

Trial Hearing  
WITNESS: CAR-D29-P-5012

(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 Ngaissona - ICC-01/14-01/18  
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács,  
7 Judge Chang-ho Chung and Judge Beti Hohler  
8 Trial Hearing - Courtroom 1  
9 Wednesday, 3 July 2024  
10 (The hearing starts in open session at 9.32 a.m.)  
11 THE COURT USHER: [9:32:48] All rise.  
12 The International Criminal Court is now in session.  
13 Please be seated.  
14 PRESIDING JUDGE SCHMITT: [9:33:12] Good morning, everyone.  
15 Court officer, please call the case.  
16 THE COURT OFFICER: [9:33:22] Good morning, Mr President, your Honours.  
17 This is the situation in the Central African Republic II, in the case of The Prosecutor  
18 versus Alfred Rombhot Yekatom and Patrice-Edouard Ngaissona, case reference  
19 ICC-01/14-01/18.  
20 And for the record, we are in open session.  
21 PRESIDING JUDGE SCHMITT: [9:33:38] Thank you very much.  
22 I ask for the appearances of the parties. The Prosecution is changed.  
23 MR VANDERPUYE: [9:33:43] Yes, Mr President. Good morning to you, your  
24 Honours. Good morning, everyone. Good morning, Mr Witness. The  
25 Prosecution is represented by Olivia Struyven, Yassin Mostfa and myself, Kweku

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 Vanderpuye. Good morning.  
2 PRESIDING JUDGE SCHMITT: [9:33:56] Thank you.  
3 Ms Rabesandratana next.  
4 MS RABESANDRATANA: [9:34:00](Interpretation) Good morning, Mr President.  
5 Good morning, your Honours.  
6 The team is the same, Madam Paolina Massidda, Elisabeth Rabesandratana --  
7 PRESIDING JUDGE SCHMITT: [9:34:27] And?  
8 Ms Rabesandratana, can you, just for the record, repeat the name of your colleague,  
9 please.  
10 MS RABESANDRATANA: [9:34:35](Interpretation) And Ms Alexis Lariviere.  
11 PRESIDING JUDGE SCHMITT: [9:34:39] Okay. Yes, Ms Alexis Lariviere. Okay.  
12 Thank you.  
13 And now the former child soldier representatives.  
14 MS GRABOWSKI: [09:34:53] Good morning, Mr President. Good morning, your  
15 Honours. Good morning, everybody in the courtroom. The former child soldiers  
16 are today represented by myself, Anne Grabowski, from the Office of Public Counsel  
17 for Victims, and with me is Amina Merrouche, our intern. Thank you.  
18 PRESIDING JUDGE SCHMITT: [9:35:07] Thank you very much.  
19 We turn now to the Defence. We note, Ms Dimitri, that your client, Mr Yekatom, is  
20 not in the courtroom. Perhaps just to make the record complete, what is the team  
21 and then what is with Mr Yekatom.  
22 MS DIMITRI: [9:35:22] Thank you, Mr President, good morning. Good morning,  
23 your Honours. Good morning, everyone. *Bonjour, Abbé Antareze.*  
24 So, indeed, Mr Yekatom is not present this morning. I will come to that in a  
25 moment.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 He's represented by Mr Gyo Suzuki, Ms Alexandra Baer, Ms Lina Hammi,  
2 Ms Anne-Sophie Veillette, Ms Anta Guissé, Ms Sarah Bafadhel and myself, Mylène  
3 Dimitri.  
4 I spoke to my client this morning. The prison called me to inform me that he was  
5 bedridden, that he was extremely sick, that he couldn't attend.  
6 So I asked to speak with him and I -- we came to an agreement that he would waive  
7 his right to be present this morning because he understands that *Abbé* Antareze has a  
8 flight tonight, that he's been here for a couple of days now due to the circumstances  
9 that your Honours are aware, which was very complicated to meet, and so he's been  
10 here for a few days.  
11 He is -- my client's aware of the questions that are left, so, under those exceptional  
12 circumstances, he agrees to provide me with a waiver.  
13 If your Honour - if your Honours agree that at the end of my examination, I could  
14 have a short phone call with my client to update him on the questions and the  
15 answers. He also understand that Mr Vanderpuye doesn't have much and, if your  
16 Honours agrees, at the end of Mr Vanderpuye's cross-examination, I would again  
17 speak to my client. So, under those conditions, I'm just waiting for a signed waiver  
18 and we could, with your Honours' leave, continue.  
19 PRESIDING JUDGE SCHMITT: [9:37:18] Thank you very much. So I can say on  
20 behalf of the Chamber that we appreciate this waiver that you declared for your client  
21 very much.  
22 And, of course, your, so to speak, conditions are self-evident, so after you have  
23 finished your examination, we make a break and you have the time you need to  
24 discuss this with your client and, of course, also after the examination by  
25 Mr Vanderpuye. So, with that, we can continue.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 MS DIMITRI: [9:37:45] Thank you, Mr President.

2 PRESIDING JUDGE SCHMITT: [9:37:52] You are not in agreement, Ms Proulx?

3 MS PROULX: [9:37:55] I just wanted to give our appearances, for the record.

4 PRESIDING JUDGE SCHMITT: [9:37:58] You know, this is when something out of  
5 the order happens. You are absolutely right. Your appearance seems to -- okay,  
6 but, please.

7 MS PROULX: [9:38:08] Indeed. Good morning to you, Mr President, your Honours.  
8 Good morning, Mr Witness. Good morning, everyone. We are unchanged and  
9 Mr Ngaïssona is present.

10 PRESIDING JUDGE SCHMITT: [9:38:16] So my apologies to be too quick here.  
11 Ms Dimitri, you have the floor.

12 MS DIMITRI: [9:38:34] Thank you, Mr President.

13 PRESIDING JUDGE SCHMITT: [9:38:42] Ms Dimitri, before you start, I think it's  
14 good to address that. We all hope that your client feels better tomorrow. In case  
15 this is not the case, perhaps you can ponder if you would discuss with him if he  
16 would also be prepared to declare a waiver for the next witness, for at least for  
17 tomorrow then. Think about it; no pressure. You have all the time and you can let  
18 us know, in case. We very much hope that he's feeling better tomorrow.

19 MS DIMITRI: [9:39:12] Thank you, Mr President. Well noted.

20 Just to anticipate, if the Registry could also organise perhaps -- I understand today  
21 he's not well enough for that, but if the Registry could organise for him to follow  
22 remotely tomorrow if he feels good enough to go in the dedicated room at the  
23 detention centre.

24 PRESIDING JUDGE SCHMITT: [9:39:42] Absolutely. I think this is noted. I saw  
25 also the court officer nodding, so it is on our agenda. So you have the floor.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 MS DIMITRI: [9:39:49] Thank you.

2 WITNESS: CAR-D29-P-5012 (On former oath)

3 (The witness speaks French)

4 QUESTIONED BY MS DIMITRI: (Continuing)(Interpretation)

5 Q. [9:39:55] Good morning, once again, Father Antareze.

6 A. [9:40:01] Good morning.

7 Q. [9:40:01] We are almost at the end. I have almost completed. I have a few  
8 more questions, so I would like to thank you for your patience.

9 First of all, a few clarifications on certain answers that you gave yesterday.

10 First question: During the meeting at the St Jeanne d'Arc cathedral on 30 January,  
11 were you personally present during the entire meeting in the hall?

12 A. [9:40:53] Thank you very much.

13 Mr President, your Honours, during that meeting, in the meeting room of the  
14 St Jeanne d'Arc cathedral on 30 January 2014, I was indeed present throughout the  
15 meeting.

16 I was the one actually coordinating the discussions.

17 Q. [9:41:31] Thank you.

18 Second clarification: You remember that we talked about your meeting in Pissa with  
19 Mr Yekatom and the fact that it was planned for there to be a meeting between  
20 Mr Yekatom and the Seleka in Mbaïki, particularly Colonel Anour.

21 My question is as follows: Did Colonel Anour initially accept to be present?

22 A. [9:42:09] Thank you very much.

23 Mr President, I have already stated it here that in relation to that meeting at the  
24 Jeanne d'Arc, the meeting was prepared in collaboration with the two parties, so we  
25 made a point of approaching Colonel Anour, who was in Mbaïki at that time with his

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 Seleka elements.

2 We discussed that initiative from us in the platform and then he was in agreement.

3 Afterwards, we were to go and see Mr Yekatom in Pissa to talk with him and he also  
4 was in agreement.

5 Q. [9:43:12] Another point of clarification: You referred -- or, rather, you stated  
6 that the Seleka had taken refugees, Muslims, from certain villages and taken them  
7 towards Mbaïki.

8 My question is this: Do you know, not -- I'm not talking about all the Muslims here,  
9 but do you know what the Seleka was saying to some of those surrounding villagers  
10 in order to take them to Mbaïki?

11 A. [9:44:09] Thank you.

12 Mr President, in answer to that question, I personally do not know precisely what the  
13 Seleka told those Muslims in order to bring them to Mbaïki, but according to the  
14 information that I received, they went and fetched them, because they felt that it was  
15 good for them to come to Mbaïki for their own safety because the Seleka were based  
16 in Mbaïki, and also because there were incidents occurring in those surrounding  
17 villages -- that is, against the Muslim residents. So we were faced with that fact and  
18 we observed that those Muslims from the surrounding villages were brought to  
19 Mbaïki.

20 Q. [9:45:25] Another clarification: Father Antareze, you talked about the  
21 unfortunate incident in Fatima where Father Nzale died. You also mentioned that  
22 some people who were apparently witnesses to that incident are alleged to have seen  
23 one of the members of the family of Mamadou Gari. Now, if you know, did the  
24 people of Mbaïki talk about this incident in Fatima, the fact that the son of Gari  
25 Mamadou was apparently seen at the location?

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 A. [9:46:25] Thank you. Mr President, regarding this incident in Fatima when  
2 Father Nzale died, there were witnesses who said there was a member of the family  
3 of Mr Gari. That is what was said. The information was known by many people in  
4 Mbaïki. And, as I have said here, the Fatima neighbourhood is inhabited in majority  
5 by people from Lobaye, people from Mbaïki, and others, so the information was  
6 known by many people in Mbaïki.

7 Q. [9:47:28] And when this information was known in Mbaïki, Father Antareze,  
8 what were people saying about this incident and about the return of some Muslims to  
9 Mbaïki?

10 A. [9:47:51] Thank you.  
11 Mr President, in answer to that question, I would say that I really do not have any  
12 recollection, but I know that people knew about that incident. But I don't really  
13 remember much about that.

