

Trial Hearing
WITNESS: CAR-OTP-P-2625

(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 Judge Chang-ho Chung
7 Trial Hearing - Courtroom 1
8 Monday, 16 January 2023
9 (The hearing starts in open session at 10.00 a.m.)
10 THE COURT USHER: [10:00:44] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SCHMITT: [10:01:08] Good morning, everyone.
14 Court officer, please call the case.
15 THE COURT OFFICER: [10:01:12] Good morning, Mr President, your Honours.
16 This is the situation in the Central African Republic II, in the case of The Prosecutor
17 versus Alfred Rombhot Yekatom and Patrice-Edouard Ngaïssona, case reference
18 ICC-01/14-01/18.
19 And for the record, we are in open session.
20 PRESIDING JUDGE SCHMITT: [10:01:30] Thank you very much.
21 I ask for the appearances of the parties. We start with the Prosecution.
22 MR VANDERPUYE: [10:01:39] Good morning, Mr President. Good morning,
23 everyone. Good morning, Mr Witness. The Prosecution today is represented by
24 Pierre Belbenoit Avich, Yassin Mostfa and myself, Kweku Vanderpuye. Good
25 morning.

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1 PRESIDING JUDGE SCHMITT: [10:01:50] Thank you.

2 And I turn to the representatives of the victims.

3 MS MASSIDDA: [10:01:54] Good morning, Mr President, your Honours. The
4 victims of the other crimes are represented today by Maître Yaré Fall, Mr Enrique
5 Carnero Rojo, Ms Mouhia Asso, and myself, Paolina Massidda.

6 PRESIDING JUDGE SCHMITT: [10:02:09] Thank you.

7 MR SUPRUN: [10:02:10] Good morning, Mr President. Good morning, your
8 Honours. The former child soldiers are represented by myself, Dmytro Suprun,
9 counsel at the Office of Public Counsel for Victims. Thank you.

10 PRESIDING JUDGE SCHMITT: [10:02:17] Thank you.

11 And we now turn to the Defence. Ms Dimitri first.

12 MS DIMITRI: [10:02:23] Thank you, Mr President, good morning. Good morning,
13 your Honours. Good morning, everyone. Mr Yekatom is present in the courtroom
14 and today he is represented by Ms Lena Casiez, Ms Alexandra Baer, we also have a
15 new member on the bench of the Defence, it's Mr Romaric Lionel Messi Tikpa, and
16 myself, Mylène Dimitri.

17 PRESIDING JUDGE SCHMITT: [10:02:43] Thank you.

18 And Mr Knoops or Ms -- we are not in a hurry. Mr Knoops, it's already your turn.

19 MR KNOOPS: [10:02:56] Yes. I was already assisting somebody in the court,
20 Mr President. Mr President, good morning, dear members of the Chamber. First of
21 all, I would like to extend on behalf of my team to everyone in the courtroom and the
22 Chamber our best wishes for this year and all the best for the upcoming blocks.
23 The Defence team of Mr Ngaïssona today appears before the Chamber with
24 Ms Marie-Hélène Proulx, Sara Pedroso, Alexandre Desevedavy, Barbara Szmatala
25 and Saskia Afande. Thank you.

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1 PRESIDING JUDGE SCHMITT: [10:03:25] Thank you very much. And of course
2 thank you very much for the best wishes.

3 And from the side of the Chamber, of course, to everyone in the courtroom we give
4 these best wishes back and hope you have a good year.

5 MR PHILPOT: [10:03:34] (Interpretation) Good morning. John Philpot, lawyer
6 representing the -- representing the witness. I don't have any sound in my headset,
7 but in any event, I thank you, your Honour.

8 PRESIDING JUDGE SCHMITT: [10:03:50] But that's of course unfortunate. We
9 have to fix that. Is it now okay, Mr Philpot?

10 THE INTERPRETER: [10:04:02] English, English, English. English, channel 1.

11 MR PHILPOT: [10:04:06] (Interpretation) Yes, that does seem to work now. Thank
12 you very much. There was just -- something was missing.

13 PRESIDING JUDGE SCHMITT: [10:04:13] Then of course a very warm welcome to
14 you also, Mr Philpot.

15 And most importantly we have Mr Adrien Poussou, the next witness.

16 Mr Poussou, good morning. On behalf of the Chamber, I would like to welcome you
17 to the courtroom. You are called to testify to assist this Chamber in the case of the
18 Prosecutor against Mr Yekatom and Mr Ngaïssona.

19 Mr Poussou, there should be a card in front of you with a solemn undertaking. We
20 have already -- you have already done that, but I think since this is a completely, let's
21 say, new year and a new situation, would you be so kind to read this out aloud again,
22 the solemn undertaking to tell the truth. Please be so kind.

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24 (The witness speaks French)

25 THE WITNESS: [10:05:13](Interpretation) I solemnly swear that I shall tell the truth,

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1 the whole truth and nothing but the truth.

2 PRESIDING JUDGE SCHMITT: [10:05:18] Thank you very much, Mr Poussou.

3 You are again and now, let's say, reinforced under oath, so to speak.

4 Before we start with your testimony, Mr Poussou, there are a few practical matters. I

5 tell this to every witness and the reason being that everyone here in the courtroom

6 very often does not obey to these rules. This means we should speak at a relatively

7 slow pace because we have interpretation here and to allow the interpreters to follow,

8 we should not speak at the pace that we normally do. And please, Mr Poussou, wait

9 a couple of seconds with your answer so that the interpreters can catch up.

10 And if something does not work and if you have any problem, raise your hand. And

11 you can also speak with your counsel, of course, who is in the room, if you think there

12 is a need to do that. But in that event, please let us know.

13 I think you have understood all that and I can give already the floor to

14 Mr Vanderpuye for the Prosecution.

15 MR VANDERPUYE: [10:06:21] Thank you, Mr President. Just bear with me one

16 moment while I bring this --

17 PRESIDING JUDGE SCHMITT: [10:06:28] Of course.

18 MR VANDERPUYE: [10:06:38] Thank you very much.

19 Just as a procedural matter, an issue was brought to my attention over the weekend

20 from the Yekatom Defence with regard to certain documents that I have on my

21 exhibit list, and I indicated that I would put on the record what those are and our

22 intention not to rely on them. So just bear with me one moment, I'll do that.

23 PRESIDING JUDGE SCHMITT: [10:07:00] Yes, please.

24 MR VANDERPUYE: [10:07:01] This is at tab 4, CAR-OTP-2001-4122; a document at

25 tab 13, CAR-OTP-2091-0435; and a document at tab 61, CAR-OTP-2130-3615.

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1 So with that caveat, our intention is to use the remaining documents. And just in
2 case I slip, I trust that counsel will remind me.

3 PRESIDING JUDGE SCHMITT: [10:07:40] Well, I think we can be absolutely sure
4 that this would, in case, it would not escape the attention of counsel.

5 MR VANDERPUYE: [10:07:47] Thank you very much, Mr President.

6 QUESTIONED BY MR VANDERPUYE:

7 Q. [10:07:53] Good morning to you, Mr Poussou. Let me reintroduce myself. We
8 met last week. My name is Kweku Vanderpuye. I will be posing questions to you
9 during the course of your examination-in-chief on behalf of the Office of the
10 Prosecutor.

11 As I indicated before, I expect to go about eight hours or so with you, but it depends
12 on how things transpire during the course of your examination. But let me thank
13 you once again for appearing in this case. I think it's very important.

14 And I do appreciate further that you will be testifying in open session. There may be
15 some issues that I might apply to the Chamber to deal with in private session, but
16 those will be far and few between. So that's basically the premise under which we'll
17 be operating.

18 I will ask you some questions with respect to matters that you have discussed in your
19 interview with the Office of the Prosecutor back in 2019. And it may seem to you
20 that some of the questions I ask you are asking for you to repeat that you said in that
21 statement. And the reason for that is the evidence in this case will be your testimony,
22 your oral testimony here as opposed to the written statement that you had signed on
23 a previous occasion. So many of the questions I'll ask you will seem like you've
24 already answered them, but that's the reason I'm asking those questions.

25 As Mr President has made clear, we'll try to speak slower than normally also because

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1 we're going through an interpreter who have to keep up with what we say so that the
2 record of the proceedings is clear. I'm the biggest offender of that probably in the
3 courtroom, so it may very well be that I jump in and -- but I'll try to mind my speed
4 and my gait so that we can communicate clearly and the record can be accurate.

5 Also because we're going through an interpreter, it means that some questions I may
6 ask you may come across in a certain way which is not intended and vice versa, so
7 just try to be patient, and if there's anything that I need to clarify or rephrase, just let
8 me know and I'll be happy to do that.

9 You have the assistance of Mr Philpot, who is here, so if there's anything that arises,
10 with the Chamber's leave, obviously, that's something that you may want to -- and
11 you and he may discuss as long as the Chamber thinks that that's appropriate in the
12 circumstances.

13 I think that's basically it. That's a long list of stuff. Are you with me so far?

14 A. [10:11:07] I've understood, yes.

15 Q. [10:11:13] Okay. Now, let me just start with the basics, which is the
16 biographical information that's necessary for the record.

17 If you could state your full name for the record, please.

18 A. [10:11:35] My name is Georges Adrien Serge Poussou.

19 Q. [10:11:42] What is your date of birth, Mr Poussou?

20 A. [10:11:47] I was born on 21 December 1981.

21 Q. [10:11:53] Where were you born?

22 A. [10:11:57] I was born in Bangui.

23 Q. [10:12:00] You're a Central African national, I take it?

24 A. [10:12:07] I am a citizen of the Central African Republic. That is my only
25 nationality.

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1 Q. [10:12:14] What is your ethnicity?

2 A. [10:12:19] I'm from the Yakoma ethnic group in the southeast of the country.

3 Q. [10:12:30] And what is your religion, if any?

4 A. [10:12:37] I am Protestant.

5 Q. [10:12:42] Now, I won't go into a lot of detail about your background because
6 we have your CV, but in your previous statement I understand that you held various
7 government posts in the Central African Republic.

8 A. [10:13:11] That is correct.

9 Q. [10:13:13] And could you tell the Chamber which posts you held and when?

10 A. [10:13:18] From November 2013 to February 2014, I was minister for
11 communication, national reconciliation and civic and democratic culture. *From
12 August 2015 to July – from August 2014 to July 2015, I apologise, I was a minister and
13 *a special adviser to the prime minister, responsible for communications, public
14 relations and new technologies. I was also the spokesperson for the prime minister's
15 office.

16 Q. [10:14:17] With respect to the first post, between November 2013 and
17 February 2014, were you appointed to that post during the term of
18 President Djotodia's transitional government?

19 A. [10:14:49] That is correct. President Djotodia was the president responsible for
20 the transition, and Mr Nicolas Tiangaye was the prime minister at the time of the
21 transition.

22 Q. [10:15:05] With respect to the post you held from August 2014 to July 2015, that
23 would have been at the time that Catherine Samba-Panza was the president of the
24 transition?

25 A. [10:15:36] Yes, indeed. Exactly so.

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1 Q. [10:15:38] And do I understand correctly that you were under the prime
2 minister at that time Mahamat Kamoun?

3 A. [10:15:54] Indeed. I was a member of the Prime Minister Mahamat Kamoun's
4 cabinet, Mahamat Kamoun.

5 Q. [10:16:05] I understand also that you were -- you worked in various publications
6 of news, articles and things of that nature. Can you tell the Chamber what your
7 background is in that area?

8 A. [10:16:27] I began journalism quite early, first of all at Radio Ndeke Luka and
9 then I had a daily called The Independent.

10 THE INTERPRETER: [10:16:53] L'Indépendent in French.

11 THE WITNESS: [10:16:55] (Interpretation) Then after that, I worked for Africa 24,
12 whose headquarters is in France. It's a Africa-wide network. I was also director of
13 the editorial staff at Afrique Nouvelle, editor-in-chief that is to say. After I went to
14 government, I worked for Bangui FM, a radio station that is still broadcasting today
15 in Bangui. I set up that radio station.

16 MR VANDERPUYE:

17 Q. [10:17:40] If I can show you a document, it's at tab 46, that's
18 CAR-OTP-2123-0411.

19 It doesn't need to be broadcast.

20 You recognise the document in front of you now?

21 A. [10:18:17] Yes, this is my CV, my curriculum vitae.

22 Q. [10:18:24] And it was accurate at the time that you provided it back in 2019?

23 A. [10:18:32] It was accurate.

24 Q. [10:18:35] If I can just ask, what is it that you have done for work since the time
25 you provided this curriculum vitae?

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1 A. [10:18:52] I set up a communications consultancy. It also handles strategic
2 outlooks, Edilibres is the name, AP Média based in Montreal. And I've written some
3 editorials for young Africa -- for Jeune Afrique, a weekly publication. And from
4 then up until now I've published three books.

5 Q. [10:19:39] In the context of the work that you've done in journalism, publications,
6 have you had occasion to be in contact with various actors and conduct analyses
7 concerning the crisis that unfolded in the Central African Republic between 2012
8 and 2014?

9 A. [10:20:22] Yes. Between 2012 and 2014 I was responsible for the online version
10 of L'Indépendant and so I was carrying out daily analyses of the situation. I was in
11 contact with nearly all political stakeholders in the Central African Republic nearly on
12 a daily basis. It must be said that I began to rub shoulders with these people quite
13 early in life when I was still at high school. So these prominent people also know
14 me.

15 Q. [10:21:13] Okay. I'll come back to some of that in a little while.
16 I'd like to ask you some questions about your previous interview with the Office of
17 the Prosecutor, if I may. Now, I understand that you had an opportunity to read the
18 statement that was produced as a result of that interview back in November 2019.
19 Am I right about that?

20 A. [10:21:42] Yes, I've read over the statement and I've made a few corrections to it.

21 Q. [10:21:50] You recall being interviewed by members of the Office of the
22 Prosecutor in between 21 and 24 November 2019, I take it. Do you recall -- do you
23 recall that during the course of that interview you were asked questions about the
24 conflict in the Central African Republic which took place between 2013 and 2014?

25 A. [10:22:33] Well, if I can put it this way, the discussions primarily had to do with

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1 that conflict, yes.

