

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 International Criminal Court
2 Trial Chamber V
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard
5 Ngaïssona - ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and
7 Judge Chang-ho Chung
8 Trial Hearing - Courtroom 1
9 Tuesday, 22 February 2022
10 (The hearing starts in open session at 9.33 a.m.)
11 THE COURT USHER: [9:33:57] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE SCHMITT: [9:34:17] Good morning, everyone. Especially good
15 morning to our witness, Mr Namsio.
16 Court officer, please call the case.
17 THE WITNESS: [9:34:41](Interpretation) Good morning.
18 THE COURT OFFICER: [9:34:43] Good morning, Mr President, good morning,
19 your Honours.
20 This is the Situation in the Central African Republic II, in the case of The Prosecutor
21 versus Alfred Rombhot Yekatom and Patrice-Edouard Ngaïssona, case reference
22 ICC-01/14-01/18
23 And for the record, we are in open session.
24 PRESIDING JUDGE SCHMITT: [9:34:59] Thank you.
25 The appearances of the parties.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 Mr Vanderpuye or the Prosecution, first.

2 MR VANDERPUYE: [9:35:06] Thank you, Mr President. Good morning to you.

3 Good morning, your Honours. Good morning, everyone. Good morning,

4 Mr Witness. Today the Prosecution is represented by Nicholas Leddy, Yassin

5 Mostfa and myself, Kweku Vanderpuye. Good morning.

6 PRESIDING JUDGE SCHMITT: [9:35:20] The representatives of the victims.

7 Ms Massidda, first.

8 MS MASSIDDA: [9:35:24] Mr President, your Honours, for the victims of the other

9 crimes in court today, Mr Yaré Fall, myself, Paolina Massidda, and Ms Asso Mouhia.

10 PRESIDING JUDGE SCHMITT: [9:35:38] Mr Suprun.

11 MR SUPRUN: [9:35:41] Good morning, Mr President, your Honours. Appearing

12 today on behalf of the former child soldiers, Lisa Goudeau, intern, and myself,

13 Dmytro Suprun, counsel at the Office of Public Counsel for Victims. Thank you.

14 PRESIDING JUDGE SCHMITT: [9:35:51] I turn to the Defence. Ms Dimitri.

15 MS DIMITRI: [9:35:55] Good morning, Mr President. Good morning, your

16 Honours. Good morning, everyone.

17 Mr Yekatom, who is present in the courtroom, is represented today by Mr Florent

18 Pages-Granier, Mr Jérémy Pizzi, Ms Ante Guissé, and myself, Mylène Dimitri.

19 PRESIDING JUDGE SCHMITT: [9:36:07] And Mr Knoops.

20 MR KNOOPS: [9:36:10] Good morning, Mr President. Good morning,

21 your Honours. Good morning everyone in the courtroom.

22 The Defence of Mr Ngaïssona appears today before the Chamber with Ms Barbara

23 Szmatala, Ms Sara Pedroso, Mike Rowse and Elsa Bohne. Mr Landry is following

24 the hearing from the field office, and the Defendant is present in the courtroom,

25 Mr President. Thank you.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 PRESIDING JUDGE SCHMITT: [9:36:29] And I take it that Mr Madoukou is also at
2 least visible online. Then a warm welcome to him, too. He's the counsel for the
3 witness, Mr Namsio.

4 Mr Vanderpuye, you can continue with your examination.

5 MR VANDERPUYE: [9:36:50] Thank you, Mr President.

6 WITNESS: CAR-OTP-P-0446 (On former oath)

7 (The witness speaks French)

8 (The witness gives evidence via video link)

9 QUESTIONED BY MR VANDERPUYE: (Continuing)

10 Q. [9:36:56] Good morning to you, Mr Namsio.

11 Yesterday when we left off, I had asked you some questions about your knowledge
12 and the knowledge of the Anti-Balaka coordination about crimes that were being
13 committed by Anti-Balaka members against the Muslim community. And you gave
14 a rather long answer, but I take it to mean that you were aware that real Anti-Balaka
15 had and were committing crimes of a serious nature against the Muslim community,
16 certainly by February or April of 2014. Is that fair?

17 A. [9:37:42] What did you say?

18 Q. [9:37:51] I'll see if I can put it a different way.

19 PRESIDING JUDGE SCHMITT: [9:37:55] And I also take note that the French
20 transcript is not working.

21 MR VANDERPUYE: [9:38:02] Oh, I see.

22 PRESIDING JUDGE SCHMITT: [9:38:04] So ...

23 MR VANDERPUYE: [9:38:08]

24 Q. [9:38:08] What I asked you yesterday was if you, as a member of the National
25 Coordination, were aware that real Anti-Balaka members were committing serious

1 crimes against the Muslim community, civilians included?

2 A. [9:38:36] Thank you once again. Regarding the Anti-Balaka leaders and what
3 they did, I was not aware about. But somewhere along the line, there was
4 information on cases of killings, but I did not know who did what. So I really cannot
5 elaborate on that. If I knew anything, I would have told you. I have told you
6 already that as usual, I remain and I shall remain cooperative so as to provide clarity.
7 Regarding the Anti-Balaka authorities, those who perpetrated major crimes, I really
8 do not know anything about those at all. Because to know something is something
9 that you must have experienced or observed, and since I did not observe anything, I
10 cannot say anything. But if you have information about that, you can make it
11 available so that I can be able to update myself. Thank you.

12 Q. [9:40:08] All right. I think I have your answer.

13 As a spokesperson for the group, were you asked by members of the press or
14 international community about crimes that were being committed by the Anti-Balaka,
15 such as the crimes that were committed in Yaloké, crimes that were committed in
16 Guen, crimes that were committed in Berbarati, crimes that were committed in Carnot,
17 crimes that were committed in Bossembélé, crimes that were committed in Bouca.
18 Were you asked about those crimes?

19 A. [9:40:47] Regarding the crimes, the international media -- quite a few members
20 of the international media approached us to interview us, but I was, of course, the
21 spokesperson and each time those media people came to our coordinator, he called
22 me up so that I should be present. And if there was information to be given, I will be
23 there side by side with the coordinator. The so there were quite a good number of
24 media houses that came to look for information. There was TV 5, Africa Media, a lot
25 of international media organisations that came to our country. So questions were

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 put on that, but I do not remember those questions. If you refresh my memory on
2 that, I may have some further information.

3 Q. [9:42:03] Well, I don't want to go into the details of that because the time is
4 limited, but yesterday I played you a recording of an interview that was given by
5 Alfred Ngaya who was the political advisor to Mr Ngaïssona, the national general
6 coordinator. In April -- I think it's 3 April 2014 where he said that it was important
7 to stop the mass exodus of Muslim from the country. And I asked you yesterday
8 whether you were aware of that circumstance and if the Anti-Balaka had to do with it.
9 Is that something that you discussed within the coordination? Is that something you
10 discussed with Mr Ngaïssona? Is that something you discussed with the
11 international media that you just cited?

12 A. [9:43:09] Yes. Regarding the statement made by Mr Alfred Legrand Ngaya,
13 he's the one who drafted it. And any time that nothing was not going well, the
14 coordinator would call everybody so as to assess the situation. So what Alfred
15 Ngaya said was a reality because everybody was aware that there had been certain
16 excesses. I cannot deny that. And I have already told you that there were excesses.
17 When the Anti-Balaka arrived, the population initially cheered them. Unfortunately,
18 after a while, the population turned around against a few Balaka members who were
19 committing crimes somewhere. So each time there was an event, we would meet
20 and the coordinator would bring us together and anybody who had information
21 would provide it. He would give us instructions and we would discuss how to calm
22 the situation.
23 For the situation of yesterday, the document that you showed was prepared by Alfred
24 Ngaya, so there were cases like that.

25 Q. [9:44:42] All right. I don't want to dwell on that, but let me ask you just very

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 briefly, when Mr Wenezoui was named a -- not deputy coordinator, but general
2 coordinator - in May 2014, I believe it was 15 May 2014, Mr Bara made a speech
3 during that event. And during the course of that speech, he mentioned you and
4 Konaté as members of the group of the other branch, meaning the north faction of the
5 Anti-Balaka. And in the course of that -- first of all, are you aware that
6 Mr Ngaya -- Mr Bara mentioned you during the course of his speech when
7 Mr Wenezoui was named general coordinator? Are you aware of that?

8 A. [09:45:48] Regarding the appointment of Mr Wenezoui, we were altogether in
9 the Anti-Balaka movement and I had been chosen as the national spokesperson.
10 At one point, I don't remember the particular event that happened, Mr Wenezoui
11 withdrew and joined Yekatom's group, including Kokaté. So it was on the Mbaïki
12 road at Katara. That is where they organised a general assembly. The Sangaris
13 were present on that day. And during that general assembly, he was chosen as the
14 coordinator. And since I was not there, they also designated me as the spokesperson
15 of that dissident group, and I was informed of that through the Ndeke Luka radio
16 station. So I was listening to my radio and I heard that I had been chosen as
17 spokesperson in the Yekatom, Wenezoui and others group. And I can say that, in
18 principle, the Balaka movement did not really have an objective for power. Our
19 objective was to exert pressure on President Djotodia. And when he arrived, when
20 Djotodia arrived, he gave power to anyone that he wanted to about. But if you have
21 power, you have to try to assist your population which is in distress and you have to
22 try to get them out of that distress. But the Anti-Balaka were not there to look for
23 power. They were for self-defence. I was in favour of them, but at one point there
24 was a split (Overlapping speakers).

25 PRESIDING JUDGE SCHMITT: [9:48:18] Mr -- Mr Witness, I have to interrupt you

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 here. Mr Witness, I have to interrupt you here.

2 Mr Vanderpuye has asked you a question that could have been answered shortly, but
3 I think you move on, perhaps, and take this answer as we have it.

4 MR VANDERPUYE: [9:48:34]

5 Q. [9:48:34] And I apologise for cutting you off because I have a limited amount of
6 time that I have with you. So if you can respond to the questions as closely as I put
7 them, that would be helpful. But it is appreciated that you are forthcoming in your
8 answer, so I just want you to know that.

9 I want to know if you were aware that Mr Bara in his speech said, quite specifically,
10 he said: (Interpretation) "The general coordinator, one day we have to be accountable
11 for the actions of the Anti-Balaka."

12 (Speaks English) He said: (Interpretation) Peace can only be restored if there is unity
13 of views. And so today, whether we like it or not, you have to know that the actions
14 that we have carried out from the beginning till today, actions that are attributable to
15 the Anti-Balaka, we are accountable for them."

16 (Speaks English) Did you hear that on Ndeke Luka, listening to your radio?

17 A. [9:50:07] If I'm not mistaken, I did not hear that message by Mr Bara. There
18 were many messages being broadcast, and personally I had said that errors had been
19 made. I acknowledged that there were some Anti-Balaka which -- who were
20 committing crimes, and we heard about that over the radio. So maybe Bara was
21 informed and he knew what he was saying, so I cannot challenge what he said
22 because Mr Bara was also part of us, the Anti-Balaka. He had gone to represent the
23 Anti-Balaka abroad. And he represented the Anti-Balaka within the government, so
24 he knew what he was talking about. I'm not aware of the date of his statement, but I
25 don't have any dates regarding the information that was broadcast over the air.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 Q. [9:51:27] Okay. Just for the Chamber's record, you will find that at tab 49,
2 CAR-OTP-2084-1327, that is a video. The transcript reference is CAR-OTP-2107-1583.
3 And the particular references within that transcript are lines 35 through 41 of the
4 transcript. There's more to it, obviously, but that's the part that I've cited. And it's
5 from 15 May 2014.

6 PRESIDING JUDGE SCHMITT: [9:52:03] Haven't we already seen this video?

7 MR VANDERPUYE: [9:52:07] You've seen it. You've seen it.

8 PRESIDING JUDGE SCHMITT: [9:52:07] Thank you.

9 MR VANDERPUYE: [9:52:08]

10 Q. [9:52:09] If I can just move on a little bit.

11 Now, you say that Mr Bara was aware of certain information perhaps that you may
12 not have had. But you were a member of the Anti-Balaka military police; is that
13 right?

14 A. [9:52:26] Yes, indeed. At one time, there were excesses. The coordinator
15 instructed me to look at ways of means of tracking down fake Anti-Balaka
16 committing crimes in the neighbourhoods. That is how come this police was set up.
17 However, I was not the one responsible, I was not the only one. There was Andjilo,
18 there was Gustave who was also one of the authorities of the military police, as well
19 as Mr Golokete. Secondly, Mr Bara, when we were in the coordination, in the
20 coordinator's house, Mr Bara was not with us. He was somewhere and we heard
21 about him over the radio. I met him at the little hotel during a big meeting in early
22 November when I joined the group. And so far till today, I have met with Mr Bara
23 no more than three or four times, if I'm not mistaken. Thank you.

24 Q. [9:54:08] Yes, okay. In November when you met -- when you joined the group,
25 that was in 2013, that's when you met him?

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 A. [9:54:19] I didn't meet him in November. I had heard about Mr Bara -- well, he
2 made statements that I am not aware of. There was Mr Bara who spoke on behalf of
3 the Anti-Balaka. Mr Kokaté, also. All these people were speaking on behalf of the
4 Anti-Balaka. So Mr Bara was representing the movement. But when I joined the
5 group, I did not find him behind the hill.

6 Q. [9:54:57] Okay. I'm just trying to clarify what is in the transcript that is being
7 interpreted as to what you said. So in the transcript it says that you met him at a big
8 meeting in November when you joined the group, in early November. So I'm just
9 trying to clarify that.

10 So it is the case that you did not meet him at all in November of 2013; is that right?

11 A. [9:55:29] No.

12 Q. [9:55:34] And in November 2014, you were in jail. So you didn't meet him then
13 either; is that right?

14 A. [9:55:43] November 2014? I was already in prison because I was arrested in
15 September, and I left on 11 November 2015, if I am not mistaken. It was only
16 when I left prison that I got to know Mr Bara.

17 Q. [9:56:10] All right.

18 PRESIDING JUDGE SCHMITT: [9:56:14] Ms Dimitri, I did not want to interrupt
19 because I thought it might be solved on the spot in the discourse between
20 Mr Vanderpuye and the witness.

21 MS DIMITRI: [9:56:25] Thank you, Mr President. I don't believe I heard November
22 in French. I think he said *à Hotel Ledger*, but I might be wrong, but that's why
23 (Overlapping speakers).

24 PRESIDING JUDGE SCHMITT: [9:56:34] I think we have clarified it. I think we
25 have.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 MR VANDERPUYE: [9:56:37] No, I appreciate it. I'm following it in the English so
2 I don't overlap, which is why I don't tune in to the French anymore. But in the
3 transcript, in the English it says very clearly "November" a couple of times
4 (Overlapping speakers). So -- and that's what I'm hearing.

5 PRESIDING JUDGE SCHMITT: [9:56:51] Actually, I also did not hear "November",
6 but we have clarified it now. Please move on.

7 MR VANDERPUYE: [9:56:57] Thank you, Mr President.

8 PRESIDING JUDGE SCHMITT: [9:56:57] It might not be the most important point.

9 MR VANDERPUYE: [9:57:02]

10 Q. [9:57:02] My point is that you heard Mr Bara represent -- or, rather, I've read to
11 you what Mr Bara said in May 2015 about the Anti-Balaka's responsibility for crimes
12 against the Muslim population. I have played you an audio recording of Mr Ngaya's
13 talk where he says that efforts should be made to stop the hemorrhaging of the
14 Muslim population from their country and the mass exodus of Muslim. And I've
15 now asked you about, in the context of your work with the Anti-Balaka military
16 police, if you were aware of specific crimes against Muslims that were being
17 committed on a wide scale - I'm not talking about just some neighbourhood - against
18 the Muslim community in your country.

19 Now, from your answer, I take it that you were not aware of that.

20 PRESIDING JUDGE SCHMITT: [9:58:10] Mr Knoops.

21 MR KNOOPS: [9:58:14] Mr President, I think the witness has answered this question
22 already twice.

23 PRESIDING JUDGE SCHMITT: [9:58:18] Actually, I also -- I would agree with
24 Mr Knoops.

25 MR VANDERPUYE: [9:58:23]

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 Q. [9:58:23] All right. So, if I can ask, you were never made aware of the crimes
2 that were committed against the Muslim population in Yaloké, were you, while you
3 were in the military police? Did anybody talk to you about that?

4 A. [9:58:41] I heard about it through RFI radio station since I was not there, so I
5 heard about it over the radio station RFI.

6 Q. [9:58:55] What about Boda?

7 A. [9:59:02] Boda also, I heard about it. Because when I was in prison in the
8 Ngaragba prison, there was a young person who came, allegedly an Anti-Balaka.
9 And during his trial, his interview, he was convicted because he was supposed to be
10 one of those who committed those crimes so I met him there. I don't know his name,
11 but I was informed about that.

12 Q. [9:59:42] All right. Let me try again. While you were in the coordination and
13 working with the military police of the Anti-Balaka, at that time, did you have
14 information about the crimes that were being committed? So far I have asked you
15 about Yaloké, now Boda again. During the time you were in the military police, did
16 you have that information, that there was an enclave, for example, in Boda?

17 A. [10:00:21] Yes. I told you a short while ago that I was informed through the
18 radio, through the RFI radio station, which talked about mass crimes. They also
19 talked about crimes in Boda, but since I was not there, I did not observe it so I cannot
20 give you any information about that, but I was informed.

21 Q. [10:00:48] What about Mbaïki?

22 A. [10:00:57] Mbaïki, I don't know. I'm not aware. With regard to mass crimes, I
23 am not aware of that.

24 Q. [10:01:08] What about Berbarati?

25 A. [10:01:15] With regard to Berbarati, it is when I had left prison and it was the

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 parish priest of Berbarati, a monsignor, but I can't her his name. He is the one who
2 had told me that there were Anti-Balaka who were carrying out acts that were not
3 appropriate. So when I left -- when I left prison and I got engaged as a peace activist,
4 so he invited me there so that I should speak to those Anti-Balaka who were
5 committing crimes against civilian populations without a Defence, without weapons.
6 So we went with Imam Kobine and the cardinal and there was a platform there, and
7 that is how come that monsignor got to know me and talk to me about the situation in
8 Bambari (Overlapping speakers).

