

Trial Hearing
Witness: CAR-D04-PPPP-0053

(Open Session)

ICC-01/05-01/08

1 International Criminal Court
2 Trial Chamber III - Courtroom 1
3 Situation: Central African Republic
4 In the case of The Prosecutor v. Jean-Pierre Bemba Gombo - ICC-01/05-01/08
5 Presiding Judge Sylvia Steiner, Judge Joyce Aluoch and Judge Kuniko Ozaki
6 Trial Hearing
7 Wednesday, 15 August 2012
8 (The hearing starts in open session at 9.34 a.m.)
9 THE COURT USHER: All rise.
10 The International Criminal Court is now in session.
11 Please be seated.
12 PRESIDING JUDGE STEINER: Good morning. Welcome everyone.
13 Could, please, court officer call the case.
14 THE COURT OFFICER: Thank you, Madam President. Situation in the Central African
15 Republic, in the case of The Prosecutor versus Jean-Pierre Bemba Gombo, ICC-01/05-01/08.
16 PRESIDING JUDGE STEINER: Thank you very much.
17 Good morning and welcome the Prosecution team, legal representatives of victims, the
18 Defence team, Mr Jean-Pierre Bemba Gombo. Good morning to our interpreters and
19 court reporters.
20 We will continue today with the questioning of expert witness for the Defence, witness
21 number 53.
22 I was informed that Mr Haynes wants to address the Chamber in relation to a --
23 MR HAYNES: Your Honour, yes. It's a matter that arose this morning, but I think it
24 might be useful if the Chamber were able to reflect upon it for the ongoing process, and
25 it's really a question of the clarification of the procedure for the request to ask questions

Trial Hearing
Witness: CAR-D04-PPPP-0053

(Open Session)

ICC-01/05-01/08

1 by the legal representatives for victims.

2 In relation to the present witness, there were requests made by both Ms Douzima Lawson
3 and Mr Zarambaud to which responses were made by the Defence. We have this
4 morning received a reply from Ms Douzima Lawson.

5 Now, it's our understanding of the procedure of pleadings that a reply is not an automatic
6 right, it has to be justified and it has to carry with it the leave of the Court, and
7 Ms Douzima Lawson seeks no such leave in her filing of this morning and we wonder
8 whether you would for future purposes clarify whether a reply in this very truncated
9 process, where we negotiate as it were whether questions can be asked of witnesses, is an
10 automatic right because, if it's not, such a filing should be either withdrawn or struck out.
11 And those are the observations I make, and I don't invite an immediate decision on that.
12 It's probably something about which you might want to reflect, but we do observe that the
13 issues are joined in the two pleadings to date. A reply is not a necessary document, it's
14 not justified by any request to leave and in the circumstances it shouldn't form part of the
15 court record.

16 PRESIDING JUDGE STEINER: Mr Haynes, your motion is noted, it's on the record and
17 of course will be addressed in the decision of the Chamber granting or not granting both
18 requests of the legal representatives.

19 I ask the court usher, please, to bring the witness in.

20 (The witness enters the courtroom)

21 WITNESS: CAR-D04-PPPP-0053 (On former oath)

22 (The witness speaks French)

23 PRESIDING JUDGE STEINER: Good morning, General Seara, and welcome back.

24 THE WITNESS: (Interpretation) Thank you very much.

25 PRESIDING JUDGE STEINER: Are you ready to continue with your testimony?

Trial Hearing
Witness: CAR-D04-PPPP-0053

(Open Session)

ICC-01/05-01/08

1 THE WITNESS: (Interpretation) Yes, indeed.

2 PRESIDING JUDGE STEINER: Can I remind you that you are still under oath.

3 THE WITNESS: (Interpretation) Very well.

4 PRESIDING JUDGE STEINER: And, General, one more reminder. It's about the pace of
5 your answers, that you are expected to speak slower than in normal circumstances and a
6 reminder of our five-seconds golden rule in order to facilitate the work of the interpreters
7 and court reporters.

8 THE WITNESS: (Interpretation) I will remember that.

9 PRESIDING JUDGE STEINER: Maître Kilolo, you have the floor.

10 QUESTIONED BY MR KILOLO: (Interpretation) (Continuing)

11 Q. Good morning, General.

12 A. Good morning.

13 MR KILOLO: (Interpretation) I would like to ask the court officer to display document
14 number 56 of the Defence list, CAR-D04-0003-0128.