2 Q. [10:22:41] And in the course of that interview you were, as all interviews are,
3 you were asked to tell the truth and to be complete as possible in your answers to the
4 questions put to you by the investigator and the lawyer that was present at that time;
5 is that right?

6 A. [10:23:20] No lawyer was present, but I was clearly told that I was supposed to
7 tell the truth, and I also had to make a distinction between events that I was present at
8 and -- versus events that I was told about.

9 Q. [10:23:50] Very good. And you did that during the course of the interview I
10 take it?

11 A. [10:24:01] Exactly.

12 Q. [10:24:02] With respect to the corrections that you made, I think we have
13 received them.

14 I have an ERN number of CAR-OTP-00000808. I think that's right. Maybe we can
15 just have the witness take a look at it and confirm that he's the one who actually wrote
16 those.

17 PRESIDING JUDGE SCHMITT: [10:24:40] In the meantime, I have to say that it
18 works perfectly at the moment, Mr Witness, with the velocity of speaking, everybody
19 catches up quickly with the interpretation. Also Mr Vanderpuye does, let's say, obey
20 these rules. So it works well at the moment. I just want to motivate you to
21 continue in that manner.

22 MR VANDERPUYE: [10:25:01] Thank you, Mr President.

23 Q. [10:25:04] Mr Witness, I think we have -- if we can go to the next page, perhaps.
24 And maybe we can blow it up so he can see it more clearly.

25 You recognise this document or the corrections that are -- that are indicated on them;

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1 is that right?

2 A. [10:25:27] That is my handwriting, yes.

3 Q. [10:25:29] All right. So with respect to these constructions, there's only a
4 handful of them, as I noted, about one, two, three, four, five paragraphs. Other than
5 the corrections that you made here in reviewing your statement, is the statement
6 fair -- does it fairly and accurately reflect what you told the investigators and what
7 you believe to be accurate and true?

8 A. [10:26:01] Everything that I said with the exception of those corrections is
9 accurate.

10 Q. [10:26:15] All right. I just want to go quickly over those so that they are clear in
11 the record.

12 At paragraph 4 of your statement then, you indicate that you did not say -- maybe we
13 should have that back on the screen so he can see it.

14 You indicate that you didn't say that you had copies of Western Union records used
15 to buy weapons, but, on the other hand, you believe that -- you stated that

16 "Mr Songuet, may his soul rest in peace, had shown me, as proof, copies of certain
17 Western Union mandates that they had to do for Cameroon to certain individuals
18 who claimed to belong to the movement of former president Francois Bozize."

19 That's right?

20 A. [10:27:16] That is correct.

21 Q. [10:27:17] Okay. At paragraph 7 -- at page 17, I'm sorry, paragraph 96 -- and I
22 made a mistake with respect to the first one. It's page 4, paragraph 21, the one we
23 just did.

24 The next is page 17, paragraph 96 --

25 PRESIDING JUDGE SCHMITT: [10:27:40] Ms Dimitri.

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1 MS DIMITRI: [10:27:40] Thank you, Mr President. Sorry for the interruption. I
2 know the witness doesn't mainly concern Mr Yekatom, but I'm a little bit disturbed by
3 the procedure here. It's not a 68(3) witness. Why are we reading part of his
4 statement, even if it's the corrected part? Why aren't we asking him open-ended
5 questions?

6 PRESIDING JUDGE SCHMITT: [10:28:04] Mr Vanderpuye, Ms Dimitri has a point
7 here. I know what you -- what is absolutely okay, that we let the witness confirm
8 that this is his handwriting, that he made these corrections, but if these corrections
9 would be discussed in the course of your questioning, I think it would be even better.

10 MR VANDERPUYE: [10:28:19] Some would be, but some won't be, and I want to
11 make sure that the corrections as he's written them down are accurate. In other
12 words, he could have written something down --

13 PRESIDING JUDGE SCHMITT: [10:28:29] That's a point.

14 MR VANDERPUYE: [10:28:31] -- that he didn't mean to write down.

15 PRESIDING JUDGE SCHMITT: Okay.

16 MR VANDERPUYE: [10:28:30] So I'm reading it back to him.

17 PRESIDING JUDGE SCHMITT: [10:28:35] But please don't overstretch this.

18 MR VANDERPUYE: [10:28:37] Yes, Mr President.

19 PRESIDING JUDGE SCHMITT: [10:28:40] Please.

20 MR VANDERPUYE: [10:28:41]

21 Q. [10:28:42] At page 17, paragraph 96, you indicate in the correction that
22 Mr Songuet told you that he had spent a lot of money on behalf of Bozize without
23 giving any reasons and that you could not therefore say to the Prosecution office that
24 the expenses were made by Songuet -- which were made by Songuet would have
25 been used for the purchases of weapons. That's correct?

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1 A. [10:29:13] That is correct.

2 Q. [10:29:15] At page 21, paragraph 119, you indicate that although Mr Ngaïssona
3 telephoned you after your appointment to the government and was able to warn you
4 of an imminent attack on the city of Bangui, he did not give you a precise date. On
5 the other hand, he told you that things will happen there in the next few days. Is
6 that right?

7 A. [10:29:49] I confirm that.

8 Q. [10:29:51] And at page 22, paragraph 127 of your statement, you indicate that
9 you stated and you supposed that Ngaïssona could only agree with Mr Banoukepa's
10 statement since the two spoke to each other regularly.

11 I see counsel's on her feet again.

12 PRESIDING JUDGE SCHMITT: [10:30:12] No, I think I would agree now with
13 Ms Dimitri. Because I know what you are saying.

14 I think we have enough of this reading of the statement. Any other, let's say, change
15 of the written statement that is entailed in these corrections can be brought up during
16 your examination, Mr Vanderpuye.

17 MR VANDERPUYE: [10:30:31] Okay. I have no problem with that,
18 Mr President.

19 PRESIDING JUDGE SCHMITT: [10:30:35] Okay. No, no, please, please continue.

20 MR VANDERPUYE: [10:30:38] There is one matter relating to page 27 of his
21 statement which I think I need to go into private session for.

22 PRESIDING JUDGE SCHMITT: [10:30:46] Then shortly we go to private session.
23 (Private session at 10.30 a.m.)

24 THE COURT OFFICER: [10:30:53] We are in private session, Mr President.

25 MR VANDERPUYE: [10:31:05] Thank you.

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1 Q. [10:31:07] Mr Poussou, in your -- in these corrections you indicate that you
2 retained certain copies of Western Union transfers from Mr Songuet. There's two
3 things I want to know about that. One is, do you still -- do you still have those, that
4 is, copies of them? And the second question is, for what purpose did you retain
5 them?

6 A. [10:31:48] I'd first of all like to answer the second question to start off with. I
7 retained these transfers to write because my profession involves writing, so this is a
8 kind of reminder, something to jolt my memory and a proof for history.

9 Now, for the first question, I do not retain these documents that you referred to.

10 Q. [10:32:19] And then in respect of -- as long as we're in private session I might as
11 well ask. In your statement you indicated that there were some other documents
12 that you kept in a safe place regarding minutes of meetings and certain of your
13 interactions with people that were involved in these events, including Mr Ngaïssona.
14 With respect to these documents, is your answer the same, that you retained them for
15 the purposes of the work that you were doing at that time?

16 A. [10:33:06] Exactly.

17 Q. [10:33:09] And my question again is the same, which is, do you still retain those
18 documents?

19 A. [10:33:19] I don't know where they are.

20 Q. [10:33:22] Okay.

21 MR KNOOPS: [10:33:25] Mr President, why are these questions being posed in
22 private session?

23 PRESIDING JUDGE SCHMITT: [10:33:30] Well, I also ask myself -- actually,
24 you're -- yeah, but Mr Vanderpuye, like always, will have a reason and he will tell us
25 this reason or his considerations.

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1 MR VANDERPUYE: [10:33:41] I think the reason is clear that we're in the midst of
2 an investigative inquiry still in the course of the case.

3 PRESIDING JUDGE SCHMITT: [10:33:49] Okay. Good.

4 Then can we go back to open session?

5 MR VANDERPUYE: [10:33:53] Yes, we can.

6 PRESIDING JUDGE SCHMITT: [10:33:54] Yeah, open session.

7 (Open session at 10.33 a.m.)

8 THE COURT OFFICER: [10:34:00] We're back in open session, Mr President.

9 MR VANDERPUYE: [10:34:17]

10 Q. [10:34:20] Thanks very much for your candour, Mr Poussou, I appreciate it, with
11 respect to the questions I've just asked you.

12 In terms of the substance of things, I'd like to ask you now about the elections of 2011
13 and, in particular, I'd like to ask what your view or your understanding of those
14 elections was in relation to the crisis that unfolded in the Central African Republic
15 subsequently.

16 So given your professional role and the work that you were doing there, can you
17 explain to the Chamber or can you relate to the Chamber the significance of those
18 2011 elections to the crisis that followed?

19 A. [10:35:21] Now, before the 2020 presidential, the 2011 elections were the worst
20 elections that our country organised. These elections were rushed, there was a lot of
21 fraud committed, and it's because of this that the opposition at that time contested the
22 results, challenged the results of the elections and put up a front which they called
23 FARE, which was basically an acronym for -- it was -- it was basically the political
24 party -- the opposition political parties coming together to challenge the results of the
25 election.

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1 It must also be said that at the end of these elections, the regime at that time, so this
2 was Bozize's regime, brought in the -- brought in several close members of their
3 family, the children, into the parliament, the mistress, the parents, they were all
4 basically in the parliament and the opposition was completely sidelined at that time.
5 And these elections basically were the starting point of the crisis that the country
6 experienced in 2012.

7 *Because the political avenues were blocked and there were no longer any other
8 possibilities for action in the political arena or for peaceful protest, particularly
9 because of the repression, the only option that was left was violent protest. And this
10 is precisely why the Seleka coalition was born in part. In fact, it was the convergence
11 of the claims of this coalition with the political parties and all this facilitated the
12 ousting of Francois Bozize's regime in 2013.

13 Q. [10:38:24] With respect to the FARE that you referred to, am I right that you're
14 referring to *le Front pour l'Annulation et la Reprise des Elections*?

15 A. [10:38:42] That's exactly it.

16 Q. [10:38:44] And when you say that there was fraud or there was some fraud in
17 the election, what exactly are you referring to? What information do you have and
18 in what manner did it -- did it appear?

19 A. [10:39:18] There were several cases of ballot box stuffing in many regions,
20 especially in the polling stations that were in the northern districts of the city of
21 Bangui. So the ballot boxes were stuffed in favour of the presidential regime. And
22 then the political configuration or the political weight of each Central African
23 stakeholder was such that President Bozize could not win the elections in the first
24 round as it was the case.

25 Another example of fraud that was reported, this was in the Berberati region in the

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1 west of the country: The former president Patasse was a candidate at the legislative
2 elections in the city, and given the political weight of Patasse, he could not have lost
3 the elections against the nephew of Bozize, Sylvain Ndoutingai. And then there was
4 the Central African opposition that provided to the Constitutional Court of that point
5 of time the minutes, the reports of the exit polls that indicated that the votes cast in
6 certain polling stations basically were greater than the number of people who were
7 enlisted or they were completely in contradiction with the figures that were published
8 by the electoral commission.

9 Q. [10:41:53] (Microphone not activated)

10 PRESIDING JUDGE SCHMITT: [10:41:59] Microphone, please.

11 MR VANDERPUYE: [10:42:01] Sorry. Thank you, Mr President.

12 Q. [10:42:02] You mentioned a few things that I wanted to follow up on. You
13 mentioned that there were several, let's say, relatives of Mr Bozize that were put into
14 positions of power. You mentioned his mistress. Do you recall her name?

15 A. [10:42:24] She got herself elected -- *in any event, declared the member of
16 parliament for the city of Carnot. Her name is Mado Bafatoro.

17 Q. [10:42:38] You mentioned Minister Ndoutingai. What about his sons, Socrate,
18 Francis?

19 A. [10:43:02] Yes, they are the children of -- Bozize's children, you just named them.
20 Socrates, or Socrate in French, was elected in Gambo. Francis, even the own brother
21 of Bozize, his cousin Caxis, got themselves elected, including Mr Ngaïssona, who was
22 a close person to Bozize, he was elected in the 4th arrondissement of Bangui after
23 these elections.

24 Q. [10:43:54] How was the fact that these members of Bozize's family or people that
25 were close to Bozize perceived by the general body *politique*, so to speak, at the time?

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1 PRESIDING JUDGE SCHMITT: [10:44:11] Mr Knoops.

2 MR KNOOPS: [10:44:12] Mr President, I think that it's -- first of all, question, what is
3 the foundation of the knowledge of the witness in this regard? And I don't think the
4 witness can speak for a perception by the general political community.

5 PRESIDING JUDGE SCHMITT: [10:44:28] Well, with regard to the first point,

6 I would say since Mr Vanderpuye has established that the witness is a close follower
7 since a long time of the political development and as a journalist has worked on that
8 and has written books, I think we would allow that.

9 With regard to the second, I think, Mr Vanderpuye, Mr Knoops has a point here. It's
10 about his understanding and not about what the whole population might have
11 perceived. But you know that, of course.

12 MR VANDERPUYE: [10:45:01] I do. I make that objection many times myself.

13 PRESIDING JUDGE SCHMITT: [10:45:06] Okay, okay. Indeed.

14 MR VANDERPUYE: [10:45:07]

15 Q. [10:45:08] Let me try it a different way then.

16 How was it reported in the -- in the media in which you were involved at that time?

17 A. [10:45:26] In any event, the election of the people close to the regime to the
18 parliament was perceived as an illustration of the fraud that was committed during
19 the course of the elections. Because, as I previously mentioned, the political weight
20 of the presidential *movement, particularly the weight of the KNK, could not have
21 allowed this party to get its representatives elected to the parliament with 80 to
22 85 per cent majority of the seats going to these people. So this was attributed to the
23 85 per cent of the seats went to KNK and this was an absolutely surrealistic situation
24 given the political weight of the party. So this was actually proof that a single
25 political formation decided to exclude the other political parties and rule the country

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1 in an exclusive fashion.

