statement?

10 A. [10:14:35] Yes.

11 Q. [10:14:37] And having done so, does it fairly and accurately reflect what it is that
12 you said to the investigators during the course of your interview?

13 A. [10:14:51] Yes.

14 Q. [10:14:54] And I also understand that you -- you made yourself available to
15 the Defence of Mr Yekatom at an earlier point and -- and were interviewed by them as
16 well?

17 A. [10:15:11] Yes.

18 Q. [10:15:13] They asked to meet with you and you accepted; is that right?

19 A. [10:15:20] Yes.

20 Q. [10:15:22] You were not asked to be met with by the Defence of the Ngaïssona
21 defence -- of Mr Ngaïssona, rather?

22 A. [10:15:34] No. In the meeting I had with the Defence, we talked at length about
23 Yekatom and barely about Ngaïssona.

24 Q. [10:15:50] Okay. And do you recall that your meeting with the Yekatom
25 Defence took place around February of 2020?

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1 A. [10:16:03] Yes.

2 Q. [10:16:05] It was recorded, right? And you met with Ms Dimitri and
3 Mr Robinson?

4 A. [10:16:17] Yes.

5 Q. [10:16:21] Okay. And did you have an opportunity to review what you said to
6 the Yekatom Defence during the course of the interview you had with the -- with his
7 lawyers?

8 A. [10:16:36] Yes. I listened a little to the audio.

9 Q. [10:16:46] Do you stand by what you said in the interview that you gave to the
10 Office of the Prosecutor in December 2018, as well as what you said in the interview
11 that you gave to the Yekatom Defence following in 2020?

12 A. [10:17:04] Yes.

13 Q. [10:17:05] Okay. I want to ask you just a few questions about the historical
14 transition of power in CAR. The Chamber has heard, and of course you know, that
15 the country has been in crisis for a number of years, basically since its independence
16 back in 1960. But since independence, to your knowledge, how many transitions of
17 power in the Central African Republic have entailed either a *coup d'état* or a use of
18 force relative to the transition of -- from one government to the next?

19 A. [10:18:00] The first use of force to take power took place in 1979 by France, who
20 carried out a military operation which was called Barracuda Operation, to install
21 Dacko who came into power for the second time. That was done through force.
22 Then there was a takeover by power by President Kolingba in -- by the military
23 commission of military redressement, CMR, in 1981, which was also use of force by
24 the army.

25 And in 2003 it was by General Bozizé who had a *coup d'état*, a military *coup d'état* with

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1 a rebellion that he organised at that time. And then in 2013, Michel Djotodia with
2 the Séléka rebels.

3 Q. [10:19:35] And in the context of these transitions of power through force or
4 through *coup d'état*, to your knowledge, did this involve also the commission of
5 crimes and violence?

6 A. [10:19:58] Now, as regards the *coup d'état* of 1979 and 2000 -- and 1981, I don't
7 really know of serious crimes and other abuses. However, for 2003, there were
8 many crimes committed and many abuses, and also for 2013 there were many crimes
9 committed.

10 Q. [10:20:46] And just very briefly, with respect to the crimes that were committed
11 in 2003, I assume, first of all, you're referring to the *coup d'état* that was orchestrated
12 by President Bozizé, or former President Bozizé, in March of that year. What kinds
13 of crimes are you talking about? Are we talking about crimes that affected
14 the civilian population, for instance?

15 A. [10:21:12] Yes. Yes.

16 Q. [10:21:16] And what types of crimes are we -- what types of crimes did you
17 observe, did you come to know about?

18 A. [10:21:35] I didn't observe them myself personally, because in 2002, when the
19 rebellions started, I myself was in prison. I was imprisoned and I was accused of
20 trying to subvert the state, and when I left in 2002 I returned to France. So the
21 activities of this rebellion by Bozizé happened in CAR, but I only heard about it.
22 What I do know is that the FIDH, *and other international organisations carried out
23 real monitoring of the crimes that were committed by this rebellion, particularly even
24 the clergy, priests and others who were killed in certain towns and in some
25 prefectures.

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1 Q. [10:22:43] And the kinds of crimes that were committed were the subject of
2 a trial actually at this Court, in the case against Jean-Pierre Bemba; isn't that right?

3 A. [10:22:56] Yes, yes, indeed. The Bemba case, which still today caused a lot of
4 harm and I think the victims are still waiting. But I do think that in this case there
5 was also the involvement of Bozizé's men of that time. Unfortunately, his part of the
6 responsibility was not really highlighted. His part of responsibility did not become
7 visible and it was particularly in that period. And the third, there was a third actor
8 during this period, which was Abdoulaye Miskine, who operated the presidential
9 guard of Patassé. He was also part of the crimes, the serious crimes that were
10 committed at the border with Chad.

11 Q. [10:24:14] Yes, I'm just trying to get a sense of your understanding or knowledge
12 about the types of crimes that were committed during the course of that -- of that
13 coup and also -- or in relation to the coup and thereafter, and in particular how you
14 came to know about it. Now, you say that you were in France, so it's something that
15 you would have heard about obviously in France at the time. But the types of crimes
16 that were involved, did they involve things like attacks against civilians, did they
17 involve things like extrajudicial killings, arson, things like that, to your knowledge?

18 A. [10:25:03] Yes. I remember an article which I read in a magazine which was
19 called "Africa" at that time and which explained, for example, that Bozizé went to
20 the Béal camp and caught three individuals involved in looting and there was
21 a summary execution at the site. They were executed. So *Afrique Asie* magazine,
22 that is known in Paris and even throughout the world, published that article, so
23 everybody was aware of what was going on. There were many families in Bangui
24 who announced *deaths, and extrajudicial executions including I believe the
25 Assombele family. There was also a young person who was killed in a bar by

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1 combatants of Bozizé. Personally, I know of two individuals who were executed by
2 Bozizé's men. A young military, Damchi (phon), Bozizé accused him, saying that he
3 was working for me, and when he went to town there were instructions given to take
4 him and to have him executed in 2003. So the facts are known in Bangui. I'm not
5 inventing anything. It's written down, it's recorded in several reports and you can
6 also read about them in FIDH reports in March 2003, for example.

7 Q. [10:27:07] And in respect of the crimes that were committed by the Séléka and
8 the Séléka's takeover - and we'll come to those, I think, in more detail as we go
9 on - but those kinds of crimes were also well known in Bangui and other parts of CAR;
10 isn't that true?

11 A. [10:27:34] Yes, absolutely. Everybody was aware. The executions were done
12 in public, so everybody knew about them. Sometimes the bodies were left in
13 the streets and people could see that.

14 Q. [10:28:03] And the crimes that were committed by the Séléka in the takeover, in
15 the coup in 2013 and the crimes that were committed by Bozizé and his supporters
16 back in the coup of 2003, those were of a nature that were within the public
17 consciousness, if you will, of people in the Central African Republic; is that fair to
18 say?

19 A. [10:28:39] Yes, that is correct.

20 Q. [10:28:42] All right. I want to ask you a few questions about the circumstances
21 relating to the opposition to Bozizé's governance which led, ultimately, to
22 the comprehensive peace agreement in 2008, as well as the inclusive political dialogue
23 that took place preceding that. But as -- as you had just mentioned or began with, I
24 had some questions about the APRD, some of them you've answered.

25 The purpose of the APRD was what, exactly? What was the objective of the group?

1 A. [10:29:41] The APRD, according to what I understood afterwards, initially was
2 made up by nationals of the prefecture called Ouham-Pendé who felt that they had
3 not been treated correctly by Bozizé's government. They therefore set up this
4 particular group. They were largely elements who were, if you like, relatives of
5 Patassé, the same ethnic group. That was the beginning. But in order to protect
6 themselves against the Bozizé government, the Bozizé government introduced from
7 2003 onwards in the security elements and in the Central African army people who
8 were not Central African in origin -- in origin. They were so-called liberators. And
9 they had a practice of trying to maintain order and peace, which was extremely harsh,
10 and the population did not really accept this. So many people in this region didn't
11 have any function anymore. They were just pushed aside and regarded as
12 somebody close to Patassé's party or Patassé himself, so under these conditions they
13 set up this movement in the beginning.

14 Unfortunately, I think if President Bozizé had been wise at that time and negotiated
15 with him, then I think things would have turned out indefinitely and wouldn't have
16 been so serious. Unfortunately, he tried to reprimand them very, very severely.

17 The means used for this were disproportionate when looking at the attacks that were
18 carried out, because the APRD elements attacked a gendarmerie brigade in power in
19 order to recuperate two or three weapons.

20 Unfortunately, President Bozizé sent presidential guards with enormous armaments
21 who attacked villages, burnt down villages, killed civilians. It was very harsh
22 repression. And the more this happened the stronger the movement became. It
23 was a movement where the combatants were all from that village, they didn't come
24 from anywhere else. So in the APRD, which I saw later, the elements were elements
25 from the villages of that area. They were all from Ouham-Pendé. It was only later

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1 that they started to look at people from Ouham and also Nana-Grébizi, but all
2 the combatants were people who were fighting to protect their own homes, their own
3 villages and towns.

4 Q. [10:33:40] You mentioned that these were people that were associated with, if
5 not perceived, as associated with Patassé. The APRD had former presidential guard
6 among them, isn't that right, from the Patassé era?

7 A. [10:34:06] When I arrived at the head of that movement, I didn't see them.
8 I didn't see them at all. The two main leaders who were introduced by the -- by the
9 son of Patassé, Sylvain Patassé, who's now a deputy in Bangui, were -- the officer was
10 called Wafio, and that officer was somebody I didn't know beforehand in the Central
11 African army. The second officer that I was introduced to was called
12 Lakoye Maradas. He too isn't in the records of the Central African army, so I didn't
13 see amongst the officers of the APRD someone who came from the ranks of the
14 Central African army.

15 Q. [10:35:16] Okay. But did you become aware of that information at any point?
16 Did you hear that said around?

17 A. [10:35:30] Yes. But unfortunately, when I arrived at the head of APRD,
18 the APRD was set up at the end of 2005, if I'm not mistaken, when Patassé's
19 candidacy was rejected. Because you must remember that in 2005 Patassé wanted to
20 be a candidate as well and Bozizé started, in the beginning, by rejecting the candidacy
21 of several candidates, myself included, Patassé, and I think Ngoupandé and some
22 others. So we were forced *to appeal to President El Hadj Omar Bongo of Gabon to
23 mediate between us and to create conditions for a discussion..
24 They all went to Libreville and we carried out our discussions under President Bongo
25 with Bozizé present.

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1 After those discussions and meetings my candidacy was maintained because in
2 the beginning he accused me and said I had been convicted and therefore could not
3 be a candidate, but fortunately, when I left Libreville, I took with me my case and said,
4 "Look, I've been accused, I've been charged, but I have never been sentenced and
5 convicted." And I was not in any way found guilty. And in this way, the assembly
6 decided that my candidacy should be maintained. Patassé was absent.

7 Nobody could really defend his candidacy, so he was pushed aside and he took this
8 very, very badly because he had hoped to come to power through this. So he took
9 this very badly and I think this was the fact that forced them to create this movement,
10 the APRD.

11 So when I was at the head of that in 2008, APRD had already started from -- from
12 the year 2006 or 2007. There were rifts within the organisations. Part of the APRD
13 left the movement and joined Miskine, because Abdoulaye Miskine was in the APRD
14 in the beginning and Miskine worked in the presidential guard of Patassé.

15 So some of the elements left APRD in Paoua to establish themselves elsewhere and they
16 said -- they set up FDPC.

17 And also, within APRD there would be another rift and there is another young officer
18 who was involved who was called Florent N'Djadder. He was going to set up
19 another movement. It was former people who were and did belong to the APRD.

20 Myself, I assisted in this peace dialogue, but I didn't see any Central African officers.

21 Q. [10:39:23] Okay. All right.

22 Now, you mention Paoua, and Paoua is a town in Ouham-Pendé; is that right?
23 That's where the APRD was centred?

24 A. [10:39:37] Yes.

25 Q. [10:39:40] We mentioned a bit earlier -- well, before I get to this next part, let me

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1 just ask you very briefly.

2 You said that -- and you explained how it was that Bozizé treated people in that area
3 harshly through attacks and so on. And you also mentioned the *libérateurs* and you
4 said that they were not from the Central African Republic. So just if you can just
5 briefly explain where they were from, I think that would be helpful.

6 A. [10:40:21] President Bozizé went to Chad, and from Chad he created
7 a movement, the movement of liberators to return to the Central African Republic.
8 He recruited many individuals in Chad who are basically Chadians who he put into
9 the movement and who helped him take power. This was known in Bangui. Even
10 in his personal guards he had a squad made up entirely of people from Chad who
11 protected him. Some of them were even in -- put into the regular army, like
12 Abakar Sabone, like Ngida -- I've forgotten the names. But they later became Séléka.
13 For example, General Abdel in Bangui, and many others. They were well known in
14 Bangui. So those people, when they became included in the Central African army,
15 they received propotion (phon) and it created a lot of dissatisfaction in our army, and
16 a lot of disorganisation started at that stage because of that.

17 Q. [10:42:04] And in terms of the harsh treatment that was carried out by Bozizé
18 and his men in Ouham-Pendé, for example, were you aware of similar treatment
19 of -- in different areas and perhaps in relation to different groups or rebel groups,
20 around that period of time? Because we'll come to -- we'll come to some of that
21 a little bit later as well.