15 Q. You can now see that document, sir. Can you give us your opinion of that
16 document?

17 A. It is a memo from the Ministry of Defence of the Central African Republic. It is a
18 government authorisation, and the text is as follows: "The Minister of National Defence,
19 following the resolution of the Interministerial Crisis Committee, authorise the provision
20 of military effects or logistics to the allied forces, MLC; arms and identical uniforms,
21 attribution of operational radio frequencies, tactical frequencies, and a setting up of a joint
22 command, joint and integrated command, FACA, USP and the allied forces MLC."

23 MR KILOLO: (Interpretation) Can I ask the court officer to display the stamp under
24 the signature?

25 Q. Now, can you, Mr Witness, identify the author of that document?

1 A. It is General Maurice Regonessa, who is the Minister of Defence.

2 Q. I can see "PO" just under the signature. Do you know what that means?

3 A. It is signed by order, and it was signed by General XS Yangongo.

4 Q. You were referring to General Yangongo?

5 A. Yes, indeed, because the writing on the document is not very clear.

6 PRESIDING JUDGE STEINER: Please, court officer, scroll the document for the top of
7 the document. I see, Maître Kilolo. And correct me please if I am wrong that this
8 document whose printed copy is not so clear is exactly the same as document 63, so it
9 appears to be the same document with two ERN numbers and just to make it clear that
10 there will be no problems at a later stage with the tendering of these documents into
11 evidence and attributing an EVD number.

12 MR KILOLO: (Interpretation) Yes, indeed, your Honour. It is the same document.
13 Maybe we should display document number 63, which seems to be more legible, court
14 officer, please?

15 Q. That is precisely the same document, sir. Can you tell us what is the military
16 significance of that document? How would you interpret it?

17 A. This is a document that confirms the integration of the MLC forces within the
18 Central African forces and their allies. The first point relates to military equipment,
19 including organic weapons. This means that the ALC was equipped with weapons on
20 the basis of its organisation and needs by the Central African forces and, once weapons
21 are provided, it follows that ammunition is also provided. Otherwise, it would be
22 pointless. Then you have identical uniforms, so this means that the uniforms given to
23 the MLC were the same as those worn by the Central African Republic soldiers.
24 Then there is an important point here; that is the attribution of operational tactical radio
25 frequencies. This is done under the authorisation of the Ministry of Communication.

1 They attribute these frequencies to the armed forces, and no one else has the right to use
2 them. So these tactical operational frequencies are also, or rather were also, attributed to
3 the MLC forces to ensure coherence in the military communication system.

4 Then there is also the setting up of a joint and integrated command. This means that it is
5 a single command, including the Central African armed forces, the Presidential Security
6 Unit and the MLC forces; that is it is an integrated force under a single command. That
7 is my interpretation of the document.

8 Q. I can see that when mention is made of "command," then they talk about a joint and
9 then an integrated command. What does "joint command" refer to?

10 A. It means that at the level of command, that is in the operations centre, it is a joint
11 command. This means that there are representatives of all the three components
12 mentioned here in that command structure and, since the command is integrated, it
13 means that all the components of the command come under a single authority.
14 Otherwise, it would have been stated that it is under a single and integrated command.
15 That would mean that it is a joint command and that decisions are taken after consulting
16 all the components mentioned here; that is the Central African forces, the Presidential
17 Security Unit and the MLC armed forces.

18 Q. Do you know who was the representative of the MLC in that structure?

19 A. The MLC had liaison officers there. There was Mandonga --

20 THE INTERPRETER: And another name that was inaudible.

21 THE WITNESS: (Interpretation) And then there was someone else known as René. So
22 these officers were members of that structure as liaison officers, but I have to also point
23 out that General Moustapha participated in the plenary meetings of the General Staff on a
24 daily basis and this is where the activities of the day were reviewed and the future actions
25 planned and each member could give their opinion on what had been done and what had

1 to be done, as well as all the operations carried out by the loyalist forces. This means that
2 General Moustapha came to that centre frequently to discuss the orders to be given, and
3 then there were the liaison officers who were permanently there to participate at a tactical
4 level, intelligence level and even at the logistics level to ensure that the needs with regard
5 to orders, intelligence and logistics for the ALC should be met for that day, or the days to
6 come.