2 Q. [10:46:56] Were you aware that a European Union observer mission was
3 deployed in respect of those elections in January 2011?

4 A. [10:47:20] I wasn't aware, but I suppose there was one because generally the EU,
5 the African Union, these international organisations put observers in place to observe
6 the elections. This is the tradition. But I really cannot formally state that there were
7 observers from the EU for these elections.

8 PRESIDING JUDGE SCHMITT: [10:47:51] Mr Vanderpuye, may I ask you if the
9 result of these observations was a report?

10 MR VANDERPUYE: [10:47:59] Indeed, Mr President.

11 PRESIDING JUDGE SCHMITT: [10:48:00] And this report will be submitted, I
12 assume?

13 MR VANDERPUYE: [10:48:03] It will be submitted.

14 PRESIDING JUDGE SCHMITT: [10:48:05] Fine. That's only what I wanted to
15 know.

16 MR VANDERPUYE: [10:48:08]

17 Q. [10:48:09] I'd like to show you a document, Mr Poussou. I think you've seen it
18 before. It's at tab 50, CAR-OTP-2123-0437.

19 All right, I think you have it on the screen there.

20 First of all, do you recognise it? You've seen it before?

21 A. [10:48:59] Yes, I've seen this document and I've read it as well.

22 Q. [10:49:06] If I'd like to -- the first thing I'd like to do is to take you to page 0438.
23 I apologise for the slow reading, it has two ERN numbers on there. I always get
24 confused. It's item number --

25 PRESIDING JUDGE SCHMITT: [10:49:26] Indeed, yeah, 38, okay.

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1 MR VANDERPUYE: [10:49:31] It's item number 5. And it refers to -- it refers
2 specifically to the presidential elections.

3 MR KNOOPS: [10:49:43] Mr President, I'm sorry, I believe this annex 5 is a
4 document not drafted by the witness. It's not part of the rejection -- it's part of the
5 rejection of the 68(3) request, and if the Prosecution is now putting this paragraph or
6 reading it out to the witness, that would amount to leading the witness to a certain
7 answer.

8 PRESIDING JUDGE SCHMITT: [10:50:16] Mr Vanderpuye.

9 MR VANDERPUYE: [10:50:17] I think the witness just said he knows what the
10 document is, he's read the document, and furthermore, it's the subject matter of the
11 statement that he made so that (Overlapping speakers) --

12 PRESIDING JUDGE SCHMITT: Well, yes, but --

13 MR VANDERPUYE: -- basis for him to --

14 PRESIDING JUDGE SCHMITT: [10:50:29] Well, I allow it, but it's a long document,
15 I think you will draw out not too much out of it, I would say.

16 MR VANDERPUYE: [10:50:38] Yes, I have just a couple of --

17 PRESIDING JUDGE SCHMITT: [10:50:42] Okay, good.

18 MR VANDERPUYE: [10:50:44] -- a couple of points that I'd like him to look at.

19 Q. [10:50:47] The first is at item number 5. You've read that before, haven't you?

20 A. [10:50:53] Yes, I've read it before.

21 Q. [10:50:55] There are a few points in here that I just want to ask you about. The
22 first is it refers to Bozize's KNK party as "*clanique*". It refers to the elections as
23 resulting effectively in a "*Assemblée monocolore*", "*Assemblée Familiale*".

24 First of all, is that something that you are familiar with and does it accord with your
25 view or recollection of the circumstances of that election?

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1 A. [10:51:42] This document that was published in fact was published in some
2 Central African newspapers and this basically largely describes the situation at that
3 point of time and I'm not very far from thinking the same thing. Nevertheless, I do
4 agree with the majority of what's being stated here.

5 Q. [10:52:18] This item number 5 continues on the next page. Okay. And here
6 you see the name of Madeleine Bafatoro that you mentioned just a moment ago,
7 Socrate, Francis and Mr Ndoutingai. It refers in this article, as you can see, to the
8 expert report of the European Union regarding this election, as well as the *Front pour*
9 *l'Annulation et la Reprise des Elections*, which, I'd like to ask you, it indicates here a
10 (Interpretation) "declares not recognising the legitimacy of President Bozize who is
11 proclaimed elected after the elections, after the poll."

12 (Speaks English) Were you aware that the FARE had actually not just contested but
13 effectively refused to recognise President Bozize's claimed victory during the course
14 of that election?

15 A. [10:54:05] Yes, I knew that. It's one of the primary reasons why the FARE was
16 set up. The FARE did not recognise the results of these elections and contested the
17 legitimacy of President Bozize.

18 Q. [10:54:34] At item number 6 --

19 PRESIDING JUDGE SCHMITT: [10:54:38] May I shortly, because to have a complete
20 picture --

21 MR VANDERPUYE: Yes, Mr President.

22 PRESIDING JUDGE SCHMITT: [10:54:38] -- one cannot fail to notice that in this
23 item number 5 a name appears that -- a witness that has been in this courtroom
24 already, Mr Demafouth. And I want to put an open question to you, Mr Poussou.
25 To your recollection, what was the reaction of Mr Demafouth after these elections

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1 2011? It's mentioned here, but I would like to hear what your impression at the time
2 was?

3 THE WITNESS: [10:55:16](Interpretation) In any account, Mr Demafouth was a
4 disturbed figure of the political scene in Central African Republic. And if your
5 Honour grants me the leave, I'm just going to go back to the past. Mr Demafouth
6 and Mr Bozize were in exile in Benin before Mr Demafouth left for France and
7 Mr Bozize was arrested in the '80s and brought back to Bangui and tried in the Bangui
8 court. So these two individuals know each other rather well.

9 Now, after the 2011 elections and to reply to your question, your Honour,
10 Mr Demafouth, we -- in fact, got close to the power. He did not contest the results
11 formally because he wanted to conclude an alliance with the regime in place in order
12 to have a position of power in the new formation. This is what I can say, your
13 Honour.

14 PRESIDING JUDGE SCHMITT: [10:56:50] Thank you very much. I assume
15 Mr Knoops would have brought it up anyway, so -- and since it fit finally to this point
16 number 5, I thought we can also address it now.
17 Mr Vanderpuye.

18 MR VANDERPUYE: [10:57:05] Thank you, Mr President.

19 Q. [10:57:07] At item number 6 - if we just go down the page a bit - here it refers to
20 a request by Mr Deby to President Bozize to open up dialogue or an inclusive
21 dialogue. Towards the bottom of the article it indicates -- well, it refers to a couple of
22 things. It talks about opening up dialogue to the opponents and it refers to nothing
23 having emerged from that some seven months later. It refers to the specific issue of
24 the election and describes it as a "hold-up electoral of 2011" which excluded the
25 opposition from political debate in the context of the parliament. Is that something

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1 that you can relate to, that you understood was occurring at the time?

2 A. [10:58:46] Could you please repeat your question.

3 Q. [10:58:49] Sure.

4 PRESIDING JUDGE SCHMITT: [10:58:50] I think you can really, I also tried it now
5 with my last question, put an open question, and if anything turns bias from that, you
6 can also refer to the article. But I would really prefer it also, I think we would not
7 want to make a reading exercise here. And also, as you have seen with the answer of
8 the witness to my last question, he has his -- he will not simply confirm what is in
9 here, but he has his own understanding, his own recollections and so on, I think we
10 would want to know that.

11 MR VANDERPUYE: [10:59:28] Okay. Thank you, Mr President.

12 Q. [10:59:31] In respect of Mr Bozize's -- well, did Mr Bozize open up to having a
13 dialogue with the political opponents after the election?

14 A. [10:59:57] We can't say that Mr -- the President Bozize conducted any such
15 dialogue. We talk about President Deby's visit on 5 May in Bangui. Three months
16 down the line, this was July 2012, I met Bozize in Brazzaville. I conducted an
17 interview with him and I asked him the question if he is -- if he intends to open up a
18 political dialogue as it was suggested by President Deby. President Bozize answered
19 that he'll see. So basically he just evaded this question. So there was no dialogue
20 held. The only thing is his conception of dialogue was to conduct individual
21 discussions with each political leader with a view to basically divide the opposition in
22 order to take a few leaders from the opposition and bring them to his fold. So this
23 was Bozize's approach.

24 Q. [11:01:41] In your view, did that have an impact on the heightening of tensions
25 and the crisis that unfolded with the development of the Seleka?

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1 MR KNOOPS: [11:01:54] Mr President, I think this is calling for speculation. How
2 can the witness as a journalist say something about how this might have had an
3 impact on the tensions in a country?

4 PRESIDING JUDGE SCHMITT: [11:02:10] Well, we are generally -- with regard to
5 all these questions, we are a little bit in the realm of a mixture of a person who
6 is -- has more information than perhaps an ordinary citizen, but is not an immediate
7 witness.

8 So if you reword it a little bit with regard to what his understanding was again, then I
9 will let it pass. But you are also aware of this, Mr Vanderpuye, that, as I said, you
10 could ask any citizen, but he is of course a much better informed citizen than any
11 other. Because of that, we do allow this line of questioning, but it's really mainly
12 about what his understanding from his sources of information was and that's it.

13 MR VANDERPUYE: [11:03:01] That's effectively it. I could ask -- I'll ask in a
14 different way.

15 PRESIDING JUDGE SCHMITT: [11:03:06] Yes.

16 MR VANDERPUYE: [11:03:07]

17 Q. [11:03:09] Did you have the opportunity to write about the crisis as it was
18 unfolding or the stages of the crises as they were unfolding?

19 A. [11:03:29] Yes. At the time, I devoted several articles to the origin of the crisis,
20 that is to say, the items that could justify resumption of hostilities because that's what
21 it was all about. And then when the Seleka coalition was established in
22 December 2012, in one of the releases that the coalition sent out, it was clearly
23 mentioned that the result of the election was fraudulent and the regime's refusal to
24 begin a dialogue with the opposition was one of the reasons for the birth of the Seleka
25 coalition, one of the reasons that led the Seleka leaders to take up weapons once again.

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1 That was written very clearly in the release, in black and white. If one wishes to
2 analyse the origins of the crisis in the Central African Republic, one cannot not speak
3 of this situation - how should I put this - the obstruction of the political process by the
4 government's refusal to engage in dialogue with their opposition, despite the
5 fraudulent elections that had occurred and the challenging of these fraudulent
6 elections by the opposition.

7 Q. [11:05:52] Were you aware of specific demands that were made by the different
8 groups that made up the Seleka coalition with respect to the treatment of Muslims in
9 the north and east of the country?

10 A. [11:06:30] The Seleka coalition indicated that *the marginalisation of the regions
11 to the north, *the far north of the country, so Vakaga prefecture, for instance, and the
12 prefecture of Bamingui-Bangoran by the central government, so the central
13 government's marginalisation of these regions far to the north and the fact that the
14 people in these regions, since these people in these regions follow the Muslim religion
15 primarily, these people were deemed to be, according to the Seleka, they were
16 deemed to be second-class citizens, they were excluded from the political process.
17 And all of that led them to take up weapons and claim their rights, their share and
18 call for improved living conditions. And their -- they were asked -- they wanted to
19 be part of the national community.

20 Q. [11:08:04] You mentioned that this was an issue that was raised by the Seleka.
21 Was it addressed by other groups, for example, the democratic opposition or other
22 political groups in the country at that time? Was it something that was discussed in
23 those circles to your knowledge?

24 A. [11:08:52] What I do know is that a good share of the political leaders in the
25 Central African Republic shared the analysis that had been done by the armed groups

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1 who had come together within the Seleka coalition, particularly when it came to the
2 marginalisation of our fellow citizens in the north. That was shared, that was a
3 shared analysis. And we knew in the country that Muslim nationals, Muslim
4 citizens, citizens of the Muslim faith had a great deal of difficulty getting their
5 national identity cards, for instance. They had great difficulty in their interactions
6 with the Central African Republic administration because, in general terms, the
7 opinion or the suspicions of being foreigners, the administration was always of the
8 view that these fellow citizens from those regions were from Chad or Sudan, so they
9 always had difficulty being considered full-fledged citizens of the country.

10 Q. [11:10:55] And these are people you're referring to that are from prefectures of
11 Vakaga, where Birao is the -- is the capital of that prefecture. And you have
12 Bamingui-Bangoran, where Ndele is the capital of that prefecture. What about
13 Haute-Kotto, where there is Bria as the capital of that prefecture, were these
14 individuals considered or these people considered foreigners because of their Muslim
15 ethnicity?

16 A. [11:11:43] That is what I'm saying.

17 Q. [11:11:52] Do you know from experience or through your contacts whether in
18 say, for example, Vakaga prefecture Arabic is spoken widely?

19 A. [11:12:17] Yes, I went to -- I've been to Birao several times. Arabic is spoken
20 there. And also a language from Sudan is spoken in Birao. In actual fact, the
21 people who live in these regions interact and trade much more with Sudan. They
22 get their supplies and commodities from Sudan more than from Bangui, which is
23 more than seven or 800 kilometres away and which is inaccessible to them. So those
24 people, although they are of the Central African Republic, have espoused the
25 Sudanese culture.

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1 Q. [11:13:33] In your discussions and contacts with individuals in the political
2 sphere, relative to your work, was the fact that these individuals in these regions, as
3 we've described, in Vakaga, Bamingui-Bangoran and Haute-Kotto, was the fact that
4 they are -- that they interacted, let's say Chadians and Sudanese, a relevant factor in
5 how they were characterised, whether they were considered Central Africans or
6 considered foreigners from these other countries? Is that something that was
7 discussed in the milieu of your conversations with political actors and others in the
8 course of your journalistic activities?

9 A. [11:14:41] Our compatriots in those regions in general terms have relatives who
10 live in those countries, and so for ordinary people, the man on the street, the fact that
11 these people from the Central African Republic may have relatives in Chad or Sudan
12 means that they are automatically deemed to be foreigners. So they are -- they have
13 this suspicion hanging over them that they are not truly part of the nation.
14 And I should stress one point. For a long time in our country, ever since
15 independence, actually, up until the 2012-2013 crisis, our Muslim fellow citizens have
16 taken interest in trade, and the others, the animists and the Christians, tend to be
17 political leaders, public servants or they engage in other activities. In the 1980s
18 when there were disturbances in Chad, many people from Chad took refuge in our
19 country, and because of the religious and cultural proximity, these Chadians who had
20 come from Chad established themselves, settled in neighbourhoods where Muslim
21 people lived. So because of all of that, people sort of lumped people together into
22 various categories. In the eyes of many people from the Central African Republic,
23 our Muslim fellow citizens, if they don't have a link to Chad, they must be Sudanese,
24 they must be Sudanese. And of course this is not the case in most cases.