22 A. [10:42:42] I'm sorry. What I can say is that for APRD, it happened around
23 Paoua or around another town known as Markounda, and also around Kaga-Bandoro,
24 another town, and Ouandango and Kabo. Those are -- that's what I can say
25 regarding APRD in those towns. What I also know is that the clashes that took place

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1 in 2007 with UFDR in Birao, Birao area -- you see at that time there was also a rebel
2 movement in Birao known as UFDR led by Mr Damane. Repression in those villages,
3 in that area was also very severe.

4 Q. [10:43:50] Just so the record is clear, I want to make sure that we got that right.
5 The group that was led by Mr Damane was called what?

6 A. [10:44:00] UFDR. UFDR.

7 Q. [10:44:06] Thank you. Now, we had talked about just briefly the *Nouvelle*
8 *Alliance pour le Progres*, that's the political group that you had mentioned. I just want
9 to show you a document. It's tab 49, CAR-OTP-2008-0754. I think you have
10 a binder over there, so you might be able to find it faster than we can display it on
11 the screen. But in any event, it's at tab 49 and I'll ask you to go to page ERN ending
12 0756. And so for your purposes, Mr Demafouth, that would be -- just flip one
13 page over and you look at item number 31.

14 And what it shows is --

15 A. [10:45:20] Yes, I'm there.

16 Q. [10:45:23] Okay. And so what it shows there is the name of the group in
17 the first column, *Responsable*, and then the date of recognition, *Date de reconnaissance*.
18 And it indicates your group there, *Nouvelle Alliance pour le Progres*, NAP, and your
19 name there and it looks like a telephone number. Is that -- was that your telephone
20 number, by the way, at the time?

21 A. [10:45:51] Yes.

22 Q. [10:45:52] Okay. And then there there's an indication of the date of recognition
23 of, it looks like November 8, 2008. No, I'm sorry, 11 August 2008. Do you see that
24 there?

25 A. [10:46:23] Yes. I see two dates here -- no, I'm sorry. Yes, I see the date

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1 of 11 August 2008.

2 Q. [10:46:40] Okay. Does that -- does it help refresh your recollection as to when
3 that party was registered or created?

4 A. [10:46:51] Yes, yes. It must be correct. Maybe I was mistaken when a short
5 while ago I said 2009 or 2010. So this must be correct. You see, I myself returned to
6 Bangui in 2008 following the peace agreement and I therefore knew already at the
7 time that there would be elections in 2010 since elections had been scheduled for 2010
8 and then subsequently postponed to 2011. So I had already created my party. In
9 fact, as far as I am concerned, the APRD issue was secondary. My true activities
10 were focused on NAP as the instrument that I would use during the elections.

11 Q. [10:47:51] All right. I just wanted to point out a couple of names you might
12 know on this page, as we happen to be on it. And you'll see at number 35,
13 somebody named Jean-Serge Wafio. That's not the same Wafio that you just referred
14 to, right? This is a different one?

15 A. [10:48:12] No, it's someone else. It's someone else.

16 Q. [10:48:15] And at number 37, you see the name Lin Banoukepa. That's
17 someone who's familiar to you?

18 A. [10:48:36] Yes, I know that he worked for some time with Patassé towards
19 the end of Patassé's regime. Then he became close to President Bozizé, yes, and I
20 think he also was even there when the Anti-Balaka movement was being created.

21 Q. [10:49:04] And you see at item number 41 someone named Cyriaque Gonda?

22 A. [10:49:18] Yes, I know him very well. A former minister. He was a minister
23 for communication and minister for DDR as well. He is the one who would
24 represent government on the strategic committee that had been set up for
25 disarmament.

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1 Q. [10:49:51] Okay. Vis-à-vis the government, what was the position of your
2 political group, NAP? I can surmise that you weren't supportive of the government
3 necessarily, but maybe you can explain a bit to the Chamber what your position was
4 politically concerning Bozizé?

5 A. [10:50:27] The NAP did not support President Bozizé and it did not support
6 the opposition either. At that time, the group which we created was some kind of
7 a central or centrist group of four or five political parties and we felt that our party
8 was independent of the two blocs. We did not support Bozizé and we were not very
9 close to the opposition.

10 Q. [10:51:07] You've indicated a centrist position, so I would take it then that
11 the group proposed certain reforms with respect to the governance of Bozizé and his
12 regime.

13 A. [10:51:32] Yes. We were very opposed to President Bozizé's policies at that
14 time. His political programme was poorly put together. We felt at the time that
15 our country needed to focus more on agriculture, agricultural development, in order
16 to attain food self-sufficiency in the Central African Republic at the time.
17 Unfortunately, President Bozizé's KNK did not have similar ideas and that is why we
18 criticised them. I was not the only one, by the way, doing that. I do recall that I
19 was with the president of one party whose name I forget, but the person was called
20 Anguimaté. And then there was someone else called Boukanga. And so there were
21 three or four of us together in this group which was centrist, so our position was quite
22 different from that of the opposition and from that of President Bozizé.

23 Q. [10:52:52] And just for my own clarification, when you're talking about the
24 opposition, to my mind at least, are you talking about, let's say, militarised opposition
25 or political, purely political opposition? Are we talking about rebel groups or are

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1 we talking about political action groups, so to speak?

2 A. [10:53:23] I'm talking here about political groups. I'm talking more about
3 political groups. Now, when it comes to armed opposition, political military armed
4 opposition, they did not have a political programme. They did not participate in
5 elections. They simply focused on the DDR programme and other such things. But
6 what I am referring to here is parties that were involved in real political activities.

7 Q. [10:53:58] And the APRD and a handful of other political groups were centrist
8 or moderate. And in relation to more robust opposition, how many political
9 opposition groups were there in respect of Bozizé's governance or policies that were
10 more, let's say, active or more radical than APRD?

11 A. [10:54:39] More active than the NAP?

12 Q. [10:54:43] Yes. Thank you for that. That's correct.

13 A. [10:54:47] Well, yes, I -- the opposition had come together under a front known
14 as the FARE, F-A-R-E, I think. Front for the cancellation and rerunning of the
15 elections. So the entire election was in that front, but we did not belong to the FARE.
16 That FARE brought together all major political leaders at the time.

17 Q. [10:55:29] And in terms of the rebel groups that were active - and now we're
18 talking about 2008, in 2007, 2008 and the lead up to the inclusive political
19 dialogue - what were the main groups that were active in opposition to Bozizé at
20 that time, to your recollection?

21 A. [10:55:58] There was the APRD, the FDPC, MLCJ, and the movement which was
22 led by a young soldier known as Florent N'Djadder. I mentioned that earlier, but
23 I've forgotten the name of the group. Sorry about that. So those are the movements
24 that were active at that time.

25 Q. [10:56:37] And what about the UFDR? Was that group active as well at the

1 time or did it come into existence later?

2 A. [10:56:52] The UFDR was active at that time. Yes, it was also created, I believe,
3 in -- around 2005, 2006 and it was, by the way, very active in terms of strength, that is
4 numbers. *The APRD had a higher number of members. But in terms of military
5 capacity, it was the UFDR which had more military capacity and more clashes with
6 the government, much more than the APRD.

7 Q. [10:57:33] Okay. And in terms of the reason, the underlying reason for holding
8 these inclusive political dialogue, was that for the purpose of addressing the concerns
9 of the political opposition and also armed groups in opposition to Bozizé? Was that
10 one of the driving forces for holding or organising this inclusive political dialogue?

11 A. [10:58:20] First of all, when it comes to the 2005 elections, these were already
12 being challenged. And shortly thereafter armed groups, politico-military groups
13 had begun *to emerge. The APRD was in Ouham-Pendé, which was the agricultural
14 centre for the Central African Republic. But the UFDR and the MLCJ were -- in the
15 Birao zone for the UFDR, as well as the MLCJ, were already present in certain
16 prefectures around the country and that was already creating a lethargy because of
17 the effects of these rebel movements in the country.

18 So the international community was already asking President Bozizé to have
19 discussions with them in order to stop their actives spreading so that they could call
20 for peace and then conduct the elections. That was the purpose, to seek peace and
21 ask politico-military groups to drop their weapons and then proceed to elections
22 under peaceful circumstances. That is the context in which the discussions or
23 dialogue took place. It did not only involve politico-military groups, it involved all
24 strata of society, all political strata of society and it also involved discussions among
25 those who were invited to this forum.

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1 Unfortunately, after the recommendations of the dialogue, the -- President Bozizé did
2 not respect the recommendations and the commitments taken there particularly were
3 not upheld.

4 The UFDR, therefore, became a political movement in association with FARE and
5 ended up creating the Séléka. Séléka was then created and it became an
6 extraordinary movement with much capacity because it brought together all the other
7 politico-military groups, except the APRD, which was already involved in the DDR
8 and reinsertion activities while all the others joined the Séléka. And that is how
9 Séléka ended up taking over power in Bangui.

10 But in spite of all that, President Bozizé did not see it coming. He was only focused
11 on Mr Demafouth. He was convinced -- when they told him that Séléka was coming
12 to take power, he was convinced and he -- he received me and he said, "I know they
13 are coming for you. They are coming to install you." And I said, "No, Mr President,
14 I know nothing about it." But he threw me in jail. And at that time Séléka was
15 operating and advancing, and so when Séléka was less than 200 kilometres away
16 from the capital, well, he realised that I had no hand in it so he released me and I took
17 back my duties -- I took up my duties back at the UN office. And so --

18 Q. [11:02:11] Mr Witness, we'll come to that. Trust me, we'll get there. I know
19 that you have a lot to say.

20 It's time for the break, I think, Mr President.

21 PRESIDING JUDGE SCHMITT: [11:02:17] I think -- I think so. It's a good idea.

22 We have now the break.

23 MR VANDERPUYE: [11:02:20] Okay. And then we'll pick up at 11.30,

24 Mr President, that's right. Okay.

25 THE COURT USHER: [11:02:26] All rise.

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1 (Recess taken at 11.02 a.m.) (Upon resuming in open session at 11.34 a.m.)

2 THE COURT USHER: [11:34:07] All rise.

3 Please be seated.

4 PRESIDING JUDGE SCHMITT: [11:34:35] You have still the floor, Mr Vanderpuye.

5 MR VANDERPUYE: [11:34:39] Thank you, Mr President.

6 Q. [11:34:49] Good morning, Mr Demafouth.

7 Just before we broke, we were discussing some of the circumstances leading to
8 the inclusive political dialogue in 2008. And I wanted to ask you some questions
9 regarding the circumstances under which that came about, particular grievances or
10 concerns that were expressed by the opposition, by armed groups before the dialogue
11 actually took place.

12 So I wanted to ask you, first, about your knowledge of the circumstances,
13 socioeconomic circumstances that were facing people in the area where the APRD
14 was operating, that is in Ouham-Pendé in the north-east -- the north-west, rather, of
15 the country just generally. And can you tell the Chamber what the circumstances
16 were with respect to those matters in that particular area.

17 A. [11:36:11] Thank you very much. Before answering your question, I want to
18 give you a clarification. In my testimony this morning, you asked me whether I
19 knew about one of the political movements who signed the agreement of 2008 and
20 who was amongst those who joined Séléka and I said it was managed by
21 a young -- young soldier. *It was the UFR. That was the name of the movement UFR.
22 I couldn't remember the name, but it was the you have UFDR. I also want to say that
23 amongst all these *coups d'état* there was one that I forgot, that was the one of Bokassa,
24 which was -- took place in 1968. I forgot to mention that one.
25 To go back to your question relating to what motivated the population in

1 Ouham-Pendé to be so dissatisfied because of their economic and/or social situation,
2 what I can say is that there was -- it was a disaster because Ouham-Pendé prefecture
3 was basically agriculture. In that prefecture, the government, beforehand, did
4 launch some projects which was managed by the European Union so that
5 development in the field of agriculture and the agricultural products could take place.
6 And they were purchased, the products were purchased so the local population had
7 a regular income.

8 But from 2003 onwards, when President Bozizé came to power -- no, sorry, since 2002,
9 when President Patassé's rebellion took place, they destroyed the factories who
10 processed the cotton in the town of Bossangoa and in the town of Pendé.

11 So in those factories, when you purchased the cotton, it was processed there and then
12 the people living there earned their salary. But from 2002/2003, those plants didn't
13 work anymore and the local people didn't have a source of income.

14 In 2003, when he came to power, the population was very frightened because in this
15 region of Ouham-Pendé it was many of the relatives of Patassé and there was a bit of
16 hunting everybody down in this region. So people fled and this triggered and led
17 ultimately to the setting up of the APRD.

18 However, the situation in the north, where the UFDR led by Mr Damane, there
19 the population also rose up because they felt that their region, which borders onto
20 Chad and -- was a region that had been overlooked, that there was no infrastructure
21 and the state had completely forgotten about them. The population was very
22 dissatisfied and so the UFDR was set up because of that.

23 This is what I can give you by way of a response.

24 Q. [11:40:31] Thank you very much. That's a very comprehensive response.

25 Let me ask you just a few follow-up questions.

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1 In respect to the UFDR, where was the group, let's say, centred? In what area of
2 the -- what region of the country?

3 A. [11:40:58] Birao.

4 Q. [11:40:59] And Birao is in Vakaga prefecture; is that right?

5 A. [11:41:06] Vakaga.

6 Q. [11:41:10] And that's in the north, but also in the east of the country; isn't that
7 right?

8 A. [11:41:15] Yes.

9 Q. [11:41:19] I just wanted to clarify it because what I saw on the record, or at least I
10 heard, was that it was in the north, which is right, of course, but it's also in the east of
11 the country. And Ouham-Pendé is in west; isn't that right?