14 Q. [9:48:14] The next topic, Father Antareze, without necessarily being an  
15 eyewitness, did you hear about the murder of the imam of Bagandou?

16 A. [9:48:51] Thank you.  
17 Mr President, I heard about that murder of the imam of Bagandou. As you have  
18 said, and as I have stated here, Bagandou is one of the parishes of the Mbaïki diocese.  
19 So, in Bagandou, there is a team of priests. There is also a group of nuns,  
20 Cambodian nuns, working there. So, when something happens there, those of us  
21 who were at the bishopric with the bishop were aware. But, regarding that  
22 particular situation, I really do not have any details to give you now because it was a  
23 long time ago and it was a situation that we were not -- we did not really master, but  
24 we had information that the imam of Bagandou had been killed.

25 Q. [9:49:59] I understand. What is of interest to me is not the details of the murder

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 of the imam of Bagandou, but, rather, the consequences of that murder on the  
2 population of Bagandou.

3 Do you know what happened amongst the population of Bagandou regarding this  
4 murder? I know you were not an eyewitness, so it should be based on what you  
5 heard.

6 A. [9:50:33] Thank you. Mr President, we heard that from the time of the murder  
7 of the imam of Bagandou, many Muslims left Bagandou, so it was said that the  
8 situation was that of panic. So they left. I no longer remember whether it was at  
9 that time that the Seleka of Mbaïki went to bring them to come to -- went to bring  
10 them back to Mbaïki, or whether they used their own resources to come to Mbaïki. I  
11 don't really remember.

12 Q. [9:51:32] Thank you. I move on to something else once again. I wanted to talk  
13 to you about Mbata.

14 You mentioned Mbata at 12:12 yesterday, and you talked about some reprisals on the  
15 part of the Seleka. And my question, Father Antareze, is as follows: Do you know  
16 whether at that time - that is, during the incidents of the Seleka - do you know  
17 whether someone from the Catholic mission had gone to Mbata?

18 A. [9:52:24] Thank you.

19 Mr President, I remember that incident in Mbata. As I said yesterday or the day  
20 before that, I am not sure, so I remember that after a few weeks following that Mbata  
21 incident, the bishopric, through Father Maximim, who was the director of Caritas,  
22 together with Father Patrick Alello (phon), who was the parish priest of Mbata, so he  
23 was someone who knew Mbata very well. I think at that time he was at  
24 Saint Augustin, or something like that. If I remember, it was also with  
25 Prefect Alexandre, so they travelled to the scene at Mbata to see with their own eyes



Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 what has -- had happened.

2 I do not know whether they took along foodstuffs with them, because they included  
3 Father Maximim, who was director of Caritas, but I remember that the bishopric  
4 reacted through Fathers Maximim and Alello (phon) Patrick, and I think with the  
5 prefect also.

6 Q. [9:54:31] And what did they tell you about what they saw regarding what had  
7 happened in Mbata at that time? What did Fathers Alello (phon) Patrick and  
8 Maximim tell you?

9 A. [9:54:53] Thank you.

10 Mr President, quite frankly, at this precise time, I really do not remember the details  
11 of what they told me, but what I can say is that they went there. That is a fact. But  
12 whether they held a meeting or did anything else, I really have no precise recollection  
13 of that.

14 Q. [9:55:23] Father Antareze, Father Maximim and Father Mozanga, do these  
15 names refer to the same person?

16 A. [9:55:44] Thank you. Father Maximim and Father Mozanga are the same  
17 person, so his family name is Mozanga and his first name is Maximim. So it was  
18 him who was director of Caritas, but he was also the vicar of the bishopric. So he  
19 was sort of like the deputy to the bishop. So there were missions that he made on  
20 behalf of the bishop.

21 Q. [9:56:17] Thank you. Just so as it should be clear, because there is some sort of  
22 confusion in the transcript. Alello (phon) Patrick and Father Maximin Mozanga are  
23 the two who went to Mbata. Am I pronouncing the two names well?

24 A. [9:56:55] Yes, it was Maximim Mozanga. But his -- the other priest, the  
25 surname is Mokopame.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 PRESIDING JUDGE SCHMITT: [9:57:10] You are a little bit too quick. You don't  
2 have to hurry. We have time.

3 MS DIMITRI: [9:57:21] Thank you, Mr President.

4 Q. [9:57:23](Interpretation) Father Antareze, my last question on Mbata: Did the  
5 two priests tell you about houses burnt down by the Seleka in Mbata? Do you have  
6 any recollection of that?

7 A. [9:57:43] Thank you.

8 Mr President, I have said it a short while ago. Right now, I really do not remember  
9 any specific details about that incident, but I also remember that, in the aftermath of  
10 the incident, there were reprisals by the Seleka coming from Mbaïki. So this was  
11 directly linked to the incident, but the priests and the prefect went to the location only  
12 subsequently, only later. So there were reprisals, but the mission of the priests and  
13 the prefect, that is from the bishopric, they went there later, if I remember correctly.

14 Q. [9:58:47] Did you hear of any individual by the name of Lawa-Lawa?

15 A. [9:58:59] Thank you.

16 Mr President, I remember that I heard that name, or that nickname Lawa-Lawa. I  
17 don't know whether it was linked to Bangui-Bouchia, or Bouchia or Mbata. But that  
18 name, Lawa-Lawa, was known, because they're names that one can remember very  
19 easily. So that name, Lawa-Lawa, I believe that I already heard it.

20 Q. [9:59:44] And when you heard that name Lawa-Lawa, whether it was linked to  
21 Bangui-Bouchia or any of those locations, did that Lawa-Lawa, was he said to be  
22 alone or to have a group?

23 A. [10:00:09] Thank you.

24 Mr President, I would be surprised that he would have been alone, because we were  
25 being told about an unidentified group. That is the information that we received.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 So the group is not a single individual, but the name Lawa-Lawa was mentioned as if  
2 he was the leader of that group, so we heard about his name.

3 Q. [10:00:53] Father Antareze, now, these incidents in Mbata, you made mention of  
4 attacks by the Seleka -- or, according to reports you heard, you were not an  
5 eyewitness, so my question to you is this: What happened with the population of  
6 Mbata? What were the consequences on the population of Mbata, if you know.

7 A. [10:01:28] Thank you.

8 Mr President, right now, well, we heard that the situation was difficult in relation to  
9 incident because there was the incident, there were reprisals, so the situation was a  
10 difficult one. But at the present time, I do not remember exactly. What I can say is  
11 that, after all of that, we saw that the Seleka had brought the Muslims back to Mbaïki.

12 Q. [10:02:20] Thank you.

13 I'd like to play some video footage for you now.

14 And this is tab 4, CAR-OTP-00002244. So I'll be playing just a few seconds, from  
15 time stamp 2:15 to 2:34.

16 And for the interpreters, this is at tab 41 of your binder, CAR-OTP-000077, page 4,  
17 line 36 to line 39.

18 I'd like to draw your attention to one thing. The date for this video is January 2014 --  
19 27 January '14. I'll play the passage and then I have just one question for you.

20 (No interpretation)

21 (Viewing of the video excerpt)

22 THE INTERPRETER: (Interpretation of the video excerpt)

23 "Unidentified person: Yes. Those are the -- these are the displaced people from  
24 Mbata, the Muslims ...

25 Unidentified person: No, don't frighten them.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 Unidentified person: Don't eh!

2 Unidentified person: ..."

3 MS DIMITRI: [10:04:24](Interpretation)

4 Q. [10:04:25] Father, do you recognise this person on the screen who says that these  
5 were displaced people from Mbata?

6 A. [10:04:31] Thank you. It was quite a quick passage from that video, so I wasn't  
7 able to identify, sorry.

8 Q. [10:04:42] No problem. We will rewind a bit and then we will take a screenshot  
9 for you.

10 A. [10:05:07] Okay. Thank you. Mr President, I think this gentleman must have  
11 been either the mayor of Mbata at that time, or one of the councillors from the Mbata  
12 municipality. I've seen that gentleman before. I've seen him before. But whether  
13 he was the mayor, the primary mayor of Mbata, or a member of the delegation, yes,  
14 yes.

15 Q. [10:05:41] Thank you for that.

16 I'd like to move on to something else now. We are making progress. We're moving  
17 forward. I'm nearly finished.

18 Now, do you know whether there's a mosque in Bossongo Café -- rather, Café  
19 Bossongo?

20 A. [10:06:25] Thank you. Mr President, to answer that question, now, a mosque at  
21 Café Bossongo, that is a location that I am familiar with. It's on the road between  
22 Pissa and Bangui. The mosque at Café Bossangoa was visible. It's along the main  
23 road. It's national road 6. It's a paved road. And just beside that mosque, there  
24 was the Catholic church, the Catholic Church. So, indeed, there is a mosque in the  
25 village of Café Bossongo.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 Q. [10:07:24] At the time, did you know if anything happened at that mosque,  
2 anything whatsoever?

3 A. [10:07:37] Thank you. Mr President, that mosque at Café Bossongo, initially we  
4 heard that it had been destroyed. Later on, once we began to move about and we  
5 moved along that road, we did see that the mosque, the mosque at Café Bossongo, no  
6 longer existed. It had been destroyed.

7 Q. [10:08:23] I'd like to play some -- a video excerpt for you and then I'll have some  
8 questions for you.

9 Now, this -- this is a video from 21 January 2014, tab 36 Defence binder,  
10 CAR-OTP-2107-1191. And I'd like for us to go from time stamp 30 seconds to time  
11 stamp 1:28. The transcript is at tab 37, page 1, page 1, lines 13 to 23.

12 So, please look at the footage and then I do have a question for you.

13 (Viewing of the video excerpt)

14 (The following inserted excerpt is a transcription prepared and provided by the  
15 parties of the aforementioned recording, without any modifications or alterations)

16 "BARNABY PHILLIPS: Next we come to the village of Bossongo Café, where we are  
17 surrounded by an agitated crowd.

18 We're meeting a great variety of armed groups along the road. Some are relatively  
19 well armed, but these people are essentially vigilantes, village self-protection groups.

20 They say that they are guarding their community against Seleka soldiers who are only  
21 some 15 kilometres along the road.

22 We notice that many houses in the village are destroyed. It seems that the Muslim  
23 population has been driven out.

24 Then we see that the villagers are demolishing the mosque. It's one shocking  
25 moment in one small village. But all over this country in recent weeks mobs of

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 people have destroyed mosques and churches."