25 Q. [11:17:45] Did you become aware of the Seleka advance at some point during

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1 2012? And if you -- if you did, can you tell the Chamber how you became aware that
2 the Seleka were forming and advancing?

3 A. [11:18:38] People knew, given the political situation, which was tense in the
4 country, and also because many people of the Central African Republic who were of
5 the Muslim faith *and who worked in the mining industry were robbed by the regime,
6 in particular *by Sylvain Ndoutingai, minister of mining. *He had ordered a raid
7 upon the regions where diamonds are mined, *so in Bria, Berberati and elsewhere.
8 They confiscated the diamonds, the assets, the money of these people, and they were
9 never returned to their rightful owners. This created frustration amongst our fellow
10 citizens, and people yearned for revenge. The *obstruction within the political arena
11 was an excuse for those armed groups, who were already plundering those regions,
12 to come together and descend upon Bangui. In December 2012, when they launched
13 the first attack upon Birao, they sent a release, and at the time we did receive a release
14 from the Seleka coalition, which we published.

15 And finally, I knew and I know President Djotodia personally, whom I had already
16 met, and so when the first Seleka attacks began, he sent me an email and said to me
17 that this time it was serious, that the coalition would march upon Bangui. So that is
18 my answer to you.

19 PRESIDING JUDGE SCHMITT: [11:21:50] May I shortly.

20 According to your information, you spoke about the Seleka and that they -- that you
21 had knowledge that at some point in time they would march towards Bangui. So I
22 assume that the group of the Seleka entailed fighters with weapons. Do you know
23 where these fighters came from?

24 THE WITNESS: [11:22:26](Interpretation) There were two sources in general terms.

25 The armed groups in the Central African Republic, other than the Anti-Balaka, recruit

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1 young people, young nationals, but also mercenaries from Chad or Sudan.

2 PRESIDING JUDGE SCHMITT: [11:22:49] When you speak of mercenaries from
3 Chad and Sudan, it's of course very difficult to give numbers or percentages,
4 but -- well, let's give it a try. According to your information, were the
5 mercenaries -- were there more mercenaries than fighters that originated and
6 had -- and were citizens from the Central African Republic, or would it be impossible
7 for you to say something about this relationship between these two groups that you
8 mentioned?

9 THE WITNESS: [11:23:31](Interpretation) Well, just a very rough estimate, it can be
10 said that there were more foreign mercenaries than native born *combatants. Up
11 until three days before the coup d'état of 24 March, after the coalition entered Bangui,
12 I went down to Bangui and I saw more Chadians and Sudanese people than people
13 from the Central African Republic around President Djotodia.

14 PRESIDING JUDGE SCHMITT: [11:24:14] Okay. Thank you.
15 Since we have the agreement that when we continue for two hours, we have a short
16 break, I think it's now a good thing. We resume exactly at half past 11.

17 THE COURT USHER: [11:24:28] All rise.

18 (Recess taken at 11.24 a.m.)

19 (Upon resuming in open session at 11.31 a.m.)

20 THE COURT USHER: [11:31:58] All rise.

21 Please be seated.

22 PRESIDING JUDGE SCHMITT: [11:32:30] Mr Vanderpuye, obviously you have the
23 floor.

24 MR VANDERPUYE: [11:32:33] Thank you again, Mr President.

25 Q. [11:32:38] Mr Poussou, you indicated that you received some communication

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1 from Mr Djotodia with respect to the advancement of the Seleka march. Did he
2 indicate to you what the purpose or the objectives were of the march? In other
3 words, was this -- did he indicate to you whether this was something that was related
4 to a religious action or a political action at that time?

5 A. [11:33:42] No. It was nothing to do with religion. The Central African crisis is
6 essentially a political one and these are basically apprentices who wanted to
7 transform this political crisis into an interreligious conflict, and this basically allowed
8 certain massacres to happen.

9 The rebellion, right at the onset of these attacks, the claims were political in nature,
10 essentially political.

11 Q. [11:35:00] And you'll have to forgive me if I'm asking a question that maybe
12 you've answered, but when you say that it was transformed from a political -- or there
13 was attempt to transform it from a political conflict to a religious one, who would
14 have been at the origin, to your knowledge anyway, of recasting the conflict from a
15 political one to a religious one?

16 A. [11:35:45] There are several elements that one can state to answer this question.
17 When the rebellion was at the doorstep of Bangui and the CEEAC forces, the
18 community of the economic states of Central Africa, had deployed, they, in fact,
19 deployed a counterforce which had drawn a red line at Damara, which is less than 60
20 kilometres from Bangui, and when the regime felt threatened, they resorted to
21 militia.

22 Mr Levy Yakete set up the COCORA. Mr Ngaïssona and Steve Yambete had also
23 their respective militia groups. And one can recollect that in December at the high
24 point of the crisis, there were demonstrations supporting the regime that were -- that
25 was organised at the main square of Bangui which is called Point Zéro. So even

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1 President Bozize took part in these demonstrations. He intervened and the rhetoric
2 of the government was to get Christian Central Africans to understand that foreigners
3 were coming and taking their country away from them. So if we allowed the Seleka
4 rebellion to enter Bangui, it would mean that the foreigners, the Chadians and the
5 Sudanese, would come and take control of the country. And this rhetoric basically
6 echoed in the country because 10 years before, so that was in 2003, President Bozize
7 also availed himself of the support of the Chadian army to orchestrate his coup d'état.
8 And it's these very soldiers of the Chadian army were behaving as an occupying force;
9 they were brutalising people. So one can say that this was basically seared into the
10 conscience of the Central African public, so this rhetoric of foreigners coming and
11 stripping them of their land gained ground, this very idea gained ground in the
12 hearts of the Central Africans.

13 And then when the rebellion, the Seleka rebellion entered Bangui and took power,
14 there was pillaging. People felt that the individuals making up this rebellion had a
15 bone to pick against the Christian population, because when they were progressing
16 towards Bangui, they pillaged churches, priests were assassinated, and in Bangui
17 many civilians were killed by the Seleka rebellion. And all this contributed to the
18 emergence of an anti-Muslim sentiment because most of the Seleka were Muslims.
19 So it's these elements, it's these arguments that basically demonstrate that *some
20 people wanted to instrumentalise *the resentment, the frustrations, the feelings and
21 the exactions that were committed by the Seleka and attempt to transform this
22 *political crisis into a religious *crisis.

23 Q. [11:42:36] I'd like to -- thank you for that very informative answer.

24 I'd like to ask you, because you referred to PK0, and I wanted to ask you if you were
25 aware of a speech that Bozize gave in December 2012 at a rally that was held there.

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1 A. [11:43:06] Yes, I still remember the speech that was given.

2 Q. [11:43:18] In his speech, to your recollection, he makes certain references to
3 foreigners. First of all, do you recall that? And secondly, what did you understand
4 that to mean?

5 A. [11:43:47] I just said, and I'm repeating, that President Bozize spoke in Sango,
6 the national language, and accused the Seleka *rebels of being foreigners or in the
7 *pay of the foreigners who were manipulating them. And he asked the Central
8 African Republicans to be vigilant and to defend their country against these invaders.
9 This is the word he used, "invaders".

10 THE INTERPRETER: "*Envahisseurs*" in French.

11 THE WITNESS: [11:44:37] (Interpretation) Invaders coming from foreign lands. So
12 the general understanding was that these "invaders", in inverted commas, were
13 members of the Seleka coalition who are Muslims, so hence, they're foreigners, and
14 that was his understanding.

15 MR VANDERPUYE:

16 Q. [11:45:11] And at that time, or soon thereafter, were you able to observe what
17 the practical effect on Muslims were or was following that appeal at the rally at PK0?

18 PRESIDING JUDGE SCHMITT: [11:45:34] Mr Knoops.

19 MR KNOOPS: [11:45:36] Mr President, I think the witness cannot establish a causal
20 relationship between a speech and what happens afterwards in a country or in a city.
21 It's really beyond the scope of this witness, with all due respect of his profession, but
22 we cannot under the umbrella of being a journalist actually portray him as an expert
23 on a political situation in a country.

24 PRESIDING JUDGE SCHMITT: [11:45:56] Well, in this -- you're partly right.

25 Let me -- Mr Vanderpuye, let me allow to put the question.

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1 MR VANDERPUYE: [11:46:03] (Microphone not activated)

2 PRESIDING JUDGE SCHMITT: [11:46:08] After this speech, did you have the
3 opportunity to speak with Muslim fellow citizens?

4 THE WITNESS: [11:46:29](Interpretation) After the speech, in fact, after the PK0
5 meeting, we noted and we basically also wrote in the newspaper L'Indépendent, we
6 observed the disappearances of certain Muslim citizens. And there was something
7 that resembled psychosis in the Muslim community, our Muslim friends were
8 basically frightened to come to the city. They would just remain amongst
9 themselves in zones that were considered to be their strongholds. *So after the
10 speech, they really were scared *to lead a normal life in the country. And moreover,
11 it was said that unidentified groups were kidnapping *individuals from the Goula
12 and Runga ethnic groups, and these are the *ethnic groups that the leaders of the
13 Seleka came from.

14 PRESIDING JUDGE SCHMITT: [11:48:14] In my last question I've asked you if you
15 had any information, any talks with the Muslim population. Now the other way
16 around, after this speech, did you have the opportunity or did you speak to fellow
17 Christian citizens how they understood the speech, what was their understanding of
18 the speech? Did you have this opportunity? Also perhaps fellow journalists or
19 whatsoever.

20 THE WITNESS: [11:48:44](Interpretation) We did speak to such extent that we
21 criticised this speech and branded it as a dangerous speech that would shake up the
22 very foundations of national cohesion because we said that at that point of time
23 several Christian friends, we could not say that people in the Seleka coalition are
24 foreign invaders. A part of them, in fact, originate from our country. They are
25 fellow citizens. They have claims and these claims must be addressed. And

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1 Christians, in fact, were scared of such rhetoric. There were concerns amongst
2 Christians because that would have repercussions on the cohesion of the country.

3 PRESIDING JUDGE SCHMITT: [11:50:01] Mr Vanderpuye.

4 MR VANDERPUYE: [11:50:04] Thank you, Mr President.

5 Q. [11:50:07] You indicated that there was an expression that it could have -- the
6 language or the attitude could have a detrimental impact of the cohesion of the
7 country. And that was communicated publicly, I take it? What was the reaction of
8 the Bozize regime or Bozize supporters in the face of that criticism of their position?

9 A. [11:51:02] *Everyone who did not go along with the government was considered
10 to be the enemy. They would actually call them the enemy *of the nation. This was
11 the term that was used to describe anyone who differed in their thoughts from *the
12 supporters of the government.

13 Now, there's an expression in the country to basically refer to Muslim compatriots, it's
14 "*a la arabo so*", "you, the Muslims". The underlying meaning is that "You Muslims
15 want to take our place. You want more rather than being in your place and doing
16 business, now you also want political positions."

17 So this is basically it.

18 PRESIDING JUDGE SCHMITT: [11:52:24] When you spoke about your assessment,
19 so to speak, of the speech of Mr Bozize in December 2012 and that you talked with
20 other people, was this later, afterwards also expressed, let's say, in the media in press
21 articles? You know, also this, what you mentioned, the danger to the social cohesion
22 of the country, was this in the public discussion, let's say, in the public media
23 discussion?

24 THE WITNESS: [11:53:01](Interpretation) Yes, this was broached by the media.

25 Certain political leaders who were members of the FARE publicly criticised this very

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1 rhetoric, and in the newspaper L'Indépendent we had written many articles criticising
2 and describing how dangerous this rhetoric was, this speech was that was given in
3 December at PK10 -- PK0, sorry.

4 PRESIDING JUDGE SCHMITT: [11:53:45] Have you been one of the authors of one
5 or the other articles at that time in the newspaper L'Indépendent?

6 THE WITNESS: [11:54:03](Interpretation) That's true.

7 PRESIDING JUDGE SCHMITT: [11:54:07] Are these articles -- will they be
8 submitted or ...

9 MR VANDERPUYE: [11:54:11] Some of them, Mr President, yeah.

10 PRESIDING JUDGE SCHMITT: [11:54:14] Good. Please continue.

11 MR VANDERPUYE: [11:54:19]

12 Q. [11:54:20] Mr President asked you about the public discourse regarding this
13 particular issue. Are you familiar with someone by the name of Javon Papa Zama?
14 Oh, *pardon*. I'll repeat it. Do you know someone by the name of Zama?

15 A. [11:54:52] Yes, there is Papa Javon Zama and another *person called Piko,
16 Abakar Piko, if my memory is not failing me. In fact, he was in charge of a
17 programme *on Radio Centrafrique, *which he used to openly attack our fellow
18 citizens of the Muslims faith and also the leader of the opposition, so that everyone
19 who was not part of the KNK would consider and designate Radio Centrafrique as
20 the Mille Collines radio, referring to the Rwandan radio station that contributed to the
21 genocide, the Rwandan genocide. So Javon Papa Zama and Abakar Piko were
22 basically the *government's people who were transmitting and peddling messages of
23 hatred *about our Muslim fellow citizens.

24 Q. [11:56:38] Maybe I can refresh your recollection a bit about Piko. Does the
25 name Abakar sound correct to you?

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1 A. [11:56:58] This is the first name that came to my mind. I think the surname
2 is Piko. I think. But perhaps -- his name, his first name will come back to me.
3 But they were the ones who were basically broadcasting this programme called
4 *Ye so a lingbi ti inga, Ye so a lingbi ti inga*. That's it.

5 Q. [11:57:39] That's helpful.

6 MR VANDERPUYE: [11:57:40] Mr President, I see we've got about three minutes
7 until noon, so I think it might be a good time to break if --

8 PRESIDING JUDGE SCHMITT: [11:57:43] No, that's fine with us, I think. We
9 continue until 2 o'clock. I explained why we have this little bit changed sessions.