12 A. [11:41:34] Yes, yes.

13 Q. [11:41:38] So with respect to the circumstances in the north-east of the country,
14 Birao, for example, do you have knowledge of what the conditions were like for
15 the people that lived in -- in that area of the country, that is in anticipation of the -- of
16 the inclusive political dialogue? So before that, what was -- what were
17 the conditions like for the people that were living in that area?

18 A. [11:42:22] Let me say that that region is a region which is completely forgotten
19 by the Central African Republic government for the last 30 years. There is no school,
20 no new schools in that region. There's no hospital. And the roads which could link
21 it to the rest of the country were -- could only be used seven out of every 12 months
22 because of flooding and the poor state of the roads. So it was a region that was
23 almost cut off from the rest of the country and depended on Sudan and Chad more
24 than its own government.

25 The officials who were going to that -- had to go to that region didn't go there because

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1 the administrative system in CAR meant there were no banks there, and so if you are
2 an official you wouldn't get your salary and therefore you couldn't provide for your
3 family. It's very far away, about 800 kilometres away from the capital.

4 The climactic conditions are also very difficult in that region. It is almost like a lot of
5 bad weather and the people in this region felt abandoned.

6 So the influence of Chad and Sudan became stronger so that even today, when
7 a Central African authority come there, they cannot address the population in Sango.
8 You have to talk to the people in that region in Sango, but it is translated for them in
9 Arabic for those populations so that they can understand.

10 Many children in this region went to school in Chad and in Sudan, whereas they are
11 Central African people.

12 On top of that, there's the problem of the hospitals, to have the appropriate care.

13 That's something that's very difficult.

14 From an economic point of view, everything that people in this area produced was
15 sold to Chad or to Sudan. So the Central African government really wasn't bothered
16 by the economy of this region and, if I'm not mistaken, that continues today. That's
17 the reason why everyone there was so dissatisfied, and therefore it ended up by them
18 creating this movement, the UFDR.

19 You have to recognise that all these movements went hand in hand with actions,
20 political actions which forced them to set up this movement.

21 Q. [11:45:44] Did you have an opportunity to visit or to go to the east of the country
22 to see, for example, the circumstances or conditions -- or the condition in which
23 people in that region lived?

24 A. [11:46:03] Yes, I went there at least three times to Birao. I went to Bria, I went
25 to Ouadda Jdale, Tiringoulou. So I know this region a bit and I talked to

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1 the population each time I went there.

2 Q. [11:46:36] And about when did you go, if you can -- if you can estimate?

3 A. [11:46:49] In the outreach campaign of the military socio-groups, I went there in
4 2008, I went there in 2009, and also in 2011. And, more specifically, in Bria, I went
5 there in 2014 and 2015.

6 Q. [11:47:17] Are you familiar with Siki Kede?

7 A. [11:47:26] Yes.

8 Q. [11:47:28] You mentioned Ouadda Jdale. You went there as well?

9 A. [11:47:36] Yes, I went there. But I didn't stay there for long because I was in
10 a helicopter, so I couldn't stay there for very long. Siki Kede is a big village, which is
11 a border town with Chad and Sudan, and served as a basis for a lot of rebel activities
12 in Central African Republic and even for Chad and Sudan.

13 Q. [11:48:03] Okay. Boromata, you've been there as well?

14 A. [11:48:11] Yes, I flew over it in a helicopter. But where I spent more time is
15 Tiringoulou, which is not far from Boromata.

16 Q. [11:48:23] And the times that you went there you were able to observe what you
17 described concerning the conditions that the people faced there. And was that one
18 of the -- was that one of the reasons that the groups formed in that area, or UFDR in
19 particular, but also for political opposition to Bozizé's government?

20 A. [11:48:50] Yes.

21 Q. [11:48:53] And do you know whether the people from that region, because of its
22 proximity to Sudan and to Chad, are generally considered to be perhaps not even
23 Central Africans in certain circles?

24 A. [11:49:21] Yes. Firstly, many are Muslims and they dress -- unfortunately,
25 Muslims, those who are Muslims dress like the people from Chad and Sudan,

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1 whereas they are Central Africans, but they have different dress. They dress like
2 people from Sudan and Chad. So they are kind of mixed -- confused in -- or
3 sometimes people think they are from Chad or from Sudan.

4 And let me add, from the moment where there's no school infrastructure, then
5 the schools that are in Ouadda and Ouadda Jdale and Birao are schools that were
6 built during the colonial times. So the children go to the schools until the third year,
7 but the rest, if they want to go on with their studies, the parents send their children to
8 Chad or Sudan because to go 800 kilometres to arrive in Bangui and have no family
9 that can house them, it's a problem. But if they go across the border and go to Sudan
10 or Chad, it's the same ethnic group if it's on one side or the other. They are
11 welcomed and are accepted.

12 And when the Séléka arrived in Bangui, all of them returned to the Central Africans.
13 All those children from that region who were in Chad and Sudan, they found an
14 opportunity to come back to the country. And many came back. And people
15 thought they were Chadians or Sudanese. It was very difficult to identify them as
16 Central African people, and so they were caught in the conflict.

17 Q. [11:51:40] And, of course, as you mentioned before, many of them spoke Arabic
18 or only Arabic; is that right?

19 A. [11:51:50] Yes.

20 Q. [11:52:04] Did you ever hear of an operation called Operation Closing Gate,
21 having to do with the mining industry in October 2008?

22 A. [11:52:22] No.

23 Q. [11:52:25] With respect to the conduct of Bozizé's government in the period
24 leading up to the inclusive political dialogue, were you aware of any allegations
25 against the government concerning crimes or crimes against humanity, crimes of that

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1 nature?

2 A. [11:52:53] The crimes against humanity, which I know about, was done in
3 the area which was operated by the APRD. There are reports and documents about
4 it because villages were burnt down, completely razed with women and children
5 killed in that region, and it was alleged that the presidential guards of Bozizé did that.
6 There was an officer who was at the head of this. He was called Ngaïkosset.

7 Q. [11:53:43] Are you referring to Eugène, Eugène Ngaïkosset?

8 A. [11:53:49] Yes.

9 Q. [11:53:51] All right. Let me just ask now about the political dialogue of 2008.
10 First of all, were you a member of the preparatory committee for that -- for that talk?

11 A. [11:54:14] No. I was one of the individuals who were invited. I remember
12 that I made a speech at the opening.

13 Q. [11:54:29] And the purpose of that dialogue was what, exactly, to -- was it to
14 create a consensus or to address the concerns that we've just discussed
15 concerning by -- held by political groups or rebel groups as well?

16 A. [11:54:53] Yes. The aim primarily was to bring about peace, free circulation of
17 goods and persons throughout the country and also to have the setting up of
18 a government which could lead to elections which would be fair and democratic and
19 impartial. Those were the objectives of the dialogue.

20 Q. [11:55:31] And following that dialogue was there an agreement reached? I
21 think it's been referred to in the record as a comprehensive peace agreement or global
22 peace agreement?

23 A. [11:55:49] Yes. The CPA was assigned before, before we reached the dialogue.
24 And we believed that the government would apply it, that this agreement would be
25 implemented. But unfortunately, after the dialogue, that was not the case.

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1 The government gave rise to resentment rather than anything else. If you look at the
2 example of President Patassé who came back to the country for this dialogue, we
3 were neighbours in the dialogue room. But during the dialogue, he was always
4 being guarded. The government was forced to live in Boali, a hundred kilometres,
5 and he came to the town either by helicopter, but he was also escorted.
6 Later there was a lot of pressure and the heads of states of the region to authorise him
7 to be installed in a residence in Bangui. So already that led to frustrations. Then
8 the government, which came out of the government, didn't have all the parties
9 involved in the dialogue. The parties of Bozizé, for example, took the majority of
10 the posts in the government. The movement, the political military movement, who
11 would have liked to be involved in the government because according to
12 the agreement that was signed with the Bozizé government, it was specified that they
13 should participate in the management of the country.

14 Q. [11:57:55] So the agreement that was signed specifically provided for
15 the participation of these groups in the government --

16 A. [11:58:09] Yes.

17 Q. [11:58:12] -- effectively creating a coalition or a unity government even at that
18 time; is that fair?

19 A. [11:58:29] Yes. It wasn't really a government that came from this, but rather
20 something based on the KNK, the Bozizé party, with certain people who were elected
21 or chosen.

22 Q. [11:58:53] And --

23 A. [11:58:55] If I could add, which would trigger the reaction of the political
24 opposition, so they regrouped to create a front to face him and oppose him.

25 Q. [11:59:15] In relation to the comprehensive peace agreement, the CPA, different

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1 groups also executed and signed, I should say, ceasefire agreements effectively with
2 the government. Is that correct to your recollection?

3 A. [11:59:34] Yes, the UFDR signed an agreement of ceasefire with the government.
4 And in the global peace agreement everybody signed, be it the UFDR, the MLCJ or
5 the others.

6 Q. [11:59:53] And what -- what about the APRD? Did you sign an agreement also
7 in respect of the -- the (Overlapping speakers)

8 A. [11:59:58] Yes, yes, we signed. Yes.

9 Q. [12:00:07] And you described earlier that you had signed that with
10 the government, in particular. Did you sign that -- did Cyriaque Gonda sign as a
11 minister of communication for the government with respect to the agreement?

12 A. [12:00:31] Yes.

13 Q. [12:00:33] Okay. And you signed on behalf of the APRD?

14 A. [12:00:43] Yes. In 2008 in Libreville.

15 Q. [12:00:48] And you've indicated that the government did not necessarily respect
16 that agreement and essentially did not abide by establishing or providing for political
17 representation as was called for. And was that part of the reason why he
18 was -- President Bozizé was opposed and eventually pushed out of office?

19 A. [12:01:49] Yes. After the political dialogue and President Bozizé having
20 obtained the global peace agreement to which military and political groups had
21 signed up, as well as ordinary political movements which agreed to go for peace and
22 elections, what happened is that President Bozizé instead guided his activities
23 towards preparing the elections for his own reelection. So he did not take into
24 account the recommendations or remarks or observations or content of the agreement.
25 He simply focused on his own reelection.

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1 Q. [12:02:46] Relative to the agreement, did the APRD proceed with
2 the disarmament, demobilisation and reintegration as had been understood in signing
3 the -- in signing the agreement to begin with?

4 A. [12:03:13] Yes.

5 Q. [12:03:15] And if I could just ask, with respect to the agreement, did it call for
6 amnesty as well for participants in rebel groups or armed groups at that time?

7 A. [12:03:35] Yes.

8 Q. [12:03:38] And in respect of that provision, was that honoured by the Bozizé
9 government?

10 A. [12:03:52] Yes, it was somewhat upheld and even the scope was broadened.
11 You see, the government took advantage of this to extend the amnesty to its own
12 agents who were not covered by the agreement.

13 Q. [12:04:22] Now, you probably have heard that there is some disagreement that
14 the APRD was ever actually demobilised, if you want to put it that way, in
15 accordance with the agreement or subsequently. Now, first of all, have you heard
16 that?

17 A. [12:04:55] What type of disagreement and with whom?

18 Q. [12:04:59] Okay, maybe I have a translation. What I've said is that have you
19 heard that the APRD did not actually demobilise in accordance with the agreement,
20 in accordance with the CPA?

21 A. [12:05:27] The APRD was fully demobilised, fully demobilised. I know that
22 later on, around 2013, in Ouham-Pendé region, a former security staff member of
23 Patassé, who subsequently became a minister several times in the government,
24 re-created a rebel movement which subsequently joined Séléka at some point. I
25 think he created a movement known as the RJ. RJ, I believe. That movement

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1 operated in the same area where the APRD operated at the time. So there was the RJ,
2 which has nothing to do with APRD, and the officials of the RJ are not at all
3 the officials of the APRD.

4 Now, what I can say is that all the elements who were recognised by the integrated
5 offices of the UN in the Central African Republic were registered, they were given
6 cards and were individually demobilised, and they individually participated in
7 the reinsertion processes, about 8,000 of them. All of them were seen and all of them
8 were demobilised.

9 Q. [12:07:10] All right. Maybe I can help you a bit with your recollection
10 concerning the individual that you were talking about who was a minister and so on.
11 Does the name Armel Sayo ring a bell?

12 A. [12:07:27] Yes, yes, indeed.

13 Q. [12:07:29] And RJ that you've described, does that -- does that refer to *Révolution*
14 *et Justice*?

15 A. [12:07:42] Perfect.

16 Q. [12:07:45] With respect to the demobilisation of the APRD, what can you say
17 about the demobilisation of other groups that you mentioned, UFDR, MLCJ,
18 FDPC -- FDPC? What can you say about them in terms of -- in terms of their
19 demobilisation?

20 A. [12:08:17] All those movements refused to effectively participate in
21 the programme that had been set up. They refused and most of them ultimately
22 joined Séléka.

23 Q. [12:08:37] Those groups had been involved with negotiations in the government
24 since 2000 -- beginning late 2007, all the way up until 2012, and in that period of time
25 they didn't demobilise; is that right?

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1 A. [12:09:01] Yes.

2 Q. [12:09:01] And that was because of the circumstances -- because of the manner
3 in which Bozizé was addressing their concerns, or was it for some other reason?

4 A. [12:09:15] Well, what I can say is that I am not in a position to provide
5 justification as to why the leaders of those movements thought in this way or that
6 way or what their plans were. I think, however, that they took the pretext of the
7 government's failure to respect the agreement to also not subject themselves to
8 the obligations of the agreement regarding demobilisation.

9 Q. [12:09:51] Okay. Now you mentioned earlier this morning, or this morning,
10 rather, the FARE, F-A-R-E, which I understand is the *Front pour l'Annulation et la*
11 *Reprises des Elections*.