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

3 Q. [10:11:04] Father Antareze, do you recognise the mosque of Café Bossongo?

4 A. [10:11:17] Thank you. Mr President, that is a very sad piece of footage. I more  
5 or less recognise the locality, because I usually go through that spot. Well, I don't  
6 just go through that location, I had meetings in the church of Café Bossongo. I led  
7 prayers there, because as I developed as -- well, before I was a priest I was a sort of  
8 intern and I was at the Pissa parish from the year 2000 to 2001 and Café Bossongo was  
9 part of the territory covered by that parish, the parish of Pissa. So I am familiar with  
10 the location. Now, on the footage, I did see indeed that is Café Bossongo.

11 Q. [10:12:48] Now, at the time when you received reports that the mosque had been  
12 destroyed, what were you told? Did anyone tell you who destroyed the mosque?

13 A. [10:13:04] Thank you. Mr President, the information that we received about  
14 that situation in Café Bossongo, it was said that it was some young people from that  
15 locality who decided to destroy the mosque. Now, I think it's also important to  
16 stress that that village, the village of Café Bossongo, was a village, how should I put  
17 this, all the same. That's the impression we had. It was a village known for -- well,  
18 there were groups of young people there who were violent. That was known.  
19 For example, if there was an accident or if someone was careless and caused an  
20 accident - let's say you bump into someone or you hit someone when you're on your  
21 motorbike - you have to be careful. The slightest thing, if you knock someone over,  
22 for example, there is no gendarmerie brigade close by. But the young people from  
23 that place would confront you and indeed attack you. So the village is known for  
24 that sort of thing. So we were told that it was young people from that village who  
25 had risen up, because they didn't want to see Muslims, so they had to destroy their

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 mosque.

2 Q. [10:15:14] Thank you. I'd like to move on to something else now.

3 MS DIMITRI: [10:15:57] Mr President, if I could just have a moment.

4 PRESIDING JUDGE SCHMITT: [10:15:59] Of course.

5 (Counsel confers)

6 MS DIMITRI: [10:16:31] Thank you, Mr President.

7 Q. [10:16:41](Interpretation) Father, I would like to move on to another topic now.

8 Is that all right, can we continue?

9 So, now, after the meeting at the St Jeanne cathedral, while Mr Yekatom's elements  
10 were in the town of Mbaiki, you, the bishopric, the platform, your colleagues, were  
11 there any awareness-raising meetings of any kind in the town of Mbaiki?

12 A. [10:17:40] Mr President, your Honours, as for our interfaith platform in Mbaiki  
13 during the time of Mr Yekatom and his elements, we continued holding  
14 awareness-raising activities. I remember -- I don't remember specific dates, but I do  
15 know that we continued with our activities so as to raise awareness and continue to  
16 reassure both communities and to urge both communities to continue with the social  
17 cohesion that we desired.

18 So there were -- well, I don't know whether during that period -- there might have  
19 been one or two meetings, one or two plenary sessions of awareness-raising before  
20 the Mbaiki town hall -- at the Mbaiki town hall. You see, there's an area that is  
21 suitable for such activities. That was one way to transmit our message of peace and  
22 social cohesion. So I believe that's what we did.

23 Q. [10:19:32] During these awareness-raising sessions, during which people talked  
24 about peace and social cohesion, who was invited? Who took part in these  
25 gatherings?

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 A. [10:19:50] Thank you. Mr President, I believe I've said here that each time the  
2 platform organised meetings, plenary sessions, relating to peace, social cohesion, we  
3 were careful to ensure that everyone from society in Mbaiki be present so as to reach  
4 our objective. We were attentive to that, mindful of that. That is what we always  
5 did.

6 Q. [10:20:56] Now, when you say that you were careful to ensure that all people  
7 from society were present, am I to understand that Mr Yekatom's elements -- you may  
8 not remember specifically whom, but were Mr Yekatom's elements present at these  
9 plenary sessions?

10 A. [10:21:21] Thank you. Mr President, I believe that they were there. I would  
11 be surprised if they hadn't been there. I believe they were there.

12 Q. [10:21:35] Thank you. I'd like to move on to something else now.  
13 I'd like for us to hark back to Boda for a few moments, and I have some very specific  
14 questions about that topic for you. My first question is this: At any time  
15 whatsoever, did you hear about the death of a person called Coeur de Lion?

16 A. [10:22:28] Thank you. Mr President, Mr Coeur de Lion, I met him, I saw him,  
17 because he was part of Mr Yekatom's group, so I did meet him and I saw him for the  
18 first time during the meeting in Pissa with Mr Yekatom. So, afterwards, when they  
19 got to Mbaiki officially, subsequent to the meeting in January 2014, 30 January 2014, I  
20 believe he was there, if I recall correctly. At one point, we were told that he had  
21 been killed on the way into Boda, Mr Coeur de Lion.

22 Q. [10:23:42] Who told you that he had been killed on the way into Boda?

23 A. [10:23:51] Thank you. Mr President, myself, personally, if I recall correctly, I  
24 received that news from some of Mr Yekatom's elements who were in Mbaiki. So  
25 they were the ones who told me, but this information about his death was familiar to



Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 many people in Mbaïki when people found out that he had died.

2 I heard this myself from some of Mr Yekatom's elements.

3 Q. [10:24:47] And when Mr Yekatom's elements told you, that Coeur de Lion had  
4 died on the way into Boda, what did they tell you about how he went to Boda?

5 A. [10:25:18] Thank you. Mr President, I do remember some parts of that  
6 discussion, when I was informed about Mr Coeur de Lion's death by a number of  
7 Mr Yekatom's elements. Generally speaking, there were a few who said, "Well, what  
8 was he going to Boda for? Why did he go there?"

9 Some of them were even sad that he had decided to go to Boda and, according to the  
10 information, let's say -- well, the Anti-Balaka or the non-Muslims who were fighting  
11 the Muslims, they were the ones who called upon him and asked him to go there. So  
12 that was part of the information that we received about the death of  
13 Mr Coeur de Lion.

14 Q. [10:26:37] Father Antareze, could you be a bit more specific and give us more  
15 details. Now, when you said that some people -- some of Mr Yekatom's elements  
16 told you or said, rather, why did he go to Boda, and then you said some people even  
17 were \*saddened by the fact that he, Coeur de Lion, had decided to go to Boda, could  
18 you be a bit more specific?

19 What did they say exactly about the fact that Coeur de Lion had decided to go to  
20 Boda? What sort of words did they use?

21 A. [10:27:21] Thank you. Mr President, well, you know, when you make contact  
22 with a group - and I met a group of them, you see - and they were having a drink in a  
23 cellar, so I came in, I saw them, and I had to greet them because they knew me. So I  
24 had to go up and say hello to them and, in the meantime, I had already heard about  
25 the death of Mr Coeur de Lion.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 So I took advantage of the opportunity to sound them out a bit and to see what they  
2 were going to tell me, what Mr Yekatom's elements would tell me. And, so, you see,  
3 they were having a drink and they were all talking, so I said -- well, I would say it  
4 was a discussion and each person told me what he knew.

5 PRESIDING JUDGE SCHMITT: [10:28:47] Ms Dimitri is, I think, interested in your  
6 recollection of what these people told you. It was a long time ago, more than  
7 10 years, but, still, if you have a recollection what exactly they said - that is, of course,  
8 difficult, we understand that - please tell us. If not, you say, "Well, I don't have a  
9 recollection with regard to the content of this discussion".

10 THE WITNESS: [10:29:17](Interpretation) Thank you, Mr President.

11 Well, what I remember is that Mr Yekatom's elements whom I met at the bar where  
12 they were having a drink, they were wondering what had he gone there for. They  
13 said that, indeed, he had been killed and some people were saying, "Why did he go  
14 there, what did he go there for?"

15 That's what I can tell you.

16 PRESIDING JUDGE SCHMITT: [10:30:29] Thank you, Mr Witness.

17 Ms Dimitri, you have to move on.

18 MS DIMITRI: [10:30:34] With your permission, I'll give it one last try, but from a  
19 different angle.

20 PRESIDING JUDGE SCHMITT: [10:30:41] But not a leading try.

21 MS DIMITRI: [10:30:43] No.

22 PRESIDING JUDGE SCHMITT: [10:30:43] Mr Vanderpuye, you have to make a  
23 comment?

24 MS DIMITRI: [10:30:52](Interpretation)

25 Q. [10:30:52] Father Antareze, what is of particular interest to me is this: During

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 those discussions, did any one of them tell you how Coeur de Lion took the decision  
2 to go to Boda?

3 A. [10:31:08] Thank you. Mr President, in answer to that question, I really do not  
4 have any answer to that, but I know that some of them said, "But why did he go there?  
5 What did he go to do there?" They were regretting why.

6 PRESIDING JUDGE SCHMITT: [10:31:38] Ms Dimitri, that was a very clever try.  
7 You angled, frankly speaking.

8 Yes, please continue.

9 MS DIMITRI: [10:31:45] Thank you.

10 Q. [10:31:47] You mentioned that you knew Coeur de Lion, you got to know him  
11 during that period. Regarding your observations on the individual, what can you  
12 say about that?

13 A. [10:32:15] Thank you. Mr President, my impressions about  
14 Mr Coeur de Lion -- well, what I can say, is that I met him the first day when I met  
15 with Mr Yekatom. So I saw him with Mr Yekatom, and those of us who were in the  
16 platform, when we met with them, the impression that we had was that he was sort of  
17 like the assistant or deputy to Mr Yekatom.

18 He had a role of authority. Even in our presence, we could see how he gave orders  
19 to the elements who were there, so he was someone -- well, I'm trying to remember  
20 the scene from memory, and I will say that he was someone who was a little bit more  
21 rigid in his way of speaking. I would use the word "sec" or "dry". Because  
22 afterwards, we really did not get to know each other well, but that was the image that  
23 I have of him.

24 Q. [10:34:17] What do you mean by he was a bit rigid in his way of speaking, he  
25 was a bit "dry", to use the same word?

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 A. [10:34:31] When he spoke -- when he took the floor, with regard to us, in fact, he  
2 spoke very little because when we met with them, we spoke much more with  
3 Mr Yekatom and listened to what he was saying. We knew that Mr Yekatom was  
4 the chief, but there was Mr Coeur de Lion, and when -- before his death,  
5 Mr Coeur de Lion, when I met with him -- because there were times when we met  
6 either at the market or during certain meetings, or when I just came across him, he  
7 was someone who seemed that he was not really having a sense of dialogue. It was  
8 not someone you could dialogue with very easily, to the point where with regard to  
9 him, I, myself, was not much encouraged to speak with him, because he was someone  
10 who was rather reserved. It was not someone that you could really just discuss with  
11 or exchange ideas. So that is the image that I have of Mr Coeur de Lion.