9 What were you saying?

10 Q. [10:02:49] I want you to focus on the period of time that you were in the
11 National Coordination and working with the military police of the Anti-Balaka. Not
12 when you were in Ngaragba prison, not in 2015, but between January of 2014 and,
13 let's say, the time that you went to Brazzaville in July 2014 before you got arrested.
14 So my question is, did you have that information at that time?

15 Let me continue. What about Carnot?

16 A. [10:03:29] I have told you, the information that I had was through the radio, that
17 in that section there were killings and there were -- I was aware sometimes, but
18 through the radio, but there was other information which I got.

19 Q. [10:03:49] Was there discussion within the national coordination about what you
20 heard on the radio concerning crimes, massive crimes committed by the Anti-Balaka
21 in the provinces that I just named?

22 A. [10:04:06] There were no discussions because whenever there was something
23 that didn't work out he called us all and said this has happened, so he was informed
24 that in this section there were events. So he called us and spoke about that and
25 everyone who was informed used the occasion to tell everybody else about it. And it

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 was in this way that sometimes I and sometimes Alfred Ngaya Legrand or sometimes
2 the minister came and spoke on the radio and said -- and Alfred Ngaya made a
3 statement about what happened. Thank you.

4 PRESIDING JUDGE SCHMITT: [10:04:58] I think Mr Vanderpuye, it's -- it happens.
5 I think I said that several times. It happens in courtrooms that we do not get the
6 answer that we expect or want to hear whatsoever. So simply I think you have to
7 move on.

8 MR VANDERPUYE: [10:05:15] Yeah, I am going to a different area.

9 Q. [10:05:18] Let me show you a photograph. It's a photograph of you. We can
10 publish it. It's CAR-OTP-2076-1282. It will come up on the screen in a minute.

11 And while it's coming up, I want to ask you, I know that you talk about various
12 methods that were undertaken by the Anti-Balaka to identify or distinguish real
13 Anti-Balaka from fake Anti-Balaka, and you discuss the difference between real and
14 fake Anti-Balaka in your statement. So I don't know if I'm going to go into that.

15 But, first of all, you recognise yourself in this photograph? Can you see it?

16 A. [10:06:21] Not yet.

17 Q. [10:06:38] Still not yet you don't see it?

18 A. [10:06:43] Not on yet. No, I can't see it.

19 Q. [10:06:47] All right. Well, while we are working on that, I will ask you a couple
20 of questions. We understood from other evidence and from your statement that
21 there were Anti-Balaka ID cards that were issued at some point, I believe in 2014; is
22 that right?

23 A. [10:07:06] Yes, there were some badges that were created. It was the -- during
24 the making of this badge, I wasn't there. It was only afterwards because, you know,
25 when the attack took place I returned to escort the convoy coming from Douala to

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 Bangui and it's only afterwards that I was informed that these badges had been
2 initiated and they were distributing them. I saw some in the hands of the
3 Anti-Balaka. So what you said is true, there were badges that were made.

4 Q. [10:07:58] And in your statement, you indicate that a certain Baudoin Yangué
5 and Judicael easy were involved in these badges, in making these badges for the
6 coordination; is that right?

7 A. [10:08:21] Exactly.

8 Q. [10:08:25] Do you know approximately, very approximately, how many badges
9 were made and issued, let's say, to Anti-Balaka?

10 A. [10:08:42] I think they distributed many badges, if I'm not mistaken. I wasn't
11 part of the team, but there were badges that were distributed to several individuals, if
12 I am not mistaken.

13 The way of doing this, how this was done, I don't know because they differed from
14 group to group to distribute the badges. And there were Judicael and Yangué had
15 the entire list of the Anti-Balaka and the achievers and they went from base to base to
16 get the names and started to make the badges. So it was them that did this.

17 Q. [10:09:34] Okay. And who signed those badges? Who signed your badge?
18 Let's start with that.

19 A. [10:09:48] My badge was delivered, because they said to deliver these
20 badges -- the coordinator must deliver these badges. But when they started to make
21 these badges, I only arrived afterwards, only afterwards. And the badges weren't
22 made in our compound of the coordinator. They were done in Ouham-Pendé
23 neighbourhood. So they also took them to make these badges and they said that the
24 coordinator must sign or a leader must sign for them and the secretariat service was
25 then set up.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 Q. [10:10:54] Okay. So it could be signed by the coordinator or it could be signed
2 by some other leader within the coordination. Is that -- have I understood you
3 correctly?

4 A. [10:11:05] The person who signed my badge was valid until -- from the time I
5 left prison to the time today, but it was one of the leaders who -- of the coordination
6 or the secretariat. They had someone who was responsible somewhere who was
7 responsible. There was somebody who was responsible. And as there were these
8 badges, and each time they issued a report to the coordination level, but for the
9 badges it was years ago, so I can't remember the name of the person any more.

10 Thank you.

11 Q. [10:11:57] Okay. That's what I'm looking for. Does Richard Bejouane sound
12 familiar to you? Could Richard Bejouane have signed your badge?

13 A. [10:12:11] He was the one who was the *État-major*, the chief of staff. It was him.

14 Q. [10:12:22] Do you see (Overlapping Speakers)?

15 A. [10:12:25] Since I didn't see the signature and the name, so it's perhaps up to you
16 to tell me who signed it. Because that would allow me to clarify the person who did
17 that. Thank you.

18 PRESIDING JUDGE SCHMITT: [10:12:44] Did you give an interview, Mr Witness, to
19 a German journalist in 2014? Do you recall that? March or April 2014.

20 THE WITNESS: [10:13:01](Interpretation) Yes. I just told you already that there
21 were many foreign press who came. And when there were these interviews, this
22 press came to our coordinator and it was our coordinator to tell me, as I was the
23 spokesperson, to answer their concerns. And therefore, I did them several times.
24 And each time, there was the press before me. I didn't answer just like that. If they
25 wanted information, I took them (Overlapping speakers).

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 PRESIDING JUDGE SCHMITT: [10:13:48] I have to interrupt you here. Your
2 answers are getting longer and longer. Please answer only what you are asked. So
3 I take it there was an interview. And we have a document here from this German
4 newspaper. It's unfortunately in German, but it's on your list of evidence. It's
5 CAR-OTP-2076-0717 and it's at 7025. And there it's -- as I said it's in German, but
6 there you supposedly have told this woman that you had, at least on 1 April, 2014, an
7 ID card, a badge with your photo, your name, your rank and your personal number
8 and it was signed by Mr Ngaïssona. Do you recall that? This is cited here by the
9 journalist as if you had told her that. So it might be wrong. So you can say it's
10 wrong, but I won't trust somebody to know because it was a little bit unclear.
11 Actually, I'm also not -- Mr Vanderpuye -- please answer the question first,
12 Mr Witness.

13 THE WITNESS: [10:15:16](Interpretation) Yes, I answered several times. And if
14 there's information on this, it could be that (Overlapping speakers). Because I see
15 my photo and I do have a badge, but I don't remember the person who signed, so I
16 can't tell you more. Thank you.

17 PRESIDING JUDGE SCHMITT: [10:15:47] Yeah, thank you. So, also, I address that
18 because when I as Presiding Judge see something on the list of evidence here, on the
19 material that does not comport as what is being said, I want to clarify it.
20 Having said that, I don't I think, Mr Knoops, Ms Dimitri, that it is doubted that
21 badges were issued, that there is any problem with that. So I would not want to say
22 by that that what kind of relevance, if any, this might have had, and if badges are
23 issued that some of them are signed by Mr Ngaïssona it might not be so surprising.
24 But when I see, actually, that this goes in a -- factually in a wrong direction, I have to
25 clarify it for the record, I think. That was the reason why I interfered.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 Mr Vanderpuye.

2 MR KNOOPS: [10:16:45] Mr President, sorry.

3 In light of your question, of course, the fact that badges circulated is not disputed, but

4 I think the most relevant issue is whether the witness is aware that these were

5 misused. That's another issue. That's contested, of course, the legitimate use of

6 badges.

7 PRESIDING JUDGE SCHMITT: [10:17:02] Mr Knoops, of course, I know that this is

8 contested. And if you look at the transcript, I said, and it seems not to be contested

9 that badges were issued. That is my point. It is, of course, contested that -- or it is

10 alleged that people made -- misused it, for example, so we all know that.

11 So, Mr Vanderpuye, please continue.

12 MR VANDERPUYE: [10:17:27] Thank you, Mr President.

13 Just for the record, with respect to the document you referred to - and I do apologise

14 for this - there is an English translation of it. It escaped my list, but it's * 2135-1740.

15 And it has been disclosed.

16 PRESIDING JUDGE SCHMITT: [10:17:43] Thank you very much because it's

17 difficult for me. Of course, I could translate it, but I'm, of course, not an interpreter

18 (Overlapping speakers). So I'm happy that nobody objected to that. I think I did it

19 quite right (Overlapping speakers) put it into English.

20 By the way, Mr Vanderpuye, while you're still standing, do you have an estimate now?

21 We said that including the representatives of the victims we wanted to finish by 11.

22 If you have no questions, so Mr Vanderpuye is smiling, is happy, is happy. So then

23 you would have time until 11.

24 MR VANDERPUYE: [10:18:23] Thank you.

25 PRESIDING JUDGE SCHMITT: [10:18:24] What about Mr Suprun?

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 MR SUPRUN: [10:18:28] I have no questions for this witness, Mr President.

2 PRESIDING JUDGE: [10:18:30] Okay. So you have seen, Mr Suprun and

3 Ms Massidda, that at least the issue of child soldiers is addressed in the Rule 68(3).

4 Thank you very much, Mr Suprun. You have recognised that, that the witness has
5 answered on that.

6 Okay. Mr Vanderpuye, please continue.

7 MR VANDERPUYE: [10:18:47] Thank you, Mr President. And I do appreciate and
8 I fully understand the Chamber's intervention.

9 PRESIDING JUDGE SCHMITT: [10:18:53] But this does not mean that you have to
10 use all the time until 11 o'clock, not necessarily, you know.

11 MR VANDERPUYE: [10:18:59] No. No, the only purpose of the question was to
12 establish who had the authority to issue badges within the Anti-Balaka as opposed to
13 who specifically issued any given badge.

14 PRESIDING JUDGE SCHMITT: [10:19:09] No, no, no. Absolutely, yeah.

15 MR VANDERPUYE: [10:19:11]

16 Q. [10:19:11] But in any event, I think your answer has been quite clear on that, Mr
17 Witness, and I apologise for dragging this out a little bit longer.

18 Now, you indicated that Mr Golokete was a member of the military police.

19 Mr Yandjoungou was also a member of the military police. We saw a photograph of
20 them earlier in your evidence, and you also indicated that Mr Andjilo participated in
21 an exercise of the military police as well.

22 Do you have an indication of how many members of the Anti-Balaka there actually
23 were, let's say, by early 2014? The Chamber has received different evidence on this,
24 and I wondered if you as a spokesperson of the group would know?

25 A. [10:20:20] The number of Anti-Balaka from the beginning, when I joined the

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 group, I don't have the exact number, but I told you before yesterday that the
2 Anti-Balaka were numerous. They were numerous. There were many of them.
3 They were those who left for Bossangoa, Bouca, Bossangoa, Damara, even towards
4 Bouar. So they were very numerous. That is something I can already confirm to
5 you. They were numerous. But the exact number like that, we can only make an
6 estimate.

7 Q. [10:21:08] All right. Well, I want to show you a document. It's
8 CAR-OTP-2117-0708. This is a press release, so I don't think there's any reason for it
9 to be private and we can show it publicly. It's at tab 74 of the binder. And if we
10 could go to the fourth from the bottom paragraph. This is a document that's entitled:
11 (Interpretation) "Declare the war to the Anti-Balaka is to declare war on the Central
12 Africa, the militia leader."

13 (Speaks English) It's dated 13 February 2014, and in this paragraph, the fourth from
14 the bottom. So we have to roll up a little bit so he can read it. It's quoted, Richard
15 Bejouane is quoted. (Interpretation) "We are prepared to be billeted."

16 (Speaks English) And he says -- it says:

17 (Interpretation) Mr Bejouane he -- it shows that he has had the list of the Anti-Balaka
18 and they would be about 52,000 of which about 12,000 are in Bangui.

19 (Speaks English) Does that accord with your experience, recollection?

20 A. [10:23:03] Completely. Completely. Because I'm here to help you and to offer
21 clarification. Indeed, there were many Balakas -- Anti-Balaka in Bangui and there
22 were lots behind the hill. There were those in the capital who had joined the
23 movement. And there was also other Balaka who remained in the hinterland. So
24 the estimate of that person could be true.

25 Q. [10:23:39] All right. Take a look at the paragraph that follows it. And this one

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 says: (Interpretation) "At the beginning of the week, Patrice-Edouard Ngaïssona, who
2 has introduced himself as the political coordinator of the Anti-Balaka, had a meeting
3 with the AFP, evaluated their number as 70,000, of which at least half were in
4 Bangui."

5 (Speaks English) That seems to me to be a pretty big difference from 52,000. Does
6 that accord with your recollection and experience also?

7 A. [10:24:31] Please, I didn't quite follow. Could you please explain again your
8 concern and I'll try and answer.

9 Q. [10:24:41] Yes, I will. According to Richard Bejouane, who you said was the
10 *chef d'Etat Major*, the number of Anti-Balaka in around February or by February 2014
11 was around 52,000 fighters, elements. According to Mr Ngaïssona, only a week
12 before in an interview, there were 70,000. That's a big difference. That's 18,000
13 heads different.

14 And so my question to you is --

15 A. [10:25:29] (Overlapping speakers).

16 Q. [10:25:29] Were you aware, first of all, of these different estimates? And are
17 they more or less in accordance with what your recollection or knowledge was at that
18 time?

19 A. [10:25:51] Yes, there was a list, which I talked about already, held by
20 Mr Bejouane. Mr Bejouane was the *chef d'Etat Major* and he left with a group of
21 person who re-grouped behind the hill. He left from Bouca. So his list appears to
22 be normal. But as just said that arriving in the capital, there were groups of people
23 who joined up and the coordinator said that indeed there were this person and that
24 person who was aware. And it might be because of that. There were groups of
25 people who joined the group in the capital. So perhaps it's the reason why this

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 appears like this. It was an estimate. It's not me who's saying this.

2 Q. [10:26:55] Okay. I -- I have a document that I may show you later, but in an
3 interview or, rather, a speech that you gave on 21 March 2013 with Madam Fontaine,
4 you might remember that, you made a reference during the course of your talk to
5 about 40,000 Anti-Balaka and you said, "We know who they are and we know where
6 they're based."

7 So my question is, if Bejouane is saying 52,000, Ngaïssona is saying 70,000 and you
8 are saying 40,000 all in the space of a month or two, how can you be sure who is and
9 who isn't a member of the Anti-Balaka when you say in your talks, in your interviews,
10 that these crimes are committed by fakes?

11 A. [10:28:11] Thank you. As regards the number, Bejouane is the one who should
12 know. I was the national spokesman. The list of Bejouane is something I can't
13 remember. It is now that I have information about his list. But what was said by
14 the coordinator, I was not aware of that if I'm not -- if it was 70,000. I'm not aware of
15 that. The list that I talked about is what? I am the spokesperson of the movement.
16 I have estimates which I must make. Based on what I saw on the hill when I arrived
17 on the hill, there was a basis. So I based myself on that. And I had some lists which
18 I asked from each leader, and I said, "How many elements do you have?" And
19 through that I made an estimate, so that's how I reached the figure of 40,000. I am
20 not the one who is responsible for the number of the Anti-Balaka. I was only the
21 spokesperson and I estimated based on the information which I received through the
22 various leaders of the group. And that's how I reached my estimation. Thank you.
23 PRESIDING JUDGE SCHMITT: [10:29:47] I think, Mr Vanderpuye, you have an
24 answer. You have to move on.

25 And just I also wanted to remark it's -- it's clear that we cannot -- if we have a

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 document that we show the witness. We do not show and cannot show the whole
2 document, but I just take note that there is a citation by the witness on the second
3 page of that document.

4 MR VANDERPUYE: [10:30:10] Correct, yeah.

5 PRESIDING JUDGE SCHMITT: [10:30:11] Where he says: (Interpretation)
6 "Revenge is not Anti-Balaka. Killing is not Anti-Balaka."

7 Out of fairness to the witness, this is also a citation that is in this document. I
8 wanted to say that.

9 MR VANDERPUYE: [10:30:29] Thank you very much, Mr President. I appreciate
10 that. And that's part where it was going to, which is ...

11 PRESIDING JUDGE SCHMITT: [10:30:35] I apologise.

12 MR VANDERPUYE: [10:30:37] No, no. It's quite good and it's timely because that
13 is the point of my question, which is ...

14 Q. [10:30:44] How can you say that, at that time, when it appears that the effective
15 numbers of elements are not known and not settled? So on what basis did you say:
16 (Interpretation) "Revenge is not Anti-Balaka. Killing is not Anti-Balaka"?

17 (Speaks English) There's 18,000 people here that are not accounted for between the
18 estimate from Mr Ngaïssona and the estimate of Mr Bejouane. 30,000 between you
19 and Mr Ngaïssona's estimates. So how can you make a statement like this?

20 PRESIDING JUDGE SCHMITT: [10:31:24] Mr Knoops.

21 MR KNOOPS: [10:31:26] Mr President, this is an argument with the witness. It's
22 not contradictionry at all. The witness can still maintain what he said in this alleged
23 statement without having knowledge of the exact numbers. So the Prosecution is
24 making an argument with the witness.