12 A. [12:10:12] Yes.

13 Q. [12:10:15] And my understanding is that the group was effectively formed
14 sometime in March 2011. Is that -- does that accord with your recollection?

15 A. [12:10:34] That is correct.

16 Q. [12:10:36] And that was just a bit after the 2011 election that Bozizé -- which was
17 contested and was ultimately ruled by the constitutional court to stand; is that right?

18 A. [12:11:01] Yes.

19 Q. [12:11:03] And the groups that made up, or at least the main groups that made
20 up this FARE, do you recall what they were and who represented them?

21 A. [12:11:19] I think that the main groups that were in it were the MLPC of
22 Martin Ziguélé. The movement of Nicolas Tiangaye. The *patrie* movement by
23 Mboli-Goumba. And those are the main ones that I knew of. But there were others.
24 I think there was the RDC as well. There were other groups. The RDC of Kolingba
25 was also part of the FARE. So, basically, all the parties in the political opposition

1 joined the FARE.

2 Q. [12:12:17] And in terms of the political opposition, your NAP party, did it join
3 the FARE also?

4 A. [12:12:30] No. The NAP did not join. We refused to join. Because at the
5 time I was afraid. I feared that if the NAP were to join the FARE, the APRD would
6 not execute the demobilisation programme. Some APRD elements would then have
7 thought that I had joined the more or less radical opposition and therefore would
8 abstain from executing the demobilisation programme. It is for that reason that I
9 opted not to join the FARE so as to keep APRD out of political contests while
10 following the demobilisation programme. That is why NAP did not join.
11 You see, at that time it was difficult to distinguish between my person as an
12 individual, both in the APRD and in the NAP. Everybody was waiting for me at that
13 corner. They wanted to trap me there. If I joined FARE, then they would say
14 APRD has joined FARE, and then "UFDR, what are you waiting for? Please join."
15 So that for reason I said no, I'm not going to join FARE and I remained in my position.
16 But this is what happened subsequently. You see, later on you would notice that
17 FARE subsequently became the political instrument or tool that supported the Séléka
18 coalition. When we gathered in Libreville for the meeting between Bozizé's
19 government and the armed opposition, the person who spoke and introduced
20 the requirements of Séléka at the time was indeed the spokesperson for FARE, Maître
21 Tiangaye, and who would then subsequently become the prime minister proposed by
22 Séléka.

23 Q. [12:14:54] Of course you know the FARE was sharply critical of the election and
24 the election process in which Bozizé claimed victory in January of 2011. And you're
25 aware of, I take it, of certain public speeches, pronouncements that were made by

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1 members of the FARE or members of groups that comprised the FARE; is that right?

2 A. [12:15:40] I do not clearly recollect. But maybe you can jog my memory a little
3 bit so that I can answer you properly.

4 Q. [12:15:47] Well, do you know -- well, are you aware of public statements by
5 the FARE that were critical of the election? And, if so, in what -- you know, in what
6 means -- how were they critical of the government?

7 A. [12:16:19] First of all, FARE had undertaken some political mobilisation
8 internally, and also internationally, to point out the weaknesses of the Bozizé regime,
9 particularly its poor governance. And this was not a secret. FARE did this publicly
10 and their stances were public knowledge. So I can tell you that when we got to
11 Libreville, the list of complaints and demands of Séléka were the same as those of
12 FARE. And it is FARE which presented those positions which were well known.

13 Q. [12:17:15] Now, as you were a candidate for -- in this -- in this election, did you
14 become aware of accusations against the government, or against Bozizé in particular,
15 concerning fraud that was committed during the course of that -- of that election.

16 A. [12:17:45] Yes, yes, I -- you see, not just fraud at the time of the elections proper,
17 but also during the campaign. I myself as a candidate, I had been prohibited from
18 holding rallies and travelling across the hinterland of our country. Most, if not all, of
19 my rallies were prohibited. Whenever I wanted to go to any location, the army,
20 the police or the gendarmes were present to stop people from gathering. So we were
21 not able to campaign as we ought to.

22 President Patassé complained about this as well, namely that he too was not able to
23 campaign as campaigns normally should be held.

24 Then there was the issue of the composition of the electoral committee or commission
25 which was chaired by a former pastor who had been selected by Bozizé.

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1 The management of that election commission was not satisfactory and it was
2 criticised by everybody, particularly in relation to the results that came out of the
3 commission. First of all, because they did not reflect the popularity of some
4 candidates in certain regions. For example, in my region of origin, my parents are
5 from Sibut, I grew up in Sibut and there was a voting station in Sibut at the school
6 where I attended school. At least five people should have voted for me in that
7 polling station, but in that polling station I had no vote, zero vote. So that could
8 somehow explain why people challenged the election results.

9 However, at the time, I perceived a danger, namely that Bozizé was looking for
10 a pretext to create chaos. You see, FARE made the mistaken, along with Séléka, of
11 offering him that pretext. And that's how the country has plunged into chaos and
12 has remained in it to this day.

13 Q. [12:20:16] Okay.

14 Just for the Chamber's edification, the political parties to which the witness has
15 referred to you can find, at least in the list of registered or recognised political parties
16 that I've mentioned to -- mentioned before, to tab 49, CAR-OTP-2008-0754. Item
17 number 31 is the witness's party, item number 47 is the RDC. Item number 20 -- and
18 that's at page 0756. At page 0755 there is the MLPC. And at page 0754 there is
19 the CRPS, that is the political party of Mr Tiangaye.

20 I wanted to ask you about this steering committee with respect to the demobilisation,
21 disarmament, reintegration of various groups that you were appointed to. Can you
22 tell us about that, tell us when you were appointed and what your mission was.
23 What was your -- your work, what did it involve?

24 A. [12:21:55] When we signed the global peace agreement in Libreville, the decision
25 was to set up a steering committee for the DDR programme. The United Nations,

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1 the United Nations representative in the Central African Republic was the president
2 of this steering committee. And at that time I was the first vice-president.

3 The representative of government, who was Gonda, was the vice-president. Then
4 there were other members representing the politico-military movements that had
5 signed up. They too were members of this steering committee.

6 So, from time to time when the chair of the committee was absent, he would ask me to
7 chair the meetings, and as well as the representative of the government. So we did
8 this up until the time when we had completed our outreach campaign to all
9 the groups. And as we were poised for the entry to the real disarmament phase, you
10 see, the United Nations had issued a call for a coordinator who would lead the teams
11 on the ground in the disarmament and reintegration exercise.

12 I applied for that position, along with other persons in Bangui, and I was selected to
13 become the coordinator of the DDR attached to the UNDP, while still being member
14 of the steering committee. So that's how things panned out and maybe this gave me
15 an opportunity to exert more pressure on people of the APRD to ensure that they
16 respected the DDR programme. I continually told them that I was in charge of that
17 programme and that, mindful of my responsibilities toward the international
18 community, I urged them to do so. And that's why they did.

19 So, on the other hand, during the meetings I saw how the representatives of the other
20 groups who were there gave the impression that they did not have much contact with
21 their elements on the ground and did not regularly convey the instructions or
22 the information or the reports of the steering committee to their bases.

23 Q. [12:24:51] All right. I want to show you just an article. It's tab 33,
24 CAR-OTP-2001-1437. It's an article that appeared in Amnesty International and it
25 refers to you in particular. And we'll need to go to page 1498, I believe, at the

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1 bottom of the page. It's in English, so I'll read it to you so that you can receive
2 the translation.

3 But it's really just a short thing and you can see here in the middle of the page it refers
4 to the Central African Republic, and on the bottom right it refers to the disarmament,
5 demobilisation and reintegration. And it says, just very briefly:

6 "Several armed groups announced an end to the conflict with the government and
7 committed to ..." if we go to the next page "... disarmament, demobilisation and

8 reintegration. The Union of Republican Forces announced in June that it had
9 completed its disarmament and dissolution. The APRD declared in July it had

10 ceased to exist as an armed group. Its demobilisation had been delayed in January

11 [and] its leader (national vice-president of the DDR programme Jean-Jacques

12 Demafouth) and two other politicians were accused of plotting against

13 the government and detained. Opposition leaders said that the arrests were

14 politically motivated to sabotage the DDR. The charges were dropped and the men

15 were released in May."

16 It then goes on and talks about the CPJP having signed a ceasefire agreement.

17 So my first question to you is, does this sound approximate or correct to

18 your -- relative to your recollection of the events?

19 PRESIDING JUDGE SCHMITT: [12:27:31] I think the -- yeah, okay.

20 THE WITNESS: [12:27:34](Interpretation) Yes. Yes. I am comfortable with that.

21 And it tallies with my, my recollections. As I told you a short while ago,

22 President Bozizé was always looking for a pretext, and that is how the Court should

23 understand the creation of what is somewhat referred to today as Anti-Balaka, which

24 at the time were self-defence groups.

25 You see, at the time I said the APRD had been dissolved, and so President Bozizé

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1 didn't believe it. He kept accusing me that I wanted to dissolve the movement and
2 take up the -- and take up the leadership of the Anti-Balaka -- of the Séléka, rather.
3 So he started asking people to create self-defence groups in the villages to whom he
4 gave hunting rifles and machetes.
5 So those people became provocation for the APRD and they somehow substituted for
6 the gendarmes and the police in various villages. And it is at that time that he
7 arrested me, thinking that the APRD elements would react, be angry and do
8 something. *But I asked them not to do anything, and that I will go through the whole
9 process if I am accused and let justice run its course. And it lasted four months and
10 I was released thereafter. After I was released, he received me and he said, "I'm not
11 going to let you go because I know something is cooking." I had shown him all my
12 good will, but for some reason he -- he continued to hold it against me. And all this
13 continued until Séléka arrived.
14 So, some 15 days before Séléka arrived, he also attempted to arrest me, but I was -- I
15 fled to Chad. I was bound to flee to Chad where the Chadian officials handed me
16 over to FOMAC for protection. And five days before Séléka entered Bangui, I was
17 taken back to Bangui and held at Camp M'Poko. And it is from there that I saw
18 Séléka enter Bangui from a military perspective, and then I was also able to see
19 the first discussions and various arrangements towards the subsequent creation of the
20 Anti-Balaka and its reorganisation.

21 MR VANDERPUYE: [12:30:44]

22 Q. [12:30:45] Okay, we're going to come to that pretty soon, I think. There's
23 a couple of points I'd like to -- I'd like to cover with you just before that, though.
24 Now, you talked about -- let me just ask first, were you a member of this steering
25 committee and involved in the DDR programme, or at least the administration of the

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1 DDR programme during the period in which the Séléka was formed or becoming
2 formed?

3 A. [12:31:20] Of the DD -- well, at the level of the United Nations, yes, yes.

4 The integrated office of the UN, I was in charge mostly of the reinsertion aspect with
5 the United Nations bureau. There was a ministry, a ministry, an entire ministry in
6 charge of the DDR and there was a minister delegate at the defence in charge of the
7 DDR. But I used to work as a consultant for the UN integrated office in the area of
8 reintegration.

9 Q. [12:32:04] And the UN integrated office went by the acronym BINUCA; is that
10 right?

11 A. [12:32:15] Yes, that's correct.

12 Q. [12:32:16] And you were involved, I think, with the head there by the name of, I
13 think it's Margaret Vogt?

14 A. [12:32:25] Yes, she was the representative.

15 Q. [12:32:27] And I wanted to ask you, what did you know about the composition
16 of the Séléka, at least at the time in 2012 when it was forming? I mean, it was formed
17 of several different groups, as you know.

18 A. [12:32:48] In the beginning, there was the UFDR. Later, it became enlarged by
19 including other movements. If I remember, they incorporated the Séléka when they
20 came to Bangui. But the core was the FDR -- was the UFDR.

21 Q. [12:33:28] And in terms of the number of Séléka elements, did you have any
22 information about that, particularly in your interactions or exchanges with UN and so
23 on in terms of reinsertion or demobilisation?

24 A. [12:33:57] It changed a lot, the groups of Séléka. When Séléka started, I think
25 that in Birao or in Tiringoulou it was groups of the UFDR, plus young people and

1 people who came from Chad and Sudan that were integrated. But when they
2 arrived at Sibut and Damara, that their numbers changed. FOMAC had between
3 2,000 and 2,500 combatants that were included. And when they took power, in
4 a month they were 6,000, their numbers swelled to 6,000.

5 In April, when President Djotodia came and asked me to be coordinator of the DDR
6 programme and also the RSS, we estimated the number, which went beyond 10,000,
7 because everyone of Bangui and the area around the -- Bangui were integrated into
8 Séléka because they arrived in Bangui on favourable grounds. The government of
9 Bozizé had just launched of recruitment for the army. More than 3,000 young people
10 in Bangui came forward in order to be recruited. Unfortunately, this recruitment
11 wasn't done under good conditions. We only took about 500. So all the rest were
12 dropped. So there was a lot of unhappy young people in Bangui, and when Séléka
13 arrived they all joined Séléka, and they made up the elements of Séléka who
14 remained in Bangui and the camp for a long time. That's what I can say about
15 the numbers in Séléka.

16 Q. [12:36:43] And in terms of its makeup, ethnically, religiously, how would you
17 describe what you learned, what you observed?