7 MR KILOLO: (Interpretation)

8 Q. Would this be normal practice; that is to have liaison officers for a detachment that is
9 under foreign command?

10 A. Yes, that is in fact normal. Sometimes you have liaison officers who are detached,
11 even in cases where the command is not integrated. During manoeuvres for example, in
12 my experience, I have had on my right flank a German unit which contributes to the
13 achievement of the mission, or sometimes I would send a liaison officer to the German
14 command post and they would also send a liaison officer to my command post. So this
15 makes it possible for everyone to keep abreast of what is happening in each of the sectors.

16 Q. A short while ago, you talked about the importance of the operational and tactical
17 radio frequencies. Why is that so important?

18 A. It is necessary to have a communications unit. Each participant or group needs to
19 have a series of frequencies for internal communication, as well as frequencies to
20 communicate amongst themselves and with the other authorities, or other superior
21 structures.

22 Part of the frequencies were handed over to the ALC; that is for purposes of their internal
23 communications; that is General Moustapha would communicate with his battalions.

24 There was also a series of frequencies to communicate with the neighbours, for example
25 the USP or Presidential Security Unit. Then there was another series of frequencies

1 linking the ALC on the ground and the operational command post in Camp Béal.

2 MR KILOLO: (Interpretation) I would now like to ask the court officer to display
3 document number 57 of the Defence list. It is CAR-D04-0003-0129.

4 Q. You can now see that document, sir. Can you give us your opinion of the
5 document?

6 A. It is a document from the Presidency of the Central African Republic. It is a
7 hand-delivered message, which means that each of the addressees received a copy of the
8 message directly. The provenance of the document is "PR," that is Presidency of the
9 Republic, and it is directed to the general who is the director of the Presidential Security
10 Unit. The message is very urgent, "We have the honour to inform you to take over the
11 command and organisation of the Central African forces and the allied forces (MLC) for
12 all counter-offensive military operations. This message is urgent and highly important".

13 MR KILOLO: (Interpretation) I would like to ask the court officer to display the bottom
14 of that page, please.

15 Q. Can you tell us the date of that document, sir?

16 A. The document was signed by President Patassé on 2 February 2003.

17 Q. Based on the documents that you were able to consult, who was the recipient of that
18 document?

19 A. It was the commander of the Presidential Security Unit; that is General Bombayake.

20 Q. From a military point of view, what is the significance of this document.

21 A. This is a very important document because it represents a shift of power. We
22 spoke of this yesterday. We spoke of the first phase and then the second phase. This
23 document is showing us the transition to the second phase. President Patassé has given
24 General Bombayake the command and the responsibility to order -- organise the FACA
25 troops and the MLC. He has given General Bombayake this power and at the same time

1 has withdrawn power away from General Gambi, the Chief of Staff Joint Services.
2 So we can see that it's an entirely new ball game. There's no specific mention of the
3 general losing prerogatives but he did lose his authority as Chief of Staff Joint Services
4 and as the person responsible for the theatre of operations. We see that now, as of
5 3 February, the second general has become responsible for the theatre of operations. This
6 task is usually attributed to the Chief of Staff Joint Services.

7 Q. Now, do you know in exactly what capacity President Patassé signed this
8 document?

9 A. Well, it was -- it's entirely in keeping with the constitution. It was his ability to
10 make this decision and entrust this responsibility for organising the two forces to the
11 general. So he is playing his role as the chief of the armies as commander-in-chief.

12 Q. Now, on the basis of this document what was General Bombayake authorised to do
13 in relation to the MLC detachment?

14 A. Well, first of all, he was authorised to organise the CAR forces and the MLC forces.
15 Now, from a civilian point of view, organisation, well, it was about tactics. In other
16 words, General Bombayake had the opportunity to make changes to the organisation, the
17 structure, the initial structure of the MLC troops and the CAR troops. So duties could be
18 taken away from one of the forces and given to the other force or vice-versa. For
19 example, it could be decided to give more reinforcements to one particular area.
20 So the general had this ability to make these changes because he now enjoyed that
21 authority and then he took command. He took command. In other words, he could
22 give orders to lower-ranking officers, orders to either FACA troops or to the ALC troops,
23 and since he was still carrying out his duties as director of the USP and as such he still
24 was in a position to give orders to the USP.

25 So giving orders means things like providing ammunition, saying how far one should go,

1 how to reach a particular objective, and he had that power to issue orders to subordinates.
2 Since he had been given this power by the President of the Republic, the orders that he
3 issued were -- well, he could give orders because he had been given this power, this
4 authority. It was the President of the Republic who had given him this authority. It's
5 an entirely normal sort of thing.