25 MR VANDERPUYE: [10:31:43] Well, let me rephrase it then.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 PRESIDING JUDGE SCHMITT: [10:31:45] How -- Actually, there is 50 per cent truth
2 in it, in the wording again. How can you is -- you understand that perfectly well.
3 Mr Knoops is right insofar so.

4 MR VANDERPUYE: [10:31:57] On what basis.

5 PRESIDING JUDGE SCHMITT: [10:31:57] on what basis, yeah, exactly. Please
6 phrase it this way.

7 MR VANDERPUYE: [10:32:02] Thank you, Mr President.

8 If we can go back to the page. We lost it now. It's ERN ending --

9 PRESIDING JUDGE SCHMITT: [10:32:12] 0708, I have here.

10 MR VANDERPUYE: [10:32:15] I have 0709.

11 PRESIDING JUDGE SCHMITT: [10:32:17] I have these two. So if you want to go
12 with 0709, I'm fine with it. So, please, on what basis, if you word it this way.

13 MR VANDERPUYE: [10:32:29] Yes.

14 Q. [10:32:29] There is a -- there is a quote attributed to you. It's in the middle of
15 this page and the Presiding Judge just read it to you. So on what basis did you make
16 this statement?

17 A. [10:32:51] I said, to kill is not Balaka. Vengeance is not Balaka. And why did I
18 say that? Because the Central African population, including the Balaka, had been
19 attacked. The Central African population had been attacked by the elements
20 brought in by President Djotodia. So that is why the Balaka organised themselves
21 into self-defence groups to defend their country, which is the only country that God
22 gave to them. That is the Central African Republic. So we jealously protect this
23 country.

24 So people said there were excesses, so I said, no, we have to bring everyone together
25 so that they should understand the objectives of the Anti-Balaka. They did not come

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 to attack anyone. They did not come to revenge against anyone.

2 And at one point, I said there was a time for everything. There was a time to make

3 peace. There was a time to make war. So we could not really talk about revenge

4 because if we talked about revenge, the Central African Republic would disappear.

5 The people would disappear. So you will understand with me that during the

6 events -- after the events and after the events, I converted into a peace activists and an

7 activist for people living together. Our country is a lay country. The Muslims and

8 Catholics were living in harmony.

9 So it is the political leaders that divided us. It is on the basis of that that I made such

10 statements, if I'm not mistaken. Thank you.

11 Q. [10:35:16] All right. I'd like to show you a document, and this is at tab 54,

12 CAR-OTP-2101-4059. This is a document dated 3 March 2014. It's a

13 press -- *communiqué de presse*, number 7, issued by the Anti-Balaka and it's signed

14 by -- well, a number of 30 members, it looks like, of the -- of the coordination or

15 Combattants. It was done on 2 March 2014. The first thing I'd like to do is to take

16 you to the second page, which is ERN 4059 where you should be able to see your

17 signature on it. Second page. The second page, please. Page. Thank you very

18 much. Okay. Here you can see item number 3 on this page with your name. And

19 you see your signature. Can you see it, sir?

20 A. [10:37:26] I did not see that. I cannot see that.

21 Q. [10:37:30] Okay. While we're working on that, let me ask you. This

22 communiqué was issued in March, early March 2014, and it refers to Mr Wenezoui

23 who was heard on the air, on Radio Ndeke Luka. And it says here, in the first

24 paragraph: (Interpretation) "Statement made by Mr Wenezoui Sebastien,

25 spokesperson of the Anti-Balaka Combattants on the waives of Radio Ndeke Luka on

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 Sunday, 2 March 2014, in which this person made disparaging or, rather, inaccurate
2 statements, thereby undermining the personality of Mr Patrice-Edouard Ngaïssona,
3 coordinator general of the said movement. And we, therefore, make a point of
4 making a correction as follows ... "

5 (Speaks English) Do you remember this document or this press release? I know it's
6 been a long time, but do you remember what it was about? What it is that
7 Mr Wenezoui said?

8 A. [10:39:03] Thank you. But in that statement, and regarding what Mr Wenezoui
9 had said, it came out in that statement. If it is in that statement, please you can
10 refresh my memory so that I can remember because there were many documents that
11 were broadcast and circulated. So, please, if you can refresh my memory regarding
12 what Wenezoui said to be reproached in that way, I would be very grateful.

13 PRESIDING JUDGE SCHMITT: [10:39:49] Well, I think that was the question, if you
14 knew that. And by the way, the ERN number should be at the end 4059, not 4109.
15 In the transcript it's 4109, but correct is 4059.

16 MR VANDERPUYE: [10:40:09]

17 Q. [10:40:10] All right. I'm going to -- I'd like to play you a recording of what
18 Mr Wenezoui said. That's is at CAR-OT -- tab 46 is the audio, tab 77 is the transcript.
19 The ERN for the audio is CAR-OTP-2076-0825. And the ERN for the transcript is
20 CAR-OTP-2122-7403. And I'm going to try to play it from 2 minutes 10 seconds
21 through 5 minutes -- through 5 minutes, 19 seconds. Just let us know when we're
22 ready in the booth, if you have the transcript up and available. It's at page 7404.
23 Should be around line 30 through page 7405, line 72?

24 THE INTERPRETER: From the interpreters: There's too large a pile of documents.
25 We will try to interpret the audio directly.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 MR VANDERPUYE: [10:41:45]

2 Q. [10:41:45] All right. Okay. We can try then directly from the -- all right.

3 We'll just play it and we'll see how it goes.

4 Mr Witness, it's in French, so you will be able to follow it in any event, so it should be
5 okay.

6 Okay. We are ready.

7 THE INTERPRETER: [10:42:07](Interpretation of the video excerpt) "To try to come
8 (unclear), you have a single objective to have Djotodia leave and he's already left.

9 Now, when we arrived Bangui, there is an eruption of young people who joined our
10 movement and who claimed to be Anti-Balaka, but they're not Anti-Balaka. They
11 are fake Anti-Balaka. And then you have people who were attacked by the ex-Seleka
12 so they are carrying out revenge. So we are trying to track them down. We have
13 set up a unit to track down the fake Anti-Balaka. And to give them to the
14 authorities.

15 Do you have an authorisation for that?

16 Yes, we have an authorisation from the head of state. It is Ms Sylvestre Yagouzou,
17 central coordinator, who is in this unit with the second spokesperson, Mr Brice
18 Emotion Namsio. They are there to track down the fake Anti-Balakas.

19 Mr Wenezoui, how do you explain their presence there?

20 Answer: The fact is the army did not exist during Djotodia's reign, so these people
21 were forced to join us, the former FACA. They were forced to join us in the bush
22 and so we took them into the group to organise ourselves and then arrived in Bangui.
23 So the FACA helped us in the fight so that the country should be free.

24 Now, there is a head of state at the head of the transitional government, so we are
25 asking all soldiers to go back to the barracks. There is a case of Captain

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 Ngremangou who was with us and he has gone back to the army, so we are asking all
2 the soldiers to follow the example of Captain Ngremangou.

3 Now, do you find it normal that the Anti-Balaka continue to kill Muslims?

4 No. It is not normal. Our only objective was to have Djotodia leave. We have
5 succeeded in that.

6 Now, the other elements who evolved with us, there's no question of them continuing
7 to kill Muslims, and Muslims should not also kill the others. That is our objective."

8 PRESIDING JUDGE SCHMITT: [10:45:00] Thank you for this interpretation on the
9 spot. That was quite difficult, I assume.

10 MR VANDERPUYE: [10:45:11] Thank you. Thank you very much to the booth for
11 the cite interpretation.

12 I hesitate to ask, but was this broadcast? It probably should -- it could have been.

13 So if I didn't say that, I apologise for that. But in any event ...

14 Q. [10:45:31] Did you hear it, Mr Namsio?

15 A. [10:45:41] Yes, I heard it.

16 Q. [10:45:42] There are a few questions I have regarding it. The first thing is that
17 Mr Wenezoui, during the course of this interview, he talks about how the FACA
18 elements joined the Anti-Balaka in the brush, or in the bush, and helped organised
19 and that's how they arrived at Bangui.

20 Does that accord with your understanding?

21 A. [10:46:27] As far as I'm concerned, when the FACA wanted to join the group, or
22 when they joined the group, I was not there. So I was not there. So I do not know
23 what was done and what was said. But as far as I know, there was a manhunt
24 against the FACA at a certain point. So when the Seleka took power, they started
25 hunting down the FACA. But when the FACA joined the group, I was not there. I

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 have told you that I joined the group only at the end of November 2013. So even the
2 statement made was to clarify the situation so that the FACA should know where to
3 go and that they should go back to working for the security of the Central African
4 people.

5 Q. [10:47:40] The reporter asks Mr Wenezoui if he found it normal that the
6 Anti-Balaka continued to kill Muslims. And his response was, "That is out of the
7 question to continue to kill Muslims." And as well that the Muslims should not
8 continue to kill Christians. And the objective was to make Djotodia leave, to get
9 Djotodia to leave.

10 So my question is: The first thing is, he doesn't deny that the Anti-Balaka were
11 actually continuing to kill Muslims when he's put that question by the reporter. So
12 my question to you is, does that accord with your understanding of the events at that
13 time? This is March 2014.

14 A. [10:48:49] Of course. There was also the idea of ping-pong. If I'm not
15 mistaken, at one point, if you heard that a Christian had been killed somewhere, and
16 then at one point you also heard that a Muslim had been killed, so it was for that
17 reason that Wenezoui said, "No, we cannot continue doing that. We should not
18 continue killing each other for unknown reasons. So that is my understanding.
19 Our ideology was to force Djotodia to leave. We exerted pressure for him to leave
20 power. And so we should treat everybody the same, instead of making any
21 distinguish."

22 So that is what Mr Wenezoui said here and it was quite normal because it was like a
23 game of ping-pong. When people heard that Christians had been killed, then on the
24 other hand we could also hear that a Muslim had been killed. It is for that reason
25 that he said that we were there to ensure the departure of Djotodia and not to kill

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 each other because that country belongs to all of us. That was his vision and that is
2 something that I also subscribe to. Thank you.

3 PRESIDING JUDGE SCHMITT: [10:50:40] You were too quick, Mr Vanderpuye.

4 MR VANDERPUYE: 10:50:44] I'm sorry.

5 PRESIDING JUDGE SCHMITT: [10:50:44] Please take your time so that the
6 transcript can follow and the interpreters.

7 MR VANDERPUYE: [10:50:51]

8 Q. [10:50:53] I have one document to show you -- well, I have many, but I'm only
9 going to show one. But this document is tab 53. It is CAR-OTP-2101-3611. Tab 53.
10 And we're going to go to the ERN page ending 3613. And I want to show you this
11 document. We believe this to be the unified coordination that was established in
12 June 2014, just about a month before Brazzaville. And there are some other
13 documents which give roughly -- well not -- more precisely, actually, the date that the
14 unified coordination was established. But in this document you can see the
15 members of the coordination at that time.
16 In number 8 you see your name, but I just want to first confirm with you that this is or
17 represents the unified coordination at that time, that is in June 2014, to your
18 recollection. And if you don't remember, just say I don't remember. We can go
19 further down so you can read through the number of -- the rest of names here and on
20 to the next page, if necessary.

21 A. [10:53:11] Yes, I can see that.

22 Q. [10:53:14] On the next page -- we don't need to go there, but I'll just say, on the
23 next page item number 15 is Mr Jacob Mokpem Bionli and Jean-Noel Orofei. And
24 you see this document is signed by --

25 A. [10:53:32] I remember.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 Q. [10:53:33] Good.

2 A. [10:53:37] Patrice-Edouard Ngaïssona.

3 Q. [10:53:40] Good. If we could go to the first page, the first thing I wanted to ask
4 you, because you also mentioned yesterday in passing, you said the movement is like
5 an organisation. And so what I want to ask you about this is -- and we'll have to go
6 to page 3611, please -- I'm sorry. 3613, 3613. It's the page with the organogram on
7 it.

8 What I wanted to ask you is, how was -- how was this structured? How did this
9 work? Here we have the *coordonnateur général*, then we have the *coordonnateur général*
10 *adjoint, coordonnateur national des opérations*. That's Mr Ngaïssona, Mr Wenezoui and
11 Mr Mokom, respectively. So I take it that Mr - and you can tell us - Mr Ngaïssona
12 was the top person in this -- in this structure; is that right?

13 A. [10:54:53] He is the one who had been chosen as our coordinator.

14 Q. [10:54:58] Okay. And so is he the one who's -- who held the authority within
15 this -- within this coordination?

16 A. [10:55:11] Well, as you are aware, in any structure there is always a leader. So
17 he was our leader. He was the coordinator. We had chosen him to represent that
18 movement. So you have seen just like myself, everyone had chosen him as the
19 coordinator of the Anti-Balaka movement, seconded by Mr Sebastien Wenezoui.

20 Q. [10:55:48] And what was Mr Ngaïssona's position as *coordonnateur général* with
21 respect to Mr Mokom, *coordonnateur national des opérations*? Was he a superior or a
22 subordinate? Were they separate? How did that work?

23 A. [10:56:15] Well, these are positions of responsibility. A coordinator of
24 operations does not have the same responsibilities or duties as the general
25 coordinator. So there is the word "operations", so he was the one responsible for

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 operations. I even made that statement when I gave you my statement. Thank you.

2 Q. [10:56:43] Was he -- could he act in terms of carrying out operations without the
3 authority or approval of Mr Ngaïssona? Was he responsible to Mr Ngaïssona, is my
4 question?

5 A. [10:57:01] Well, in principle, I do not know too much. I told you in my last
6 testimony that ever since Zongo, Mr Maxime Mokom was known as the operations
7 coordinator.

8 Now, how do I put this? His work with our general coordinator, I cannot know
9 anything about that. Maybe they can call each other to exchange instructions. Well,
10 Maxime Mokom is alive. He can tell you what was happening, but as far as I am
11 concerned, I am not in a position to answer your question because I was doing my
12 work as a spokesperson.

13 Q. [10:58:00] You see here, Sylvester Yagouzou as *coordonnateur général des*
14 *opérations adjoint*. That would make him the subordinate of Maxime Mokom in this
15 structure; is that right?

16 A. [10:58:24] Well, to my knowledge, it is not a question of subordinate. This is a
17 position of responsibility. And when it comes to activities, a single person cannot be
18 capable of doing everything. Someone must be assisted by another person in order
19 for the work to progress. That is the way I see it. It is not a matter of being a
20 subordinate.

21 Even the biggest person in a group usually needs the smallest person to function. So
22 it's not a matter of subordination. It was an organisation and Ngaïssona was chosen
23 as general coordinator, even though others had to assist him. And then Maxime
24 Mokom was chosen as coordinator of operations. And then he was assisted by
25 Yagouzou. This is what I can tell you. Thank you.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 PRESIDING JUDGE SCHMITT: [10:59:38] Mr Vanderpuye, please come to the end.

2 MR VANDERPUYE: [10:59:41] I have one question left.

3 PRESIDING JUDGE SCHMITT: [10:59:42] Yes, okay.

4 MR VANDERPUYE: [10:59:44]

5 Q. [10:59:44] What was your understanding of the relationship between the
6 coordination, whether this form of it or a previous form of it, in relation to the
7 ComZones that were in the field carrying out operations in the provinces or even in
8 Bangui? What was the relationship between the National Coordination or the
9 general coordination and those fighters?

10 A. [11:00:10] Well, there were calls that were being made. And I heard on the
11 radio that there had been exorcists somewhere and sometimes, when that was heard,
12 the coordinators would call them directly to talk about the nature of the operations.
13 So the coordination, they knew all the authorities, and then they would pass over
14 instructions and so on and so forth. That is what I experienced.

15 MR VANDERPUYE: [11:00:54] All right. Well, that brings you to the end of my
16 direct examination. I want to thank the Chamber for its indulgence. I want to
17 thank you, Mr Witness, for your patience. And that's all I have at this time. Thank
18 you, Mr President.

19 PRESIDING JUDGE SCHMITT: [11:01:08] And after the break, with whom do we
20 start? Mr Knoops?

21 Yeah, okay. Then we have a break until 11.30.

22 THE COURT USHER: [11:01:15] All rise.

23 (Recess taken at 11.01 a.m.)

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

25 THE COURT USHER: [11:32:10] All rise.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 Please be seated.

2 PRESIDING JUDGE SCHMITT: [11:32:36] Mr Knoops, you have the floor.

3 MR KNOOPS: [11:32:42] Thank you, Mr President, members of the Bench.

4 Mr President, before we start, I would like to stress that, of course, I will do my best to
5 finish in four sessions, but I cannot guarantee hundred per cent that. It could be
6 somewhat over four sessions, which will depend, of course, on the length of the
7 answers of the witness. So I hope the Court will have some leniency with my
8 estimation.

9 PRESIDING JUDGE SCHMITT: [11:33:11] So, With regard to that, Mr Knoops, you
10 can also contribute to that. The answers are perhaps a bit shorter.

11 MR KNOOPS: [11:33:19] Yeah.

12 PRESIDING JUDGE SCHMITT: [11:33:21] Of course, every personality is different,
13 answers differently, but we have, of course, seeing that the witness tries to elaborate,
14 and I understand that, of course. But you are experienced enough to know that and
15 to adjust accordingly. The same applies to Ms Dimitri.

16 MR KNOOPS: [11:33:40] Yes.

17 And one of our other interns has joined us, Ms Camille Stuckel. She's here.

18 PRESIDING JUDGE SCHMITT: [11:33:43] Thank you.

19 MR KNOOPS: [11:33:44] Mr President, your Honours, and also for the Prosecution,
20 my first part of the examination will be on the CDR records, which were mentioned
21 yesterday by the Prosecution, yet not on the list of materials. But the Court is
22 mindful to the fact that the Prosecution submitted yesterday, three minutes before 7,
23 the CDR records. I'm not going to show them to the witness, but maybe it's for the
24 Court and the parties, participants, very helpful to have them on the computer. It's
25 an email of the Prosecution of yesterday evening, at 18.57, and I will use some of the

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 materials to pose questions to the witness. Thank you.