18 A. [12:36:59] The Séléka was made up of different ethnic groups. Within Séléka,
19 the group that had the power was the Goula, which belonged -- was also the group of
20 Djotodia. *But in addition to the Goula there were the Runga, who were with
21 Abdoulaye Hissène's movement which had joined the Séléka; and these were the
22 Runga from Ndela. Then, as the Séléka moved the Bria area and Bambari area - these
23 are zones - until Sibut, there was a strong Banda group. Young people from these
24 groups joined up Séléka. *And when they arrived around Damara and there were the
25 Mandja, and they were an ethnic representation of groups. But there

1 was also a strong representation of Arabic people who were represented by
2 Al-Khatim within Séléka, and you can see them in Séléka.

3 Q. [12:38:39] And did you have a chance to go to certain encampments, if you can
4 call it that, places where the Séléka were billeted at some point? For example, to
5 Berengo.

6 A. [12:38:53] Yes, I did go to Berengo with President Djotodia. I must say, it was
7 my suggestion to set up the centre in Berengo so that not everybody was in Bangui.
8 Because as you can imagine, the 10,000 of men of Séléka in Bangui didn't want to go
9 to the provinces, so it became very difficult for the population in Bangui. So I
10 suggested to the president that we create a centre and we visited Sibut, we visited
11 Berengo, and others. And I suggested to him that within the framework of
12 demobilisation programme we should go outside Bangui, and that's how the centre of
13 Berengo was set up and the members of Séléka were sent there. I think in
14 the beginning about 2,000 or 3,000 were sent there. They also went to Sibut so that
15 Bangui would be less crowded. I went to Berengo with Djotodia.

16 Q. [12:40:15] When you went to Berengo with Djotodia, of the people that you saw
17 there, how -- how many of them would you say or could you observe were actually
18 Muslims?

19 A. [12:40:42] Well, roughly, maybe 30 per cent.

20 Q. [12:40:53] What about when you went to Sibut?

21 A. [12:40:57] Same.

22 Q. [12:41:01] And in your estimation, or the information that you received, how
23 would you characterise the demographics, if you want to call it that, of the Séléka that
24 came to Bangui? Were they mostly Muslim, mostly Christian? What is your
25 information with respect to that?

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1 A. [12:41:34] When arriving in Bangui, it was really predominantly Muslim.
2 Mainly Muslim. Maybe 75 to 85 per cent. The Christians came later and were then
3 incorporated into their ranks.

4 Q. [12:41:58] And in terms of, let's say, the composition of the group, did you have
5 any information as to how much of the group actually came from abroad versus the
6 number of the group that were already in the country or came from within
7 the country?

8 A. [12:42:28] No, it's difficult to assess. As I said just now, in this region of
9 Vakaga, there were many Central African people who only spoke Arabic. So it was
10 all mixed up, so it's really difficult to know. However, you could distinguish clearly
11 the people from Sudan and the Chad Arabs who were with them, namely
12 the grouped around Al-Khatim. *And there was also a group of Sudanese at the
13 Presidency who ended up occupying a military camp in Bangui which is called
14 Sapeur-Pompier support regiment, who were led by one Moussa Assimeh from
15 Sudan. He was responsible for repairs of heavy weapons of Séléka. Every heavy
16 weapons, it was repaired by him. But they came from Sudan and you could see that
17 clearly and we all knew that as well.

18 Q. [12:43:41] And in terms of the approach --

19 A. [12:43:47] However - sorry - we also found some Congolese people from
20 the Democratic Republic of Congo within the ranks of the Séléka.

21 Q. [12:44:00] In terms of the, let's say the staff of the Séléka or -- how would you
22 describe that? Were those mostly Central Africans, mostly foreigners, Sudanese,
23 Chadians? Or are you not able to say either which way?

24 A. [12:44:34] I can't tell you. But there were foreigners. But the leaders were
25 Muslims but they were from Central African Republic, they were Central Africans.

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1 But I can't really tell you more precise information.

2 Q. [12:45:05] Okay. Did you ever hear talk about the -- the impetus of the Séléka
3 movement to be the objective of establishing an Islamic state in the Central African
4 Republic?

5 A. [12:45:31] I heard talk about that, yes. That there was an impression that they
6 were close to the Islamic state. *It was Nourredine who gave that impression and it
7 was known that he was close or could be to the Islamic movement as the number 2. I
8 had heard talk about it. But, rather about him and not President Djotodia who on one
9 side or who even had Christian relatives. And by the way I saw him praying less than
10 the others.

11 Q. [12:46:11] Is that a position that you credited based on the information that you
12 had or information you came into, that the objective of the Séléka from the *au départ*,
13 from the beginning, was to establish an Islamic state in Central Africa -- in Central
14 African Republic?

15 A. [12:46:36] Well, there were -- there were rumours, but we don't have any proof.
16 *For example, the obligation to attend the Koranic school, or to do any other such
17 things like that. However, the requests continued to come. Demands to recognise all
18 that which is Muslim and enshrine same in the Constitution and into the legal texts of
19 the Central African Republic. That is what was happening and there was a lot of
20 pressure for that to be done.

21 But we did have information as regards certain leaders of Séléka who were coming
22 closer to the Islamic group. I think Mr Nouredine, who play -- and his role in
23 what's it called? Because at a certain point of time when the President of Chad
24 wanted to talk with -- with what's name his, Aboubakar, I think, who was in Nigeria,
25 Nourredine was one of the intermediaries to facilitate discussions. So that

1 presupposes that there were links and contacts.

2 I, as a responsible politician, I became concerned about that.

3 Q. [12:48:19] That makes a lot of sense.

4 Let me ask you this question about -- with respect to the *libérateurs* that Bozizé
5 brought to the country in 2003. Do you know approximately how many people he
6 brought with him from Chad to the Central African Republic with respect to the coup
7 that he mounted on 15 March 2003?

8 A. [12:48:49] No, I wasn't in Bangui, so I don't have a real idea about the numbers.

9 Q. [12:48:57] Okay.

10 A. [12:48:59] But, however, one thing happened in Bangui. In 2004, part of the
11 officers which he himself recruited in Chad and which he brought with him, for
12 example, Abakar Sabone, Ngida. There was one who became the head of
13 information for Séléka, I've forgotten his name. Those, in 2004, as liberators rebelled
14 against Bozizé and Bozizé was forced to ask Gabon and Chad to mediate. And they
15 agreed those go back to their original countries, which was Chad. Whereas those
16 people were people who commanded about one section or one company. *So they
17 were sent by plane from Bangui to N'Djamena, and when they were there, President
18 Deby was angry and they were imprisoned there at his place and he accused them of
19 having served as mercenaries in CAR. They were reproached of being mercenaries in
20 the Central African Republic. And I think some months or one year later they were
21 released, and some of them later came back. That's what happened in Bangui.

22 Q. [12:50:43] I want to ask you just a couple of questions about the end of the year
23 or towards the end of the year. I understood that, towards the end of the year, that
24 certain militias were created in and around Bangui to detect, I think, the movements
25 of the Séléka. Did you become aware of that as well?

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1 A. [12:51:19] At the end of 2020?

2 Q. [12:51:23] No, sir, at the end of 2012.

3 A. [12:51:31] Yes. Yes. Firstly, there was a movement called COCORA and

4 then -- and COAC, and then there was the self-defence groups which would become

5 the Anti-Balaka. And there were other movements. I can't remember the name.

6 There was militia that was set up. We can't deny that. They could carry out

7 operations like the police, they could check vehicles during the night and even during

8 the day sometimes.

9 Q. [12:52:21] And with respect to COCORA, do you know who was at the head of
10 that -- of that group?

11 A. [12:52:32] Yes, it was Mr Yakete, Levy Yakete.

12 Q. [12:52:37] And do you know how the group was comprised or what kind of

13 people were in it? Youth, military? Can you provide the Chamber with some sense

14 of who comprised these militias, in particular COCORA.

15 A. [12:53:00] I can't tell you precisely. The danger with President Bozizé was that

16 he was very clan based, and at that moment *everyone who was related to him and

17 was in the army could join those militia.. And this militia also had arms

18 which came from the national army. This militia had a military background.

19 I don't really know a lot about the way it operated internally. But it was one that

20 anyone could enter it and they could -- could do a lot of damage because they really

21 didn't have the proper training and were poorly organised.

22 Q. [12:54:12] Do you know if they had the backing of Bozizé, his government, or
23 people associated with the government?

24 A. [12:54:25] Yes, absolutely. Yes. Mr Levy Yakete was a director general of

25 the national authorities of civilian aviation, which is a strategic position which gives

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1 permits to landing and taking off of planes. So he communicated directly with
2 the president and he also gave advice. He was a very influential member of KNK.
3 It wasn't -- it was an open secret. COCORA, all those militia had offices within
4 the KNK in Bangui.

5 Q. [12:55:20] Do you know how they were supported or whether, in fact, they were
6 supported financially by the government or by members of the KNK or Bozizé's clan,
7 so to speak?

8 A. [12:55:35] I don't know how the funding was done. But obviously one
9 individual, like you or me, cannot stay at the same blockade without any food and
10 continue for -- for several days or indeed months. They have to have food. And if
11 a government can't do that, then a group will set up the barricades without asking
12 them to go. If the government doesn't ask them to leave, that means the government
13 is helping them and is keeping them there.

14 But I think much more than that it was Bozizé himself who funded this himself
15 through his own resources.

16 Q. [12:56:38] I want to show you a document. It's a news article, actually. It's at
17 tab 60, CAR-OTP-2074-0411.

18 It's an article that discusses Levy Yakete and his relationship with COCORA. And I
19 wanted to just orient you a bit, if I could.

20 If we go to the bottom of the page, the middle column. That's good. If you could
21 just, yeah, just blow up -- if we could just go -- the last page, I'm sorry. We'll have to
22 go to page ending 0420. Sorry about that. The very last page of the document.

23 And you can see in the middle of the page it says -- it begins in the middle column:
24 (Interpretation)

25 "For your memory for the creation of the militia COCORA at the end of

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1 December 2012."

2 (Speaks English) You see that, right?

3 A. [12:58:08] (No interpretation)

4 Q. [12:58:09] What I'd like to do is to focus on a couple of points here and, to save
5 a little bit of time, let me just orient you to the last sentence of that paragraph that
6 we're on now, which says: (Interpretation)

7 "It is the case of COAC of Steve Yambete and of the MDPC of David Gbanga and
8 others."

9 (Speaks English) And they're talking about certain money changing hands. And
10 then if you look down at the bottom of the page, and this is what I'm interesting in, it
11 says -- it begins with the paragraph: (Interpretation) "In the youth circles of the KNK".

12 (Speaks English) All the way down, please. There it is.

13 Okay, right at the bottom of the page, middle of the paragraph. If you could just
14 read that part of the paragraph until the top right column next to it. And then I'll ask
15 you some questions about that.

16 Okay, we probably need to go to the top of the page so he can read that as well.

17 Have you had a chance to read that?

18 A. [12:59:55] (No interpretation) (Overlapping speakers).

19 Q. [12:59:56] And here it seems to be talking about financing of the group in certain
20 areas.

21 A. [13:00:02] (Overlapping speakers)

22 Q. [13:00:04] (Interpretation) "Financial support from the children of Bozizé".

23 (Speaks English) I can't quite read that word. It says: (Interpretation) "such as Papy
24 and Joseph". (Overlapping speakers) "also known as Djodjo Bozizé. As well some
25 ministers and leading figures of the KNK (Ngaïssona and others pastors well known

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1 preachers of the KNK)".

2 (Speaks English) First of all, were you aware of this information that's being reported
3 in this article with respect to the financing of the COCORA and/or COAC?

4 A. [13:00:53] Yes, I was.

5 Q. [13:00:54] And was this something that was -- is this something that is -- I don't
6 know what the word I would use, ground breaking news? Is this something that
7 was popular or known at the time or something that was esoteric or shocking?

8 A. [13:01:15] No, everybody knew about it. It was well known. Those who
9 published this information here carried out some investigations. The figures that are
10 provided come from the public treasury, because the children of Bozizé aren't
11 business people. They haven't got their own companies. They aren't business
12 people. So this is money that is given to them by their father to be handed over to
13 Levy Yakete. It was known in Bangui. This is not a surprise to us. No one was
14 surprised by it.

15 MR VANDERPUYE: [13:02:09] Oh, I see we're at the break, Mr President.

16 PRESIDING JUDGE SCHMITT: [13:02:13] Yes, we are.

17 MR VANDERPUYE: [13:02:14] All right. We can -- we can -- we can take it. I was
18 going to show one more document, but I think it might take me a second to find it, so
19 we'll --

20 PRESIDING JUDGE SCHMITT: [13:02:16] Yeah, I think we can continue after
21 the break.

22 Until 2.30, lunch break.

23 THE COURT USHER: [13:02:22] All rise.

24 (Recess taken at 1.02 p.m.)

25 (Upon resuming in open session at 2.30 p.m.)

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1 THE COURT USHER: [14:30:54] All rise.

2 Please be seated.

3 PRESIDING JUDGE SCHMITT: [14:31:27] Good afternoon, everyone.

4 Good afternoon, Mr Witness.

5 And Mr Vanderpuye rightfully assumes that he has still the floor.

6 MR VANDERPUYE: [14:31:39] Thank you, Mr President.

7 Q. [14:31:42] Good afternoon, Mr Demafouth.

8 When we left off I was asking you some questions about COCORA and we were
9 talking about Levy Yakete and the activities of that group. I wanted to ask you if
10 you knew anything about the activities of the group towards civilians at the end of
11 December of 2012 or beginning of January 2013? Did you become aware of their
12 activities?

13 A. [14:32:32] Their existence was real and it was known by all and sundry. Their
14 activities also. Roadblocks, militia activities, checkpoints, and what have you. All
15 those things were also real. I forgot to mention earlier that during that period in
16 Bangui, there were no military clashes, so their existence could not have been justified.
17 If they had any actions to carry out, it was only in relation to civilians, that is
18 unarmed individuals. At that time, Séléka was still around Birao and Bria, some 500
19 kilometres away from the capital.