10 So we have a little bit extended lunch break until 2 o'clock.

11 THE COURT USHER: [11:57:55] All rise.

12 (Recess taken at 11.57 a.m.)

13 (Upon resuming in open session at 2.00 p.m.)

14 THE COURT USHER: [14:00:59] All rise.

15 Please be seated.

16 PRESIDING JUDGE SCHMITT: [14:01:17] Good afternoon.

17 Mr Vanderpuye, you have the floor.

18 MR VANDERPUYE: [14:01:25] Thank you, Mr President. Good afternoon to you
19 and your Honours. Good afternoon, everyone.

20 Q. [14:01:31] Good afternoon to you, Mr Poussou.

21 I think just before we left off at the break I was asking you some questions
22 concerning -- or follow-up questions about the meeting at PK0 and about what you
23 observed with respect to the treatment of Muslims in general or the Muslim
24 population after that.

25 Now, you mentioned in the course of that discussion that we just had earlier before

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1 the break, that you had been -- or become aware of certain disappearances, and that
2 would have been towards the end of the year in 2012. And I wondered if you could
3 expand on that and tell us what information you had concerning those
4 disappearances, who were the targets of those disappearances, who were the
5 perpetrators, to your knowledge, of those disappearances and what the objective was,
6 to your knowledge as well.

7 A. [14:03:05] Thank you. Before answering that question, I would like to specify
8 one thing about what I said before the break about the radio show programme
9 *Ce qu'il faut savoir*. In actual fact, there were three people who had this radio
10 programme: Yamindi (phon), Abakar Piko and Papa Zama.

11 Now to answer your question, at that time we had information to the effect that the
12 presidential guard was attacking nationals -- rather, people from regions where the
13 armed groups were from, the Goula and the Runga people. I should specify that
14 most of our fellow citizens from that particular ethnic group are Muslim. The ones
15 in the army, there was at least a dozen whose bodies were found around the Ndress
16 cemetery in Bangui. A member of parliament who is now the minister of
17 transportation, Djono Abba, he was abducted by members of the presidential guard
18 and taken away to Bossembele. And there, well, there was a place there that gossips
19 in Bangui would refer to as Guantanamo, and torture was carried out there. So these
20 people from these areas of Runga and Goula ethnicity were being attacked.

21 Q. [14:05:44] And do you know whether this -- I see counsel is on her feet.

22 PRESIDING JUDGE SCHMITT: [14:05:59] No, I don't think so. She was on her feet
23 but not in a formal judicial way, I would say.

24 Please continue.

25 MR VANDERPUYE: [14:06:09] Thank you for that. I saw it out of the corner of my

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1 eye so --

2 PRESIDING JUDGE SCHMITT: [14:06:14] No, the purpose -- the purpose of her
3 being on her feet was a different one than an objection I would say.

4 MR VANDERPUYE: [14:06:21] Okay. Thank you.

5 Q. [14:06:31] In terms of -- now, you've mentioned that there are certain people that
6 were -- disappeared, as it were, and certain members of the Runga and Goula
7 ethnicity were targeted, but were they targeted in other ways than disappearance, for
8 example?

9 A. [14:07:12] To my knowledge, just to give you one example, the father of
10 Nouradine Adam, one of the Seleka leaders who lived in Malimaka, that's a
11 neighbourhood in Bangui, had his house raided by members of the presidential guard,
12 they roughed him up. And apparently there were also raids at Kilometre 5, the
13 Muslim neighbourhood in the city of Bangui. Those are the events that we knew
14 about.

15 Q. [14:08:25] Now, a bit earlier you mentioned Yakete, Yambete, and I'd like to ask
16 you -- and also Mr Ngaïssona, obviously. And I wanted to ask you about the
17 association, if any, among those individuals, the relation.

18 A. [14:09:14] To my knowledge, the links amongst those people were their
19 belonging to the KNK and to the inner circle of President Bozize. And when it came
20 to Mr Ngaïssona and Steve Yambete, I believe that they came from the same region,
21 except for Levy Yakete, that was from the region of Mr Bozize and his ethnic group.

22 Q. [14:10:01] And hopefully without leading I would suggest that that would be
23 Gbaya and the area of Bossangoa?

24 A. [14:10:18] Yes, indeed.

25 Q. [14:10:20] And are you familiar with an organisation called COCORA? I think

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1 you mentioned that, actually, a little bit earlier.

2 A. [14:10:36] COCORA was thought of as a militia led by Levy Yakete.

3 Q. [14:10:53] Was COCORA active at the end of 2012 and into 2013?

4 A. [14:11:09] COCORA was very active at that time. What is more, it was one of
5 the organisations that led the rally at Point Zéro, the rally that was talked about so
6 much.

7 Q. [14:11:36] And are you familiar with an organisation called COAC?

8 * A. [14:11:45] Yes. COAC was the counterpart of COCORA.

9 These two organisations were thought of as groups of militiamen close to the
10 government who organised the rally at Point Zéro.

11 Q. [14:12:18] Do you know if Steve Yambete was involved with COAC?

12 A. [14:12:38] Steve Yambete, at least going by what we knew at the time, led the
13 organisation along with Mr Ngaïssona; the two of them led it together.

14 Q. [14:12:53] Before I ask you some details about that, are you able to tell the
15 Chamber what the activities of those militia were at the end of 2012 and into the
16 beginning of 2013.

17 A. [14:13:21] As I was saying, those two militia groups were close to the
18 government and their mission was to defend the government. So in practical terms,
19 that meant they organised patrols in certthain neighbourhoods of Bangui. * The
20 COCORA was headquartered in the 7th arrondissement, whereas the COAC was
21 much more in the northern neighbourhoods, Boy-Rabe and other areas, Bogombo.
22 According to certain sources, certain organisations, they took part in the distribution
23 of machetes to their members for self-defence purposes and apparently those
24 machetes were bought for -- were bought using a donation from China. So these
25 were subdivisions, in a way, of the presidential guard or they were part of the

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1 presidential guard. So these were auxiliaries, of the presidential guard.

2 Q. [14:15:10] You mentioned that COCORA conducted patrols in the 7th
3 arrondissement. Would that be in the area of Ouango?

4 A. [14:15:30] Yes, indeed, exactly. That's part of the 7th arrondissement. Ouango
5 is part of the 7th.

6 Q. [14:15:40] You mentioned that COAC was -- conducted similar patrols including
7 in the area of Boy-Rabe. And Boy-Rabe is in the *quatrième* arrondissement?

8 A. [14:15:54] Yes, in the 4th arrondissement.

9 Q. [14:15:57] And I think you mentioned earlier that Mr Ngaïssona was a
10 representative of that area?

11 A. [14:16:15] The 4th arrondissement was Mr Ngaïssona's stronghold. He was the
12 member of parliament for that area.

13 Q. [14:16:23] Do you remember -- I didn't hear -- do you remember when he was a
14 deputy of that area?

15 A. [14:16:35] He was the deputy representing the 4th arrondissement after the
16 disastrous election of 2011.

17 Q. [14:16:49] Now, I think you mentioned a bit earlier that Mr Ngaïssona,
18 Mr Yambete were involved in COAC. And I wanted to ask you what your
19 information is about that and what was the nature of that participation.

20 PRESIDING JUDGE SCHMITT: [14:17:11] And please also I think -- it comes
21 also -- I think we also would want to know where your information comes from, what
22 the source of your information is.

23 And excuse me, Mr Knoops, but I wanted to not forget that.

24 MR KNOOPS: [14:17:28] Yes, Mr President, we let it go for some time, but we

25 (Overlapping speakers)

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1 PRESIDING JUDGE SCHMITT: [14:17:30] Yes, yes. Otherwise it costs you the time
2 when you are questioning.

3 MR KNOOPS: [14:17:34] Since the break, no single source mentioned by the witness,
4 and it's really helpful to --

5 PRESIDING JUDGE SCHMITT: [14:17:41] I understand. We have the same idea at
6 the moment.

7 So you have heard this information. It's always important for us, and of course as a
8 journalist by training and profession, you know that it is important where the source
9 of information comes from. So if you could provide us with this information too.

10 Thank you, Mr Poussou.

11 THE WITNESS: [14:18:03](Interpretation) Both COCORA and COAC issued official
12 statements, releases. If the COCORA statement was signed by Levy Yakete, that was
13 one thing. Ngaïssona signed the statements from the other organisation, from the
14 COAC, C-O-A-C.

15 MR VANDERPUYE:

16 Q. [14:18:30] I think my question was --

17 PRESIDING JUDGE SCHMITT: [14:18:33] Of course we -- Mr Vanderpuye, in the
18 further conduct of your examination, we don't have to ask it every time, but every
19 once in a while when you know there is a grouping together of matters and issues, it's
20 perhaps helpful to ask the source of the information.

21 MR VANDERPUYE: [14:18:47] Yes, Mr President.

22 PRESIDING JUDGE SCHMITT: [14:18:48] This would shorten I think also the
23 examination by the Defence, I would assume.

24 MR VANDERPUYE: [14:18:53] I doubt it, but yes, indeed I understand why
25 (Overlapping speakers)

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1 PRESIDING JUDGE SCHMITT: [14:18:57] No, no, no. No, then let me put it, it
2 would perhaps not shorten it, but it would not prolong.

3 MR VANDERPUYE: [14:19:02] Indeed.

4 PRESIDING JUDGE SCHMITT: [14:19:03] Let me put it this way. It would not
5 prolong the examination by the Defence.

6 MR VANDERPUYE: [14:19:07] Thank you, Mr President. And yes, I intend to do a
7 fair amount of that, but -- and I'll do it.

8 Q. [14:19:15] Yes, my question was -- I'm sorry for the interruption Mr Poussou,
9 that's my fault. My question was about the nature of the participation of
10 Mr Ngaïssona and Mr Yambete, to your knowledge, in COAC. What can you tell us
11 concretely about what the nature of their relationship was as concerns COAC? And
12 it would be helpful if you have specific references of information, if you can let us
13 know. You spoke to someone, or you read something or that kind of thing.

14 A. [14:20:06] Thank you. I was just saying and stressing that Mr Ngaïssona
15 published these releases or statements on behalf of COAC. That's the first thing.
16 Secondly, he was seen at the rally at Point Zéro with Steve Yambete, he was there. If
17 I recall correctly, he even spoke at that occasion during that rally. It was common
18 knowledge that Mr Ngaïssona and Mr Yambete were part of the inner circle of
19 President Bozize. So it was in their interest to defend the government one way or
20 another.

21 PRESIDING JUDGE SCHMITT: [14:21:32] Mr Knoops.

22 MR KNOOPS: [14:21:33] It would save us really time, Mr President, if the
23 Prosecution would be so kind to ask the witness on what basis the witness came to
24 the conclusion that Mr Ngaïssona was seen at the rally.

25 PRESIDING JUDGE SCHMITT: [14:21:46] Well, yeah, I think you're right, but "was

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1 seen" is a passive construction.

2 So did you see him at the rally, Mr Poussou?

3 THE WITNESS: [14:22:06](Interpretation) I did not attend the rally at Point Zéro.

4 So since I wasn't there at place Zéro, I can't say that I myself saw Mr Ngaïssona.

5 PRESIDING JUDGE SCHMITT: [14:22:29] Then to make it not too complicated, did

6 somebody later on tell you that Mr Ngaïssona was at the rally? Is that -- is that

7 where you have this information from?

8 THE WITNESS: [14:22:45](Interpretation) Absolutely. L'Indépendent sent a

9 journalist to cover the rally, who prepared a report and quoted a number of people

10 who had been at the rally.

11 PRESIDING JUDGE SCHMITT: [14:23:03] Thank you. And that's exactly,

12 Mr Poussou, that's exactly the kind of information that we additionally as the judges

13 would need to really capture fully what you are saying. Thank you very much.

14 Mr Vanderpuye.

15 MR VANDERPUYE: [14:23:20]

16 Q. [14:23:22] Just before I move on, do you know if there was a rally that was held

17 on 15 March 2013 to celebrate Mr Bozize's 10 years of power in Bangui?

18 A. [14:23:46] Yes. There was a large rally at the stadium, the one with 20,000 seats.

19 Q. [14:24:02] And do you know if Levy Yakete appeared at that stadium during the

20 course of that rally along with Bozize?

21 A. [14:24:32] I can't say so, but I suppose that he was there since his organisation

22 was close to President Bozize and his organisation had already organised the rally at

23 Point Zéro in December.

24 Q. [14:24:57] Okay. Well, I don't want you to speculate so if you don't know, then

25 that's fine and you just say so. But do you know if Mr Ngaïssona was at that rally?

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1 A. [14:25:14] I don't know.

2 Q. [14:25:15] Okay. Let me bring you back then to COAC and COCORA. You
3 mentioned that there was a distribution of machetes that came from China. First of
4 all, how do you know that? Where did that information come from?

5 A. [14:25:45] That information was in the press. Practically all the newspapers in
6 Bangui reported on it at that time.

7 Q. [14:25:58] And was -- well, who was involved in the distribution of those
8 machetes, if you can recall, and what your information was?

9 A. [14:26:20] Witnesses reported to us that they had seen Levy Yakete distributing
10 machetes in Ouango, in particular, Ouango.

11 Q. [14:26:38] Did you have any information concerning Mr Ngaïssona or
12 Mr Yambete with respect to the distribution of those machetes?

13 A. [14:27:01] Going by what we were told, there were a lot of information going
14 about. I did not see, but I heard from sources that Mr Yambete and Mr Ngaïssona
15 also were distributing machetes because at the time there was sort of a competition
16 between the COCORA and COAC. They were competing - how should I put
17 this - competing, trying to show which one was more zealous in defending the
18 regime.