2 QUESTIONED BY MR KNOOPS:

3 Q. [11:34:40] Good morning, Mr Namsio.

4 A. [11:34:45] Good day.

5 Q. [11:34:48] Yes. Good morning, Mr Namsio. My name is Geert-Jan Alexander
6 Knoops. I'm a --

7 A. [11:34:56] Good day to you.

8 Q. [11:34:57] I'm one of the attorneys of Mr Patrice Ngaïssona.

9 First of all, Mr Namsio, my sympathies with the loss of your 11 family members
10 which were killed by the Seleka during the events. And it's my understanding from
11 your statement that they were burned alive by the Seleka. Isn't it?

12 A. [11:35:42] I thank you from the bottom of my heart. As regards this, I've
13 already said what happened in my statement.

14 Q [11:35:56] Yes. Mr Witness, in --

15 A [11:35:57] We are all parents in the Central African Republic. So I've already
16 answered that question, and it's also in my testimony. Thank you.

17 Q. [11:36:13] I'm not asking you this without reason, Mr Namsio. I've read in
18 your statement that, the same time frame, when the Seleka came, they looted your
19 *entrepôt*, your house, your property, twice, in April 2013 and around 20 August 2013,
20 and that, approximately one week after the second looting of your property, you left
21 Bangui to Zongo.

22 Now, my first question to you, Mr Namsio, is, could it be right that in that time frame,
23 August -- July/August 2013, when all these terrible events happened with you and
24 your family, that you reached out to Mr Ngaïssona, trying to get his phone number
25 and trying to get in contact with him. Could it be the time frame within which you,

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 for the first time, reached out to Mr Ngaïssona?

2 A. [11:37:59] Once again I'd like to thank you. As I said in my testimony, when
3 the Seleka took power, one week after, they came and entered the 4th arrondissement
4 of the town. And that was in the month of April.

5 When I had the looting, and I saw their exactions and other events, I felt compelled to
6 go to the other side of the river. I even said that when I arrived at the other side and
7 I rented a house, but since I didn't have the means to pay for the rent - I didn't have
8 anything - I was forced to ask our spiritual counsellor, Mr Ngaya Legrand, and asked
9 him if I could have the contacts details of Mr Patrice-Edouard Ngaïssona so that I
10 could ask for help so I could pay the rent. That's how it happened.

11 Q. [11:39:15] Thank you, sir. Thank you, Mr Namsio.

12 My question is, though, but I will try to help you, to put these events for the Court
13 and ourselves in a time frame. Now, I will be quite specific.

14 If the Court maybe would have a look at the Excel sheet of the Prosecution. It's page
15 1. It's for the accused, Mr Ngaïssona, CAR-OTP-2054-1479, page 1. The Court will
16 notice that the first outgoing call of Mr Namsio, according to this document, to
17 Mr Ngaïssona was on 2 July. And then there are six calls on 23 August, so three
18 days after the looting of the *entrepôt* of Mr Namsio.

19 And my question to you, Mr Namsio is: Can you recall that shortly after the second
20 looting by the Seleka of your property, which lasted for a week, according to your
21 statement, that you tried to call several times to the number you got from Mr -- for
22 Mr Ngaïssona?

23 We have here in the record that on 23 August you tried to call six times, each one
24 second, five, ten seconds, six seconds and six seconds. And that it took you quite
25 some effort to get him on the phone. Can you recall?

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 A. [11:41:22] I've already said, when I was in distressed, I asked for the number of
2 our coordinator, and I received that. And after that, I called him.

3 *But you spoke about some seconds, et cetera. There were also attempts to contact
4 him, because he wasn't in Zongo with me. He was in France and in Cameroon, or
5 something like that. He was outside the country. I even tried calling him. Sometimes,
6 when calling abroad, there can be a connection and it rings. But if that person sets his
7 phone straight to voice mail, it can (inaudible) or you can still lose your calling credit.
8 So I called him and/or he -- it was he who called me the first time. I admit that.

9 Q. [11:42:23] Mr Namsio, my question is, could it be right that this was, indeed,
10 very shortly after the second looting of your property, that you tried to reach him?

11 A. [11:42:42] I said that when I went to Zongo, I called Mr Patrice-Edouard
12 Ngaïssona, our coordinator. There were many dates. So I don't know. But I did
13 call him.

14 PRESIDING JUDGE SCHMITT: [11:43:04] Mr Knoops, please allow me. So we
15 have the statement by the witness, when these things happened to him, when the
16 looting was, and we have now these Excel sheets. So if the witness does not, let's say,
17 one-on-one recall when he phoned Mr Ngaïssona, but if it is established, you see, that
18 there is a connection with some dates, so if the witness does not recall it exactly, but
19 still we -- this is on the record.

20 MR KNOOPS: [11:43:40]

21 Q. [11:43:40] Mr Namsio, can you recall that in the weeks after you went to
22 Zongo - that must have been somewhere in the beginning of September - you tried to
23 contact Mr Ngaïssona also per SMS message?

24 A. [11:44:24] I -- I don't know exactly, but as you know, when I crossed the river, it
25 was my family who left as well. Everybody left from their sides. So if you could

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 perhaps remind me what is written in the SMS, it would refresh my memory.

2 Because there were a lot of things that happened at that time. Thank you very much.

3 Q. [11:44:55] According to the information the Prosecution provided us, you texted

4 Mr Ngaïssona between 5 September and 12 September ten times, so in a very short

5 time frame. We don't know the content of the SMS message. But could it be right

6 that those SMS messages related to your request for financial help to Mr Ngaïssona?

7 Can you recall that you also sent him, apart from phone calls, a message per SMS for

8 financial help?

9 It's, for the Court, page 2 of the CDR records; time frame, 5 September till the 12th, all

10 outgoing SMS messages from Mr Namsio.

11 Mr Namsio, you understood my question? Simply is, can you recall that you asked

12 Mr Ngaïssona for financial help also with a text message, or several ones, shortly after

13 you went to Zongo?

14 A. [11:46:31] I remember now. When I was in distress, I tried to look for some

15 way to have contact with Mr Ngaïssona so that he could help me. I remember that.

16 And I also expressed this request so that I could really enter into contact with him.

17 As regards the rest, if you have details, you could give them to me to refresh my

18 memory, and it would allow me to explain to the Court what happened. Thank you.

19 Q. [11:47:11] Mr Namsio, is it right that you were asked to protect the property of

20 Mr Ngaïssona in Bangui when the Seleka arrived and that at that time there was a

21 so-called collective set up in the 4th arrondissement by the civil population to protect

22 the district against the attacks of the Seleka, and that in this context you were asked to

23 protect the property, the *entrepôt*, of Mr Ngaïssona?

24 A. [11:47:56] As regards the *entrepôt* of Mr Ngaïssona, I was not the only one, and it

25 wasn't only the *entrepôt* of Mr Ngaïssona. In my testimony, I said, when the Seleka

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 entered, they caused damage. Everybody had been looted. And from the
2 beginning, they wanted to break up the *entrepôt* of Ngaïssona, and that's why the
3 population rose up to take step against these people. But since they had arms, there
4 wasn't really a possibility of doing that. That is as far as the *entrepôt* of Mr Ngaïssona
5 is concerned. And that's why the population did this.

6 Mr Ngaïssona was a businessman. He is an economic operator. And given what he
7 did, he helped young people, he helped the youth, everybody. And, therefore,
8 people said to try and not have the *entrepôt* of Mr Ngaïssona be destroyed because he
9 did help the youth and he helped people. That is as far as the *entrepôt* of Ngaïssona
10 is concerned.

11 Now, as regards the bureau, that's something I said in my testimony. When the
12 Seleka came, they started to loot. We set up a committee for the inhabitants of the
13 4th arrondissement in the town of Bangui. There was the former mayor of the
14 4th arrondissement, Mr Mobeala, there was Mr Ngaya, Mr Mokpem. So there were
15 many people who were in this bureau to denounce the acts committed by the Seleka
16 in the 4th arrondissement. Thank you.

17 Q. [11:50:09] Thank you, Mr Namsio, and also thank you for your efforts to protect
18 Mr Ngaïssona's property. Yet, we all know, unfortunately, this failed. His property,
19 his *entrepôts* were destroyed.

20 Now, my question to you, sir: According to the information the Prosecution gave us
21 yesterday, you tried to contact Mr Ngaïssona between 2 July and 30 September
22 without receiving calls from him. Could it be right that you tried to contact
23 Mr Ngaïssona in that time frame also about the destruction of his property? That
24 these contacts -- apart from seeking financial help for your rent, that these contacts
25 also related to the information you intended to relay to Mr Ngaïssona about the

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 destruction of his property, and you witnessed that?

2 A. [11:51:22] I often said that there were calls that were made. As regards the
3 *entrepôt* of Mr Ngaïssona, there was also another problem as regards this depot. So it
4 could be that when a threat took place of his *entrepôt*, I could also try to join him by
5 telephone to have an idea of what was going on. But as regards the telephone
6 calls -- but if you have details, you can give me the information so that I can hear
7 what was said or that I can see what's in the SMS. That would help me. Thank you
8 very much.

9 Q. [11:52:24] Unfortunately, Mr Namsio, we don't have that information. That's
10 why I'm asking you those questions, so that the Court will understand and properly
11 interpret these contacts so that there will be no misunderstanding that these contacts
12 at that time were not related to any form of military operation or operation of the
13 Anti-Balaka; is that right?

14 So these were private contacts you had with Ngaïssona about the rent, about his
15 *entrepôt*, and perhaps also about the well-being of his father, correct?

16 A. [11:53:02] As far as that's concerned, I have no idea. I can't say anything about
17 it. No idea.

18 Q. [11:53:22] Can you recall, Mr Namsio, that you also, in that time frame, had
19 contact with Mr Ngaïssona per phone or SMS about the well-being of his father?
20 And didn't he ask you to look after the well-being of his father who was at that time
21 in Bangui?

22 A. [11:53:54] Could you ask the question again, please.

23 Q. [11:53:56] The phone contacts we just described between 2 July and 30
24 September and afterwards in October, November, we find in the CDR records of the
25 Prosecution, did they have relation also with the well-being of his father? Did

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 Ngaïssona ask you to keep him informed about the well being of his father while that
2 father was still in Bangui?

3 A. [11:54:38] As regards this question, I don't know. I don't know at all. There
4 was contact. There were many things that happened. There were many things that
5 happened. I might have simply forgotten. So if there are things like that, can you
6 give me some more information so that it refreshes my memory, because a lot of
7 things happened in the 4th arrondissement and the calls that I had and made to other
8 people.

9 Q. [11:55:14] Unfortunately, Mr Namsio, we don't have that information. That's
10 why I'm asking you. You have any recollection to -- did you have -- I put the
11 question different. Did you --

12 A. [11:55:29] I don't remember that.

13 Q. [11:55:30] Can you remember that you were in touch with his father when
14 Mr Ngaïssona was abroad in the time frame of April/November 2013? Were you
15 regularly in touch with his father?

16 A. [11:55:57] As regards our father, who is his father, there were contacts, if I'm not
17 mistaken. But I don't know when. I don't remember the month. But there was
18 contact. Because it's our father. It's a father who's gentle with everybody. It's our
19 father. *And when Mr Ngaïssona, the coordinator, was in Bangui, he was even the
20 deputy or mp of the 4th arrondissement, and he mingled or rubbed shoulders with
21 everybody. He was friendly with everyone. And the father welcomed us when he
22 left. So during these events, we wanted to support the family, because you had to be
23 close and help the father. So I too came close to the father of Ngaïssona.

24 Q. [11:56:53] Last question on the CDR records of the Prosecution, Mr Namsio.
25 According to the table we received yesterday, and for just for your understanding,

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 these are just statistics, so we don't have the content of these calls. That's why I'm
2 asking you those questions.

3 According to those records, you were not in touch with Mr Ngaïssona between 26
4 November and 8 December - that's on pages 7 till 9 of the CDR records - but only you
5 had several contacts with him between 24 December, so just the day before Christmas,
6 and 31 December, New Year's Day. Can you recall why you specifically were in
7 touch with him, if correct, the day before Christmas and up to 31 December 2013?

8 A. [11:58:11] I might have had contact because I was behind the hill, and after the
9 attack, there were contacts. There were contacts. But I don't remember that, and I
10 don't remember the information and what happened. And if I have information, it
11 could perhaps remind me of those calls, what happened between us, what we said to
12 each other. Perhaps you can help me to refresh my memory.

13 Q. [11:58:49] Unfortunately, again, Mr Namsio, we don't have that information.
14 That's why I'm asking you.

15 Can you recall whether these contacts around Christmas and New Year's were related
16 to family matters or other matters?

17 A. [11:59:10] No idea. I'm not going to say anything about this. I don't
18 remember at all.

19 Q. [11:59:21] Going back to the assistance you asked from Mr Ngaïssona for
20 financial support, would you agree with me, Mr Namsio, that in 2013 and also in 2014,
21 under the transitional government, there was no social network to assist the civilians
22 who were in need?

23 A. [11:59:55] Could you please repeat your question.

24 Q. [12:00:00] Would you agree with me, Mr Namsio, that in 2013, after the Seleka
25 arrived, and also 2014, the first six, seven months of 2014, during the reign of the

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 transitional government, there was no social network to support the population for
2 food, medication, or housing?

3 A. [12:00:34] Thank you for your concern. You can confirm with me that when I
4 was in Zongo, I called Mr Ngaya, Alfred. It is on his telephone that this was taken.
5 It was during that time that I asked for the number of our coordinator Ngaïssona.
6 You can check that it's during this period, and you will see the outcome, what
7 happened when I phoned.

8 When I was in Zongo, I phoned Mr Ngaya to help me and to give me the number of
9 the coordinator Ngaïssona.

10 Q. [12:01:26] Mr Namsio, my question is simply, was there anyone else, apart from,
11 for instance, Mr Ngaïssona, who tried to help the population with food, medication,
12 housing? In other words, what did the authorities do or not do to help the civilians?

13 A. [12:01:54] Personally, I did not talk about helping the population when it came
14 to medicines. Ngaïssona is a big man, an authorities. He is one of the big men of
15 the 4th arrondissement of Bangui. We were together. Even his election campaign,
16 we campaigned together so that he should become deputy for the 4th arrondissement.
17 He's also my neighbour in the neighbourhood. That is why it could find it possible
18 or necessary to ask him for assistance. It is not a question of medicines and so on.
19 But this is something he was doing even before.

20 Q. [12:02:54] Mr Namsio, do you know whether other people, dignitaries in the
21 society, were approached to help people like you with rent?

22 A. [12:03:12] As you know, I'm not in the habit of asking for whatever from
23 whomever. The 4th arrondissement is very large. There are a lot of big people.
24 But at that time, everyone had fled, everyone had left. Our elders who were
25 working, who had some money, they were not there. And we were not associating

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 with them in the same way that we were associating with Mr Ngaïssona. That is
2 why I said, "We should try this one." But there were other people big people in the
3 area who lived the 4th arrondissement, but given his high sense of humanism and
4 faith. And I told myself that, since I was in this position and I have no means to pay
5 my rent, I should make that attempt to take that initiative with him.

6 Q. [12:04:37] So you would agree there was no other form of social help during the
7 time Djotodia reigned the country?

8 A. [12:04:53] I'm not saying that. *When Seleka took over power, everybody was in
9 disarray. Things were also happening in other areas that I did not know about. And,
10 even with radio sets, you cannot take it around with you, so some things may have
11 happened that I do not know about.

12 Q. [12:05:24] Were you aware that people tried to get money from Mr Ngaïssona
13 without reason, on false premises?

14 A. [12:05:39] "To get", what does that mean?

15 Q. [12:05:42] Do you know whether people tried to get money from Mr Ngaïssona
16 without a proper reason, simply because he was apparently somebody well known in
17 the 4th arrondissement? People were trying to take advantage from his position, to
18 get money from him. Do you have information on this?

19 A. [12:06:11] What I know is that Mr Ngaïssona is an authority worthy of that
20 name. With regard to money, there were many people who went to him to look for
21 money. You cannot deny that. Ngaïssona helped people. Ngaïssona helped even
22 churches. He helped everyone, even in the rural areas. So that is one of the reasons
23 why Ngaïssona was elected as the president of the Central African Football
24 Association. So there were also people who came from everywhere.

25 When we were together, people would come to ask for financial resources. So he -- I

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 know about relatives and parents that came to ask for assistance. So it is for that
2 reason that I can say that Ngaïssona is someone with a very high sense of humanism,
3 just as I said a short while ago.

4 Q. [12:07:39] Thank you, Mr Namsio.

5 I move now to my second topic. I have some questions to you about the notebook
6 which was shown to you yesterday by the Prosecution. Now, in your evidence you
7 gave yesterday before this Court - that's the real-time English transcript, page 75, at
8 lines 8 till 15 - you testified yesterday, Mr Namsio, that the number 72, which you saw
9 in connection to your name, spelt with double S, was a number you didn't use before
10 you went to jail, and you used it when you were in jail and you were discharged from
11 jail. Right?

12 Now, my first question to you, Mr Namsio --

13 A. [12:08:45] *From the very beginning, I had a number that I had bought ever
14 since 2004 if I am not mistaken, and the number was {ICR: (Redacted)} And relating
15 to the calls that I received, the Orange mobile company had made promotions. I was
16 not aware. One day I was called up and I was told to go to their headquarters. I
17 went there. I introduced myself. And they told me, "Mr Emotion, you have calls
18 that you receive frequently over another company, but through Orange. So we want
19 to give you a present. So in that case, you will have number 72," which -- well, the
20 number was {PFR: (Redacted)}. I have forgotten the rest. But that was the number
21 that was given to me.