6 To give you a comparison, let me suggest this to you: If a regimental commander is
7 designated to head up a unit, the document that he receives giving him these duties
8 always begins with a phrase along the lines of "The President of the Republic hereby gives
9 you the authority to ...", and so we see that he was given the power to command, to issue
10 orders, to set objectives and to decide as to various arrangements that would be made to
11 meet the objectives.

12 Q. Now, from a military point of view, who was the military leader of Colonel
13 Moustapha in terms of the chain of command?

14 A. Well, at that time, it was General Bombayake because he had been given command
15 and responsibility to organise the Central African Republic forces and the allied forces;
16 that is to say the ALC. So General Bombayake became the leader, the boss, of
17 Moustapha.

18 MR KILOLO: (Interpretation) Could I ask the court officer to move on to document 58
19 on our list. This is CAR-D04-0003-0130. Could I ask the court officer to scroll down
20 slightly so we can see the text further down on this document?

21 Q. Sir, could you read this document out for us?

22 A. This is a message, a hand-delivered message, once again in this case from the Chief
23 of Staff Joint Services and it is intended for the Ministry of Defence for information
24 purposes and it is addressed to the Commander of the Transmission Directorate of the
25 CAR forces. This is January 2003 and it has to do with changes and allocation of new

1 operational communication frequencies.

2 There's a reference number. Reference is made to -- a reference number is given 02/099.

3 And then it reads as follows: "Government authorisation for operational cohesion in the
4 future amongst the FACA forces, the USP and the allied forces (MLC), Libyan army.
5 (Urgent and highly important.)" End of message.

6 MR KILOLO: (Interpretation) Could I ask the court officer to scroll down so that we
7 can see the stamp at the bottom of this document?

8 Q. Sir, could you tell us who signed this document?

9 A. This document was signed by General Gambi, Chief of Staff Joint Forces, or Joint
10 Services rather.

11 Q. Could you tell us what the military significance is of this document?

12 A. This document makes reference to an earlier document, and in actual fact we see
13 here that the frequencies that have been assigned to the various components of the
14 various units these frequencies have been changed. So in this document a request is
15 made to reassign the frequencies to the various units that are mentioned here. This
16 means that for a while the frequencies that had been initially assigned were now a
17 problem.

18 No doubt people were listening in, no doubt the rebels were listening in, and so the
19 decision was taken to reassign these various frequencies so that the enemy would be
20 unaware of the new frequencies and would not be in a position to eavesdrop and listen in
21 to the communications of the various loyalist forces.

22 Q. Do you know why government authorisation was required to change the frequency
23 for the MLC detachment?

24 A. Well, normally, the various frequencies assigned to the Ministry of Defence, well,
25 usually that range of frequency is quite broad and government authorisation is not

1 needed if we shift from one area, one set of frequencies to another.

2 It would appear that since government authorisation was required, it would appear that it
3 was necessary to choose new frequencies that perhaps had not initially been attributed to
4 the Defence Ministry or set aside for defence purposes.

5 When the Defence Ministry has a range of frequencies to allocate within the range the
6 authorities can shift from one set of frequencies to another while remaining within the
7 general range of frequencies and not breaking any rules, but in this case it would appear
8 that a government authorisation was needed and I would suppose that in this case they
9 were making use of other frequencies. I can't say it for a fact, but this is the impression
10 that I have since reference is made to a government authorisation.

11 Q. Now, if we go by the military standards, in effect, would it be normal for the Central
12 African Republic government to provide this authorisation to change the frequencies
13 allocated to the MLC contingent?

14 A. Well, the Central African Republic was in danger. All the government ministries
15 were working towards the same goal, namely ensuring that the rule of law would be
16 re-established, and so the ministry was working hard to ensure the democratic
17 continuance of the Patassé government, which had been democratically elected, so all the
18 government ministries of the CAR were working together to try to restore normalcy. So
19 it's quite normal for the government to authorise the allocation of frequencies, because
20 this would be providing assistance to this general effort, namely restoring stability to the
21 Central African Republic, so it's really quite normal.

22 Q. Could you explain what is meant by "operational cohesion" that's mentioned here in
23 this document; cohesion amongst the FACA forces, the USP and the allied forces?