19 MR KNOOPS: [14:27:56] Could we perhaps -- could we perhaps now also hear the
20 source.

21 MR VANDERPUYE: [14:28:03] You know, Mr President.

22 PRESIDING JUDGE SCHMITT: [14:28:05] Yes, Mr Vanderpuye.

23 MR VANDERPUYE: [14:28:06] I take Mr Knoops' suggestion to heart. I'm coming
24 to it, but I don't think it's obligatory for us to lead evidence which will be the subject
25 of cross-examination, even though it may be helpful, and I'll try to do that --

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1 PRESIDING JUDGE SCHMITT: [14:28:29] Yes, yes, but --

2 MR VANDERPUYE: [14:28:24] -- but I don't think that it's --

3 PRESIDING JUDGE SCHMITT: [14:28:26] No, well, it's simply -- as I said, I think it
4 would help also your examination if at the appropriate point in time the witness is
5 asked and answers where the source of information is, but of course we don't have
6 to -- you know, after every information given we don't have to ask that. And of
7 course it's your examination and if the Defence is interested in it, they may pick it up
8 later.

9 MR VANDERPUYE: [14:28:59] I mean, I don't want to escalate anything, I'm just --

10 PRESIDING JUDGE SCHMITT: [14:29:04] No, no, it's not about escalating. As I
11 said, it's -- like often, it's not mathematics. You see, sometimes -- and by the way,
12 exactly at the moment when Mr Knoops first raised it, I thought I would also be
13 interested now where it comes from. But of course it would be, let's say, very
14 cumbersome --

15 MR VANDERPUYE: [14:29:27] No, it's actually fine. It's just the point I was going
16 to make in a very long way, as I do sometimes, is that was literally my next question,
17 so it's not that helpful at the end of the day to anticipate it (Overlapping speakers)

18 PRESIDING JUDGE SCHMITT: [14:29:41] Okay. It's fine. It's fine. I think it was
19 not meant by Mr Knoops to interrupt you.

20 MR VANDERPUYE: [14:29:47] No, certainly not.

21 PRESIDING JUDGE SCHMITT: [14:29:49] No, no, it's okay. I think we simply
22 continue.

23 MR VANDERPUYE: [14:29:51] Sorry.

24 PRESIDING JUDGE SCHMITT: [14:29:52] And of course, you know, in the end, the
25 judges have to assess everything and one part of the assessment is of course where

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1 the information comes from, how valid this may be and so on and so forth, and
2 everybody in the courtroom, every counsel is of course aware of that.

3 Please continue, Mr Vanderpuye.

4 MR VANDERPUYE: [14:30:16] Thank you, Mr President. Sorry about that.

5 Q. [14:30:19] Mr Poussou, first, are you able to recall where you got that
6 information from, that is, with respect to Mr Ngaïssona's participation and
7 Mr Yambete's participation in the distribution of machetes ostensibly from China?

8 A. [14:30:43] I read this in the press in Bangui and I also discussed this matter with
9 certain political leaders.

10 Q. [14:30:54] So I have two questions with respect to that. One is, do you recall
11 the political leaders you discussed with this and are you disposed to give their names
12 in public? And do you recall who or what member of the press penned, let's say, the
13 article or the story that you read concerning the matter?

14 A. [14:31:33] Almost 10 years have passed since, so I can't precisely remember
15 which leaders I discussed these matters with. However, I seem to remember reading
16 this information in the Démocrate, which is a Bangui daily newspaper.

17 Q. [14:32:04] Do you know somebody by the name of Marcel Dexter Gazikolguet?

18 A. [14:32:14] Yes, Marcel Dexter Gazikolguet is a journalist -- or was a journalist, he
19 is now deceased, and he used to work for the Dernières Nouvelles and at that time
20 resided in the 4th arrondissement of Bangui. He occasionally worked with
21 L'Indépendent, which had informed me that the COAC, without telling me who did
22 what specifically, but I was informed that * the leaders of the COAC were distributing
23 machetes in the 4th arrondissement.

24 Q. [14:33:05] All right. That's helpful.

25 One further question in relation to that: Do you recall about when it is that you

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1 received that information? Just approximately. I know it's been a long time so ...

2 A. [14:33:24] This was between December 2012, the end of December 2012 and
3 January 2013.

4 Q. [14:33:37] Okay. That's also very helpful.

5 In terms of -- now, you've described COCORA and COAC as militia. Do you know
6 anything about how it is that they recruited people or obtained members?

7 A. [14:34:13] Specifically in practical terms I couldn't really say how they recruited
8 their members. However, in the 4th arrondissement, there's a football club, the
9 *Stade Centrafricain*, the Central African Stadium. Mr Ngaïssona was the leader, the
10 president of this football club, and he -- and there were many football fans that were
11 part of this group. Certain COAC members were fans of the *Stade Centrafricain*.

12 Q. [14:35:09] When you describe that there was a sort of competition between
13 COAC and COCORA to defend *la patrie*, what sorts of things came to your knowledge
14 that they were doing in that respect? What kinds of activities, other than patrols, if
15 any, were they engaged in?

16 A. [14:35:57] To my knowledge, these two organisations were verbally competing
17 to see who could be more belligerent when it came to their radio communications and
18 the different releases that they published.

19 Q. [14:36:32] Did you hear that they were calling for attacks against people that
20 opposed the regime during that period of time, that is in 2012, December-ish, into the
21 early part of 2013?

22 A. [14:37:00] They weren't directly calling for attacks against people, but what they
23 stated was that the homeland had to be defended, the homeland had to be defended
24 against invaders, foreign invaders who were supposedly part of the Seleka coalition
25 and who had relatives or people close to them in Bangui. So defending the

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1 homeland in the common understanding at the time was meant to be vigilant, vigilant
2 in relation to these people who were considered close to the Seleka.

3 Q. [14:38:04] Let me show you a document. It's at tab 1 of the Prosecution binder,
4 it's a UN Security Council issuance dated 9 May 2014. It's CAR-OTP-2001-0984.

5 We can zoom out a little bit, and then we'll go to the next page.

6 So you can see here that it's a document issued by the Security Council and it refers to
7 three individuals apparently subject to sanctions or that will be subject to sanctions.

8 One is Bozize, President Bozize; Nouradine Adam is the second one; and then

9 Levy Yakete is the third. If we can go just to page 0985, at the bottom you'll see his
10 name and information.

11 And then if we go to the next page, 0986, I'll come to the substance of my question.

12 In the middle of the paragraph, I'll read it, it says:

13 "Yakete has been accused of ordering the arrest of people connected to the Seleka,
14 calling for attacks on people who do not support President Bozize, and recruiting
15 young militiamen to attack those hostile to the region with machetes."

16 My question first is does this accord with your understanding of the situation as it
17 appears to be set out here in December 2012 into the beginning of 2013 with respect to
18 Mr Yakete?

19 MR KNOOPS: [14:40:01] Mr President, I think the witness answered already this
20 question. He explained that it was not attacking, but defending, and Prosecution are
21 trying to circumvent his answer by putting a leading question to the witness.

22 PRESIDING JUDGE SCHMITT: [14:40:17] I think the witness is not -- this is
23 definitely not, if I may say so, a witness who can be led. He is -- well, he completely
24 understands his role and he differentiates between what he has experienced himself,
25 where he has source of information, where he cannot tell us anything.

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1 It's not exactly the same question, so the witness may answer it.

2 THE WITNESS: [14:40:50](Interpretation) Can you please repeat the question.

3 MR VANDERPUYE: [14:40:53]

4 Q. [14:40:53] I was hoping you would remember it. I'll try again.

5 PRESIDING JUDGE SCHMITT: [14:40:57] Without reading it. You can --

6 MR VANDERPUYE: [14:40:59] Yes.

7 PRESIDING JUDGE SCHMITT: [14:41:02] You can draw out --

8 MR VANDERPUYE: [14:41:03] It doesn't read -- I assume --

9 PRESIDING JUDGE SCHMITT: [14:41:04] You can draw the information out of
10 the -- out of the document. That's always the best I would say.

11 MR VANDERPUYE: [14:41:06]

12 Q. [14:41:07] What this document seems to suggest is that Mr Yekatom was
13 involved in calling for attacks on people who didn't support President Bozize. You
14 said that it wasn't explicit. My question is whether or not it is implicit -- was implicit
15 and whether or not your understanding of the situation is consistent with what we
16 see in this report?

17 MR KNOOPS: [14:41:35] Mr President, how -- Mr President, I object. How can a
18 witness say something about what implicitly was meant by another person? It's
19 simply not possible to ask the witness what somebody implicitly means.

20 PRESIDING JUDGE SCHMITT: [14:41:50] Well, I think it's -- we lose so much time
21 with that. So I give it a try again.

22 So the information that is being given here is that it seems to suggest that Mr Yakete
23 has ordered the arrest of people connected to the Seleka, called for attacks on people
24 who do not support President Bozize and recruit young militiamen to attack those
25 hostile to the regime with machetes. Do you have information from the time that

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1 would support this suggestion or do you not have such information?

2 THE WITNESS: [14:42:35](Interpretation) In any case, at that time, this is what was
3 being said around that time. It's not the first time that I've heard or read this type of
4 information. This was common knowledge at the time. However, personally
5 speaking, I did not see the attacks and I was not privy to the orders that were given
6 by Yakete to arrest people. * But he made public statements attacking all those who
7 were -- all those who were supposedly close to the Seleka.

8 PRESIDING JUDGE SCHMITT: [14:43:27] Thank you for that differentiation,
9 Mr Witness.

10 Mr Vanderpuye.

11 And again also I assume this is a document that will be submitted.

12 MR VANDERPUYE: [14:43:39] (Microphone not activated)

13 PRESIDING JUDGE SCHMITT: [14:43:40] And again I assume that this is a
14 document that will be submitted.

15 MR VANDERPUYE: [14:43:45] That's the plan.

16 PRESIDING JUDGE SCHMITT: [14:43:46] Yes.

17 MR VANDERPUYE: [14:43:47] Yes, Mr President.

18 Q. [14:43:51] I referred you earlier to a document at tab 50 of the Prosecution binder.
19 It's CAR-OTP-2123-0437. And it's a document when I asked you about earlier you
20 said you were familiar with it, you had read it and that you mostly agreed with what
21 was said in it.

22 Wait a minute ...

23 A. [14:44:32] Precisely.

24 Q. [14:44:39] Okay. What I wanted to ask you about is at page 448, which refers
25 again to this distribution of machetes by Levy Yakete, but it also mentions someone

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1 by the name of Christian Guenebem. I think you can see that in the second sentence
2 on this page. Can you tell us who Christian Guenebem is, if you know.

3 A. [14:45:26] Christian Guenebem was at that time the leader of the KNK youth
4 movement. Presently he is the interim leader of the KNK group which is the party
5 of President Bozize.

6 Q. [14:45:53] Were you aware of the, at least according to this, apparent
7 participation of the KNK *jeunesse* and the activities of COCORA?

8 A. [14:46:26] COCORA's base is the KNK because the head of COCORA was an
9 eminent member of the political bureau of KNK. So the KNK *jeunesse*, the KNK's
10 youth wing was part of COCORA.

11 Q. [14:47:04] Do you know if Mr Guenebem was linked to Yambete or linked to
12 Mr Ngaïssona?

13 A. [14:47:23] I have no information with regards to any link between these three
14 men, but I do know that Guenebem is also Gbaya from Bossangoa.

15 Q. [14:47:44] And do you know what the role of the minister of youth would be
16 with respect to the activities of the KNK youth? Is there a relationship between
17 them?

18 A. [14:48:22] From the moment the national unity government was created as a
19 result of the Libreville agreement, Mr Ngaïssona was named as head of the Ministry
20 of Youth and Sports. And after he obtained this position, Mr Steve Yambete had also
21 been nominated as a *chargé de mission*, as a responsible person within this
22 organisation.

23 Observers at the time analysed these nominations and they stated that these had
24 taken place so that these two KNK members could organise the Central African youth
25 in order to defend the interests of the regime. That is what observers had stated.

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1 Those are the analyses that were made.

2 It's the Ministry of Youth and Sports which organises the youth. There's a vote, in
3 any case, there's an election. And there's a national council of youth in our country
4 and it is the ministry of youth that organises the -- these votes, these elections in order
5 to nominate their leaders. And the members of this council were youth from the
6 KNK. Christian Guenebem, for example, was the leader of the Central African
7 youth group.

8 Q. [14:50:45] Can I ask, have you ever heard of the movement *Mouvement des Jeunes*
9 *Républicains pour la Paix en Centrafrique*, MJRPCA?

10 A. [14:51:07] This is the first time that I've heard of this term.

11 Q. [14:51:16] There are obviously many, many groups that were around at that
12 time.

13 Have you heard of somebody by the name of Guerson Nganadekoe?

14 A. [14:51:38] Yes.

15 Q. [14:51:38] In what context?

16 A. [14:51:51] Mr Guerson, that is what I call him, I first heard of his existence when
17 I was working for the cabinet -- for the prime minister's office, Mahamat Kamoun,
18 because he would come there to see the prime minister, Mahamat Kamoun, as he
19 claimed to be Anti-Balaka. That's how I found out about his existence, but I couldn't
20 tell you what he did exactly.

21 Q. [14:52:50] Okay. Did you hear that he was a project manager for the youth
22 promotion and mobilisation under Prime Minister Kamoun's office?

23 A. [14:53:16] I never heard of this piece of information.

24 Q. [14:53:21] Now, you referred to Mr Ngaïssona's involvement with COCORA or
25 COAC and those militia at the end of 2012 and into the beginning of 2013. And you

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1 mentioned the national unity government in which Mr Ngaïssona was named as
2 minister of youth and also with respect to Steve Yambete being named as *chargé de*
3 *mission*.

4 Now, in anticipation of my colleague's question, you came into that information how?

5 A. [14:54:26] This is public information. There was a decree, a decree that was
6 published which named Mr Ngaïssona as minister of youth and sport and another
7 decree which named Steve Yambete as *chargé de mission* I think with regards to youth
8 under the Ministry of Youth and Sports.

9 Q. [14:54:54] And did you discuss within your circles, journalistic circles or
10 contacts that you had with politicians and others at the time what were the
11 circumstances under which the two of them were named to those positions?

12 A. [14:55:27] At that time politics took up a good part of our lives. What I
13 remember is that it was said at the time that these two, or the nomination of
14 Mr Ngaïssona within the national unity government, this was a reward, that he was
15 rewarded for the actions he had undertaken leading the COAC. This was what was
16 being said at the time, that he obtained this position as a reward for those actions. So
17 I think I've answered your question correctly if I've understood it well.