22 *Now, regarding the notebook of yesterday, I said that right from the beginning, I saw
23 that it could have been me because I had also drawn up lists. I had initiated and
24 drawn up some lists myself at the secretariat of the Anti-Balaka coordination. And I
25 took those contacts because I was the spokesperson, and I needed to have the contacts

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 of each authority or leader, so that if I have any message to convey, I would rapidly
2 contact them. But my name, my name was spelt incorrectly, N-A-M-S-I-O, but I saw
3 that the person had written it with two S's. And, personally, I did not have a group.
4 And I was the spokesperson. So it was my office, but it was not the number that I
5 was using at the time.

6 Now, if that number comes in after the Ngaragba prison, then I would understand
7 because that is what I used there. But after I left the prison, I did not return to the
8 movement. The prison was broken into, and I said, "No, I cannot flee from the
9 prison." The cardinal took me, and I went to the cardinal's house. So I spent my
10 entire time in the cardinal's house. So I did not go back to the group. I did not
11 return to the movement. That is what I can say. Thank you.

12 PRESIDING JUDGE SCHMITT: [12:12:16] Mr Knoops, shortly.

13 Mr Witness, in this notebook -- so I just want to go step by step. In this notebook, as
14 your telephone number is noted down, {ICR: (Redacted)}; does this ring a bell?

15 THE WITNESS: [12:13:40] (No interpretation).

16 PRESIDING JUDGE SCHMITT: [12:12:42] So try to -- try to remember when you
17 used this number. I know it's difficult. Whenever 2013, 14, 15 -- it's six, seven, eight
18 years ago, but you have reference points. For example, if you picture yourself back
19 in time, you have worked as coordinator for the movement, and then you were
20 arrested, you know, so perhaps you can orientate. So this number that you
21 recognise, when did you use that, round about? I think you might not know it from
22 day one, but just that we have an idea.

23 THE WITNESS: [12:13:28](Interpretation) Very well. Thank you, Mr President.

24 As you have just said, when I used that number -- well, given that I was in a situation
25 of embarrassment, I had problems, I no longer remember that number. But this is

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 actually the number that I continue to use till today. That is what is in my phone this
2 very day. {ICR: (Redacted)}, that is the number I continue to use right now.

3 PRESIDING JUDGE SCHMITT: [12:14:06] For the record, and I think it is clear from
4 the call data - it is the reason why I'm asking, Mr Knoops, and you might know it
5 already - all the 470 contacts, alleged contacts in the call data records are with the
6 number {ICR: (Redacted)}, or am I wrong here? So this is a different number. So
7 this is the background for my next question.

8 You hear this, Mr Witness, what I said? We have all these records of phone calls,
9 SMS contacts, whatsoever, with Mr Ngaïssona, with you and Mr Ngaïssona, and all
10 these contacts say that your number is {ICR: (Redacted)}. Do you recall this number?
11 Does this ring a bell? When did you use it?

12 THE WITNESS: [12:15:08] (No interpretation).

13 PRESIDING JUDGE SCHMITT: [12:15:09] I repeat it, {ICR: (Redacted)}.

14 THE WITNESS: [12:15:23](Interpretation) {ICR: (Redacted)}? That is a
15 number -- well, I no longer remember that number. But in the list, all the names that
16 were written down, I remember those names. And I had said that those names
17 belonged to Anti-Balaka leaders. I remember the names.

18 PRESIDING JUDGE SCHMITT: [12:15:51] Perhaps a little bit complicated asking
19 back and forth with regard to his call data records. But simply, this is a document
20 that will be on evidence, Mr Knoops, Ms Dimitri, Mr Vanderpuye, and it starts from
21 July 2013, allegedly the first contact, until 31 August 2014, if I'm not mistaken. If I
22 have the right Excel sheet here, which could be an indication when the other number
23 was used. This is my point. But this is a conclusion that the Chamber will have to
24 draw later on.

25 MR KNOOPS: [12:16:35] Well, if the Court looks at CAR-OTP-2059-1523, at 1528, in

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 the 683 statement you see actually the same reference of the witness to this number.

2 PRESIDING JUDGE SCHMITT: [12:16:54] I think it's -- since the Prosecution relied

3 largely on it and it seems to be important, so this could suggest that the number in the

4 notebook is from a later stage. I don't know.

5 MR KNOOPS: [12:17:11] So my simple question with you, Mr President, to conclude

6 this topic.

7 Q. [12:17:18] Mr Namsio, the number in the notebook you were shown yesterday

8 started with the 72. This number you didn't use before 5 December; is that correct?

9 A. [12:17:38] *That is correct. The number that I used before 5 December is what I

10 told you, {ICR :(Redacted)}. That is the number I used.

11 Q. [12:17:57] So when a Prosecution witness who came before this Court suggests

12 that you used that number or that this number was attributed to you before 5

13 December, that could not be correct. You would agree with me? So when

14 somebody would have said this number was --

15 A. [12:18:29] (No interpretation).

16 Q. [12:18:30] Sorry. Go ahead.

17 A. [12:18:35] No. I did -- I do not quite understand your concern. I'm sorry.

18 PRESIDING JUDGE SCHMITT: [12:18:42] I think, Mr Knoops, you can move on.

19 MR KNOOPS: [12:18:49]

20 Q. [12:18:49] Mr Witness, yesterday you told the Court - it's transcript page 39, line

21 2 - that you met a certain Junior after the 5 December attack, and you indicated to the

22 Court that this individual lost his foot, his foot was amputated. Can you tell us the

23 complete name of this gentleman. Do you recall the full name of this Junior?

24 A. [12:19:44] Yesterday I said that there was a certain Junior, and we were together

25 across the river in Zongo. After the attack, and after all the other events, I think he

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 called me telling me something like his leg had been amputated. But I no longer
2 remember his name. But if you know it, you can refresh my memory.

3 I was the spokesperson, so I knew some members of the group, but I did not know
4 the names of others. But if you can jog my memory, I may remember. But I said
5 that there was a certain Junior with whom we were in Zongo. And after the attack,
6 he said his leg had been amputated.

7 There was another person with whom we were in the prison, and he confirmed that,
8 indeed, Junior's leg had been amputated. So if you have his name, perhaps you can
9 refresh my memory.

10 Q. [12:21:05] Yes, I will give you his name in a moment. My first question now to
11 you is: Did he tell you, this Junior, when and how his leg was amputated?

12 A. [12:21:25] No. No. His Junior brother was with me in prison together, and it
13 was that Junior brother who told me that Junior's leg had been amputated. But with
14 regard to the circumstances of that, I no longer remember anything about them.

15 Q. [12:21:52] So you just told us he was with you after the 5th. What was his
16 role -- what did he do when you met him? What was he telling you that he did?

17 A. [12:22:18] I met many people. There were many people who were members of
18 the movement. So I cannot remember what he told me. So I was not even aware of
19 which types of activities he had been carrying out because I really did not remember
20 everything that everybody was doing. That's why I cannot tell you that,
21 Mr President.

22 Q. [12:22:54] Did you see him at that time after 5 December in the presence of
23 Mr Mokom?

24 A. [12:23:10] I no longer remember that. I was a victim, and my morale was very
25 low. At one point, I had lost a lot of property.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 *And, secondly, remember that when the Sangaris arrested me - you will see that in
2 my statement - I was seriously beaten. Even now as I am talking to you, sometimes, I
3 often forget certain numbers. Many people can testify to that.
4 Before taking me to the gendarmerie -- before taking me to the prison, I was seriously
5 beaten. So sometimes I have hearing problems. I have all sorts of problems. But I
6 try to help, to clarify the situation for your Chamber. *So I suffered from head trauma
7 so sometimes I would not remember things.

8 But it is because of the issue of the lives of the Central African people that I continue
9 to struggle, and I pray God so that he should give me strength to continue to help
10 clarify certain things for you.

11 So if I cannot remember certain things, it is independently of my will, because I was
12 really traumatised. I am one of the victims, and I continue being a victim. Thank
13 you for your understanding.

14 Q. [12:25:12] Thank you, Mr Namsio. That's really appreciated.

15 Still on the topic of this Mr Junior, did you meet him after the encounter on 5
16 December, ever?

17 A. [12:25:40] So far I've been telling you I no longer remember. After 5 December,
18 there were many people -- many people coming to see our coordinator. When the
19 coordinator was selected, everyone was coming there. Many people were there. So
20 even if I met with him, I no longer remember. But if you have any information about
21 that, you can tell me. That would also be useful to me.

22 Q. [12:26:12] The -- could the full name of the Junior be Cyril Junior Toungouma?

23 A. [12:26:34] I no longer remember such a name, no.

24 Q. [12:26:37] During -- during the coordination meetings you had in 2014, did
25 you -- do you recall whether this Junior you met after 5 December attended those

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 coordination meetings as part of the coordination? Was he part of the coordination?

2 A. [12:27:09] But when it comes to the coordination bureau, you have the list right
3 in front of you, if I'm not mistaken. You can look at it for confirmation or not.

4 Secondly, I no longer remember that Junior that you are talking about. So I really do
5 not know what to say about this person that I do not know.

6 Q. [12:27:38] We just spoke about the phone number 72, starting with 72 which
7 you -- connects to your time in prison. Now, in your statements, you have given us
8 a full account of what happened in the -- in the prison. Can you explain to the Court
9 whether your so-called escape from prison was organised by Mr Ngaïssona; yes or
10 no?

11 A. [12:28:34] Thank you very, very much. Emotion Namsio Brice, who is here
12 present before you, has never escaped from prison. I have never, never escaped
13 from prison.

14 *I was arrested on 17 September 2014 by Sangaris on my way back from the Bambari
15 Road. They beat me up seriously from 10pm right up to 4 am in the morning. They
16 took me to the gendarmerie. And around 10 or 11 o'clock, I was taken to the public
17 prosecutor.

18 After that, I was taken to the Ngaragba prison. *And after arriving at that Ngaragba
19 prison, I never had any intention of escaping -- well, there were attempts to escape by
20 detainees. There were other prisoners that left.

21 Now, when the prison was broken into, I, Emotion, I told myself, "I will never, never
22 escape prison. Prison is made for everyone." I do not know the reason why I was
23 arrested, and I had already been placed there and not convicted. That is why the
24 cardinal came and took me, and I went to his house. I spent more than two years in
25 his house.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 But when I was in the cardinal's house, I asked him to take me back to the
2 gendarmerie or the police so that I can stay there and serve my sentence. And when
3 I told the cardinal that, he conveyed the message to the Minister of Justice at the time.
4 And the Minister of Justice spoke to me on phone. Before the cardinal, he said,
5 "Since the prison was broken, there are no judicial services. You can stay in that
6 house of the man of God, the cardinal."

7 And the days after that, I had to go to the public prosecutor's office. Sometimes the
8 cardinal would pay the transport for me. I'll go there and report and come back.
9 And it was only on 11 November 2015, after my appeal, that I was acquitted once and
10 for all by the Appeals Court of Bangui. But I have never, never escaped from prison.
11 You can ask anyone. Even in the judicial circles in Bangui.

12 PRESIDING JUDGE SCHMITT: [12:32:07] Thank you, Mr Witness. Thank you.
13 Thank you for your answer.
14 Mr Knoops, please continue.

15 Q. [12:32:17] Mr Namsio, there is a Prosecution witness which -- who came before
16 this Court asserting that the Anti-Balaka attacked that prison where you were
17 residing at that moment, were detained, and that that was the reason you were
18 released from court. What would you say about that allegation?

19 A. [12:32:50] I am saying that that is completely false. The prison was broken into.
20 But the UN forces, and I'm talking about MINUSCA, the Rwandan forces were there.
21 Everyone fled. But I, I told myself, "I cannot escape from prison." The cardinal had
22 even took me -- taken me back there, and we met with those Rwandan forces there.
23 And then he took me back to the bishopric.

24 So you can even ask the judicial authorities in the CAR, and they will tell you that
25 Emotion never fled the prison. I even received a certificate from Fracarita, and I was

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 able to unite Muslims and Christians who had been fighting before.

2 Q [12:33:59] Mr Namsio --

3 PRESIDING JUDGE SCHMITT: [12:34:00] Thank you.

4 THE WITNESS: [12:34:09] (No interpretation).

5 MR KNOOPS:

6 Q [12:34:10] Thank you, Mr Namsio.

7 PRESIDING JUDGE SCHMITT: [12:34:14] For the benefit of Mr Knoops, he has a lot

8 of questions to put to you. If I may ask you, please try to answer them very

9 straightforward, as short as possible. Yes, you understand that, please. Thank you

10 very much.

11 Mr Knoops.

12 MR KNOOPS: [12:34:31]

13 Q. [12:34:31] Was this so-called evasion organised by Mr Mokom or Mr Ngaïssona?

14 A. [12:34:46] I don't know. Because when I arrived in the prison, I just

15 concentrated on praying, and I looked at my pain, my suffering. *So I was neither in

16 contact with the coordinator nor the other guy. There was the coordinator and

17 there was also the sickness unit, and they told me that I need to have some

18 medication. And that's what I heard. But to have contact, direct contact with the

19 coordinator, except with Mokom, I was not aware of anything. I only felt my own

20 pain and suffering.

21 Q. [12:35:40] There's a Prosecution witness who told this Court that you and

22 Mr Samy Bawa were, directly after this evasion from prison, transported to the house

23 of Mr Ngaïssona. What do you say about that allegation?

24 PRESIDING JUDGE SCHMITT: [12:36:04] Mr Vanderpuye.

25 MR VANDERPUYE: [12:36:08] Maybe Mr Knoops can share with us the cite on this

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 one because I don't recall that evidence in the case.

2 PRESIDING JUDGE SCHMITT: [12:36:16] I recall such evidence, not exactly with
3 regard to the witness. I know exactly the witness who had said something to that
4 effect, but we would be, indeed, appreciated if you could tell us the reference,
5 Mr Knoops. You have it in a tab, anyway, so we can follow.

6 MR KNOOPS: [12:36:32] It's T-077. It was the testimony of P-2232.

7 PRESIDING JUDGE SCHMITT: [12:36:40] Exactly.

8 MR KNOOPS: [12:36:41] Page 32, lines 21 till 27.

9 PRESIDING JUDGE SCHMITT: [12:36:45] And, for my benefit now, specifically,
10 which tab? Do you have it? I assume you have it the second binder.

11 MR KNOOPS: [12:36:53] We don't -- I think we don't have it in the tab, his reference.

12 PRESIDING JUDGE SCHMITT: [12:36:57] Okay. Then we do it --

13 MR KNOOPS: [12:36:59] Testimony of P-2232. It's not, Mr President, in our binder
14 because --

15 PRESIDING JUDGE SCHMITT: [12:37:26] Then perhaps just read this short portion
16 into the record. That would, of course, with the record for today make very clear.

17 MR KNOOPS: [12:37:42] It's, Mr President -- sorry. I'll put this microphone.

18 If you look at line 3: "Emotion and Samy were imprisoned in Ngaragba. The
19 Balaka attacked the Ngaragba prison and deliberated Samy and Emotion. I came in
20 a vehicle -- in a vehicle all the way to Camp Kassai. I was in a vehicle. I

21 transported Samy and Emotion or/and Feissona was also there. So we went to
22 Ndress, all the way through Boy-Rabe, and we got to Boy-Rabe around 6 p.m."

23 PRESIDING JUDGE SCHMITT: [12:38:29] Actually, so my recollection was correct.

24 And, indeed, it appears, Mr Samy -- Namsio -- Mr Namsio, you have heard that.

25 What do you say to it; correct or not correct? I seem to know your answer, but

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 please answer the question. You have heard it now directly what this witness said.

2 What's your answer to that?

3 THE WITNESS: [12:38:59](Interpretation) It's not exact. When the prison -- the

4 person who took me directly to take in is Cardinal Nzapalainga. He's still there.

5 You can ask the former Minister of Justice. I was there, Namsio. And the cardinal

6 asked me the question, "Where were you kept? Where were you held?" I'm talking

7 about Gustave of Bambé (phon) and Feissona Olivier. When I was asked the

8 question by Mr Nzapalainga, they had all left, but I don't know where. I stayed with

9 the cardinal until I left. You can check with the cardinal and also the people of the

10 Central African population and the Justice Department that I was acquitted. And

11 during the hearing of the acquittal, in the court, I was the only one who was heard for

12 my defence. I had never put my feet in the cassation court. I went -- I spent many

13 years with the cardinal.

14 PRESIDING JUDGE SCHMITT: [12:40:39] I apologise to interrupt you, but you have

15 answered, I think, the question. We understand it that this what you heard here,

16 that the person alleges to have transported you and another person to Camp Kassai,

17 that's not correct. We take it as your answer that it's not the truth. Yes or no, please,

18 so we have it on the record.

19 THE WITNESS: [12:41:05](Interpretation) It's not exact.

20 PRESIDING JUDGE SCHMITT: [12:41:10] Mr Knoops.

21 MR KNOOPS: [12:41:11]

22 Q. [12:41:11] Thank you, Mr Namsio. And please, what the presiding judge

23 suggested to you, please, please, keep your answers very concise and try to -- I know

24 it's difficult for you because of your experiences, but maybe you can just concentrate

25 on the question and be as precise as possible. Thank you so much.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 So, Mr Namsio, we just went into the time frame of Zongo and with the connection to
2 the notebook, and from there on to the link to your number you used after your
3 prison time, during prison time. Still on the time frame of 2013, the same context,
4 did you hear at that time when you were in Zongo that Mr Ngaïssona was organising
5 a resistance from Cameroon or from any other country?

6 A. [12:42:35] I have no idea about that. I have no idea about this question.

7 Q. [12:42:42] It is to say you didn't hear this, yes or no? You didn't hear the
8 allegation that Mr Ngaïssona --

9 A. [12:42:58] I didn't hear anyone talk about this.

10 Q. [12:43:08] So if I put the suggestion to you that there are several witnesses who
11 have come before this Court to accuse Mr Ngaïssona of organising an armed
12 resistance to the Seleka, what would be your answer to those witnesses?