12 Q. [10:36:35] You say that you saw him as someone, and I'm quoting you, "The  
13 impression that we had was that he was sort of the deputy or assistant to  
14 Mr Yekatom".

15 Now, my question is this: Was that an impression based on the fact that you saw  
16 him giving orders, or did anyone officially introduce him as the deputy to  
17 Mr Yekatom?

18 PRESIDING JUDGE SCHMITT: [10:37:26] Mr Vanderpuye.

19 MR VANDERPUYE: [10:37:28] Again, there's a very simple way to ask this question  
20 in a non-leading manner, which is to simply ask the witness how, on what basis did  
21 you draw the impression.

22 PRESIDING JUDGE SCHMITT: [10:37:39] Yes. At least the second part was a bit  
23 leading.

24 Well, Ms Dimitri, I think I take over what Mr Vanderpuye said.

25 What gave you the impression that he was sort of an assistant to Mr Yekatom?

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 THE WITNESS: [10:38:00](Interpretation) Thank you, Mr President, your Honours.  
2 In relation to that question, I do remember -- well, I don't remember that it was  
3 Mr Yekatom who introduced Mr Coeur de Lion as his deputy. Even when we were  
4 in Pissa during our first meeting, each person tried to introduce himself or give their  
5 names, the name or the nickname. It was later on that I got to know that Mr Rambo  
6 is actually called Mr Yekatom, but at that time he was Mr Rambo. Coeur de Lion  
7 also introduced himself with that nickname. That was all. No one said, "I am the  
8 chief, this is my deputy, this is the secretary" and so on and so forth. So when I used  
9 the word "impression", it is because no one in particular told us that, we simply  
10 observed that. It was just our observation of his manner of acting.

11 PRESIDING JUDGE SCHMITT: [10:39:33] That's quite a good description, actually.  
12 It's very difficult to describe impressions.

13 Please continue, Ms Dimitri.

14 MS DIMITRI: [10:39:44] Thank you.

15 Q. [10:39:45](Interpretation) You have told us that during your discussions with  
16 the elements you heard that Coeur de Lion had died on the way into Boda, the  
17 entrance into Boda. And my question is of a geographical nature. Now, you know  
18 Boda. What do you understand by "the entrance into Boda", the "way into Boda"?  
19 That is, before coming into Boda and you pass through a first gendarmerie post, what  
20 do you -- where do you go to next before actually arriving Boda town?

21 PRESIDING JUDGE SCHMITT: [10:40:36] Ms Dimitri, you told him the geographics,  
22 actually.

23 What do you, Mr Vanderpuye --

24 MR VANDERPUYE: [10:40:41] There's that, but also it presumes that the person  
25 who explained this to the witness understood "*entrée de Boda*" as the same thing as the

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 witness does. Now, it may very well be a common expression, and that's fine, but  
2 it's not clear yet on the record.

3 PRESIDING JUDGE SCHMITT: [10:40:57] Yeah. Yeah -- no, I don't agree on that,  
4 because this is something that in the end is assessment of evidence, yeah, for what it's  
5 worth.

6 So, Mr Witness, you know Boda. In your understanding, yeah, notwithstanding  
7 what the other person might have thought of the entrance of Boda, what, in your  
8 understanding, is the entrance -- would be the entrance of Boda?

9 THE WITNESS: [10:41:24](Interpretation) Thank you. Mr President, Boda is a  
10 locality that I know and that I can describe a little bit. To begin with, I can say -- I  
11 can emphasise that when people informed us that Mr Coeur de Lion had been killed,  
12 was allegedly killed at the entrance into Boda, or "*entree de Boda*", we ourselves were  
13 aware that people were incapable of identifying precisely where he died, because the  
14 entrance to Boda can mean many things. Was it the entrance into the town of Boda  
15 or before PK5? Because there is a gendarmerie post there 7 kilometres from the  
16 arrival in Mbaiki.

17 When you arrive there, it is a gendarmerie checkpoint, that is regarding the entrance  
18 and exit from Boda, and after that gendarmerie post there is a school called Samboli  
19 school, Samboli school, which is a primary school which was attended both by  
20 Muslim and non-Muslim children, built with blocks. That school is located  
21 500 metres before the entrance into the Muslim neighbourhood. Because to reach the  
22 centre of town, you have to pass through the Muslim neighbourhood. After that,  
23 there is a small bridge that you have to cross before you arrive the central market of  
24 Boda, where you have the shops of Muslims and non-Muslims, and that is the centre  
25 of Boda.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 PRESIDING JUDGE SCHMITT: [10:44:01] Two things: First of all, this is really a  
2 very exact description; secondly, it sort of confirms what Mr Vanderpuye has said,  
3 that there could be different understandings of the entrance of Boda is. Even the  
4 witness has worded it. He picked up what you said, even, sort of.

5 Ms Dimitri.

6 MS DIMITRI: [10:44:24] Yes. If I could just have a moment before I change subject  
7 again, Mr President.

8 PRESIDING JUDGE SCHMITT: [10:44:28] Yes.

9 (Counsel confers)

10 MS DIMITRI: [10:45:11] You can see my smile. One last question on that topic,  
11 with your leave.

12 PRESIDING JUDGE SCHMITT: [10:45:17] Well -- but we have to be very attentive, I  
13 think, what you are going to ask.

14 MS DIMITRI: Yes.

15 PRESIDING JUDGE SCHMITT: [10:45:18] And Mr Vanderpuye has already  
16 alerted --

17 MS DIMITRI: [10:45:24] He's always very alert.

18 PRESIDING JUDGE SCHMITT: [10:45:27] He's alerted.

19 MS DIMITRI: [10:45:30](Interpretation)

20 Q. [10:45:30] Last question on that topic before I move on to something else.

21 Now, during your conversation with the elements of Mr Yekatom when they told you  
22 about the death of Coeur de Lion, did they tell you whose initiative it was that  
23 Coeur de Lion went to Boda?

24 A. [10:46:01] Thank you.

25 Mr President, during that discussion, I remember very well, and based on what I

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 understood, according to what those elements of Mr Yekatom that I met told me, it is  
2 as if it was he himself who took the decision to go. It might have been appealed to  
3 by some non-Muslim people in Boda to go there, so he went.

4 MS DIMITRI: [10:46:45] Mr President --

5 PRESIDING JUDGE SCHMITT: [10:46:46] Mr Witness, do we understand your  
6 answer that this is, let's say, a conclusion that you took from what you heard, that this  
7 was not expressly said?

8 THE WITNESS: [10:47:09](Interpretation) Thank you, Mr President.

9 There were many people who spoke, so based on what I heard directly from them, I  
10 understood that Mr Coeur de Lion went on his own initiative because they  
11 themselves, some of them were asking, "What did he go to do there?" That is what I  
12 can say.

13 PRESIDING JUDGE SCHMITT: [10:47:41] Yes. I think that covers it sufficiently.

14 MS DIMITRI: [10:47:48] Yes, Mr President.

15 And just for the record, because I believe it's important, Mr Yekatom is currently  
16 following the proceedings through the phone with our legal assistant from our office.

17 PRESIDING JUDGE SCHMITT: [10:47:58] That's very good to hear.

18 And, as we have already said in the beginning, we will soon have a break, I think.

19 I'm not sure that you will finish until the break? You will? Okay, good. That's a  
20 promise.

21 MS DIMITRI: [10:48:16] Sometimes I talk too much.

22 Q. [10:48:23](Interpretation) Father Antareze, the next topic.

23 Did you see any children amongst the group of Mr Yekatom, to your knowledge?

24 PRESIDING JUDGE SCHMITT: [10:48:40] Mr Vanderpuye, what's wrong with this  
25 question?



Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 MR VANDERPUYE: [10:48:42] She could have stopped at the first part of it, because  
2 the second part of it calls for a conclusion.

3 PRESIDING JUDGE SCHMITT: [10:48:47] Well, yes.

4 Mr Witness, you have seen a lot of Anti-Balaka, of elements of Mr Yekatom.

5 According to your recollection, were children amongst them? You know, we have  
6 a -- all have perhaps a different concept of children, but you understand what I mean.

7 Young people that you thought were -- that you would qualify as children. Did you  
8 see such elements amongst the elements of Mr Yekatom?

9 THE WITNESS: [10:49:25](Interpretation) Thank you, Mr President.

10 The word "children", well, I myself, I understand that word to mean maybe 15 years,

11 14 years, 16 years. But the elements of Mr Yekatom that I saw with my own eyes, I

12 think I have said it here, that there were young people, but not young, young people.

13 So, I would say young people between 25 years, 30 years, maybe up to 35 years.

14 PRESIDING JUDGE SCHMITT: [10:50:13] Well, that's very clear. And even the  
15 definition by the witness is -- well, at least when it comes to the term "children", in our  
16 context, at least something we can work with.

17 Ms Dimitri.

18 MS DIMITRI: [10:50:28] Thank you, Mr President.

19 Q. [10:50:30](Interpretation) Next topic for clarification. You talked about a  
20 Central African called Eloge who worked within an NGO. According to your  
21 information, was Eloge in contact with the population?

22 A. [10:51:03] Thank you. Mr President, Mr Eloge, I remember him, but I have  
23 forgotten his family name. He was a very sociable young man and he could interact  
24 very easily, so in relation to that, he was amongst the population. I think he was  
25 working for DRC or another international organisation, but he was someone who was

1 a member of the population. He had his house in the neighbourhood, so he was one  
2 of the members of the population.

3 Q. [10:52:03] Prefect Alexandre Kouroupe-Awo, now, I would like to hear what  
4 you think about the exercise of his functions by the prefect at that time, how he  
5 carried out his duties.

6 A. [10:52:31] Thank you. Mr President, I am being asked questions on people. It  
7 is really quite difficult to talk about the personality of people, but I think I can say  
8 something based on what I saw, based on what I observed or the impression that I  
9 had of the person, because Mr Alexandre, as the prefect of Lobaye at that time, was  
10 based in Mbaïki, even at the time of the Seleka, because he was appointed by  
11 Mr Djotodia and he continued during the period of Mr Yekatom and his elements.  
12 So he is a man who gave us a good impression, a good impression. To be honest, he  
13 was very calm, very reserved and I think -- I thought of him as someone who was  
14 courageous. He -- we were with him in Pissa, he was in Mbata, he was in Boda. He  
15 might have been afraid of going to these places because he was representing the  
16 government, since he was the prefect, but the impression that I have of him is that he  
17 is someone who is courageous and someone who said what he was thinking. Even  
18 to us, if he had someone -- if he had something to say, if he observed anything, he  
19 would say it. That is the impression that I have kept of him, that is, Mr Alexandre  
20 Kouroupe-Awo.