20 So, yes, indeed I heard of the abuses that they committed on civilians, such as
21 arbitrary detention of persons whom they arrested and suspected of being close to
22 Séléka or to the opposition.

23 Q. [14:33:59] In respect of the individuals that they arrested or detained on
24 suspicion of being close to the Séléka, did you come across information that related
25 more generally to people of the Goula ethnicity, or the Runga ethnicity, or just

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1 generally Muslims?

2 A. [14:34:50] I did not come upon any specific information on those two ethnic
3 groups. At that time in Bangui the -- the hunting down of Muslims had not yet
4 begun. The hunting down was about those who were of the political and military
5 opposition.

6 Now, when it comes to Goula, I only heard about the abduction and killing of some
7 Goula, including two soldiers who lived in the neighbourhoods of the combatants.

8 Q. [14:35:36] And I think you mentioned a little bit earlier that COCORA in
9 particular was possessed of arms. And I wondered if you could elaborate a bit on
10 the type of armament you're talking about or weapons.

11 A. [14:36:01] The weapons that I saw with my own eyes were weapons that looked
12 like Kalashnikovs, the AK45 -- 47? And I saw some COCORA carrying those
13 weapons one evening at the 4th arrondissement in Bangui.

14 Q. [14:36:32] And did you hear -- did you hear anything about members of
15 COCORA being in possession of armes blanches or machetes?

16 A. [14:36:50] Yes.

17 Q. [14:36:54] What did you hear?

18 A. [14:37:01] Not only did I hear, I actually saw that with my own eyes at the
19 roadblocks which were being manned by these people. They had some bladed
20 weapons, some long knives which are called machetes.

21 Q. [14:37:19] I want to show you a document. It is tab 43, CAR-OTP-2003-0019.

22 A. [14:37:45] Okay.

23 Q. [14:37:58] Just one second. Let me double-check.

24 No, no. Let me give you a different ERN number. It's CAR-OTP-2003-0452. And
25 we're going to have to go to page 0480.

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1 A. [14:38:55] Please can you repeat your reference.

2 Q. [14:38:57] Yeah, I have it as tab 40 -- wait a minute.

3 PRESIDING JUDGE SCHMITT: [14:39:01] The tab is correct, but simply the first
4 page was wrong and that this misled you.

5 MR VANDERPUYE: Okay.

6 PRESIDING JUDGE SCHMITT: And it's later on it's, as you said, 0480. And it's
7 quite at the end of this tab 43. That's at least what you said.

8 MR VANDERPUYE: [14:39:18] Yeah. I think I've got it right, but I'm not seeing it
9 on eCourt as correct, so that's what I'm looking for. Okay, we have it now.

10 What I'm showing you now is -- it's an arrest warrant, international arrest warrant
11 that was issued in respect of Levy Yakete. And it was in relation to an investigation
12 into François Bozizé, as you can see on the first page there, concerning "*Association des*
13 *malfaiteurs - Vol - Arrestations arbitraires et séquestrations - Détournement de Deniers*
14 *Publics*".

15 And then if you go to page ending 0483, you'll see these "*Expose des faits*".

16 And, in particular, it refers to Yakete's apparent support for the Bozizé regime and his
17 creation. It says: (Interpretation) "Creation of a criminal organisation known as
18 COCORA."

19 (Speaks English) And beneath that it refers to: (Interpretation) "The famous
20 coordination distributed machetes, and conducted racketeering and physical
21 aggressions." (Overlapping speakers) Okay. You anticipated my question.

22 A. [14:40:59] Yes, I confirm that.

23 Q. [14:41:04] Was this something that was in your knowledge at the time, that is
24 back at the end of 2012, beginning of 2013?

25 A. [14:41:22] Yes, I can confirm that. I can even add that, when we were in

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1 Libreville to hold discussions between the government and Séléka, Mr Yakete was
2 present and he made a statement on behalf of the COCORA national coordination
3 and he issued public threats in that connection.

4 PRESIDING JUDGE SCHMITT: [14:41:57] Perhaps also for the record - we would
5 have it anyway, but nevertheless - this arrest warrant is signed Bangui, 3 April 2014,
6 simply for -- it's easier then to read the transcript.

7 MR VANDERPUYE: [14:42:10] Thank you very much, Mr President.

8 Q. [14:42:14] Mr Demafouth, you just were referring to certain -- a certain
9 discussion that Mr Yakete had during the Libreville talks, which I'm coming to just
10 now, so you've anticipated my next question quite, quite helpfully.

11 You said that he mentioned certain threats, is that what you said?

12 A. [14:42:53] Yes.

13 Q. [14:42:54] Okay. What nature were these threats? If you could just tell us or
14 elaborate a little bit on what he said, actually.

15 A. [14:43:10] He threatened that if Séléka dared to come towards Bangui, he had
16 put his militia on alert and that COCORA were ready to defend Bozizé's regime.

17 Q. [14:43:33] And did he say how they were ready to defend Bozizé's regime? Did
18 he mean politically? Did he mean militarily? What was your take away from what
19 he said?

20 A. [14:43:55] Militarily. It was militarily. Militarily. They had the weapons.
21 They had what it took to defend the regime and government.

22 Q. [14:44:06] You were present at the talks in Libreville in January 2013 in what
23 capacity?

24 A. [14:44:28] I was invited by the East African Community of states in my capacity
25 as a politician from the Central African Republic. As a Central African politician.

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1 President of a party, former candidate to the presidency, and having some knowledge
2 on the subject matter as well.

3 Q. [14:44:58] And, well, I take it that you must have been among a number of
4 politicians from the Central African Republic present at that forum; is that right?

5 A. [14:45:17] The entire opposition of the CAR was present. FARE in its entirety
6 was present, and some other presidents of political parties were also present. Even
7 individuals were also invited to the summit.

8 Q. [14:45:40] And I take it then that there were combatant groups there and also
9 non-combatant groups there.

10 A. [14:45:53] Yes, indeed. Séléka was on the one hand and then there was a group
11 of people who referred to themselves as politico-military non-combatant movements.

12 Q. [14:46:12] Who would those groups comprise, to your recollection?

13 A. [14:46:25] As far as I can remember, it was the MLCJ, the UFR, as well as -- well,
14 those are the two that come to mind. And I was seated not too far away from them
15 and I could see them.

16 Q. [14:46:49] At that point, were there any -- was there any representation of the
17 APRD, because we have some information, or at least some evidence in the case so far
18 that there was representation of the APRD there?

19 A. [14:47:20] No, the only APRD representative who would have been there would
20 have been myself. But I wasn't there. The APRD in 2013 had already been
21 dissolved. So if anybody said anything of that nature, it must have been a mistake.
22 I attended in my personal capacity and I did not represent a non-combatant group at
23 the meeting.

24 Q. [14:47:55] Okay. Well it could be like you said before, that the mere fact that
25 you were there would suggest that the APRD was there, I suppose, but ...

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1 Did you represent your political party or did you just appear there in your capacity
2 as -- in your -- your own capacity as a politician?

3 A. [14:48:24] First of all, as I already told you, from 2011 we had set up an
4 organisation known as the *rassemblement des autres parti*, which was a more moderate
5 or centrist group. So I was there also representing that group, because we were
6 defending our own political interests as well and the goal being that, after
7 the Libreville dialogue, a government of national union should be set up. So
8 the group of the other parties had always indicated a desire to send representatives to
9 the government.

10 Q. [14:49:16] And I think you mentioned at the very beginning, just as we started
11 talking about Libreville, that you made some remarks during the course of those talks;
12 is that right?

13 A. [14:49:40] No, I did not make any statement at that meeting with the Séléka and
14 the government in Libreville. No, I did not make any statement at that meeting. I
15 made an introductory remark at the inclusive political dialogue in Bangui, yes. In
16 that -- at that meeting I took the floor and spoke as a representative of the APRD. I
17 spoke then.

18 Q. [14:50:12] Okay. Thank you for clarifying that. I confused that myself.
19 So in 2013, in Libreville, you didn't make any, any remarks. Okay.

20 A. [14:50:26] No.

21 Q. [14:50:29] At the conclusion of the Libreville talks there was an agreement that
22 was struck between the government and the combatant groups as to a way forward.
23 And do you recall, just in general terms, what was that? What was supposed to
24 happen.

25 A. [14:51:00] First of all, the idea was to set up a government made up of Bozizé's

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1 people and Séléka. A government of "understanding", quote-unquote. And
2 the prime minister was supposed to be designated by the opposition. So FARE and
3 Séléka selected Mr Tiangaye as prime minister and he composed a government
4 including Séléka and Bozizé's people. And that's how Mr Djotodia became
5 minister of defence as well as other members of Séléka.

6 Q. [14:51:51] And some of those members would include people like
7 Abakar Sabone.

8 A. [14:52:06] Yes, yes. I don't know whether he became a minister at that time,
9 but in any event he -- he -- he was present and he asked to be there.

10 Q. [14:52:26] Christophe Gazambeti?

11 A. [14:52:33] That is correct as well. Gazambeti Christophe, Mboli-Goumba, and
12 many others, yes. In any event, Séléka was represented within that government by
13 ministers of state, who were Djotodia himself, at defence, Christophe Gazambeti,
14 Mboli-Goumba. And there was another one, what's his name again? There were
15 about four or five of them. There was Nouredine and Dafane, yes. Those were
16 the Séléka representatives in the government.

17 Q. [14:53:19] And do you know if Joachim Kokaté was also part of that
18 government?

19 A. [14:53:33] Yes, yes. I saw him during discussions with the prime minister, yes.

20 Q. [14:53:42] And that Patrice-Edouard Ngaïssona was also part of that
21 government?

22 A. [14:53:57] Yes, but representing the KNK, Bozizé's clan.

23 Q. [14:54:07] Did you understand, as a result of the Libreville accord, that Bozizé
24 was to remain in power in relation to those conditions, certain conditions through
25 2016, which was his electoral mandate or the term of his electoral mandate?

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1 A. [14:54:40] Yes, that was the principle, namely that he would remain in power
2 until organisation -- until elections were organised for him to leave. But everybody
3 also knew that the rebels were -- well, they had the upper hand and would not wait
4 until 2016. So, well, Bozizé had lost the support of the international community at
5 that time already and everybody wanted him out. So when the rebellion arrived in
6 Bangui, it was something that was actually unavoidable.

7 Q. [14:55:33] And did you understand the -- the Libreville agreement to require
8 that the Bozizé government meet certain conditions such as reorganisation of the
9 security forces, or reformation of the judicial system, the implementation of the DDR
10 programme from way back when in 2008, to undertake economic reforms, various
11 social sector reforms? Did you understand that to be part of the understanding or
12 the terms under which he would remain or could remain throughout his mandate?

13 A. [14:56:27] Yes, perfectly.

14 Q. [14:56:31] And you know, of course, that shortly after the Libreville agreements
15 were adopted and the unity government was formed and decrees were issued
16 appointing various members of -- various ministers from the Séléka side, from
17 Bozizé's camp, in February that there was a coup which ushered him out of office on
18 24 March of 2013. Do you understand or know what the reasons for the continuation
19 of the Séléka affrontment of the Bozizé regime was following the agreement that was
20 undertaken in Libreville?

21 A. [14:57:34] Once the Libreville agreement was signed and people returned to
22 Bangui, Bozizé quickly carried out consultations with a view to setting up
23 the government. He believed that by giving ministerial portfolios to Séléka
24 representatives he was going to calm them down.
25 Furthermore, he had received significant support, namely the presence of the South

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1 African forces, and so he trusted the South African forces entirely to help protect his
2 regime. So he refused, beginning in February, to implement the recommendations
3 from Libreville and instead reinforced his own military positions. That is what
4 pushed FARE and Séléka to come into an agreement and to decide to conduct an
5 operation by which they would enter Bangui.

6 Q. [14:58:55] Now, around the time of the 24 March 2013 coup, were you in
7 the country?

8 A. [14:59:14] 4 March 2013 ...

9 Q. [14:59:24] 24 March. *Vingt-quatre*.

10 A. [14:59:24] Right. Yes, I was in Bangui.

11 Q. [14:59:28] Okay. And where were you in Bangui at that time?

12 A. [14:59:36] I was at Camp M'Poko, a military base for the Central African forces.
13 It was known as FOMAC.

14 Q. [14:59:53] How did you manage to be there or what caused you to be there at
15 that time?

16 A. [15:00:03] I was in Bangui working for the UN integrated office on
17 the reintegration programme. We were supposed to go to Paoua to conclude
18 the programme in that area. At the time of boarding the plane, the minister for
19 public security called me and asked to meet me, and I told him that we were heading
20 out on a mission. So he let me go and asked me to see him upon my return.
21 When I got to Paoua, the leader of the Central African detachment in Paoua came to
22 see me at the UN base to inform me that he had been assigned to inform me that I was
23 no longer allowed to leave that base and to do whatever work I was supposed to do,
24 but that I should wait for a plane which will come from Bangui to collect me. And
25 since I had just left prison, I understood immediately that this was an arrest. So I

1 received -- I also received a call from Bangui saying that Bozizé had asked that I be
2 arrested as Séléka was heading for Bangui.

3 So, in the night, I took a motorbike and I fled to Chad, to Goré, and I explained this to
4 the Chadian authorities. They put me in contact with President Idriss Déby, who
5 then reassured me and granted me hospitality, and then went on to have discussions
6 with President Bozizé. I also called the president of Gabon. I called the *Quai*
7 *d'Orsay* in France. A crisis committee was set up, the issue was discussed and I
8 decided to return to Bangui. And it is under those conditions that I was handed over
9 to the African forces.