24 A. Well, I believe this message has been addressed to the transmission centre, or
25 directorate, so mention is made of "operational cohesion." This means that this

1 operational cohesion has to be achieved within the structure in terms of communication.
2 Why? Probably because others were listening in, or hacking into the communications.
3 For example, someone might be passing himself off as a member of a friendly force, but
4 once unidentified elements have been able to tap into a system, you see, there is this
5 possibility that enemies might be listening in and so to provide cohesion within the
6 loyalist forces it was necessary to reallocate the frequencies.

7 Q. Now, before these new frequencies were allocated, judging by the document that
8 you analysed, did Moustapha take any measures to ensure that internal communications
9 would be more secure amongst the various components of the coalition?

10 A. Yes, after a while Colonel Moustapha realised that there were problems perhaps
11 with contacts or perhaps within his own network; that is to say his communications with
12 the battalion commanders. He was in contact with them, but the others were not far
13 away. The enemy opposite could have been listening in and hearing the orders that he
14 was issuing, or they may have been trying to break into his own network, hack into his
15 own network. So to overcome these difficulties he decided to use -- you spoke about the
16 loyalist, or you mentioned a language rather?

17 Q. Are you speaking of Swahili?

18 A. Yes, yes, that's right.

19 Q. In light of your military experience, this measure taken by Colonel Moustapha
20 would this have meant changes to the chain of command?

21 A. No, not at all. I've said that these frequencies given to a particular unit, for
22 example Moustapha's brigade, you see, there would be various frequencies used to
23 communicate with a particular unit, different frequencies to communicate with other units,
24 or brother units so to speak, but he would not have been able to use Swahili. He would
25 not have been understood. So he had to use this method within his own internal

1 network to command his battalion, but there was nothing in the range of frequencies that
2 corresponded to the centre that would have allowed communications as had occurred in
3 the past. So, you see, changes were made. All these various frequencies that had been
4 attributed to the various internal units so as to be able to communicate with neighbouring
5 units, or higher-ranking officials, all those frequencies had to be changed for reasons of
6 security.

7 Q. And finally the internal communications amongst the ALC soldiers who reported to
8 Moustapha, were those operational communications or tactical communications?

9 A. Tactical; that is to say within this internal network that Colonel Moustapha -- well,
10 after receiving his mandate from the operations centre, he would have to study his
11 problem. He had been asked to do such-and-such a thing. He had three battalions with
12 reinforcements from the CAR army, so he would have to study the problem and decide
13 how to organise the mission.

14 So he would have to reason things out from a tactical point of view and then come to a
15 decision, "I will do this," or, "I will do that." Then he would decide how to conduct the
16 manoeuvres, and he would give each battalion commander his orders and he would
17 entrust each subordinate officer with a particular task within time and space. He would
18 communicate with his officers and give tactical orders, and similarly his subordinate
19 officers would report back to him. They would tell him how the situation was evolving.
20 They would report back, telling him whether a particular operation had gone smoothly or
21 not, or whether difficulties had cropped up. If that was the case he would have to make
22 some adjustments to the manoeuvres, and the mission initially given to a particular
23 battalion would have to be changed because the enemy officer -- correction, the enemy
24 opposite would be engaging in their own manoeuvres. So one would conduct one's
25 manoeuvre and then the enemy would manoeuvre, and as all of this went along you

1 would make adjustments to your approach. So, you see, he would have these tactical
2 communications with the officers that reported to him.

3 Q. Now, regarding the dealings between the CCOP and the MLC troops in the combat
4 area, were there regular communications or liaison between the operations centre and the
5 MLC troops in the field?

6 A. Well, all the liaison would have been done on an ongoing basis, 24/7. The
7 commander would have been in touch with his units constantly, with neighbouring units
8 constantly, with the operational centre constantly 24/7. In the memorandum that we saw
9 that reorganised the headquarters we saw that people were working shifts, so that the
10 operational centre was operating around the clock, so Moustapha would have been able to
11 reach the operational centre at any time of the day or night and similarly the operational
12 centre would have been able to reach him at any time.

13 PRESIDING JUDGE STEINER: Maître Kilolo, I am sorry to interrupt you. In many
14 passages of the English transcript I can notice that while the witness or the expert is
15 mentioning Colonel Moustapha this, Colonel Moustapha that, in the transcript what
16 appears is just "the commander;" "The commander would have been ..." when the
17 witness said that "Colonel Moustapha was ..."