21 Q. [10:54:42] Now, in which way was he informed at the time? In which manner  
22 did he gather information, that is if he gathered any?

23 A. [10:54:58] Thank you. Mr President, as to that question, it is difficult for me to  
24 say precisely the way in which he, as the prefect of Lobaye, the means that he was  
25 using. I knew that he had his telephone. In the committee, we also had his phone

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 number, and he would also call. And apart from him, I think he had his own  
2 network of communications, but that, I really cannot say. I cannot take a position on  
3 that.

4 Q. [10:55:43] And how was he in relation to the religious communities in Mbaiki,  
5 the various religious communities in Mbaiki?

6 A. [10:56:01] Thank you. Mr President, with regard to the various religious  
7 communities, I don't know whether you are referring to the Muslims and the  
8 Christians, but I would say that it was -- he was someone that I think -- whether it  
9 was on the Muslim or non-Muslim side, I think it was someone who was not hated or  
10 detested by any community. I do not think so, because whenever he took the floor,  
11 whenever he spoke - for example, during meetings that he attended - we would listen  
12 to what he was saying. He was sharing -- he shared the same motivation like us.  
13 He wanted peace and social cohesion in his region of authority. So I think he was  
14 inspired by a good spirit, or a positive mind. We never observed a scene in which  
15 we thought the Muslims or Christians did not trust him. No, we never saw any such  
16 thing.

17 Q. [10:57:50] Was he active in the promotion of reconciliation and social cohesion?

18 A. [10:58:05] Thank you. Mr President, I think I have the impression that I've  
19 already answered that question. I'm sorry, but the prefect was active, because on  
20 several occasions he was personally present and he took the floor openly during  
21 occasions to appeal to people to maintain social cohesion and not to allow themselves  
22 to be led by emotions. He was someone who spoke really well. He was a good  
23 speaker, so one really liked to listen to him speaking.

24 Q. [10:58:54] My last question on the prefect. During that period, did you at any  
25 point hear the prefect tell the Muslims, and I quote, "Leave, return to your places, to

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 your places where you come from and leave us alone"?

2 A. [10:59:22] Thank you. Mr President, regarding those utterances, I am not  
3 aware of them. I am not aware of them. I am not aware of them.

4 Q. [10:59:36] Thank you. Now, I will move on to my last topic.

5 The mayor of Mbaïki, Raymond Mongbandi, was he present, was he active, was he  
6 courageous? How was he involved, or was he involved at the time in the events?

7 Q. [11:00:04] Thank you. Mr President, well, I really didn't make any judgments  
8 about people's personalities, but I can say that during the Seleka times and after  
9 Mr Yekatom and his elements, after that period, I can say, truth be told, Mr Raymond,  
10 who was the mayor of Mbaïki at the time, was not very active. For example, he was  
11 accompanying us, or he was supposed to go to the working sessions we had  
12 organised. I don't remember him being very active, not really active in the meeting  
13 at the St Jeanne d'Arc cathedral on 30 January. He was there, he was in the room, as  
14 the mayor of Mbaïki because we from the platform, we wanted him to be there. He  
15 was the mayor of Mbaïki representing the citizens. He agreed to take part in the  
16 meeting. That's what I can say about the mayor, Mr Raymond Mongbandi. And  
17 perhaps one shouldn't forget that these were not normal times, nor should one forget  
18 the fear that I've stressed a number of times here. Nearly everyone was fearful, so  
19 people responded, depending on their various personalities. I can say that.

20 PRESIDING JUDGE SCHMITT: [11:02:56] I have to say, you can read the answers of  
21 the witness between the lines also, he has made the best of this a little bit -- I don't  
22 want to say confused question, but this very generic question, I think the witness has  
23 made the best out of it. Just a remark.

24 Ms Dimitri.

25 MS DIMITRI: [11:03:15] Thank you.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 Q. [11:03:18](Interpretation) Do you know whether someone went to fetch him so  
2 that he might attend that meeting on 30 January?

3 A. [11:03:29] Thank you. Mr President, to answer that question, I remember quite  
4 well that there were a number of partners, leaders, high-profile people, and I, myself,  
5 went on my motorbike to go meet with them and to explain to them why that meeting  
6 was so important, and I believe that Mr Raymond Mongbandi was amongst these  
7 people that I went to see. I remember I had gone to see him at his home, at his  
8 residence, which I know quite well, in the Bombole neighbourhood. That is the  
9 neighbourhood on the way out of Mbaiki as one takes the road towards Boda. So I  
10 went to speak to him and explain to him what the meeting would be all about, and he  
11 agreed to take part in the meeting, so that's why he was there.

12 Q. [11:04:55] One last question about him. Do you know whether, during the  
13 events, if at the time he would go to the town hall, or did he take shelter somewhere  
14 during some of these events?

15 A. [11:05:12] Thank you. Mr President, now, to answer that question relating to  
16 Raymond Mongbandi, mayor of Mbaiki at the time, I said that when the Seleka came  
17 in, people panicked throughout the town. There was no longer any authorities  
18 serving. Each person took shelter wherever he or she could. And in practical terms,  
19 the town hall was not operating. It was almost closed down. It was not operational  
20 at one time. So the mayor was either at home or at his farm. It's difficult for me to  
21 know where he was. I don't have any exact recollection of that time when he  
22 resumed his work at the town hall, but I do know that it was a gradual thing.  
23 Government services resumed and I think it was subsequent to that that the mayor,  
24 Mr Raymond Mongbandi, and the others working at the town hall resumed their own  
25 activities.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 Q. [11:06:49] You mentioned your mediation team, the ones mediating between  
2 Mr Yekatom's elements and the Seleka. Was the mayor part of this mediation team?

3 A. [11:07:06] Thank you for that question. Mr President, well, our mediation team,  
4 no, did not include the mayor. There was the platform, and when we were in Pissa  
5 we were with the prefect and one or two pastors, and when we were in Boda, some  
6 pastors. No, he wasn't really -- he wasn't directly involved in our mediation  
7 committee.

8 MS DIMITRI: [11:07:58] If I could have a moment again before I finish, Mr President.

9 PRESIDING JUDGE SCHMITT: [11:08:02] But if you have another -- okay, then we  
10 have to make a break at some point in time.

11 (Counsel confers).

12 MS DIMITRI: [11:08:17] That was my last question. I'm just going to speak with  
13 my client, but technically there is nothing more.

14 PRESIDING JUDGE SCHMITT: [11:08:25] I would make the proposal we have the  
15 break now.

16 MS DIMITRI: [11:08:29] Yes.

17 PRESIDING JUDGE SCHMITT: [11:08:30] Is it enough for you if we - of course, to  
18 have a meaningful break, we would have half an hour - if we continue at a quarter to  
19 12?

20 MS DIMITRI: [11:08:39] That should be enough, because my understanding is that  
21 he's following through the phone so it's going to take me less time to update him.

22 PRESIDING JUDGE SCHMITT: [11:08:46] Okay. We will break until 11.45.

23 THE COURT USHER: [11:08:50] All rise.

24 (Recess taken at 11.08 a.m.)

25 (Upon resuming in open session at 11.51 a.m.)

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

- 1 THE COURT USHER: [11:51:57] All rise.
- 2 Please be seated.
- 3 PRESIDING JUDGE SCHMITT: [11:52:19] So, Ms Dimitri, did you have the chance  
4 to consult with your client?
- 5 MS DIMITRI: [11:52:25] Indeed, Mr President, and that is it for us. If I could just  
6 inform the witness that that was my last question.
- 7 PRESIDING JUDGE SCHMITT: [11:52:32] Yes, you can.
- 8 MS DIMITRI: [11:52:34] Thank you.
- 9 Q. [11:52:37](Interpretation) Thank you, very much, father. That was my last  
10 question. I'd like to thank you for being so patient and now my learned friend from  
11 the OTP will be questioning you.
- 12 PRESIDING JUDGE SCHMITT: [11:52:50] Indeed, Ms Dimitri is right. I give the  
13 floor to Mr Vanderpuye.
- 14 MR VANDERPUYE: [11:52:56] Thank you, Mr President. I hope I'll be as brief in  
15 reality as I am or as I have planned.
- 16 QUESTIONED BY MR VANDERPUYE:
- 17 Q. [11:53:14] So, good morning, again, Mr Madongagba.  
18 I have not too many questions for you, so hopefully we'll be relatively brief.  
19 I'll start by showing you a photograph that was presented to you. It's the Defence  
20 binder tab 5. CAR-D29-0010-0165.
- 21 PRESIDING JUDGE SCHMITT: [11:54:06] It takes a second, Mr Vanderpuye.
- 22 THE COURT OFFICER: [11:54:13] It's on evidence channel 1.
- 23 PRESIDING JUDGE SCHMITT: [11:54:14] No -- now evidence 1.
- 24 MR VANDERPUYE: [11:54:15] I see it now. Thank you.
- 25 Q. [11:54:17] I believe you testified that this is a photograph of the meeting that you

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 organised on 30 January 2014 in Mbaïki.

2 The three Muslim representatives -- or, rather, individuals in the front there, you  
3 identified them, you know them well; is that right?

4 A. [11:54:52] Thank you.

5 Mr President, these three Muslim brothers on the photograph are the delegates. So  
6 I think there was Aboubakar Diakité, and the others -- Aboubakar Diakité and the  
7 others, I recognise these people.

8 Q. [11:55:29] After the Muslims were removed from Mbaïki on or about 4 and 5  
9 February 2014, what happened to these three individuals?

10 A. [11:55:56] Thank you.

11 Mr President, when those trucks came to get the Muslims from Mbaïki, as I was  
12 saying, most of the Muslims had left and these three people had also left, I believe,  
13 because the few Muslims who remained were mostly women, native to Mbaïki or the  
14 surrounding villages who had married Muslim -- our Muslim brothers, and a few  
15 children from those families who -- had remained.

16 But I think these three people here, that we see in the video, they had left.

17 Q. [11:57:02] On the first day of your testimony you estimated that the Muslim --  
18 the percentage of Muslims in Mbaïki were somewhere around 15 per cent. What  
19 was that percentage after 5 February 2014?