10 So Chad brought me to the border and I was handed over to the force which took me
11 from the Chadian border straight to the camp in Bangui. I spent three nights in that
12 camp and I then requested to return to my home under FOMAC escort.

13 I then went back to my home under FOMAC escort and very early in the morning,
14 well, when I arrived with the escort it was around 7 a.m. At 9 a.m. the base
15 commander called me to say that Séléka had entered Bangui and that measures had to
16 be taken for me to return to the base. There was another base which was closer to
17 my home, and that's where I went. And it is from that base that an escort took me to
18 Camp M'Poko. That's it.

19 Q. [15:03:39] While you were in Camp M'Poko, did you -- did you get information
20 about what was transpiring in terms of the government being set up at the time?

21 A. [15:03:59] Yes. I was in the camp, and in the camp I followed the military
22 activities, what were going on on the ground. All the army of Bozizé, and even
23 the last operations which he carried out 15 kilometres away from Bangui, so he could
24 galvanise his own troops. And then after that he returned to Bangui. In
25 Camp M'Poko we followed the developments of these activities that were going on on

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1 the ground.

2 After the arrival of Séléka, the Bozizé people began to flee from the camp, and in that
3 camp they gave me a room which there were some sub officers. I was in this room
4 and I saw, the first person I saw was a nun -- or a sister, sorry, a sister, who arrived.
5 And then in that room I had the cabinet. I also saw his own doctor, and I saw
6 arriving in the camp his chief of staff, generals from his army. I saw all those who
7 could flee arriving to have some protection in the camp.

8 Q. [15:05:48] And while you were in the camp did you receive information about
9 what was happening on the Séléka side in terms of how the government was being
10 organised? Effectively, who was doing what, who was assigned to what post and so
11 on?

12 A. [15:06:12] The place which I was staying in was neighbouring on the place
13 where Tiangaye was. He fled. He was also in the camp. So we were neighbours.
14 We were next to each other. He was there with his minister, Mboli-Goumba. Even
15 the confirmation as prime minister, he was still at the camp. When he became prime
16 minister, but he still came to the camp. So all the developments of how
17 the government would be made was done right in front of my eyes in the camp.
18 I was perfectly aware of what was going on.

19 We were all together. We shared the same space. We had the same living
20 conditions which we shared, until he left to go to N'Djamena. There was a meeting
21 in N'Djamena after the setting up of the government. After that he left the camp to
22 go back to his home.

23 Q. [15:07:32] I'd like to show you a document, if I could. It's at tab 73. The ERN
24 is CAR-OTP-2100-1382, yeah.

25 PRESIDING JUDGE SCHMITT: [15:07:51] 1832.

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1 MR VANDERPUYE: [15:07:52] 1832. Thank you, Mr President.

2 PRESIDING JUDGE SCHMITT: [15:07:56] 1382. 1832.

3 MR VANDERPUYE: [15:07:58] Yes, 1832 in fact, yes. Thank you, Mr President.

4 Q. [15:08:09] What you should have in front of you is a document that is signed by

5 Maître Tiangaye. And it appears to call for a special session or an extraordinary

6 session on 13 April 2013. And it appears to be in respect of setting up a government.

7 If you go to the -- do you have it in front of you, Mr Demafouth?

8 A. [15:08:53] (No interpretation)

9 Q. [15:08:54] Okay. If you go to the next page -- I'm sorry, ERN 1834.

10 A. [15:09:05] (No interpretation)

11 Q. [15:09:06] Yes, you'll see a number of individuals named there referring to

12 the (Interpretation) the political parties?

13 A. [15:09:14] (No interpretation)

14 Q. [15:09:15] All right. And on the right-hand side near the bottom of the screen

15 in front of you, you'll see your name referenced there, among, obviously, many other

16 names.

17 A. (No interpretation)

18 Q. [15:09:30] Do you -- do you have an understanding of what the document

19 (Overlapping speakers) what this document does or is intended to have done?

20 A. [15:09:41] Yes, it was the national council of transition, which should have been

21 implemented by the National Assembly that had been dissolved through an act of

22 President Djotodia. So there was a national council set up for the transitional period.

23 And as president of a political party I was nominated to attend the national council

24 for transition.

25 Q. [15:10:22] Did you do so?

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1 A. [15:10:27] Yes, I did.

2 PRESIDING JUDGE SCHMITT: One month.

3 THE INTERPRETER: For one month.

4 PRESIDING JUDGE SCHMITT: [15:10:39] For one month. It was not translated,
5 "for one month".

6 MR VANDERPUYE: Okay.

7 THE WITNESS: [15:10:46](Interpretation) I did it for one month because, in April it
8 happened -- in April, it happened on 13 April 2013. But in the same month I was
9 called upon to coordinate the -- the actions of the DDR and the RSS and so I resigned.

10 MR VANDERPUYE: [15:11:08]

11 Q. [15:11:08] Well, that's what I wanted to ask you about. And if we could just go
12 to tab 48, CAR-OTP-2005-0371. It's another document I wanted to show you. Yeah.
13 And this is a decree. It looks like it's number 13.298. As you can see right at the top
14 it refers to the "*chef de l'etat de transition*" and it's -- if we go to the next page we'll see
15 your name on it?

16 A. [15:12:06] (No interpretation)

17 Q. [15:12:07] And I wanted to ask you about this because you can see the date there
18 is 22 August 2013?

19 A. [15:12:16] (No interpretation)

20 Q. [15:12:19] Is this is a decree that's nominating you or confirming you as
21 the "*Ministre, Conseiller a la Presidence de la Republique*" in respect of the DDR and RSS?

22 A. [15:12:32] Yes, there was a little problem as regards the presidency. Djotodia
23 said that I should be coordinator in April of the DDR and the RSS. And I -- I agreed.
24 But in the nomenclature of the text of the presidency of the republic there is no
25 position as coordinator of the DDR and the RSS. His cabinet, instead of making a

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1 decree as it is here, made a decree which nominated me as coordinator. So for
2 several months I worked and I wasn't paid, because the ministry of finance didn't
3 know which category I belonged to. So that's why he had to do this decree here so
4 that my situation would become more regularised from an administrative point of
5 view.

6 Q. [15:13:49] That's a very helpful clarification. So, in effect, you were already
7 doing the job in April which you were apparently confirmed or nominated to do later
8 in August. That that's how I understand it. Is that right?

9 A. [15:14:04] Yes, there was a first nomination in April. But that was -- there was
10 no financial link and I didn't have any position or category, because coordinator was
11 something that I had but that was at the United Nations. But as I left that he called
12 me and he said, "But his function is what? What's his position?" And the answer
13 was, "He works as a coordinator. So make your decree and we'll have him as
14 a coordinator for the DDR." So I was announced on the radio as coordinator and I
15 started working.

16 But as regards the presidency, since I was a minister in the past, everybody called me
17 Mr Minister. But as regards the various prerogatives, I didn't have right or
18 entitlements to anything, so I made a request which I sent to him and, when he saw
19 that, he said, "yes, you are right," and he made the necessary amendments, he made
20 this decree.

21 Q. [15:15:12] Now, while you were in M'Poko camp, did you come across
22 information concerning the actions or conduct of Bozizé and the people that were
23 close to him following the coup?

24 A. [15:15:35] After the *coup d'état*, we followed the development a bit, particularly
25 as regards the movements of Bozizé and his movement to Cameroon and

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1 his -- the way he was received by the Cameroonian authorities. I knew that. So
2 when he arrived at in Bertoua, the Cameroonians took him by helicopter, so he was
3 stopped by the Cameroonian authorities. FOMAC were informed and they -- and
4 FOMAC informed us automatically.

5 Q. [15:16:20] And did you receive any information concerning his interactions with
6 his staff or his -- his people, I would put it, before he actually fled the country in
7 relation to the coup?

8 A. [15:16:40] Yes, the night when he lost the battle and when he came back to
9 Bangui, he held a meeting with the entourage, particularly officers from the military
10 and those who were responsible for the militia COCORA, and he gave them
11 instructions as regards armaments, weapons, resources to create complete disorder in
12 the country. He asked some of them to be ready so that he could call upon them and
13 he could join -- they could join him.

14 *The next day, around 7 o'clock, he called his deputy director of cabinet and he issued
15 a decree which was communicated after sending a copy to FOMAC. The decree stated
16 that he was leaving power and that he was handing over the country temporarily to
17 France. He handed the decree to his director of cabinet and his aide-de-camp to drop
18 off at the French embassy. They took it to the French embassy. So, upon his return,
19 when the aide de camp was not able to join the convoy because the others had already
20 left for Wango, he ended up joining us at Camp M'Poko. And that was the last action
21 which Bozizé could do before taking the helicopter to leave.

22 The helicopter did two stops before arriving in Cameroon.

23 Q. [15:18:32] All right. The first thing I want to ask you is how do you know
24 about this meeting the night that he lost the battle, the night -- the day before he left?

25 A. [15:18:51] The news was known by everybody from the front, and everybody

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1 saw the way in which he came back. Because, generally speaking, when there's
2 a victory of a president there's a different attitude, but this time it really was
3 something that we knew what had happened before. And on the same night,
4 *the information had already arrived ... the South African elements who had come to
5 protect him had already suffered defeat. Several of them had already died. The bodies
6 were already being brought out to be taken to Camp M'Poko and many soldiers were
7 beginning to flee the battle front to go back home. So from that moment everybody
8 knew it was the end, and it was at that point in time that he had went and held this
9 meeting at two different places, once was at the place of one of his wives and then at
10 the palace.

11 Q. [15:20:10] Now, you talk very specifically about resources and arms. What did
12 you learn about that discussion?

13 A. [15:20:20] When Bozizé understood that his army had lost, he put in -- forward
14 an instruction which said that he wants all the arms from all the soldiers who came
15 from the front. Their arms were recuperated but those weapons were never in
16 a state armoury. So they simply disappeared and were redistributed and given to
17 people who really didn't have entitlement to those weapons.

18 Q. [15:20:59] I'm not sure that I understand your answer. But -- and it's probably
19 me. But if you could just explain what you mean when you say that these weapons
20 were given to people that shouldn't have had them?

21 A. [15:21:14] These weapons were given to members of the militia. COCORA, for
22 example. These weapons were given to militants of the KNK to defend themselves.

23 Q. [15:21:33] And is this something that you were able to confirm, not at that time,
24 necessarily, but at a later point?

25 A. [15:21:45] Yes. And you could see it, you could see it. And I also made

1 enquiries with many of those responsible in Camp M'Poko.

2 Let me point out, I'd like to tell the Court that I'm a former politician and a former
3 minister, and I am responsible for several years too for intelligence and security.

4 I am a former minister of defence. All the generals fled and entered. The first
5 things that they did, they greeted me. And I asked them questions and I asked them
6 what happened. And they said, "We've lost. We've done this, we've done that." I
7 passed a captain or a general and asked him, "Well, what happened?" And like this,
8 I met them all, even the protocol man of Bozizé who followed Bozizé and all his
9 action was there. The director of all the training school was with us. Even Mokom,
10 became one of the leaders of the Anti-Balaka, was with us in that camp.

11 And that particular moment no one regarded Demafouth as an enemy anymore. We
12 were all in the same boat. We talked to each other. Everybody was complaining
13 and wondering what we could do about the actions that Séléka had taken, and some
14 arrived and were -- managed to escape arrest from the Séléka, or learnt that their
15 house had been looted. And we learnt all sorts of different things like this. So I
16 saw for myself and I talked with many people in the camp.

17 Q. [15:24:07] In the course of your interview you mentioned that you understood
18 that Bozizé had ordered his officers to go with weapons and ammunition. And
19 that's at tab 1, CAR-OTP-2099-0165 at page 0173. It should be paragraph 45.
20 But just in -- just in general, is that -- is that about right? Is that your recollection of
21 the events?

22 A. [15:24:49] Yes. That's correct.

23 Q. [15:24:53] And further to that, in your contact with people that were close to
24 Bozizé, his generals and other people that had fled during the course of the coup, did
25 you come to learn about what their plan was or what their plans would be in the face

1 of the Séléka coup or government?

2 A. [15:25:30] For many, the first intention was to leave the country, to flee.

3 However, for some of them who were generals or officers who had family, et cetera, it
4 was to see what they could do and form some sort of alliance with Djotodia to save
5 their skin. So a lot talked like that.

6 *And those people spoke out and it had an effect and a report was sent to Djotodia
7 and he received all of them at the hotel. It was at the Hotel Ledger where his
8 command post was set up. He received them there and they made their allegiance to
9 him. However, others who were really very close to Bozizé gradually managed to
10 leave the camp, either by getting permission to travel by taking a plane and leaving,
11 or sometimes by having a permit to leave the camp and they simply fled.

12 In the camp itself, I already had information that resistance was being organised.

13 And contacts started to be made at that particular point in time.

14 Q. [15:27:09] And that's what I wanted to go to next.

15 In terms of the organisation of the resistance, and in view of Bozizé having fled
16 the country, what did you learn -- what did you learn about that while you were in
17 the camp?

18 A. [15:27:34] Firstly, this resistance had to be coordinated. There had to be an
19 organisation set up. They already had, I would say, a form of a structure which they
20 could use. There were two or three structures. The first was the one we called
21 self-defence in the back country. They were young people, usually KNK militants
22 recruited by the mayors of the local communes. They were militia that there in
23 addition to the gendarmerie and the police but who worked with the mayor of that
24 particular area. So they had to be mobilised and the first mobilisation started by
25 those in the prefecture in Ouham, M'Poko, in Ouham-Pendé and in Lobaye.