13 A. [12:43:44] No answer. No answer, because I wasn't aware.

14 PRESIDING JUDGE SCHMITT: [12:43:50] Please move on, Mr Knoops. I
15 think the --

16 It was relatively clear, Mr Vanderpuye, what the outcome would be.

17 MR KNOOPS: [12:44:01]

18 Q. [12:44:02] I would like to play now a audio, which is tab 50 of the OTP material,
19 which wasn't used by the Prosecution. It's an audio of Mr Namsio.

20 PRESIDING JUDGE SCHMITT: [12:44:36] So, Mr Namsio, you are listening to your
21 own voice, obviously, if I have understood it correctly.

22 MR KNOOPS: [12:44:44] Yes.

23 THE INTERPRETER: [12:44:57] (Interpretation of video excerpt)

24 "The minister of *jeunesse*, what's his name?

25 His name is our coordinator Patrice Ngaïssona. We have chosen three weeks after

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 the departure of Djotodia. It is us who chose him. He was with the youth. He is
2 the favourite of the youth of Central Africa. And given his experience, we supported
3 him so that he carries our voice to the authorities currently in place, Ngaïssona. We
4 didn't select anybody else. It's three weeks after the departure of Djotodia. He
5 wasn't with us before. There was a confusion because everybody said, 'No, the
6 politicians are foxes.' We -- he came here. It's the population who came here to
7 support him. It is the population who supported us, who said, 'Anti-Balaka equals
8 population.' We have no one behind us. If we had someone behind us, we
9 wouldn't have to fight with makeshift arms. We would have fought with
10 sophisticated arsenal. We would have fought with vehicles, et cetera. We left the
11 hinterland to go to Bangui. Sorry if I make a mistake. It is always like this. But
12 there was a lot happening."

13 Inaudible.

14 "No, no, no. It is a civilian movement. It's not a military one. It's the population
15 without arms. No, no. It's not political."

16 PRESIDING JUDGE SCHMITT: [12:47:03] For the record, the ERN for this audio is
17 CAR-OTP-2087-8944.

18 So, Mr Knoops, please, your question.

19 MR KNOOPS: [12:47:16] Yes.

20 Q. [12:47:18] Mr Namsio, you gave this interview on 28 February 2014. And my
21 question to you is, you described the Anti-Balaka at that time as not a military
22 movement but a political movement. So you would agree with me that there was no
23 military hierarchy in the Anti-Balaka movement?

24 A. [12:48:02] When we set up the bureau, from the very outset, amongst the group,
25 I was the spokesperson, the civilian spokesperson, but there was also others who

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 were there, the military who was there as the spokesperson. If I spoke, it's not by
2 accident. It is because I was the spokesperson. I was the spokesperson. It was me
3 who talked. So it's my voice. I admit that. And I was speaking.

4 PRESIDING JUDGE SCHMITT: [12:48:53] But the question, Mr Namsio, was about
5 if the Anti-Balaka movement, you said it's not a military movement here, and the
6 question of Mr Knoops was, did it then have a military hierarchy? So, you know,
7 from general, lieutenant, and so on, and back to the foot soldier. Does such a
8 structure exist? This was the question of Mr Knoops.

9 THE WITNESS: [12:49:32](Interpretation) As regards the movement, I already said
10 that we selected Ngaïssona three weeks after. And in the group, I realised
11 afterwards that there was captain, who was in Boeing there, Ngremangou, that's his
12 name. It was Captain Ngremangou. But they were part of a military group that
13 was there. And as a spokesperson during that time, there was also Lieutenant
14 Konaté. So you can confirm, there was the -- a joint military person. We were all
15 together because there was the presence of Ngremangou and also Wenezoui who was
16 there. Thank you, Mr President.

17 MR KNOOPS: [12:50:36] Mr President --

18 Q. [12:50:39] Or, Mr Namsio, let me show you, to be more helpful to you and more
19 specific, a Prosecution document number 10, tab 10, CAR-OTP-2025-0606. It's a
20 public document. It's a press release of 4 August 2014. And I would like to show
21 you one specific portion of that document.

22 PRESIDING JUDGE SCHMITT: [12:51:51] Actually, I don't see it yet.

23 MR KNOOPS: [12:52:04] For clarity, it's an OTP -- it's OTP tab 10.

24 PRESIDING JUDGE SCHMITT: [12:52:27] I see encouraging signs in the front row.

25 So I think we will have it soon.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

- 1 MR KNOOPS: [12:52:58] If we could scroll down a little bit to the words:
2 (Interpretation) "The Captain Kamezolaï said and addressed the military and not to
3 the civilians. According to him, only the military can give orders to a military
4 person, to a soldier, and never to a civilian. My statement is addressed to the
5 military. Ngaïssona is a civilian. He cannot give orders to soldiers."
6 (Speaks English) That was page 607 -- 0607 of the document.
7 Q. [12:53:51] Mr Witness, Mr Namsio, you have seen this declaration of Mr Captain
8 Kamezolaï which he made on 4 August --
9 A. [12:54:06] I wasn't aware of this declaration. I didn't have this declaration.
10 But there were others that were there because Kamezolaï, who spoke, and what he
11 said is written there, but I wasn't with Kamezolaï. The person that I saw was
12 Ngremangou but not Kamezolaï.
13 Q [12:54:39] Mr Namsio?
14 A [12:54:45] Yes, I'm listening.
15 Q. [12:54:48] I'm sorry. My question is, Mr Namsio, are you in agreement with
16 this statement of Mr Kamezolaï, that civilians like Ngaïssona could not give orders to
17 the military?
18 A. [12:55:06] It's written there, black and white, Kamezolaï spoke to the military.
19 We are civilians. This means there is an organisation somewhere, perhaps, and it's
20 based on that. That is Kamezolaï's declaration. So I can't put myself into his shoes.
21 That is how he saw things, and he spoke about that. So I can't get involved in that.
22 Thank you, Mr President.
23 PRESIDING JUDGE SCHMITT: [12:55:41] Mr Vanderpuye.
24 MR VANDERPUYE: [12:55:43] Yes, Mr President. I'm only on my feet because
25 Mr Knoops is referring to a specific page. I think he even referenced it in the

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 transcript as page 0607. And what's in front of the witness is 0606, I think.

2 PRESIDING JUDGE SCHMITT: [12:55:58] I also didn't find what Mr Knoops read
3 out. But since I'm absolutely sure that he will never misquote, it's simply a -- we
4 have -- indeed, I would never assume that.

5 Mr Knoops, so the -- also, the complete ERN is CAR-OTP-2025-0606, perhaps at 0607.
6 Would that be correct?

7 MR KNOOPS: [12:56:27] 0607, yes, it's the third paragraph.

8 PRESIDING JUDGE SCHMITT: [12:56:33] Yeah. Thank you.

9 We are shortly before the break, so I don't know if you want to go into another area,
10 perhaps we can have the break. Otherwise, please put the question that is related on
11 this top.

12 MR KNOOPS: [12:56:49] Two questions on this topic, Mr President.

13 PRESIDING JUDGE SCHMITT: [12:56:52] Fine.

14 MR KNOOPS: [12:56:53]

15 Q. [12:56:54] Mr Namsio, let me put it differently. Did you ever hear or see
16 Mr Ngaïssona giving orders to the military in 2014? The first six, seven months of
17 2014.

18 A. [12:57:29] I wasn't aware. But as regards the military, it is Konaté who
19 sometimes contacted them. And if they were, the orders, they would go from that.
20 Because in my testimony, I spoke about the military spokesperson. I spoke about
21 that in my testimony, if I'm not mistaken. So it could be that. I don't know. I
22 don't know. I don't remember this anymore. Thank you, Mr President.

23 Q. You told us yesterday in this court that the FACA officers did not meet with
24 civilians while in Zongo. Was -- the transcript page 40 of the English real-time
25 transcript. Was there any reason why the FACA officers did not meet with the

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 civilians? Was it because the civilians had nothing to do with the military?

2 A. [12:58:41] You've already said everything. Because when in Zongo, in the
3 meetings with the officers were there, we weren't present. I was a civilian. So
4 I -- what I can say on this subject, as regards your concern, that's all I can say. I don't
5 want to waste your time.

6 Q. [12:59:05] Yes. Thank you. Final question before the break, Mr Namsio.
7 You told us yesterday that Mokom was the only person who gave order at that time
8 in Zongo and he ordered Andjilo to go to the hill. English real-time transcript 40,
9 line 16.

10 There is a Prosecution witness who came before this Court and asserted that behind
11 the hills, the Anti-Balaka regrouped following orders from Mr Ngaïssona. What
12 would you say to this allegation?

13 And this is for the Court, tab 88 of our binder, statement of P-0306, ICC 01/14-01/18,
14 065, lines 1 till 10 of the statement of 306, tab 88.

15 So, Mr Namsio, there's a Prosecution witness who asserts that --

16 PRESIDING JUDGE SCHMITT: [13:00:11] He has understood the question.

17 So you have heard this, Mr Namsio. Is this -- according to your information that you
18 have, to your recollection, is this correct or is it not correct?

19 THE WITNESS: [13:00:35](Interpretation) I said that when I was in Zongo, the
20 person who we call coordinator is Mr Mokom. He was coordinating. And a little
21 bit earlier I said, to have contact with somebody else, I don't know. But what I saw
22 was in Zongo.

23 As regards other persons, I don't know, because he was the coordinator of operations
24 during that time. And he did call Andjilo during that time to talk about him about
25 this. That's what I saw with my own eyes.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 But if he called other people elsewhere, I don't know. I'm not God to know what
2 strategies he had in mind. If he had a strategy, he didn't necessarily keep us
3 informed.

4 Q [13:01:37] Thank you. Thank you very much.

5 PRESIDING JUDGE SCHMITT: [13:01:40] Okay. Now the break until 2.30.

6 THE COURT USHER: [13:01:47] All rise.

7 (Recess taken at 1.01 p.m.)

8 (Upon resuming in open session at 2.31 a.m.)

9 THE COURT USHER: [14:31:40] All rise.

10 Please be seated.

11 PRESIDING JUDGE SCHMITT: [14:32:04] Good afternoon, everyone. Good
12 morning, Mr Namsio.

13 Mr Knoops, you have the floor.

14 MR KNOOPS: [14:32:11] Thank you very much, Mr President.

15 Q. [14:32:14] Welcome back, Mr Namsio. I hope your health condition is still
16 okay.

17 PRESIDING JUDGE SCHMITT: [14:32:23] I think we can be confident --

18 THE WITNESS: [14:32:26](Interpretation) Yes, I'm well.

19 MR KNOOPS: [14:32:30]

20 Q. [14:32:30] Okay. Were my questions to you too complicated?

21 A. [14:32:42] What question are you talking about?

22 Q. [14:32:45] The last one. The last one.

23 Could you -- sir, I need you to answer my last question. I will, for the clarity of the
24 transcript, ask you the questions in a different form, and I kindly ask you to respond
25 with "yes" or "no".

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 When you were behind the hill, did anyone tell you that Mr Ngaïssona gave orders to
2 the Anti-Balaka elements there?

3 A. [14:33:36] I'm going to start answering the question by "no" because I did not
4 hear of that. I said that the instructions given ...

5 Q. [14:33:55] Not to be dis-polite, but --

6 PRESIDING JUDGE SCHMITT: [14:34:00] No, no. You're right. We don't -- of
7 course we are glad that we have a witness who is forthcoming, who wants to answer,
8 and he has a lot to tell us, Mr Namsio, and that's perfectly clear, but sometimes it's
9 also clear, Mr Namsio, that counsel asks you to answer "yes" or "no". So because he
10 has, I think -- I assume he has a huge list of questions he wants to put to you, and he
11 wants to pull all of them to you. So please be so kind and try to answer as clearly
12 and concise, and if you can, shortly as it is possible for you.

13 Mr Knoops.

14 So this was a "no".

15 MR KNOOPS: [14:34:44]

16 Q. [14:34:44] Much obliged, Mr Namsio. The sooner you are relieved from me.
17 My second question in this regard: Did you hear, still being behind the hill, that
18 Mr Ngaïssona gave money to the Anti-Balaka elements at that time behind the hill?
19 And also here I ask you, if possible, to answer "yes" or "no".

20 A. [14:35:37] I do not have an answer for this question.

21 Q. [14:35:48] I guess that you can answer whether you heard this at that time or
22 not.

23 A. [14:35:59] No.

24 Q. [14:36:00] You didn't hear. Okay.

25 My next question, Mr Namsio, we have heard witness saying before this Court that

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 the Anti-Balaka received ammunition from Cameroon in so-called Maggi boxes or
2 Maggi cubes, small boxes.

3 And for the Courts, that's tab 91, P-2673, oral testimony, page 40, lines 11 till 19,
4 Defence binder 91.

5 My question to you, Mr Namsio: Did you hear about this assertion that the
6 Anti-Balaka elements behind the hill received ammunition from Cameroon in Maggi
7 cubes boxes?

8 A. [14:37:22] I haven't heard of that.

9 Q. [14:37:28] Did you hear that whether Mr Ngaïssona, at that time, when you were
10 behind the hill, sent hunting ammunition to Mr Andjilo?

11 And that's, for the Court reference, the same witness statement, tab 91, lines 11 till 12,
12 on page 40 of the transcript of the witness T-041.

13 A. [14:38:14] I did not hear of that, no.

14 Q. [14:38:20] Thank you, Mr Namsio.

15 Now I'm going to ask you something very specific. A Prosecution witness came
16 before this Court and asserted that in the night before the attack on 5 December, the
17 Anti-Balaka elements went to a cemetery in Ndress with 200 elements and retrieved
18 from a container, which was buried there at the cemetery, an amount of weapons
19 which they used during the attack on 5 December.

20 *That's for the Court, tab 36 of our Defence binder. P-0965 is the witness.

21 CAR-OTP-2046-0055, at 0070, lines 528 till 530, and in CAR-OTP-2046-0072-R01.

22 That's tab 37 of the Defence binder.

23 So, Mr Namsio, have you heard about this assertion?

24 A. [14:40:18] No.

25 PRESIDING JUDGE SCHMITT: [14:40:22] Just a comment by me. We appreciate

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 how you exercise this, Mr Knoops, because it's really -- I have the impression, at least,
2 that this is expediting the whole procedure. I just wanted to underscore that we like
3 this.

4 MR KNOOPS: [14:40:40] I only hope I didn't scare off Mr Namsio because he's --

5 PRESIDING JUDGE SCHMITT: [14:40:45] No, no, no. Mr Namsio is an intelligent
6 person. He has fully understood it, that you want to use your time and you want to
7 put all the questions to him. He has understood that.

8 So please continue, Mr Knoops.

9 MR KNOOPS: [14:40:59]

10 Q. [14:41:00] Mr Namsio, thank you very much for your concise answers. My
11 next question is: Did you hear about a gentleman with a the name Esaïe Yanguere?

12 A. [14:41:25] What was he doing?

13 Q. [14:41:28] Well, my first question to you, Mr Namsio, you know this gentleman
14 or anyone with this name?

15 A. [14:41:44] I'm sorry. There are knowings I knew and there were names I didn't
16 know, but this name does not actually ring a bell. If you can jot my memory, I will
17 be in a position to answer other questions as well.

18 PRESIDING JUDGE SCHMITT: [14:42:17] Mr Knoops, I assume that even if you put
19 something to him and he wouldn't might not know a lot. So I suggest to you that
20 you move on. We take it as a no, I think. Yes, he doesn't know the person.
21 Because, you know, has answered a lot of questions and he knows a lot of people, and
22 if he remembers, he has always told us.

23 MR KNOOPS: [14:42:43]

24 Q. [14:42:43] Were you, Mr Namsio, at the time you were in Zongo or behind the
25 hill, did you have any direct contact with Mr Andjilo?

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 A. [14:43:03] Never.

2 Q. [14:43:06] Now, we move slowly to the end of 2013, before arriving at 5

3 December. We go to the end of November 2013.

4 You told us yesterday, Mr Namsio - that's for the Court, transcript 85 of the English

5 real-time transcript - that you were selected as the spokesman in the place of

6 Mr Konaté. And you say: "I've seen that there was 12 Puissances that was

7 alongside me. Andjilo was there."

8 Do you remember saying this? My question to you --

9 A. [14:44:08] I did not say Andjilo. I said 12 Puissances was there alongside

10 during this meeting. This is what I said yesterday. I remember this. 12

11 Puissances was there with his elements.

12 Q. [14:44:38] My question to you is, when you became the spokesman or the

13 deputy of Mr Konaté, till what time you fulfilled this function for him?

14 A. [14:45:15] Could you please reword your question?

15 PRESIDING JUDGE SCHMITT: [14:45:20] Mr Namsio, how long have you been

16 spokesperson for Mr Konaté?

17 THE WITNESS: [14:45:31](Interpretation) I wasn't the spokesperson of Mr Konaté

18 but the spokesperson for the Anti-Balaka, for the -- deputy of the Anti-Balaka group.

19 *And it was behind the hill when we went down towards the cemetery, and that's

20 when they appointed me as a spokesperson. And after, after the attack, a short while

21 after, I also followed the other one, WENEZOU.

22 PRESIDING JUDGE SCHMITT: [14:46:02] Thank you.

23 Please, Mr Knoops.

24 MR KNOOPS: [14:46:12]

25 Q. [14:46:12] In your statement, which is Prosecution tab 33, CAR-OTP-2059-1523,

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 at page 1538, we can observe that you told the investigators in your statement that
2 you became the deputy of Mr Konaté around the end of November 2013 for five days
3 after he joined the group, which was one week before the 5 December attack.

4 Mr Witness, you became the *porte-parole* at the end of December, which is at the same
5 page. Konaté became the *coordonnateur* and Maxime Mokom remained *coordonnateur*
6 *des opérations*.