20 A. [11:57:35] Thank you, Mr President. To answer that question, truth be told, the  
21 percentage, I don't know. How could -- how can I put this clearly? What's for sure  
22 is that many, many Muslims at that time had left. They had left. The ones who  
23 remained, I don't know if there were many of them. There -- there weren't a lot of  
24 them.

25 The group, well, I couldn't know them all, but I saw a few. I would say a fairly -- a



Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 rather small group had remained behind.

2 Q. [11:58:28] A rather small group. In fact, you know that there were fewer than  
3 100 people, Muslims, in Mbaïki after the Muslim population was removed from the  
4 town, don't you, sir?

5 A. [11:58:58] Mr President, if someone gives me a number, but I don't know  
6 whether the number corresponds to the number of people who had stayed behind.  
7 I think 100 people \*is not an exaggeration, I don't know. But as I said, it was -- it was  
8 a restricted group, a limited group.

9 Q. [11:59:33] Let me show you tab 17 of the Defence binder, this is another  
10 photograph, CAR-D29-0010-0181.  
11 I'd like to focus in on the person on the right of the screen -- there's two people by a  
12 window. If we can blow that up, I'd like the witness to take a look.  
13 Do you recognise -- there's three people that you can see from the middle of the  
14 screen to the right, do you recognise the person in the middle of those three, in the tan  
15 shirt?

16 A. [12:00:36] Thank you, Mr President.  
17 You've zoomed in and the person in the middle, that's Saleh Djido, unless I'm  
18 mistaken -- Mr Saleh Djido, who was one of the deputies to the mayor of Mbaïki at  
19 the time.

20 Q. [12:01:06] And I think during the course of your direct examination you said  
21 that Djido Saleh was Chadian, do I have that right?

22 A. [12:01:28] Thank you, Mr President.  
23 Mr Saleh Djido, I think he was a Central African Republic Muslim, but I think he is of  
24 Chadian origin. That is information that I received. I don't know whether his  
25 parents or grandparents may have come from Chad, because amongst the Muslims of

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 Mbaïki there were some of them who talked about their origin. Mamadou Gari, for  
2 example, told me that he was of Malian origin but he was a Central African national.  
3 But probably Mr Djido, I really do not know whether he was born in Mbaïki, but  
4 probably he was born in Mbaïki and grew up there.

5 Q. [12:02:47] Thank you for that clarification.

6 I asked the question because in your testimony, in the course of your testimony, you  
7 refer to people as being Chadian or having the appearance of being Sudanese and  
8 I wanted to know what your understanding of that it is. When you say that  
9 somebody is Chadian, do you mean that they are from Chad and not Central African,  
10 or do you mean that they are of Chadian extract or origin, for example?

11 A. [12:03:26] Thank you.

12 Mr President, I remember that I talked about Seleka elements, especially from the first  
13 group which had arrived in Mbaïki, most of them did not speak the local language -  
14 that is Sango - nor French. So, they spoke Arabic. That is one point.

15 I also talked about that Seleka chief that we saw at Boganangone when I went there  
16 with Monsignor Rino at the gendarmerie brigade at the entrance to Boganangone.

17 So we saw that leader there physically. He spoke neither Sango nor French, because  
18 when he spoke to us he had an interpreter. I was talking about Yaya, that Peuhl, the  
19 Peuhl person I knew in Boganangone. But regarding Djido, it is something else.

20 He is someone who has always lived in Mbaïki and that everyone knows, and who  
21 speaks Sango very well. So I think one can say he is Central African. He is of  
22 Central African nationality.

23 But I was talking about origin -- Chadian origin.

24 Q. [12:05:35] Okay, thank you for that clarification.

25 Now, you are aware, of course, that there are regions near the borders in the Central

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 African Republic where Central Africans speak Arabic, right?

2 A. [12:06:02] Thank you.

3 Mr President, I do not know what prevails in the villages bordering Chad or Sudan.

4 Whether they speak Arabic or not, I really do not have any detailed knowledge of that.

5 But I know that the Sango language is a language that is spoken throughout the entire  
6 territory. That is what I know.

7 I don't know whether I have answered the question.

8 Q. [12:06:45] Have you been to the Vakaga prefecture?

9 A. [12:07:00] Thank you, Mr President.

10 I have not yet had the opportunity to visit it -- that region of the Central African

11 Republic, Vakaga. I know that it is towards the north and it is on the border with

12 Chad, I believe.

13 Q. [12:07:25] I'm sure you've heard about -- you've heard of Birao, the town?

14 A. [12:07:38] Thank you, Mr President.

15 I have heard about the town of Birao. Maybe it is in Vakaga prefecture, I think.

16 Q. [12:07:50] All right. So you're not sure.

17 Have you been to Haute-Kotto prefecture?

18 A. [12:08:05] Thank you, Mr President.

19 I have not been to the Haute-Kotto prefecture, no.

20 Q. [12:08:21] Have you been to Bamingui-Bangoran?

21 A. [12:08:31] Thank you, Mr President.

22 I have never been to that Bamingui-Bangoran prefecture, but I know a little bit about

23 the geography of the various prefectures of the Central African Republic. That is just

24 knowledge that I have.

25 Q. [12:09:07] Okay. That's helpful.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 You mentioned Djido Saleh during your direct examination and you were told that he  
2 was killed. Do you recall what you were told about where he was killed and how he  
3 was killed?

4 A. [12:09:36] Thank you.

5 Mr President, your Honours, Mr Saleh Djido, he was indeed killed in Mbaïki. I'm  
6 talking about that with a lot of sadness because when he was killed, it really saddened  
7 us very much, at least those of us at the bishopric. So, yes, I know that he was killed  
8 in Mbaïki. In Mbaïki, I was told that he was killed at the roundabout of Mbaïki town.  
9 If you go to the Mbaïki central town, you have the Mbaïki hospital, then the  
10 gendarmerie, and just after the gendarmerie there is the sub-prefecture, then the  
11 prefecture, and then the residence or base of the MISCA at the time, the former  
12 cooperative. So that roundabout was also next to Socatel, near the town hall. So  
13 according to what I heard, this was the place at which Mr Djido was killed.

14 Q. [12:11:42] You mentioned the Socatel building. Can you tell us where the  
15 Anti-Balaka base was of Mr Yekatom's men relative to the Socatel building at that  
16 time?

17 A. [12:12:05] Thank you.

18 Mr President, in answer to that question, I think that one should look at the position  
19 of Mr Yekatom with some perspective, because when they arrived in Mbaïki as from  
20 30 January 2014, they were occupying the zone, the area of the Socatel building, some  
21 of the sites of the sub-prefecture and the prefecture. In any case, they were there.  
22 Personally, I am not in a position to tell you precisely where they were, but one could  
23 see them there in this zone, in that area. They could be seen there.  
24 Now, afterwards, during the time of the murder of Mr Saleh Djido, it was another  
25 phase. The MISCA was already present, and I believe that at the prefecture and the

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 sub-prefecture and the gendarmerie, I think the state administrative services had  
2 started resuming, even though not at the normal rate, but they had started resuming.  
3 Now, there were Mr Yekatom's elements more towards the Socatel building. That is  
4 the answer I can give you.

5 Q. [12:14:19] Maybe my question was inartful, but how far away from the point  
6 where Mr Saleh killed is the Socatel building? What's the distance?

7 A. [12:14:41] Thank you, Mr President.

8 One can estimate that distance, I can estimate it at between 100, 200 metres -- between  
9 200 and 300 metres. That's it.

10 Q. [12:15:14] During that period of time, from the time that you invited  
11 Mr Yekatom to the meeting until Djido Saleh's murder - which the Chamber has  
12 heard evidence was on 28 February 2014 - where were the bases of Mr Yekatom's men  
13 in and around -- in and around Mbaïki?

14 A. [12:15:57] Mr President, I did not quite understand that question. I'm sorry.  
15 If it could be repeated, please.

16 Q. [12:16:08] Yes. My question was: Where were the bases of Mr Yekatom's men  
17 during the period of time that they were in Mbaïki -- that is, from the date that they  
18 first came, that you first met them, anyway, on -- at the -- at the gendarme -- at the St  
19 Jeanne d'Arc church? Where were they situated in Mbaïki, where were they based?

20 A. [12:16:40] Thank you. Mr President, for that question, I said a short while ago  
21 that one has to take things into context. When we finished the Jeanne d'Arc meeting,  
22 and after the speech, after the meeting at the Mbaïki station, after which people went  
23 back home, the Yekatom elements occupied the area approximately where the Seleka  
24 had been -- that is, Socatel and the area of the gendarmerie, the sub-prefecture. So  
25 they were there. They could be seen there. I, myself, when I was passing by,

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 I could see them in that area.

2 Now, after, there was the second phase. You had the MISCA, then the services of  
3 the prefecture, the sub-prefecture and the gendarmerie progressively started  
4 resuming, and then I started seeing them more towards -- in the neighbourhood, in  
5 the vicinity of Socatel.

6 Q. [12:18:15] Didn't you hear that they had a base in Baguirmi?

7 A. [12:18:29] Thank you, Mr President.

8 A base at Baguirmi, I don't have that information. I was not aware of the fact that  
9 Mr Yekatom had a base -- a base, meaning that there were many of them there, or  
10 they had meetings. But I think it was more in the vicinity, in the area of Socatel.

11 Q. [12:19:04] Did you hear that they had a base opposite the youth centre in Demo?

12 A. [12:19:19] Thank you, Mr President. I have no information about that.

13 Q. [12:19:26] Do you know somebody by the name of Jean Joseph Bongoma --  
14 Josephat Bongoma?

15 A. [12:19:40] Thank you, Mr President. In the video footage where the various  
16 persons who took part in the Jeanne d'Arc meeting were being shown, I pointed out  
17 Mr Jean Josephat Bongoma. Jean Josephat Bongoma at that time was one of the  
18 assistance mayors of Mbaiki.

19 Q. [12:20:25] Did you ever have a chance to speak to him about the Anti-Balaka's  
20 presence in Mbaiki?

21 A. [12:20:38] Thank you, Mr President.

22 Mr Jean Joseph Bongoma, well, I know him, I know his family. I know him as well  
23 as an assistant mayor and after the one who became the substantive mayor, so it is  
24 someone that I met. But to speak with him at any occasion about the Anti-Balaka, no,  
25 I do not remember.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 He was at the Jeanne d'Arc meeting, and in some of the meetings that we organised  
2 he was also present. But to say that having a discussion, a two-person discussion  
3 with him like that, no, I do not think so.