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1 So immediately they had to start with these self-defence groups, then they were going
2 to be joined by the militia of COCORA and also the presidential guard of Bozizé who
3 would leave Bangui and who would flee on foot to join them.

4 From that moment onwards, because he stayed for a while in Cameroon and from
5 Cameroon he phoned the camps -- he phoned his cabinet, he phoned his doctor, he
6 phoned his wife who was there with a child, a boy who was about 11 or 12 years old.

7 I had a link to that lady. She came to see me in the camp and she asked me what
8 the conditions were and how she could leave to Benin, because there was a house that
9 Bozizé had in Benin and she was advised to go to Benin.

10 So from that moment, the organisation started and they started to have meetings in
11 Cameroon with others who had joined him there or who already were outside
12 the country. And he started to set up an organisation. Ngaïkosset fled and left to
13 the DRC and he too set up a structure of a military nature over there.

14 And also in Landja, a place in Central Africa but a bit upstream, and they started to
15 set up the structure and create the command links between them. So that's how
16 everything started.

17 Q. [15:31:02] All right. There's a lot in there. But I have a few follow-up
18 questions.

19 The first is: In respect of the organisational links that were being set up, was there
20 any discussion about how to arm these individuals, or if arming was even necessary
21 of these individuals at the time that you were hearing this information?

22 A. [15:31:32] No. When I heard talk about it, the priority was to recuperate arms
23 on weapons, wherever they were, and to take them to the training centres. And try
24 and find a way of feeding the troops. That was the priority.

25 Q. [15:32:01] All right. Maybe I'm confused now. Which troops are you talking

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1 about?

2 A. [15:32:12] The Anti-Balaka.

3 Q. [15:32:13] So was it your understanding from the information that you received
4 while you were in M'Poko that the organisation of the Anti-Balaka was already
5 beginning shortly after the coup?

6 A. [15:32:43] Yes.

7 Q. [15:32:47] In terms of that organisation you refer to various organisational
8 structures or parts of -- or parts of that -- that movement or group, including members
9 of the presidential guard; is that right?

10 A. [15:33:11] Yes.

11 Q. [15:33:14] Self-defence groups in the provinces?

12 A. [15:33:21] Yes.

13 Q. [15:33:24] Youth associated with KNK?

14 A. [15:33:31] Yes, correct.

15 Q. [15:33:34] COCORA militia types?

16 A. [15:33:40] Yes. Yes.

17 Q. [15:33:42] Members of the army? Aside from the presidential guard.

18 A. [15:33:50] Yes. Even gendarmes and policemen -- policemen.

19 Q. [15:33:57] And you got that information through your contacts while you were
20 in the M'Poko camp?

21 A. [15:34:10] Yes. And some who had been contacted to join that organisation
22 talked to me about it.

23 Q. [15:34:21] Okay. I may ask you to -- about some names that you might have
24 had, but I won't do that at this point, we can maybe do that a bit later.

25 But I want to ask, in terms of the information that you got, you had some people

1 obviously that were in the camp that were talking to you. But in your capacity as
2 a -- in your capacity as a person dealing with intelligence and dealing with the reform
3 of the security sector, did you have other means by which to acquire information
4 about what this group was that was being set up was doing?

5 A. [15:35:13] Well, when you are in charge of intelligence, you have indicators or
6 informants across the country. When there is information in such-and-such a zone,
7 you can contact them and they will tell you what is happening. That is how I
8 became aware of what was happening in certain areas of the territory.

9 As I have already told you, some persons who were invited to join that organisation
10 also talked to me about it. They came to ask my opinion, what did I think about it,
11 what were the risks, would it be possible for such an organisation to be successful or
12 not. So that is how I indeed became aware of what was being organised.

13 And then, you know, shortly thereafter -- and if you do understand security and
14 defence issues, you can perceive what is happening by observing what you see in
15 town and you can understand that something is wrong somewhere. So from one
16 day to the next the national army disappears. It no longer exists. So there is not
17 a single corps of the army that is in place. No police, it doesn't exist anymore.

18 Maybe 30 or 40 policemen. The director general of the police and his policemen fled
19 to the camp with us. The gendarmerie itself disappears. You might have a small
20 platoon of gendarmes, but Séléka denied them the possibility of bearing arms. So
21 what happens is that all of these people disappeared, and then the question must be
22 where did they go?

23 You see, when you have some expertise in that area and you analyse the matter a little
24 bit, you would see, for example, that if you had 3,000 gendarmes, each one of them
25 bearing a weapon, and then you end up with some gendarmes without the weapons.

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1 So you must wonder where did he drop his weapon. And if you push
2 the investigation further, you will realise that the gendarme was close to
3 a self-defence group or to COCORA or to some other group.
4 So these are very simple investigations that can lead to conclusions whereby you
5 realise that the weapons must have gone somewhere.
6 You see, as Séléka was advancing, it of course recovered weapons at the battlefield
7 from the FACA in Birao, in Tiringoulou, and in Bria, where those clashes took place.
8 In Bambari somewhat. And apart from that, Séléka did not run into any other FACA
9 groups with which it engaged combat and recovered weapons. So the FACA fled.
10 So when FACA flee with weapons and baggages, where do those weapons and
11 baggages end up? That is why, with your leave, if I may continue -- well, maybe you
12 want to move on to some other question, but otherwise I can continue on this issue, if
13 you allow me.

14 Q. [15:39:23] I'm going to ask a couple of questions and then I think you may -- you
15 may answer, we'll cover the area that you're probably heading to right now. But in
16 terms of, you know, the -- the organisation of the Anti-Balaka and the information
17 that you had with respect to that, did you have any information or come across any
18 information with respect to the movement of weapons from CAR outside CAR?

19 A. [15:40:01] Yes, yes, that's what I was about to say. You see, I was part of an
20 official mission sent by Tiangaye's government at the time to Congo and to
21 the Republic of Cameroon. There were many Central African weapons which were
22 taken by Bozizé's soldiers to Cameroon and to Congo. In Cameroon and in Congo,
23 the weapons that were taken by the authorities were taken from individuals who
24 were unable to hide those weapons, who did not know where to hide them. That is
25 how the Cameroonian and the Congolese authorities were able to recover those

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1 weapons.

2 But more than half of those weapons were hidden within the borders of the Central
3 African Republic or at the borders with those two countries. That is why it can
4 easily be understood that a movement such as the Anti-Balaka became very powerful
5 at the borders with Cameroon.

6 It is all the weapons that were deposited along those borders that they took up again.
7 And those who were in the Congo also recovered weapons that were headed for
8 the Congo, but which did not go into Congo but remained at the borders with
9 the Congo.

10 So the idea is that there was an attempt to take some arms abroad, but most of them
11 did not end up abroad but rather remained at the borders of the territory.

12 Q. [15:42:18] Now let me show you a document. It's tab 16, ERN is
13 CAR-OTP-2075-1289.

14 It should come up on the screen in a minute. It's a mission order that is dated
15 5 September 2013, which I wanted to ask you about.

16 Do you recognise this document?

17 A. [15:43:03] Yes, I do, perfectly.

18 Q. [15:43:06] Is this the -- well, does it refer to the mission that you were describing
19 not -- just now?

20 A. [15:43:16] Yes, that is correct.

21 Q. [15:43:18] And it was on the basis of discharging mission that you received
22 information concerning weapons that were deposited along the border or in relation
23 to the organisation of the Anti-Balaka as you were saying?

24 A. [15:43:40] Yes, exactly. Yes.

25 You see, within the context of my previous duties within Central Africa, and this is

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1 something, Mr President, I would like to refer to in private session, if it were possible,
2 Mr President. Because, you see, to answer this question, the question which has just
3 been put, I will have to deal with matters relating to some collaboration.

4 PRESIDING JUDGE SCHMITT: [15:44:22] I think we give it a try. Yes, we pick it
5 up, we go to private session. You may answer in private session then. But wait
6 until it is announced.

7 (Private session at 3.44 p.m.)

8 THE COURT OFFICER: [15:44:53] We are in private session, Mr President.

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

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8 (Open session at 3.53 p.m.)

9 THE COURT OFFICER: [15:53:04] We are back in open session, Mr President.

10 PRESIDING JUDGE SCHMITT: [15:53:08] (Overlapping speakers) want you

11 perhaps, for the -- we can also let Mr Demafouth answer I think simply.

12 You have heard the question, Mr Demafouth, you can now answer it.

13 THE WITNESS: [15:53:27](Interpretation) I heard about conversations in which

14 Bozizé contacted some European friends of his and asked them to come help him to

15 organise the Anti-Balaka. That is something that we clearly heard.

16 I also heard conversations wherein Bozizé was asking soldiers who had remained

17 within the national territory to help the Anti-Balaka. That's it.

18 And then, from there, we were also able to know which Central African authorities or

19 personalities had left Bangui to go meet with him there. We became -- we found out,

20 for example, that the former minister Willybiro-Sako went to meet him in Cameroon.

21 We found out about this during that mission that he had gone to meet with him. It is

22 during that mission that we found out that Kokaté had gone to Cameroon to meet

23 with Bozizé. It is during that mission that we found out that Ngaïssona, for example,

24 was in Cameroon to meet with him. It is during that mission that we became aware

25 of the fact that a number of people had gone there.

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1 MR VANDERPUYE: [15:55:20]

2 Q. [15:55:21] Okay. Did you -- did you -- let me clarify one thing, I hope, for
3 the record. I'm not sure. But you said that you -- you refer to name of a Colonel
4 Ngboya?

5 A. [15:55:36] Yes.

6 Q. [15:55:38] And did you learn anything specifically regarding Colonel Ngboya
7 during the context of that mission?

8 A. [15:55:57] Yes, when I arrived in -- when we arrived in Cameroon. First of all,
9 during that period, Abdoulaye Miskine was also in Cameroon and had been arrested
10 by the Cameroonian authorities. Ngboya was the highest ranking officer heading up
11 the troops that had entered Cameroonian territory with Bozizé. So, at the Cameroon
12 ministry of defence, we were provided with his name. So I went on to try to locate
13 him but I was -- and I was told that they were all in a town called Bertoua. That is
14 how I did everything to contact him.
15 Following that, I successfully convinced him to return to the Central African Republic,
16 and he did.

17 Q. [15:57:03] And in respect of the information that you received concerning
18 Mr Ngaïssona in particular that you just -- you just said that through the mission you
19 learned that he was in Cameroon, among others -- other things, to meet with
20 President Bozizé, did you learn where those meetings took place?

21 A. [15:57:33] In Bozizé's hotel. The hotel where Bozizé was. But I don't think
22 that Mr Ngaïssona could have had to look for Bozizé. It was only natural. They
23 had been -- he had been a minister under him, they are relatives, they are both from
24 Bossangoa, they are both members of the KNK, and I don't think that seeing Bozizé or
25 anything of that nature would have been a difficulty.

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1 Now, whether he saw Bozizé or not, he had the capacity to -- to create an organisation
2 to defend their regime which had just been defeated. Now, when I arrived in
3 Cameroon, yes, indeed he was there.

4 And by the way, let me point out that when we were in Cameroon, the *Procureur de la*
5 *République* of Bangui was supposed to arrive in Cameroon with an arrest warrant for
6 him, for him and for two or three other persons for whom arrest warrants had been
7 issued. So our missions were of that nature. And at that time we knew that
8 the Anti-Balaka were already forming into a proper structure with real leaders in
9 Cameroon.

10 Q. [15:59:21] Do you happen to recall what the nature of the arrest warrant was?

11 A. [15:59:33] No, no, I don't recall.

12 Q. [15:59:41] And in respect of the leaders that had been identified, the leaders that
13 you learned about, who were they? What can you tell the Chamber about who it
14 was that you learned were leading the Anti-Balaka or helping to structure
15 the Anti-Balaka as you found out during the course of your mission?

16 A. [16:00:09] First of all, we knew and we had been given the name of
17 Lin Banoukepa who had arrived there. Then there was Ngaïssona's name and
18 the name of -- there were others. But these are smaller ranking soldiers, warrant
19 officers, lieutenants, or sub lieutenants, and what have you.
20 So, these people were there and had received mandate from Bozizé to organise things.
21 Yeah.

22 Q. [16:00:57] Did you hear the name Mokom mentioned during the course of that
23 mission?

24 A. [16:01:07] Yes, perfectly.

25 Q. [16:01:10] All right.

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- 1 I see it's 4 o'clock, Mr President. So I think that --
- 2 PRESIDING JUDGE SCHMITT: [16:01:14] I think -- yeah, I think that a good time to
- 3 conclude for today.
- 4 Mr Demafouth, the Chamber thanks you for answering the questions today.
- 5 Tomorrow we will continue with your testimony.
- 6 In the meantime, please have in mind that you must not discuss your testimony with
- 7 anyone you may be in contact with tonight. Not even with your family or with your
- 8 friends. That sounds harsh, but it's the best and we should handle it like that. Do
- 9 you understand?
- 10 THE WITNESS: [16:01:51](Interpretation) Yes, I do, Mr President.
- 11 PRESIDING JUDGE SCHMITT: [16:01:56] Very good. Then have a good rest and
- 12 we will see you again tomorrow.
- 13 This concludes, as I have already said, the hearing for today. We resume tomorrow
- 14 at 9.30.
- 15 THE COURT USHER: [16:02:06] All rise.
- 16 (The hearing ends in open session at 4.02 p.m.)