18 Q. [14:56:30] Yes, you have -- you have understood the question and you've
19 answered. But my question I think also entails the circles, that is the individuals
20 with whom that discussion was had. If you can recall. I mean are we talking about
21 somebody that you'd just run into on the street or are we talking about people in the
22 corridors of power, well-informed journalists? That kind of thing.

23 A. [14:57:08] I was acquainted with a certain number of people who belonged to
24 that government, for example, the minister of public works, Crepin Mboli-Goumba,
25 who is an old friend of mine so you can well imagine that we talked about these

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1 issues almost every day.

2 Q. [14:57:43] That's helpful as well.

3 Do you have any idea about how many members of these militia there were during
4 that period of time? If you don't know, that's fine.

5 A. [14:58:17] No idea. No idea.

6 Q. [14:58:23] And I want to ask you about the period of time where the Seleka came
7 into Bangui because you mentioned that a little bit earlier. And as you can imagine,
8 this Chamber has received a lot of evidence concerning that. But according to the
9 information you had, at the moment that the Seleka entered Bangui, did a number of
10 individuals join the group?

11 A. [14:59:14] Indeed. And as a matter of fact, when I was a member of the
12 government, President Djotodia stated that the elements that continued to commit
13 violations within the city of Bangui were made up of the youth who had joined the
14 Seleka when they were on their way to Bangui and also within Bangui.
15 What you need to know is this: When this rebellion took control of the city of
16 Bangui, the dominant feeling in the city was one of relief. People were relieved that
17 they had gotten rid of the previous regime.

18 Unfortunately, in the days and weeks that came after, the Seleka elements continued
19 to carry out abuses and to pillage the citizens of Bangui, which turned public opinion
20 against them. But people did join the Seleka in Bangui, and not only Muslims,
21 contrary to what you might expect. Although, of course there were Muslims who
22 joined the Seleka in Bangui, but also Christians, Christians also joined the Seleka in
23 Bangui.

24 Q. [15:01:24] I think it may invite some speculation, but I'll ask it anyway.

25 Did you have any information about the relative numbers of people that joined the

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1 Seleka once they arrived in Bangui?

2 A. [15:01:50] No.

3 Q. [15:01:54] Same question with respect to those that joined the Seleka on the path
4 from Birao all the way down to Bangui.

5 A. [15:02:16] We had no idea of the numbers, the number of people who officially
6 belonged to the Seleka and those who joined later. There are no such numbers.

7 Q. [15:02:33] The information that you have that people joined the Seleka on the
8 path and also in Bangui, Muslims and Christians as well, where does that information
9 come from?

10 A. [15:03:02] I told you, the president of the transition at the time, Michel Djotodia,
11 said so publicly that some young people who had nothing better to do joined the
12 Seleka in Bangui and they were engaged in acts of violence and abuse, and I myself
13 repeated that officially during an interview with *Radio France Internationale*.

14 Q. [15:03:44] Okay. After Djotodia took power in Bangui, are you familiar with
15 the political process that followed with respect to the setting up of the transition
16 government which he ultimately came to preside over?

17 A. [15:04:20] One must remember that the transitional government was something
18 that emerged from the Libreville agreements. * Mr Djotodia himself was the deputy
19 prime minister, minister of defence, before he took power.

20 So when his men entered Bangui, they met up with Nicolas Tiangaye and with a
21 number of government members who belonged to the opposition. And given the
22 military strength, well, he was able to impose himself at the head of the transitional
23 government. He was able to keep Tiangaye in his position and then proclaim
24 himself to be president of the republic.

25 Q. [15:05:52] Do you know if at a certain point the Community of Central African

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1 States was involved in the political process concerning the establishment or
2 maintenance of the transitional government?

3 A. [15:06:23] It was thanks to the Community of Central African States that the
4 Libreville agreements were negotiated and entered into. Those agreements were
5 what allowed for the establishment of a national unity government. The
6 Community of Central African States was supporting that government. They
7 supported the process since they had an interpositional force deployed in the country.
8 So it can be said that the Community of Central African States was part of all of this,
9 and when the coup d'état occurred, if it was necessary to take things right to their
10 very conclusion, Djotodia should not have maintained Minister Tiangaye in his
11 position. One of the signatories of the Libreville agreement was driven out of power,
12 namely President Bozize. So those agreements in actual fact became obsolete. But
13 because it was necessary to save face, save appearances, the Community of Central
14 African States - how should I put this - agreed or supported the establishment of new
15 transitional authorities.

16 Q. [15:08:37] (Microphone not activated)

17 THE INTERPRETER: [15:08:39] Microphone, please.

18 PRESIDING JUDGE SCHMITT: [15:08:41] Microphone, please.

19 MR VANDERPUYE: [15:08:43] Sorry.

20 Q. [15:08:45] Do you know if Djotodia accepted or acceded to certain conditions
21 that were proposed by the CEEAC with respect to his heading of the transition?

22 A. [15:09:28] One of the rules set by that community was to oppose regime change
23 through force. So, in actual fact, the Community of Central African States should not
24 have accepted the regime that came out of the rebellion. If the president -- if
25 President Djotodia had kept Tiangaye in his position, it could be said that it was one

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1 of the conditions that the Community of Central African States imposed to recognise
2 his regime and to go along with this regime and provide support until the
3 organisation of democratic elections.

4 Q. [15:10:41] That's very helpful.

5 Aside from the recognition of the transition by the CEEAC, what's your
6 understanding of the position of the transition relative to the institutions within the
7 country, that is, the parliament or the assembly at that time, so from April up until,
8 let's say, August when Mr Djotodia was inaugurated?

9 A. [15:11:46] After he entered Bangui, Djotodia dissolved parliament, the
10 parliament that had been elected during the 2011 election. He also abolished the
11 constitution of 2005. Thus, he governed by way of order, government order or
12 decrees to legalise his actions. And then a transitional parliament was established,
13 namely, the National Transitional Council with representatives from various entities,
14 entities from the -- from general society within the country. These people were
15 coopted and constituted this National Transitional Council which served or acted as a
16 kind of parliament. This council sort of gave a somewhat democratic appearance to
17 things during that period of time and then Djotodia was elected (Overlapping
18 speakers)

19 Q. [15:13:35] Did you hear that one of the conditions of President Djotodia's
20 stewardship of the transition government was that he could not run for president at
21 the end of his term when a duly elected government would be put in place?

22 A. [15:14:07] That was one of the prohibitions -- or, rather, the provisions of the
23 transitional charter which set out that neither the president of the transition nor the
24 prime minister or the president of the National Transitional Council, none of them
25 were to run in the presidential elections stemming out of the transitional process. So

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1 this was a provision found in the transitional charter.

2 Q. [15:14:51] And was there discussion about this transition government charter
3 within your circles? I mean, was it considered illegitimate or legitimate?

4 A. [15:15:24] Well, a legal framework was necessary for the various actions taken
5 by the transitional authorities. So necessarily, the transitional charter had to be
6 established.

7 * What I do know from the discussions that were held when this charter was being
8 drawn up is that these discussions for the most part had to do with the provisions
9 regarding countersigning arrangements for the president and the prime minister. The
10 people close to Michel Djotodia were not necessarily in agreement with these
11 countersigning provisions, provisions that I should remind you were something that
12 stemmed from the Libreville agreements. It was the Libreville agreements you see
13 that provided for countersigning arrangements to ensure that the president of the
14 republic would not take action or embark the country upon other paths.

15 So during the negotiation of the charter there was a certain antagonism between
16 supporters of Djotodia and members of the opposition within the transitional
17 government in this regard.

18 Q. [15:17:30] Thank you. That's very helpful.

19 What I'd like to ask you about is your activities following the coup d'état. So at the
20 time of the coup d'état, were you in Bangui?

21 A. [15:18:01] When the Seleka entered Bangui, I was not there, but I went back to
22 Bangui three days after the coup d'état.

23 Q. [15:18:13] First, I take it you were aware that there was a coup d'état that had
24 occurred before you returned to Bangui?

25 A. [15:18:29] Yes. There was a coup d'état and that's precisely why I went back.

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1 Q. [15:18:36] You said you returned about three days later.

2 A. [15:18:44] I went back to Bangui on 27 March. The coup d'état was on the 24th,
3 and on the 27th I returned to Bangui on an Air France flight.

4 Q. [15:19:00] What did you go back to Bangui to do? What was the purpose of
5 your return?

6 A. [15:19:10] I went back to Bangui to give a report. At the time, I was the head of
7 a magazine called Afrique Nouvelle. My idea was to report on the situation in the
8 country and also meet with the people responsible for the national political scene.

9 Q. [15:19:44] Okay. I take it you were involved with people that were actors in
10 this political -- in these political events, in this circumstance?

11 A. [15:20:08] Absolutely.

12 Q. [15:20:10] Okay. Let me show you a document. It is tab 51.

13 It should not be broadcast. It's tab 51 of the Prosecution binder,

14 CAR-OTP-2123-0452.

15 I think you've seen this before. It is the hotel register.

16 A. [15:20:40] I confirm that.

17 Q. [15:20:42] And maybe we can just blow it up. I'll ask you some questions. I

18 won't -- as we're in public session, I won't name the names, but I will see if I can

19 indicate to you where they are. So the third name down -- I'm sorry, from the top.

20 Do you see the third name down there, is that somebody that's known to you?

21 A. [15:21:17] I know that person.

22 Q. [15:21:18] Is this a person that you spoke to about the events that had transpired
23 during the course of the coup and up to the coup and so on?

24 A. [15:21:39] We took the plane together with that person from Paris to Bangui.

25 And just by way of an anecdote, it was using my telephone, well, the first Air France

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1 flight that went to Bangui after the coup d'état stopped in N'Djamena, there was a
2 technical stop, and using my phone, that person called Michel Djotodia, who just
3 happened to be his brother. So we talked a lot about the country's situation. But in
4 general terms or over all, I would say ...

5 Q. [15:22:44] That's helpful. And you can see three names down from him. Do
6 you recognise that name? It starts with "M".

7 A. [15:23:07] Yes, I do know that person.

8 Q. [15:23:11] (Overlapping speakers) is that an individual that you spoke to and
9 discussed also the events?

10 A. [15:23:16] No.

11 Q. [15:23:19] Okay. Three names down from that person, another name starts
12 with "B".

13 A. [15:23:39] Yes, I know that person very well. We also travelled together. He
14 was in the plane with us.

15 Q. [15:23:51] And how do you know this person?

16 A. [15:23:57] We were in Paris in an organisation part of the Central African
17 Republic diaspora, so that is how I came to know him.

18 Q. [15:24:23] And did that person have any association with the Seleka to your
19 knowledge?

20 A. [15:24:34] That person later showed me a document signed by Nouradine Adam
21 asking him to seek out investors. And in the meantime, according to the information
22 that my acquaintances in the Seleka told me about, this person was engaged in
23 intelligence gathering for Nouradine Adam.

24 Q. [15:25:17] Now I see a name underneath that one, Bara Leopold, which I think
25 I can say safely.

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1 A. [15:25:34] That's the person I was talking about.

2 Q. [15:25:38] (Overlapping speakers) So what about the name above that where it
3 says –

4 PRESIDING JUDGE SCHMITT: [15:25:40] Two things. First of all, before I give
5 Ms Dimitri the floor, you're now accelerating a little bit, your speech. So the witness
6 is completely following the instruction, but you are getting a little bit too quick.
7 Ms Dimitri, now your objection.

8 MS DIMITRI: [15:25:58] Thank you, Mr President. It's not an objection, but we had
9 the impression that from the second time you told him to go three names down you
10 were not talking about the same person, and that impression has now been confirmed.
11 So I think even the answers that he gave to the previous names are probably incorrect
12 because I think the mistakes -- the mistake happened after your second attempt to
13 have him go down three names.

14 MR VANDERPUYE: [15:26:24] Maybe we can go to private session, with your leave.

15 PRESIDING JUDGE SCHMITT: [15:26:27] Yes, we go to private session and then we
16 speak out so that there can be no -- thank you, Ms Dimitri, for that.
17 Private session.

18 (Private session at 3.26 p.m.)

19 THE COURT OFFICER: [15:26:42] We are in private session, Mr President.

20 MR VANDERPUYE: [15:26:55] Okay. This will be much more helpful. Thank
21 you very much, Counsel.

22 Q. [15:27:03] All right. So the first name I was referring to was someone named
23 (Redacted)
24 (Redacted)
25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 MR VANDERPUYE: [15:28:39] Yes, yes. It was brought to my attention by my
18 colleague as well. He did the same.

19 PRESIDING JUDGE SCHMITT: [15:28:43] Okay. Just shortly, can we now continue
20 until 4 o'clock without the short break, if everyone agrees? Is this okay with the
21 interpreters? We don't make this a general thing, but now we continue.
22 Please.

23 MR VANDERPUYE: [15:29:01] Thank you, Mr President.

24 (Redacted)

25 (Redacted)

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1 (Redacted)

2 (Redacted) Do you know anybody by that name?

3 A. [15:29:29] Yes. But the name, just the name. I think he's a former soldier. I
4 don't think I've actually met him. I know the name. I don't believe I've ever
5 interacted with him.

6 Q. [15:29:49] A few names beneath him you'll see the name (Redacted)

7 Do you know him?

8 A. [15:30:06] I don't know him.

9 Q. [15:30:07] All right. If we go down the page almost about two-thirds down,
10 you will see the name (Redacted). Do you know (Redacted)?

11 A. [15:30:26] I know him very well. I actually consider him as my brother.

12 Q. [15:30:35] And then you'll see the name (Redacted). Do you know him?

13 A. [15:30:45] He is (Redacted)

14 (Redacted)

15 Q. [15:31:07] Then you'll see your name highlighted in yellow. You've seen this
16 document before, obviously. And underneath your name you'll see the name
17 (Redacted). Do you know him?

18 A. [15:31:23] I know him well.

19 Q. [15:31:25] Are these individuals, at least the ones that you know and spoke to,
20 are these people that you discussed the events that were transpiring at the time, the
21 coup, the reaction to the coup, political issues that were going on as a result of that in
22 that period of time? So here you can see, for example, your arrival at this particular
23 hotel on (Redacted)

24 (Redacted)

25 (Redacted) Did you discuss what was going on at the time with those individuals?