4 Q. [12:21:44] Did you ever talk with Djido Saleh about the presence of the  
5 Anti-Balaka in Mbaïki before his untimely death?

6 A. [12:22:01] Thank you, Mr President. With Mr Saleh Djido, we did not have any  
7 discussion, the two of us, in the presence of Mr Yekatom and his elements, except  
8 during the meetings before his death. When we organised meetings, he, as an  
9 authority, as a deputy mayor, he was always there. He was also there.

10 Q. [12:22:45] Okay. I'm going to play you a video.

11 It's at tab 2, CAR-OTP-0000-2245. It's a video that's partially in Sango and partially  
12 in French. To the extent that a sight translation of at least the French is possible, that  
13 would be appreciated.

14 But in any event, I understand, Mr Witness, you speak both Sango and French so you  
15 should be able to follow it quite clearly. I'll ask you some questions after that as  
16 soon as we set that up.

17 THE INTERPRETER: [12:23:29] From the interpreters: A sight translation, we  
18 would need a transcript. I don't know whether there is one.

19 PRESIDING JUDGE SCHMITT: [12:23:39] Do we have a translation for the  
20 interpreters?

21 MR VANDERPUYE: [12:23:43] One would think we would, because I think it's  
22 already submitted, but I can't find it. But I assure you it's a very short extract and  
23 very clear.

24 PRESIDING JUDGE SCHMITT: [12:23:52] So to the interpreters: Please give your  
25 best. There is an assurance by Mr Vanderpuye that it's short and clear.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

- 1 MR VANDERPUYE: [12:24:00] The French is.
- 2 THE INTERPRETER: [12:24:02] From the interpreters: Yes, we can try.
- 3 Thank you, sir.
- 4 PRESIDING JUDGE SCHMITT: [12:24:07] Thank you so much.
- 5 MR VANDERPUYE: [12:24:09]
- 6 Q. [12:24:09] All right. We're going to play a short extract. It's from 01:04 to
- 7 02:24. I see Ms Dimitri is on her feet.
- 8 MS DIMITRI: [12:24:25] It is to help you.
- 9 PRESIDING JUDGE SCHMITT: [12:24:26] I thought so. There couldn't be an
- 10 objection imaginable.
- 11 MS DIMITRI: [12:24:31] There is a transcript on Nuix. The ERN is 0000-2278.
- 12 MR VANDERPUYE: [12:24:46] There it is.
- 13 PRESIDING JUDGE SCHMITT: [12:24:47] That's something.
- 14 MR VANDERPUYE: [12:24:48] Yes, that is very helpful. Much appreciated.
- 15 THE COURT OFFICER: [12:24:52] Could counsel please say if it's CAR-OTP or
- 16 CAR-D29?
- 17 MS DIMITRI: [12:24:58] CAR-OTP.
- 18 PRESIDING JUDGE SCHMITT: [12:25:00] So, for the interpreters, well, you can tell
- 19 us when you're ready, when you have it.
- 20 MS DIMITRI: [12:25:42] In the meantime, could you just repeat the extract you want
- 21 to play.
- 22 MR VANDERPUYE: [12:25:47] Yes, it's from 01:04, I think, to 02:24.
- 23 THE COURT OFFICER: [12:25:58] For the interpreters, we have put the transcript on
- 24 evidence channel 1.
- 25 THE INTERPRETER: [12:26:03] From the interpreters: We can see the transcript.



Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 Much obliged.

2 MR VANDERPUYE: [12:26:11] Then we can see. Thank you. Thank you,  
3 everybody. I think we can play it. Are you ready in the booth? Okay. We'll play  
4 it. Thank you.

5 (Viewing of the video excerpt)

6 PRESIDING JUDGE SCHMITT: [12:26:44] We have to start anew. We don't have  
7 the interpretation.

8 THE INTERPRETER: [12:26:52] From the interpreters: The first part seemed to  
9 have been in Sango. If we can have the line numbers, it would be very helpful.

10 PRESIDING JUDGE SCHMITT: [12:27:09] Ms Dimitri? No.

11 MR VANDERPUYE: [12:27:11] It's just enough to translate the French, I think, for  
12 our purposes.

13 PRESIDING JUDGE SCHMITT: [12:27:15] Okay, so for the interpreters, no worries.  
14 The Sango part, we'll just play without translation and when they start to speak  
15 French, please translate it. But we would have to start anew, I think, from the  
16 beginning, please.

17 MR VANDERPUYE: [12:27:33] Yes, Mr President.

18 (Viewing of the video excerpt)

19 THE INTERPRETER: [12:27:48] (Interpretation of the video extract)

20 "I have said that we are afraid. It makes us afraid because we are in a total risk, in a  
21 total risk. We are authorities. For example, myself, I am the second assistance to  
22 the mayor. I have a foundation in this country. Where am I going to go? I cannot  
23 say. I am in my country. I'm a Muslim. I'm a Muslim, so I'm appealing to the  
24 international community that one needs to protect, they need to protect the Muslims  
25 and protect the Christians without any discrimination. We are tired. It means that

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 we are tired of this war and we know where it is coming from. We are tired."

2 MR VANDERPUYE: [12:29:05]

3 Q. [12:29:05] You recognise Mr Saleh in that video; is that right?

4 A. [12:29:16] Thank you.

5 Mr President, yes; yes, I recognise Mr Saleh Djido. Yes.

6 Q. [12:29:23] Do you recognise the location that he's in?

7 A. [12:29:40] Thank you, Mr President.

8 Regarding the location, I think it is -- maybe it resembles slightly the houses opposite,  
9 not far away from the Baguirmi mosque, the Baguirmi mosque, yes, just by the side of  
10 the main tarred road. That is what it looks like.

11 Q. [12:30:22] You could see at the beginning of the video that he's picking up the  
12 pages of a burnt Koran; can we agree on that?

13 A. [12:30:50] Thank you, Mr President.

14 I can't see very well, myself. I can see some papers, but I can't confirm that this is a  
15 Koran that has been burnt. And I don't know the context, I don't even know when  
16 this photograph was taken. I see paper and this seems to be Arabic script, but -- but  
17 is it a Koran that has been burnt? I'm not in a position to know that.

18 Q. [12:31:33] That's fair enough. What he says in the video is he's a Central  
19 African, he's a Muslim and where should he go. You testified on direct examination  
20 that he exercised the choice to remain in Mbaiki. That's the information you had.  
21 And that's why he was killed, isn't it, sir?

22 A. [12:32:12] Thank you.

23 Mr President, it is true that the information I received was that Mr Djido said several  
24 times -- he said several times that he was from the Central African Republic and it  
25 was his country. But to our mind that was normal, because it wasn't a surprise that

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 he said that and it was a fair statement -- a correct statement. He said that he was  
2 from the Central African Republic, it was his country, Mbaiki was his village. For us,  
3 that was something normal. On our side, the bishopric, the platform, that wasn't a  
4 problem.

5 Now, the second part of the question, whether that is -- whether it's because of that  
6 that he had been killed, I really don't have any answer to give you as such. But I do  
7 know -- well, what I can say here is that when -- when the -- the vast majority of the  
8 Muslims left on the trucks that had been sent in, according to the information  
9 I received, Mr Djido decided -- well, he refused to leave and, according to that same  
10 information I received, the people who were there said that Djido's wife apparently  
11 was pregnant at the time with their child and wanted to get on the truck, and with the  
12 children wanted to -- they were already in the truck and Djido kept them from  
13 leaving. He had his wife and children get off the truck, and he said no, he was from  
14 the Central African Republic and that there was no question of him leaving. That  
15 was part of the information that I received about Mr Djido.

16 Q. [12:35:10] Maybe my question was inartful. But would you agree that if -- had  
17 he left, he would not have been slayed in front of that gendarmerie on  
18 28 February 2014?

19 PRESIDING JUDGE SCHMITT: [12:35:24] Ms Dimitri.

20 MS DIMITRI: [12:35:25] Thank you, Mr President. It's hypothetical, speculative.  
21 Let's just deal with the facts and not would have happened if.

22 PRESIDING JUDGE SCHMITT: [12:35:33] Yeah, I think it's -- I know -- I know why  
23 you're saying that, but it's -- the witness has --

24 MR VANDERPUYE: [12:35:39] I can -- I can come around it a different way.

25 PRESIDING JUDGE SCHMITT: [12:35:42] Okay, please try that.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 MR VANDERPUYE: [12:35:44]

2 Q. [12:35:44] You said that the Muslims that left Mbaiki did so voluntarily, in your  
3 direct testimony in answering a question put to you by my learned counsel across --  
4 across the room. Do you consider the circumstances that Mr Saleh relates here to be  
5 voluntary, to indicate voluntariness?

6 PRESIDING JUDGE SCHMITT: [12:36:10] I let that pass. We have a very  
7 intelligent witness who can differentiate and, well, mister -- Mr Witness, please  
8 answer that.

9 MS DIMITRI: [12:36:20] Mr President, it's just a reference for the word "voluntarily",  
10 that's all I'm asking.

11 PRESIDING JUDGE SCHMITT: [12:36:28] That's true, of course. That's correct.  
12 I think "voluntarily" was not -- the word was not used. That's probable.

13 MR VANDERPUYE: [12:36:36]

14 Q. [12:36:36] Let me ask it then. Do you consider that the Muslims left Mbaiki  
15 voluntarily, in February 2014? Do you consider that all those Muslims in Mbaiki got  
16 on those buses voluntarily?

17 A. [12:36:56] Thank you.

18 Mr President, well, I don't know whether I used the word "voluntarily"; I don't  
19 believe I did. Well, frankly, given that context, in that context, I don't know whether  
20 one had a choice or not to leave. I don't know how those convoys had been  
21 organised. Some trucks had come. They got to Mbaiki and, according to my  
22 information, those trucks came from far away, from Chad. So if these trucks came  
23 from far away, given the state of the roads and all of that, and the expenditures, one  
24 could see it as possibly an investment if -- then if that were the case, things would  
25 have been prepared.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 When the trucks arrived, many people got onto the trucks and, according to my  
2 information, the information that I received, I was told that Mr Djido, he said he could  
3 not leave, and, apparently, he asked his wife and his children to get off the truck, or  
4 he forced them to get off the truck. That's what I can tell you.

5 PRESIDING JUDGE SCHMITT: Mr Vanderpuye --

6 MR VANDERPUYE: [12:38:44] He answered my question. Unless, Mr President,  
7 you --

8 PRESIDING JUDGE SCHMITT: [12:38:47] Well, I have a question.

9 MR VANDERPUYE: [12:38:50] Okay.

10 PRESIDING JUDGE SCHMITT: [12:38:52] Mr Witness, these Muslims that left, did  
11 they consider Mbaïki and the surrounding areas as their home?