7 But irrespective of whether you were spokesman or deputy of Mr Konaté, my
8 question is: Till what time you fulfilled any function for Konaté? How many days,
9 weeks, months after --

10 A. [14:47:43] I did not last long -- *But when Wenezoui became the spokesperson, I
11 was seconding him as well. I was his deputy as well. Because at some point, they split
12 the group. And they talked to military men who were represented by the
13 spokesperson Konaté, and, for the civilian side, I was chosen, like Wenezoui, whom I
14 seconded. And during the General Assembly, we had actually chosen Wenezoui as
15 the deputy coordinator so that I could become the national spokes -- national
16 coordinator -- the national spokesperson, sorry.

17 Q. [14:48:28] Mr Namsio, my question is: Till what time you fulfilled that
18 function within the group of people at that time? So Konaté, Wenezoui. Was it till
19 January, February, whatever time, in 2014, or was it another time frame?

20 A. [14:48:57] There was the general boarding meeting that was held. And during
21 this general boarding meeting, we appointed the new bureau. And this is when I
22 completely took the responsibility of being the spokesperson. But we -- I did not
23 work a lot with Konaté. I've actually forgotten a few dates, and please don't hesitate
24 to help me out to remember these dates.

25 Q. [14:49:38] Can you give an approximate time frame? Was it the end of 2013 or

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 was it in 2014?

2 A. [14:49:53] It was in 2014, because I joined the group end of November in 2013.

3 This is when I joined the group behind the hill. And I took over as spokesperson in
4 2014.

5 Q. [14:50:19] Is it correct that at that time Mr Ngaïssona was not even in Bangui?

6 A. [14:50:40] Mr Ngaïssona, the coordinator, returned to Bangui, if I'm not
7 mistaken, after the election of Catherine Samba-Panza. So this was end of November,
8 beginning of December. And at that point of time, Ngaïssona was not -- had not yet
9 returned to Bangui.

10 PRESIDING JUDGE SCHMITT: [14:51:08] We have a lot, Mr Knoops. We have a
11 lot of information on that date. So I think it's --

12 MR KNOOPS: [14:51:15]

13 Q. [14:51:15] Mr Namsio, you were shown yesterday Prosecution tab 5, which is a
14 CLPC document.

15 Maybe we can just show it to remind the witness which document I'm referring to.

16 It's Prosecution document 5, CAR-OTP-2012-0413. It's a public document in the
17 Prosecution binder 5.

18 It's already shown to you, Mr Namsio, but just to make sure that you know we have
19 the right document before you.

20 PRESIDING JUDGE SCHMITT: [14:52:43] Mr Vanderpuye.

21 MR VANDERPUYE: [14:52:45] I don't know if maybe I can assist Mr Knoops in this
22 respect. The one I think I showed him was at tab 82. But, indeed, there are a few.
23 So there's also one at tab 4.

24 MR KNOOPS: [14:53:03] It's the one of 13 January.

25 MR VANDERPUYE: [14:53:07] Okay. Hold on one second.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 MR KNOOPS: [14:53:09] I thought it was tab 5. Because it's reference to the
2 wrecking the plan issue.

3 MR VANDERPUYE: [14:53:16] Oh, okay. Then it is that. It's a video though. It's
4 not a document. You've got it right, but it's a video, and it follows from -- it's on the
5 second page of the ERN that you just brought up to the screen. And the transcript
6 number is D29-0006-1087.

7 MR KNOOPS: [14:53:49] Okay. Well, we don't have to show it again.

8 PRESIDING JUDGE SCHMITT: [14:53:51] I don't think so. Please draw your
9 question, all of it, so to speak, as I always formulate it, and put it to the witness.

10 MR KNOOPS: [14:53:55]

11 Q. [14:53:55] Mr Namsio, this declaration, which was issued on 13 January 2014, do
12 you agree with me that Mr Ngaïssona arrived after this declaration was given by the
13 CLPC?

14 A. [14:54:24] I said that there was one document that was drafted even before
15 Ngaïssona arrived. I had said that.

16 Q. [14:54:34] And my next question to you is: Did you receive or anyone involved
17 in drafting this declaration, any instructions from Mr Ngaïssona in regards to this
18 document?

19 A. [14:54:57] That I'm not aware.

20 Q. [14:55:00] Thank you.

21 A. [14:55:02] Because the document was drafted by Mr Maxime Mokom from
22 Zongo.

23 Q. [14:55:12] Thank you. Now, I have some questions on the events of the attack
24 itself, 5 December. In your statement -- my first question to you is, in your first
25 statement, you spoke about a Lieutenant Boris of the Sangaris, which you met at the

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 cemetery in Ndress together with Lieutenant Ganazoui who represent the FACA. To
2 what extent, according to your knowledge, were the Sangaris involved in preparing
3 the attack on Bangui? What is your information on the role of the Sangaris in
4 assisting the elements on the hill to attack Bangui?

5 A. [14:56:32] Your Honour, thank you so much for this concern of yours. Now,
6 with regard to the meeting with Mr Boris and others, sir, who were from the Bangui
7 Sangaris forces, when -- while going to the Ndress cemetery -- I already said that in
8 my deposition, that it was Mr Konaté who spoke about this to me. There was a
9 meeting, and we were going -- and we were going and seeing what's going to happen
10 there. So this is how I accompanied Konaté and Hervé Ganazoui. And then we
11 met the Sangaris elements there, at the entry of the cemetery, where we planted trees.
12 But there's one point here, and this is where Sangaris -- the Sangaris received us, but it
13 wasn't at the cemetery. It was while going to the cemetery, between Hama and the
14 cemetery. Hama is actually a school in the city of Bangui, and it was built by the
15 Turkish people, or something like that. And it's the 4th arrondissement in the city of
16 Bangui.

17 Q. [14:58:24] There's a Prosecution witness who gave a statement to the Office of
18 the Prosecution - it's tab 56 of our Defence binder, P-1951, CAR-OTP-2092-0089-R01,
19 at 0190 - saying that, just before the attack, the Sangaris gave specific instructions to
20 this witness, who was there with you, that they should try to take control of Camp
21 Kassai and hold on for two hours, and that the Sangaris would come to rescue them.
22 Can you recall that these were the instructions of the Sangaris to the elements at that
23 time?

24 A. [14:59:36] Your Honour, I remember that there was a meeting and we were three
25 people who met. There was Konaté and the other person, and I remember that very

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 well. But this was not what was said during this meeting.

2 Perhaps you have some information on this and you could jot my memory. But with
3 regards to the meeting, I was actually part of the people who went down to go and
4 meet the Sangaris.

5 Thank you so much, your Honour.

6 Q. [15:00:21] Well, can you inform us, Mr Namsio, what the discussion was about
7 at that time with the Sangaris?

8 A. [15:00:43] Thank you once again, Mr President. I'll be very brief with you,
9 because when I went down, I -- the Sangaris and the team based behind the hill, were
10 they there one month, two months before me? I do not know. But I was there at
11 the end of November 2013. We went there, and we found them there.

12 They asked certain questions, especially to Lieutenant Konate, because I did not know
13 them and they did not also know me. Konaté had said that Emotion was there to
14 assist and Sangaris had -- was to put a few questions. "And what is your objective?"
15 So that is the question they asked. "What is your objective? How are you going to
16 attack?"

17 So Konaté answered, Hervé also answered to their concerns. And there was another
18 vehicle of the elements of Sangaris which was passing by. So they were passing by,
19 and the other Sangaris elements, which were with us, behaved as if their vehicle had
20 broken down, and they were in the process of repairing it. So once these elements
21 passed by, they stopped what they were asking us.

22 So it did not even last a long time. If I am not mistaken, it did not even last up to 30
23 minutes at that particular location. But if there are other issues, well, I am just a
24 human being, and I could have forgotten certain things. But if there are other
25 questions that you may like to put, I'm ready to answer them. Thank you,

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 Mr President.

2 Q. [15:03:10] So, Mr Namsio, it's correct though that at that time the Sangaris were
3 informed about the attack, the advance of the elements to Bangui? They were aware
4 of the attack.

5 A. [15:03:33] Now, concerning the elements advancing to Bangui, I was not there.
6 I was not aware. So I already was at the place behind the hill only on November
7 2013. So whether people had gone down before that, I do not know.

8 Q. [15:04:08] My question to you is, Mr Namsio, you just told us that the Sangaris
9 were asking Mr Konaté what his plan was, right? So I take it that the Sangaris were
10 at that time informed about the plan to attack Bangui? They were there.

11 A. [15:04:41] Yes, Mr President. Yes, of course. In that conversation, there were
12 questions put to Mr Konaté and the other one, Hervé Ganazoui. So there were
13 questions that were put to them.

14 Mr Konaté also showed them how it was going to happen, how the attacks were
15 going to happen. There were conversations between them. And then they said,
16 "We have to go back because transportation is slow, and we have to go back." But
17 they put certain questions, as I've just said, to Mr Konaté, and he was compelled to
18 answer them. He even showed them a few points of attack.

19 THE INTERPRETER: [15:05:27] And the witness has said he did not know whether
20 they had had other conversations before behind the hill.

21 MR KNOOPS: [15:05:37] Thank you.

22 PRESIDING JUDGE SCHMITT: [15:05:38] Shortly, Mr Knoops, the correct ERN
23 number of the last document is CAR-OTP-2092-0169.

24 MR KNOOPS: [15:05:48] Thank you, Mr President.

25 Q. [15:05:52] Now, Mr Namsio, I have again a question from which I hope you can

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 answer it quite briefly. Did you hear, just before the 5 December attack, whether
2 Mr Ngaïssona was involved in the organisation of this attack?

3 A. [15:06:27] I did not hear that, Mr President.

4 Q. [15:06:35] And you agree with me that you were not at that time in contact with
5 Mr Ngaïssona. I'm speaking now of the end of November till the second week of
6 December. You were not in touch with him on the phone, correct?

7 A. [15:07:00] Regarding that concern, Mr President, I said everything in my
8 statement, so I really do not have anything to add to that. Thank you, Mr President.

9 Q. [15:07:13] Just for the Courts, if the Court looks at the CDR records of the
10 Prosecution, page 7, there is no contact between 26 November and 8 December. All
11 right.

12 Now, Mr Namsio, I'm moving now to the time frame of 2014. Would you agree with
13 me, Mr Namsio, that the first coordination of the so-called Anti-Balaka did exist well
14 before the return of Mr Ngaïssona from abroad in 2014?

15 A. [15:08:23] Thank you, Mr President. As far as I know, I really do not know
16 what to say. As I have already said from the very beginning, when those groups left
17 the provinces or rural areas, they already had an ad hoc committee with CMA and so
18 on. So if they took me in the group, it was to help them as deputy spokesperson.
19 And when the coordination -- the coordinator, Ngaïssona, returned to Bangui, the
20 groups came together, and the entire bureau was set up. That is what I said in my
21 statement.

22 So before leaving the provinces, they had already set up something that I am not
23 aware of.

24 Q. [15:09:33] Would you agree with me that the first coordination was set up by
25 Mr Mokom in Zongo and comprised of himself, Mr Judicael Orofei?

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 A. [15:10:05] I have said what happened in Zongo. Well, there were soldiers. I
2 was not aware of anything. If they set up a committee there, I was not aware. That
3 is what I can say, Mr President.

4 Q. [15:10:26] Were you aware, Mr Namsio, that in January 2014 - or can you
5 recall - Mr Mokom, Maxime, had a first meeting with the ComZones at Boeing behind
6 the M'Poko airport, and his goal was to become the general coordinator and,
7 therefore, invited there all the so-called ComZones?

8 A. [15:11:24] This was a long time ago. I really do not remember what happened
9 with this issue. But if you have any information, please help me to help the Court,
10 because we are here to ascertain the truth, Mr President. I have said that I am here at
11 this Court to help you and to be cooperative.

12 Q. [15:11:53] Can you tell us anything, Mr Namsio, about the role of Mr Bara in the
13 setting up of the coordination in the month December 2013 or January 2014?
14 More specifically, do you know whether he also tried to create a coordination during
15 a meeting in Boeing? And that was in December 2013.

16 A. [15:12:36] Well, based on information -- I only recently joined the group. I did
17 not even know who had done what and who was who. From the very beginning,
18 when there were attacks from the hinterland, I had been hearing about Mr Bara who
19 was supposed to be a coordinator. There was Mr Kokaté also and a certain
20 Mr Yalemende. So some of these names were being mentioned, and it seems like
21 there was a struggle between them to be coordinator. But since I was not there, I did
22 not know.

23 So at one point there was that name Bara which was mentioned as one of those who
24 wanted to take the lead of that organisation. So if you have further information,
25 please help me to help the Court. Thank you, Mr President.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 Q. [15:13:51] Did you at that time share the ideas of Mr Maxime Mokom? And we
2 speak now about December 2013 beginning of January 2014.

3 A. [15:14:18] As you know, when I was chosen as spokesperson, deputy
4 spokesperson, there were proposals that were made, but I did not have the possibility
5 to decide on whatever or whoever, because I joined the group late. Everything that
6 had been done before me, I was not in a position to change anything. And I did not
7 have any opinions on certain matters because I was just not a part of it.

8 Q. [15:14:53] Did Mr Mokom, according to your information and knowledge, had a
9 different goal with the coordination, as opposed to Mr Ngaïssona, when he became
10 the general coordinator?

11 A. [15:15:18] I do not know a lot. Maybe it is up to Mr Mokom to answer that
12 question for you, because he is still there.

13 At one point, Mr Mokom divided the group, he split the group. If I am not mistaken,
14 he had his own group called the Mokom Wing. So it is up to him to speak to you
15 about that because I cannot do that in his place. Thank you, Mr President. If he
16 had any other intentions, I was not aware of them.

17 Q. [15:15:58] When -- when Mr Ngaïssona became the coordinator, was it his goal
18 to have Mr Bozizé reinstated, or did he have a different goal with the coordination?

19 A. [15:16:23] With regard to this question, at one point, Mr Patrice Ngaïssona -- I
20 think that there was even talk about Mr Bozizé not coming back to power. But
21 Mokom, he himself is there, so he can say. But that intention, I did not hear it
22 directly from him.

23 Q. [15:17:03] Were you aware, Mr Namsio, that when Mr Ngaïssona came back
24 from abroad in January 2014, he was approached by the French authorities to
25 ultimately lead the transition towards peace, and that his condition was that he was

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 willing to accept this on the basis that no exactions would take place? Are you
2 familiar with that proposal from the French?

3 A. [15:18:08] No, I was not aware. I was not aware of that.

4 Q. [15:18:24] Did you hear that Mr Ngaïssona ever said, "I only want to become
5 coordinator of the Anti-Balaka on the condition that all the exactions will stop"?

6 A. [15:18:56] Since he did not tell me that personally, I cannot respond to that. So
7 he did not say it directly to me. He may have said that to other people, but he didn't
8 say it to me. So I cannot answer that question.

9 What I know is that, with Mr Ngaïssona, the coordinator -- before the proclamation of
10 the elections with Ms Samba-Panza, they had stopped. They stopped at that point.
11 And -- but I don't have any idea what he said in that domain. Thank you,
12 Mr President.

13 Q. [15:19:53] Can you tell the Court, Mr Namsio, what was exactly the reason why
14 you yourself thought that Mr Ngaïssona was the right person for becoming a general
15 coordinator.

16 A. [15:20:24] Once again, thank you. I have told you on several occasions that I
17 was born in the 4th arrondissement. I'm a son of the 4th arrondissement.

18 Ngaïssona is one of our big brothers who was fighting in defence for the Central
19 African youth and, in particular, those of the 4th arrondissement in Bangui.

20 Ngaïssona is an economic entrepreneur. He is -- he has a high sense of humanism.
21 And my intention is not to flatter him, but everyone knows that.

22 People also thought that Mr Ngaïssona should be chosen because he had resources,
23 and he could also prevent the youths from going beyond certain limits. So he could
24 have a mastery of the situation. That is what was said by a good number of people
25 of the group.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 So, personally, I knew Mr Ngaïssona as one of the big brothers who was helping
2 people in the neighbourhood. That is why I wanted him to be our coordinator and
3 to lead us, and to also be our representative at the level of the government. Those
4 were the reasons why I favoured the person as -- of Mr Ngaïssona.

5 And given that we have time restrictions, I do not want to dwell too much on that, so
6 I'll stop here for now, Mr President.

7 Q. [15:22:28] Thank you, Mr Namsio. I want to go back to Prosecution tab 50, 5-0,
8 which is document CAR-OTP-2087-8944. That is the transcript of the audio we
9 already heard. But without hearing it again, there's a specific portion I would like to
10 address to you, Mr Namsio, and ask your elaboration on this. And this has to do
11 with page 8956.

12 Maybe it can be displayed to the witness, again, that page, and specifically the lines
13 425 till 427.

14 You see it, Mr Witness. Again, this is a speech of you or an interview on 28 February
15 2014. So shortly after Mr Ngaïssona arrived in Bangui. And then you say in line
16 425 till 427: (Interpretation) "And in relation to that, considering his achievements,
17 all those things, we decided to choose him so that he can carry our voices to the
18 authorities in power. That is what he can do. We did not choose him for anything
19 else."

20 (Speaks English) End of quotation.

21 So, Mr Namsio, what the elements at that time needed or the movement was a voice
22 to the government; nothing more, nothing less. And that's why -- and that was the
23 role of Mr Ngaïssona, right?

24 A. [15:25:42] I said, and you yourself, you read along with me, the choice of
25 Ngaïssona, we had already said, was to take our voices to the new government that

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 was being installed.

2 Secondly, everyone remembered that, because, thanks to Patrice-Edouard Ngaïssona,
3 our country had won the CEMAC trophy and the entire Central African population
4 was very happy about it. He was very close to the population and very close to the
5 youth. That is why I'm saying that this choice was not for anything else but to carry
6 our ideas, our voices to the authorities of the Central African Republic authorities.

7 And we decided that there should be a march, and through this march, *the
8 Anti-Balaka, with their sticks and everything, we would go to point zero and lay them
9 down to show the national and international community that the Anti-Balaka wanted
10 peace. And given that President Djotodia had resigned, it was, therefore, time to
11 make peace. Thank you very much for your concern, Mr President.