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1 A. [15:32:22] At that time, no, since I had already left Bangui when these persons
2 arrived. So except for (Redacted), with whom I did speak about the situation,
3 and (Redacted), except for them, at that time, I did not
4 speak with these people about the situation within the country. However,
5 (Redacted), well, I spoke to him many times

6 about the situation in the country. We even met up in Libreville to speak about the
7 situation of the country and that was in 2008. And (Redacted), as I said, I consider
8 him as a brother of mine since I was very close to (Redacted). And when he was a
9 spokesperson for the Seleka (Redacted), we used to meet regularly, rather regularly.

10 Q. [15:33:47] That's very helpful. And what I'm getting at is to see if your sources
11 of information of the people you've exchanged with were particularly well placed to
12 give you the kind of information that you're reporting here during your testimony.
13 Just for the record, just to inform the Chamber, you can see the stamp that this is from
14 the (Redacted), it's on the next page. Just so that you're -- just so that the Chamber is
15 aware of it.

16 During your time in Bangui when you came back immediately after the coup, did you
17 spend any time at the Hotel Ledger?

18 A. [15:34:48] Of the seven days I spent in Bangui I spent five at Hotel Ledger. I
19 lived there, I was staying there, so I spent most of day at Hotel Ledger, which was in
20 reality the centre, the seat of power.

21 Q. [15:35:08] And can you tell the Chamber what you did while you were there
22 during those five days?

23 * A. [15:35:15] I spent most of my time exchanging views with the minister of state,
24 the minister of public works, Mr Crépin Mboli-Goumba. I met Prime Minister
25 Tiangaye, who was also staying there. I took lunch with President Djotodia and a

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1 certain number of other people. And then the next day, I -- he received me together
2 with his -- his legal adviser or the person who held the function of legal adviser. His
3 name was Mbomi, the name of this magistrate.

4 And when President Djotodia met with me, when he accorded me this meeting, he
5 suggested that I be named communications adviser within his cabinet. I refused this
6 offer, of course, and told him that I had the feeling that the situation was not under
7 control and that it would be difficult under those conditions to accept this offer.

8 I then also gave him some advice. I advised him on the contents of what he had said
9 or what he was going to say, because he was going to hold a press conference, he was
10 going to meet with the international press and so I gave him a few language tips. I
11 gave him a few points of language and then I spoke with other important people
12 there because Ledger at the time was the seat of power at the time, it was the only
13 secure place in city at that time and so there was many people within Ledger and I
14 spent a lot of time exchanging with those people.

15 Q. [15:38:29] Did Djotodia ever tell you why it is that he chose you or he had
16 thought of you to be his communication adviser within his cabinet?

17 A. [15:38:56] He didn't give me reasons as such. However, I suppose that it was
18 because my independent media publication, The Independent, had contributed
19 through its analysis and publishing statements and other items on the rebellion and
20 also because Charles Massi, may he rest in peace, had introduced us because the head
21 of all of this before he left us was Charles Massi. So I think it was also a proposal
22 that was made in a certain way in honour of Charles Massi.

23 Q. [15:39:55] You mentioned someone named (Redacted)

24 (Redacted)

25 (Redacted)

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1 MR KNOOPS: [15:40:22] Mr President, sorry, my colleague just alerted me that
2 we're still in private session.

3 PRESIDING JUDGE SCHMITT: [15:40:25] Indeed, indeed. I also -- it also escaped
4 my attention. Thank you to your colleague and to you. We can go to open session
5 of course. That was -- I was not aware of.

6 (Open session at 3.40 p.m.)

7 THE COURT OFFICER: [15:40:49] We're back in open session, Mr President.

8 MR VANDERPUYE: [15:40:53] Thank you.

9 And thank you, Mr Knoops, for that intervention. I completely was lost --

10 PRESIDING JUDGE SCHMITT: [15:41:00] Well, that happens. And what do we
11 have now, the fourth hour or something, it can happen.

12 MR VANDERPUYE: [15:41:09]

13 Q. [15:41:10] Now, you indicated that you turned down the offer to be
14 communication adviser to Mr Djotodia. What did you do after that?

15 A. [15:41:34] I carried out my reports and then I took the plane and went back to
16 France. I spent a week in Bangui and then I went back to France.

17 Q. [15:41:53] And how long did you remain in France until you -- well, how long
18 did you remain in France.

19 A. [15:42:05] I don't remember exactly how much time I stayed in France, but in
20 any case, I travelled to Cameroon after having gone to France. So after France, I
21 went to Cameroon, but I don't remember exactly how much time I spent in France.
22 But I think I went to Cameroon sometime in April. So the coup took place in March,
23 from the 27th until 2 or 3 April I was in Bangui, then I went to France, and then
24 sometime later I went to Cameroon.

25 Q. [15:43:00] Okay. In your statement at paragraph 56 you indicate that you

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1 stayed two weeks in France before going back to -- or before going to Cameroon.

2 Does that sound about right?

3 A. [15:43:19] That's correct.

4 Q. [15:43:20] That's at paragraph 56 of your statement in any event.

5 Now, when you were in France for those two weeks, were you in contact with a

6 number of the individuals that we discussed earlier or other members of the diaspora

7 that might have been there?

8 A. [15:43:57] As I've already stated, I had exchanges with many of my fellow

9 countrymen, and if I went to Cameroon, that is because I had had exchanges with one

10 of President Bozize's sons with regards to the situation within the country and I told

11 him that I wanted to interview his father. That is how he enabled me to go to

12 Cameroon or why he called upon me to go to Cameroon. And so I did speak with

13 certain players within the African -- about the African crisis.

14 Q. [15:44:52] And Bozize's son, the one that you spoke to, which son was it?

15 A. [15:45:02] This was Socrate Bozize.

16 Q. [15:45:07] And was he among the individuals in this diaspora -- I think

17 you -- well, at least it was translated as follows, it was a diaspora organisation that

18 you were part of?

19 A. [15:45:22] No, not at all. He was with his father in Yaounde.

20 Q. [15:45:28] And so the individuals that were part of the diaspora

21 organisation -- first of all, was it an organisation? Was it organised in some way or

22 are we just talking about people who know people?

23 A. [15:45:45] It was informal. We all had exchanged with each other pertaining to

24 the situation, but there was no legal entity, legal organisation as such.

25 PRESIDING JUDGE SCHMITT: [15:46:10] Before we continue.

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1 Ms Dimitri.

2 MS DIMITRI: [15:46:12] Thank you, Mr President. It's just a matter of procedure.

3 If you look on channel 1, the statement is on the channel and it's not a 68(3) statement

4 and we had established before that we wouldn't put the --

5 PRESIDING JUDGE SCHMITT: Yeah, yeah.

6 MS DIMITRI: [15:46:25] Thank you.

7 PRESIDING JUDGE SCHMITT: [15:46:26] Of course. But I have no indication that

8 there was any harm done. But indeed.

9 MR VANDERPUYE: [15:46:35] Yes, okay. But this is a question of a witness's

10 refreshing of his recollection which he said he didn't remember, in any event. I do

11 (Overlapping speakers)

12 PRESIDING JUDGE SCHMITT: [15:46:45] Then you can -- then you can pull it up, of

13 course. And if we have only -- to repeat it, I think it's not for the first time, no matter

14 if it is a Rule 68(3) witness or not, if a witness does not remember, he or she can be

15 shown the former statements to refresh the memory in a formal way. That's of

16 course no problem because --

17 MR VANDERPUYE: [15:47:14] I take the point, though.

18 PRESIDING JUDGE SCHMITT: [15:47:16] But the point was more generally

19 speaking, I think, was what Ms Dimitri meant.

20 Please continue, Mr Vanderpuye.

21 MR VANDERPUYE: [15:47:23] Thank you, Mr President.

22 Q. [15:47:24] So thank you for clarifying the issue of the diaspora.

23 Now, I understand that pursuant to your discussion or talk with Socrate about

24 interviewing his father, you said that he made it so that you were able to do that. So

25 can you tell the Chamber how that came about? What did you -- what did you do?

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1 You left France, you went to Cameroon. Do you remember where you went first in
2 Cameroon?

3 A. [15:48:00] I flew to Douala. And it was a member of the consulate's -- of the
4 Central African consulate's protocol department - I think his name was Vincent,
5 I don't remember his family name, and I think he's now deceased - he came and
6 picked me up at the airport and drove me to a hotel where I spent a night. This was
7 paid for by a Lebanese businessman who was doing business in Bangui and who was
8 someone close to President Bozize. His name was Kassim. And it was in his car
9 with his chauffeur, it was driven by his chauffeur, that's how I left Douala and made
10 my way to Yaounde. This was the next day. In Yaounde we made our way directly
11 to the Hilton hotel, which is where President Bozize was staying, and there I was
12 welcomed by Socrate Bozize. He was waiting for me at the Hilton hotel.

13 Q. [15:49:44] (Microphone not activated)

14 PRESIDING JUDGE SCHMITT: [15:49:45] Microphone, please. Ten minutes to go,
15 Mr Vanderpuye. Really, I want not only to assure you, I want to motivate you to just
16 continue simply.

17 MR VANDERPUYE: [15:49:59] Sorry about that.

18 Q. [15:50:03] When you arrived at the Hilton hotel, did you encounter anyone in
19 Bozize's circle, so to speak, besides Socrate?

20 A. [15:50:25] In the -- at the entrance of the Hilton, there was a certain number of
21 people who belong to President Bozize's inner circle. Among them I noticed
22 Levy Yakete, David Gbanga, Mr Ngaïssona, Joachim Kokate, one of President Bozize's
23 aide-de-camp, his name was Vincent Wapounaba. These are the people that I saw in
24 the entrance hall of the Hilton hotel, other than Socrate Bozize himself.

25 Q. [15:51:31] Were you able to have -- to meet Bozize and to have a talk with him at

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1 that time?

2 A. [15:51:50] Yes. In the spur of the moment Socrate Bozize took me to meet his
3 father, with whom I had a discussion. I had a rather frank exchange with him since I
4 told him that I had been in Bangui a few days after the coup d'état. As a side note,
5 he thought that this was very brave of me to have gone there. And I told him what
6 was going on -- I told him that what was going on there was something that he was
7 largely responsible for because it was his regime's bad governance that led to the
8 creation of the Seleka rebellion and which led to the coup d'état. Of course he did
9 not share my opinion. He stated that there had been many lies, many errors, many
10 non-truths that had been spread and that Bozize - he spoke of himself in the third
11 person - did not manage the country by himself.

12 We talked -- we also talked about what would come next, and it's then that he told me
13 that he needed me as well as all of those who didn't want the country to fall into the
14 hands of foreigners and that everything had to be done to go back to the
15 constitutional order, and the constitutional order was he himself. So everything had
16 to be done for him to be able to regain power.

17 Q. [15:54:30] Did he ever say to you, at least at that moment, what those other
18 people were doing there at the Hilton, Yakete, Gbanga, Kokate, Ngaïssona?

19 A. [15:54:52] We never talked about this, but I supposed that these people were
20 there in order to take part in his plan to regain power.

21 Q. [15:55:14] Did you know ahead of time, either through Socrate or other means,
22 that they would be there when you arrived?

23 A. [15:55:32] No. Actually, I was surprised to discover this, to see them at the
24 Hilton hotel.

25 Q. [15:55:44] Did Bozize indicate to you at that time what it is he needed you for?

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1 A. [15:55:58] I've already said he immediately asked me to write a thank you letter
2 to President Paul Biya, and he wanted me to help him to organise his communication.
3 He was determined to raise awareness among the general public as well as the
4 leaders in the subregion and the heads of state. He wanted to convey to them the
5 need for him to return to power, that everything -- so that he could be given the
6 possibility --

7 Q. Let me just show you a --

8 A. [15:57:14] -- to finish his term in office.

9 Q. [15:57:17] -- document, tab 47 of the Prosecution binder, it's CAR-OTP-2123-0413.
10 Should be at tab 47.

11 Also this doesn't need to be broadcast.

12 Do you recognise the document?

13 A. [15:57:52] Yes.

14 Q. [15:57:54] Is this the communication that you were just referring to?

15 A. [15:58:04] Absolutely. This is the rough draft of the letter that I wrote for
16 President Bozize to President Paul Biya.

17 Q. [15:58:26] And if we go to the very bottom, we can see a date stamped on here,
18 which I read to be 15 April, but maybe you can take a look at it. It's at the bottom of
19 the right of the screen in front of us. Very faint under the name Bozize.
20 If you can blow that up.

21 You can see the date there. It reads to me to be the 15th, but I guess it is subject to
22 interpretation.

23 PRESIDING JUDGE SCHMITT: [15:58:59] Well, perhaps, Mr Poussou, you might
24 orientate us in time here. Could it be 15 April 2013? Could this be correct to your
25 recollection?

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1 * THE WITNESS: [15:59:13](Interpretation) That is correct. I checked the date
2 before putting on the letter that the president was going to sign. So I was the one
3 who put this date there.

4 MR VANDERPUYE: [15:59:34]

5 Q. [15:59:35] That's very helpful as well.

6 Did you meet with President Bozize at the Hilton hotel after this letter was drafted?

7 A. [16:00:01] Yes. I must say that I met President Bozize at least three times
8 at -- during that period. I first met him just one on one and then we had a meeting
9 with members of his group and the people that I mentioned earlier whom I had met
10 in the entrance hall of the hotel. And following that, before I returned to Paris, I met
11 President Bozize individually once again.

12 MR VANDERPUYE: [16:00:42] Mr President, I think now is a good time to break --

13 PRESIDING JUDGE SCHMITT: Well, yes, I would also suggest that.

14 MR VANDERPUYE: [16:00:44] -- and I will pick up with that tomorrow.

15 PRESIDING JUDGE SCHMITT: [16:00:48] Okay, fine, I'm fine with that.

16 So thank you, everyone, for today and we reconvene tomorrow at 9.30. Thank you.

17 THE COURT USHER: [16:00:55] All rise.

18 (The hearing ends in open session at 4.00 p.m.)