12 THE WITNESS: [12:39:11](Interpretation) Thank you.

13 Mr President, those Muslims who left, indeed, they thought of Mbaïki and the  
14 surrounding villages, they thought of those places as their territory, their -- the place  
15 they were from. That is why I said yesterday, or the day before that, that there were  
16 Muslims who were asking some non-Muslims to keep an eye on their houses, so they  
17 entrusted their houses to some non-Muslim individuals. If someone says "Could  
18 you keep an eye on my house?" that means that there is a hope that one day they will  
19 return.

20 PRESIDING JUDGE SCHMITT: [12:40:04] I think we leave it at that,  
21 Mr Vanderpuye.

22 MR VANDERPUYE: [12:40:07] Thank you, Mr President. I just have one last area.

23 PRESIDING JUDGE SCHMITT: [12:40:11] Yes, let's hear it.

24 MR VANDERPUYE: [12:40:14]

25 Q. [12:40:14] And this just relates to how it is that you came about organising the

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 meeting that you had on 30 January 2014. You said, I think it was on your first day  
2 of testimony, and that's transcript -- I think it's 293, page 63, line 5, on, you said that  
3 you wanted to get ahold of Mr Yekatom's telephone number. You said, "I no longer  
4 recall how I got hold of his telephone number, but I looked for it, I am sure of it.  
5 I wanted his contact details and I contacted him." And then he accepted to meet you  
6 in Pissa.

7 My question is: Why exactly did you seek out Mr Yekatom's contact details?

8 A. [12:41:27] Thank you.

9 Mr President, your Honours. Yes, because Mr Yekatom, first of all, the first thing,  
10 I didn't know him. I didn't know him, so the information that I received that the  
11 people responsible for this group who were called the Anti-Balaka, who were in Pissa,  
12 in Pissa, that the person responsible for them, or the person in charge, was  
13 Mr Yekatom, Mr Rambo. And to put our initiative into effect -- that is to say, to meet  
14 the two leaders, the Seleka colonel -- contacting him was easy.

15 As for Mr Yekatom, first of all, we had to speak to him. We didn't know how he  
16 would respond. We had to speak to him. We needed meetings, we needed a prior  
17 meeting with him to see what his intentions were, to sound him out, to get his  
18 approval.

19 Was he in approval? Could he support our efforts? And as I said -- as I said here,  
20 I don't know quite how I managed to get his contact information, but, you know,  
21 when you want something, you look for it.

22 So I looked and looked, and, ultimately, I got his contact information, because it was  
23 absolutely necessary to contact him.

24 First, I spoke to him on the telephone and he was in agreement to meet with us in  
25 Pissa.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 Q. [12:43:39] And what did Mr Yekatom's presence in Pissa have to do with your  
2 situation in Mbaïki that you needed to contact him at all?

3 A. [12:44:03] Thank you, Mr President. In my testimony, I mostly focused on the  
4 psychological climate reigning in Mbaïki. It was a climate of fear and worry, and it  
5 was related to the general context. One mustn't forget that -- one mustn't forget  
6 what happened and what information was coming in from other places in the Central  
7 African Republic -- the information that we were receiving.

8 And also one mustn't forget the situation in Boda.

9 So, there you have it, and the incidents that occurred in surrounding villages where  
10 there were clashes between non-Muslims and Muslims.

11 So we took all those parameters into consideration within our platform to assess the  
12 need to provide some kind of space for dialogue and listening for these two forces  
13 that were present. There were the Seleka in Mbaïki; there was Mr Yekatom and his  
14 elements in Pissa. And Pissa is less than 30 minutes away from Mbaïki, so because  
15 of all that, we felt it was necessary to carry out that endeavour.

16 Q. [12:46:04] You contacted Mr Yekatom because Mr Yekatom could have affected  
17 the situation in Mbaïki, the security situation; that's why you called him, isn't it?

18 A. [12:46:29] Thank you, Mr President.

19 To have an influence on security in Mbaïki, no, but they were there. They were in  
20 Pissa. So they were in Pissa and, well, truly, we were always in a state of fear. We  
21 didn't know what could happen all the same. We could see some things and things  
22 were not looking good, something had to be done.

23 As a religious platform, our objective and our mission, our fundamental mission, the  
24 very reason for our interfaith platform was to bring about peace and social cohesion  
25 so that Mbaïki would not become a conflict area, a place of clash -- clashes.

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 So that is why we decided to contact those various leaders, the various forces that  
2 were present. So that's why. That was our motivation.

3 And we remained with that particular motivation.

4 MR VANDERPUYE: [12:48:09] Do you have a further --

5 PRESIDING JUDGE SCHMITT: [12:48:10] No, no. I think that has covered your  
6 question as far as I'm concerned.

7 MR VANDERPUYE: [12:48:14] I have maybe just one different angle on this.

8 PRESIDING JUDGE SCHMITT: [12:48:18] Yes, well, this is always nice -- the  
9 different angle. We know about that from this morning.

10 MR VANDERPUYE: [12:48:23]

11 Q. [12:48:23] You mentioned that you had information coming to Mbaïki about  
12 things were happening -- that were happening in other parts of the country. And  
13 that's a bit of a mystery as to what information you had. So if you could tell us what  
14 information you had, concerning what was going on in the other parts of the country  
15 that caused you concern in Mbaïki, enough to call Mr Yekatom to intervene.  
16 What information did you have exactly?

17 A. [12:48:58] Thank you.

18 Mr President, we weren't aware of all the information, that's for sure. Our means  
19 were limited, but what happened in Batangafo, in Bossangoa, et cetera, and even with  
20 the event of 5 December 2013 in Bangui, when we were told that there were clashes  
21 between the Seleka and the Anti-Balaka, we were there, we had that information.

22 And, so, for the population, in the eyes of the population, Mr Yekatom and his  
23 elements, the population of Mbaïki called them the Anti-Balaka. And the  
24 Anti-Balaka were in Pissa, at the very doors of Mbaïki.

25 And what happened in Mbata, in Bangui-Bouchia, the information that the



Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 population in Mbaiki had, according to that information, the Anti-Balaka attacked the  
2 Muslims -- once again, the Anti-Balaka attacking the Muslims.

3 So that was the information that we were receiving and that truly fed the climate of  
4 fear and worry. In the minds of the people, if there was an attack or a -- well,  
5 between the Anti-Balaka and the Muslims, that could be the case for Mbaiki. So we  
6 tried to say, "Well, we have to do something. We have to try to do something to  
7 avoid a possible attack or a clash."

8 I think it's also important to take into account what was going on at the time in other  
9 localities and the information we were getting, so, for us, it was important to take all  
10 of that into account.

11 Q. [12:51:38] And to take that into account, Mr Yekatom is the only Anti-Balaka  
12 chief that you invited to your meeting in Mbaiki on 30 January 2014, right? No other  
13 Anti-Balaka chief, leader, commander in the area; is that right, sir?

14 A. [12:52:07] Thank you. Mr President, yes, it was Mr Yekatom, Mr Yekatom.  
15 For us it was much more in relation to Pissa, and in Pissa -- well, you see we realised  
16 that the elements based -- the Anti-Balaka elements in Pissa were Mr Yekatom's  
17 elements, so we had to contact their leader, and we discovered it was Mr Yekatom.

18 Q. [12:52:47] Okay. Thank you very much, Mr Witness.

19 MR VANDERPUYE: [12:52:49] Mr President, I have no further questions.

20 PRESIDING JUDGE SCHMITT: [12:52:51] Thank you very much. I cannot assume  
21 that, yes? Yes, the representatives of the victims also have no questions.

22 Ms Dimitri, I don't want to rush you. You have to -- I think you have to make a call  
23 with your client.

24 I can make a suggestion to be fair to you and your client that we have a -- the break  
25 now and you revert, I think that would be the best or?

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 MS DIMITRI: [12:53:20] Mr President, if you and your Honours are up to it, if you  
2 give me maximum 15 minutes, I can be back down with an answer.

3 PRESIDING JUDGE SCHMITT: [12:53:30] Yes, then we do it this way.

4 MS DIMITRI: [12:53:31] Thank you.

5 PRESIDING JUDGE SCHMITT: [12:53:32] Okay, 15 minutes. And let us know.

6 Please don't run away, everyone, yes? Stay close.

7 And please let me immediately know via some channels when you're ready.

8 THE COURT USHER: [12:53:43] All rise.

9 (Recess taken at 12.53 p.m.)

10 (Upon resuming in open session at 1.09 p.m.)

11 THE COURT USHER: [13:09:23] All rise.

12 Please be seated.

13 PRESIDING JUDGE SCHMITT: [13:09:48] So, Ms Dimitri, you had a chance to speak  
14 with your client.

15 MS DIMITRI: [13:09:53] Indeed, Mr President. And thank you for accommodating  
16 this.

17 We have no questions for re-examination.

18 PRESIDING JUDGE SCHMITT: [13:09:58] Thank you very much.

19 This means, Mr Madongagba, that this concludes your testimony.

20 On behalf of the Chamber, we would like to thank you that you have taken it upon  
21 you to come to The Hague, to this Court, to testify for nearly three days and ask so  
22 many questions patiently. We appreciate that a lot. We need witnesses that come  
23 forward and testify and try and assist us to help to find the truth. We wish you a  
24 safe trip back home.

25 THE WITNESS: [13:10:32](Interpretation) Thank you, Mr President. Thank you to

Trial Hearing  
WITNESS: CAR-D29-P-5012

(Open Session)

ICC-01/14-01/18

1 everyone. Thank you very much.

2 (The witness is excused)

3 PRESIDING JUDGE SCHMITT: [13:10:42] So this concludes also the hearing for  
4 today, but we continue already tomorrow at 9.30 with D30-4848.

5 THE COURT USHER: [13:10:52] All rise.

6 (The hearing ends in open session at 1.10 p.m.)

7 CORRECTIONS REPORT

8 The following interpretation corrections, marked with an asterisk are brought into the  
9 transcript.

10 Page 17 line 18 : Q. [10:26:37] [...], and then you said some people even were sad  
11 the fact that he, Coeur de Lion, had decided to go to Boda, could you be a bit more  
12 specific?

13 is corrected to

14 Q. [10:26:37] [...], and then you said some people even were saddened by the fact  
15 that he, Coeur de Lion, had decided to go to Boda, could you be a bit more specific?