12 Q. [15:27:21] So, Mr Namsio, you agree with me that, based on this explanation, it
13 was not the role or responsibility of Mr Ngaïssona to control all those ten thousands,
14 or whatever figure it might be, elements, either fake or real Anti-Balaka, in the whole
15 country? That wasn't his role, wasn't it?

16 PRESIDING JUDGE SCHMITT: [15:27:54] Mr Vanderpuye.

17 MR VANDERPUYE: [15:27:56] Thank you, Mr President.

18 Again, I object to that question. It's not the first time Mr Knoops has posed it. It
19 calls for a legal conclusion that the witness is not competent to give. Whether it's his
20 role or not depends on what his involvement is in it, and that is not a fact that's
21 established in the case so far, at least not the questioning that I've heard so far.

22 PRESIDING JUDGE SCHMITT: [15:28:19] Mr Witness, what did you understand
23 what the function of Mr Ngaïssona as coordinator of the Anti-Balaka was? I think
24 you can tell us something about that.

25 I've rephrased it a little bit, Mr Vanderpuye.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 You knew him. You knew his position. You were also -- had a prominent post in
2 the Anti-Balaka. So what was your understanding what his function as coordinator
3 of the Anti-Balaka was?

4 THE WITNESS: [15:29:07](Interpretation) Thank you once again, Mr President.

5 Based on my understanding, this was a bureau that was set up. Coordinator
6 Ngaïssona was chosen to coordinate. But amongst the members of the bureau, each
7 person had their own duties.

8 Ngaïssona was general coordinator and his deputy was Mr Wenezoui, but there was
9 also a general coordinator of operations, and there were others. I was also the
10 deputy spokesperson and became the national spokesperson. And if something had
11 to be said about the movement, it was my job to go and say it.

12 So that is how the structure was. So each person in that bureau had a responsibility.
13 But regarding others, well, I'm not them to imagine what they would have had to say.
14 Thank you, Mr President.

15 PRESIDING JUDGE SCHMITT: [15:30:30] Actually, Mr Witness, you used a better
16 expression than I did. So I ask you again, what was the job of Mr Ngaïssona, to put
17 it this way? You used that word, and, actually, I liked it. It brings it more to the
18 point. In your understanding, what was his job?

19 THE WITNESS: [15:30:58](Interpretation) Well, it was said that Ngaïssona was the
20 national coordinator or the general coordinator. That was his post. But you will
21 agree with me that the post of coordinator has a definition, which I really cannot
22 elaborate on here, Mr President.

23 PRESIDING JUDGE SCHMITT: [15:31:27] Well, why not? You know, this is for
24 once something where you could perhaps elaborate. You could tell us more.

25 THE WITNESS: [15:31:52](Interpretation) Based on my understanding, I have

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 absolutely no idea, Mr President, because I did not know the intentions of each and
2 every one. You can choose someone to put at the head of a country, but,
3 subsequently, that person would do things that are contrary to what the people were
4 expecting. So I cannot put myself in the place of the coordinator. It was a bureau
5 that was set up. So I have very little to say, because I am not God, and I'm not able
6 to say whether there might have been a hidden agenda.

7 But as the spokesperson, I did not have a hidden agenda. My objective was to
8 prevent Central Africans from killing themselves and to bring the population to
9 reason and allow the divided country to become united again for the general welfare
10 of the entire population. That was my conception. Thank you once again,
11 Mr President.

12 PRESIDING JUDGE SCHMITT: [15:33:12] Please, Mr Knoops.

13 MR KNOOPS: [15:33:14]

14 Q. [15:33:15] Maybe, Mr Namsio, I can put the question different to you. Was he
15 at that time, in the months January till say May/June 2014, or anyone else in the
16 coordination or outside, for instance, in the government, able to control all the
17 so-called elements of the movement, either real or false Anti-Balaka? Was there any
18 single person who was able to manage this?

19 A. [15:34:11] Now, with regards to this question, I really cannot tell you. To the
20 best of my knowledge, I told you that there was Maxime Mokom who was the
21 coordinator of operations from Zongo. And with what means and with what -- in
22 what manner did he control the group in the hinterland, I don't know. I did not
23 know if he was working in close coordination with someone else. I'm not aware of
24 that.

25 I joined the group at the end of the month in November, and I was then arrested, and

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 I was in prison in Ngaragba. And if there's someone else who was there, I did not
2 know.

3 You agree with me that a certain Mr Bara was also part of the team. And there were
4 so many people who represented the movement in the group. So I'm not really in a
5 position to say -- I'm not in a position to address your concern. This is what I have to
6 say, and this is what I just said, your Honour.

7 Q. [15:35:23] Maybe, Mr Namsio, I can -- I can assist you. I will show you now a
8 document. It's tab 108. It's CAR-OTP-2068-0619, which is a press article.

9 We also showed it, Mr President, to P-0992.

10 And in the -- just below the title: (Interpretation) "If there was no misery, Ngaïssona
11 would have played his part."

12 (Speaks English) You see -- you see, Mr Namsio, your name is mentioned.

13 PRESIDING JUDGE SCHMITT: [15:36:27] Not yet.

14 MR KNOOPS: [15:36:28] Not yet. I'm sorry.

15 PRESIDING JUDGE SCHMITT: [15:36:31] Now, I think we can -- we have to enlarge
16 it, I think, a lot here because it's very small.

17 Yeah. That's fine. Thank you.

18 MR KNOOPS: [15:36:40]

19 Q. [15:36:40] You see, Mr Namsio, under the heading: (Interpretation) "It's hard to
20 control ravenous men.

21 (Speaks English) The following is mentioned in this article: "His spokesperson,
22 Namsio, goes a step further. No one shall surrender until our act of bravery is not
23 recognised. And above all, as long as the movement hasn't received funding, as if
24 there was no misery, Ngaïssona would have controlled and his militia wouldn't have
25 committed any exactions. It is justified that it is extremely difficult to control men

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 who are famished."

2 (Speaks English) So my question to you, Mr Namsio: Can you recall making such a
3 statement in -- I think it's -- I don't see the date here.

4 PRESIDING JUDGE SCHMITT: [15:38:11] That would have been my question,
5 Mr Knoops.

6 MR KNOOPS: [15:38:15] I just have the small one. It's 5 August 2014. That's at
7 least the press release.

8 Q. [15:38:28] Mr Namsio, can you recall that you gave such a statement in August
9 2014 where you refer to the difficulties to control the so-called elements?

10 A. [15:38:54] Thank you for your concern. This statement -- in fact, I also saw the
11 name of the president, Francois Bozizé. And there was also an amount of money
12 that was mentioned in CFA and in euros. And I never -- well, just give me some
13 time to read this, and let me see if I can actually recollect something.
14 Your Honour, if you could just allow me some time to read that.

15 PRESIDING JUDGE SCHMITT: [15:39:42] That is fair. Mr Witness, take your time
16 and just read what is ascribed to you as what you have said at the time. Just read
17 that and then tell us if you recall it and what your opinion on that is.

18 THE WITNESS: [15:40:19](Interpretation) Thank you so much, your Honour. This
19 document was signed by whom? This is a point -- is this a press statement or
20 something?

21 PRESIDING JUDGE SCHMITT: [15:40:36] Mr Witness, this is a press article.

22 So -- and in this press article, the journalist obviously citates you. And does he do
23 that correctly? Do you recall having said that at the time?

24 THE WITNESS: [15:40:58](Interpretation) I do not remember this document. If
25 there is a signature below, then I can understand. I've never -- they -- they've

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 already talked about Francois Bozizé with an amount of money, and I have never
2 heard about this at all. This is a surprise for me. If you have a soundtrack, perhaps
3 I could recollect this. And I know my French, I know my level of studies, and I
4 would -- if there are any soundtracks, I think you could make me listen to this, and I
5 would remember things. Thank you so much, your Honour.

6 PRESIDING JUDGE SCHMITT: [15:41:50] Thank you. I think we need to move on.
7 Perhaps one try you could give it because you're not interested, I think, in the money
8 so much.

9 MR KNOOPS: [15:41:59] No, no, no.

10 PRESIDING JUDGE SCHMITT: [15:42:00] You're interested in the end of the
11 paragraph that we have on the screen.

12 MR KNOOPS: [15:42:03] Well, money is always interesting, Mr President. Not in
13 this Court.

14 PRESIDING JUDGE SCHMITT: [15:42:07] If you say so.

15 MR KNOOPS: [15:42:09] No.

16 Q. [15:42:11] Mr Namsio, I will then go back to your evidence yesterday. You
17 were confronted with a document of the Prosecution which was also a press release of
18 24 June 2014. And that was tab 2 of the OTP binder. And you can find it in -- the
19 Court can find it in the English real-time transcript, page 99, starting at line 1 till 18.
20 It was about - Mr Namsio, maybe you can still recall - the report that 17 Muslims were
21 killed. And the Prosecution asked you yesterday several questions on that event.
22 And you were attributed with the answer, which is line 14, 15 of the transcript, that
23 this was to be blamed on, quote, "Out of controlled youth, acting on their own, who
24 have been stepping up these attacks in the region." End quote.
25 Here again, Mr Namsio, you see that you refer to the element of control, the

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 controllability of all the youth in 2014. *And you say: "If any exactions, or whatever,
2 misbehaviour did occur" -- in this situation, the killing of 17 Muslims -- "it was due to
3 out of control youth."

4 Now, my question to you, again, Mr Namsio, is: Was it your perception in 2014, the
5 beginning of 2014, that the situation in Bangui and the provinces was not controllable
6 by anyone, either the coordination or the transitional government?

7 A. [15:44:54] Yes, your Honour. I replied to this question yesterday, so I'm not
8 going to come back on it. And if I'm not mistaken -- but with regards to the
9 responsibility, even though I was the spokesperson, I really worked a lot for the
10 return of peace, for the return of state authority within the movement. And
11 everyone knows that and everyone can confirm that.

12 So I don't have anything else to add. I've already answered this question yesterday.
13 And in my deposition, too, this was stated. So thank you, your Honour. I would
14 like to thank you.

15 Q. [15:45:53] Mr Witness, let me address this topic from another perspective. Can
16 you tell us, what did, if anything, the transitional government do to suppress any
17 misbehaviour of the youth or other elements in the first six months of 2014 in Bangui
18 or in the provinces? *Was the transitional government able to deal with incidents such
19 as we just described, the killing of 17 Muslims?

20 A. [15:46:43] Thank you so much. When President Samba-Panza took power, she
21 also did her level best, but during the crisis, there was no state authority. And
22 starting from Bangui to the hinterland of the Central African Republic, there were
23 efforts made. Even at our level, we fought to act, to prevent any kind of unfortunate
24 behaviour.

25 During that time, they went to see the mayor of the 4th arrondissement, and I went

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 with them. And we had actually -- there were young people there with handmade
2 weapons. And we worked for peace to return. Our government also acted. Our
3 coordination also strived for peace to return. And my hope -- and I was part of the
4 people who basically would track down the fake Balaka or the true Balaka who
5 would make mistakes. And at that time there was no police. There was no
6 gendarmerie. And it's only after the new transitional government came into place,
7 we had these various departments, like the police and everything I spoke about.
8 Thank you so much.

9 Q. [15:48:51] Was the National Coordination at that time working together with the
10 police and the gendarmerie? And we are speaking about the time frame once the
11 transitional government was installed by Ms Samba-Panza.
12 So were you or Mr Ngaïssona working alongside the authorities of the transitional
13 government in order to restore peace in the country? And if so, can you give
14 examples how you did that.

15 A. [15:49:36] Of course, yes. Now, on this point, I'm going to actually go off the
16 track because I need to give you an explanation. Our coordination also strived in
17 this sense, and this is why you saw that our coordinator had actually signed a
18 permanent mission order that was entrusted to me so that we could together track
19 down the people who would indulge in unfortunate behaviour and mistakes. And
20 all this, we did this in very close conjunction with the police and the gendarmerie.
21 I also told you -- I told this in my deposition. You could actually contact the police
22 and the gendarmerie, and you will see that this was actually done. We are human
23 beings. Sometimes we could get a bit overboard at times.
24 And when I started this, I had just -- I did not have weapons. I had the word of God
25 in my mouth. And God had given me the courage so that I could talk to people,

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 even though they were armed. So the coordinator had asked -- had entrusted me
2 with the responsibility of saving the face, the image of Anti-Balaka. So I'm not going
3 to take a lot of time, but I have actually said everything in my deposition.
4 Even the Muslims who were kidnapped were recovered. The Christians who were
5 victims of robbery, their vehicle was recovered and returned. And even people with
6 weapons, I spoke to them. I told them that, weapons is something that is not a sheep
7 with which we -- you could actually kill. I actually did all that to calm down the
8 situation, to rally the Central African Republicans. And we -- we did not want that
9 war that we went through anymore.

10 So this is what I can say with regards to the permanent mission that the coordinator
11 Ngaïssona entrusted to me in order to help the transitional government of
12 Mrs. Samba-Panza. And all this before I was arrested. Thank you so much,
13 your Honour.

14 Q. [15:52:18] So, Mr Namsio, was it the specific instruction from Mr Ngaïssona to
15 you to conduct those missions only in consultation with the gendarmerie and the
16 police?

17 A. [15:52:53] Right. According to me, there were initiatives that were ruled out.
18 The coordinator was also striving to get peace to return. And I cannot deny that.
19 And even through all this unfortunate behaviour and mistakes, we saw -- I had this
20 courage and I had also this permanent order, this mission, and we worked with the
21 police and the gendarmerie as well together in symbiosis.

22 Q. [15:53:31] You, Mr Namsio, just told the Court that you had at that time no
23 weapons, being part of the coordination. So do I take it that if you were on a mission
24 to retrieve weapons and bring them back, were you sometimes escorted by the
25 gendarmerie or the police, which did have weapons, I suppose? Because how would

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 you otherwise be protected against any assaults?

2 Give us an example of one of those missions.

3 A. [15:54:21] That's a good question, your Honour.

4 Q. [15:54:24] And your answer.

5 A. [15:54:33] Can I speak?

6 Q. [15:54:35] We still have six minutes, Mr Namsio. And I give you the full six
7 minutes, with the permission of the Court.

8 PRESIDING JUDGE SCHMITT: [15:54:42] Yes. But, you know, this -- always be
9 careful to say such things because it could end up that the time is used.

10 MR KNOOPS: [15:54:49] But I can assure the Court that I will finish before lunch
11 tomorrow.

12 PRESIDING JUDGE SCHMITT: [15:54:52] Okay. I also thought so. You wouldn't
13 have said that otherwise, I assume that.

14 So, Mr Witness, you have heard the question. So you went on mission; you did not
15 have weapons. Mr Knoops suggests to you that you were accompanied by security,
16 by whomever, with weapons, because otherwise it would be difficult for you to
17 defend yourselves if you were assaulted. So could you give an example how this
18 worked when you went on mission, perhaps.

19 THE WITNESS: [15:55:24](Interpretation) I'm going to give you an example very
20 quickly. We had the military police as well who was in our group. Every time
21 there was a robbery, Mr Yandjoungou, who was the chief, and Mr -- (speaks French)
22 Golokete were together. And since they knew their teams, we were in the field with
23 them. And it was not to go and fight, but to talk. But with regards to robbery, I
24 wasn't there. Because if it was an incident of robbery, I did not have a weapon, so I
25 couldn't go there. I wouldn't go there. And the Seleka troops would be in PK12.

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 They have barricaded the route so that the population could not do their day-to-day
2 activities.

3 So I actually reached out to the Rwandese troop, and they accompanied me under the
4 control of the coordinator. And the coordinator was actually kept abreast of
5 everything. And he -- the troops took me to the RDOT base. The troops were
6 armed, and I would talk to them. I would talk to the Seleka troops. Even the
7 women who were there, they were crying. And I told them that, "You barricaded
8 the road. You are preventing people from earning their livelihood." And I spoke to
9 these people. And the Seleka troops, in fact, freed up the PK12 road towards the 4th
10 arrondissement. So this is one example that I'd like to give you. You can actually
11 get this crosschecked with the troops from Rwanda, and they will bear out the story.
12 Thank you so much, your Honour.

13 MR KNOOPS: [15:57:57]

14 Q. [15:57:57] And, Mr Namsio, the mission order you got from Mr Ngaïssona - the
15 general mission order, we will show it tomorrow to you - did you also show this to
16 the Rwandan troops to have you escorted to this location? So, in other words, were
17 the Rwandan troops aware of the fact that Mr Ngaïssona sent you on this mission?

18 A. [15:58:29] I'm going to tell you this: When we started helping out the
19 Samba-Panza government, by the guidelines issued by the coordinator, the foreign
20 troops in Bangui were -- also knew me. They knew how I worked. Even the mayor
21 of the 4th arrondissement knew. You can actually contact Andara, who was the
22 mayor of the 4th arrondissement. When something was wrong, she would call me
23 and she also put me in contact with the foreign troops who were there and I spoke to
24 them.

25 And even if there were arguments in the district, I would accompany the troops and

Trial Hearing
WITNESS: CAR-OTP-P-0446

(Open Session)

ICC-01/14-01/18

1 I -- and start the disarmament process. You can -- you will have the same
2 information if you reach out to the -- to the MISCA at that point of time.
3 Now, if there was something that was not right, I would go with the troops. And the
4 troops actually took me to the RDOT base as well.
5 Thank you so much, your Honour.
6 PRESIDING JUDGE SCHMITT: [16:00:08] Thank you, Mr Witness, for today. This
7 concludes your testimony, but only for today, of course. We continue tomorrow.
8 We thank you on behalf of the Chamber, on behalf of the Court, that you answered
9 the questions today.
10 Again, I remind, please do not speak with anybody about your testimony today and
11 tonight, and we see each other tomorrow morning at 9.30.
12 And this, of course, applies to everyone here in the courtroom. I don't know if to
13 everyone, but at least to most of us.
14 THE COURT USHER: [16:00:41] All rise.
15 (The hearing ends in open session at 4.00 p.m.)