18 So I would call the attention for the edited version of the transcript because that brings me
19 some doubts in relation to the real purpose of the answers given by the witness, because
20 in accordance, if we focus only on the transcript, General, we do not say -- if you are
21 talking about what Colonel or Commander Moustapha did and what would be the basis
22 of your knowledge of what he did, or whether you are talking about what could have
23 happened in theory; in normal circumstances a commander would do this, or a
24 commander would do that. So I think I need a clarification of that point before you
25 proceed, if you could help me?

1 THE WITNESS: (Interpretation) I don't think I've quite understood. The English
2 transcript that you mention is that the English transcript of my report?

3 PRESIDING JUDGE STEINER: Of your testimony, Colonel. We have in front of us the
4 real-time transcript in English of your testimony, but I can understand because I am
5 listening to your testimony in French and I notice that sometimes it appears that you are
6 talking about what happened and in the transcript it appears as if you are talking about
7 something in theory, what should have happened, which makes a lot of difference, and
8 that's the clarification I need, please.

9 THE WITNESS: (Interpretation) Thank you for clearing that up. I'm not talking about
10 the theory; I'm talking about what happened. I had an opportunity to interview the
11 radio operator of Colonel Moustapha and the person who was the head of the
12 transmission unit, and they confirmed to me that they were -- they had the three networks
13 running at the same time.

14 In the field Moustapha was in liaison - in touch - with these people, was able to speak to
15 neighbouring units and other forces and he was in touch with the operational centre on a
16 constant basis. That's the rule. One cannot decide in the field to just cut off
17 communications and do what one wants because something very serious might be going
18 on, on the left flank or the right flank, so there constant listening to the network with these
19 people around Colonel Moustapha. Is that clear?

20 PRESIDING JUDGE STEINER: Thank you very much. I suppose that in your written
21 report we have the references to these people that you mention you interviewed?

22 THE WITNESS: (Interpretation) Yes, indeed. The names of the persons I interviewed
23 in Kinshasa do appear in the report.

24 MR KILOLO: (Interpretation)

25 Q. General, what communication equipment did the ALC forces have upon their

1 arrival in the Central African Republic?

2 A. From information I was able to gather, and going by documents that I read, it would
3 appear that upon the arrival of the ALC troops they did not possess any communication
4 equipment. They received their communication equipment from the Central African
5 forces, several items of communication. I do not know whether you want me to provide
6 the details now.

7 Q. Yes, please proceed.

8 A. Yes. It was a variety of pieces of equipment: Walkie-talkie; Motorola; mobile
9 telephones; frequency modulation equipment, which relates to the changes in frequency
10 which we have just been talking about. And for the first phase of fighting which entailed
11 the liberation of Bangui, from a military standpoint that equipment was sufficient to
12 handle all necessary communication because the activities were taking place within a
13 relatively restricted area.

14 Let me also point out that throughout the operations in Bangui, the capital city, the ALC
15 forces were not physically too far away from the operational centre, and it was possible
16 for Colonel Moustapha at any time, if he didn't want to use those communication facilities,
17 to go in person to the operational centre and apprise himself with what was happening
18 and also inform them of his own challenges and difficulties.

19 When it came to the second major phase of fighting, which meant moving from PK12 to
20 carry out a counter-offensive towards the north, then the issues of distance became
21 significant and that is why Thuraya telephones were used in order to make up for any
22 problems in communication.

23 Q. Did you specifically look into the time at which Colonel Moustapha received
24 Thuraya satellite telephone?

25 A. This was done when the decision was taken to launch a counter-offensive to the

1 north, further away from PK12. So this was in December, when the forces left PK12 and
2 moved towards the north.

3 Q. Did you look into the possible communication opportunities between Bangui and
4 Gbadolite during the time, the time which is now under review?

5 A. There was a transmission centre in Gbadolite. It was operational 24/7. The
6 messages received at the transmission centre were not only in relation to the ALC forces in
7 the Central African Republic, but from all other ALC forces that remained in the DRC.
8 All messages were therefore received at the transmission centre in Gbadolite.

9 I do not have an exhaustive list of the equipment that was in place. I couldn't find that
10 information as to the matériel equipment and types of antennae that were used. You see,
11 if you are aware of the type of equipment and the antennae, then you can determine the
12 range of the communication possibility. So I tried to find out what equipment was used
13 and the antennae that were used but I was not able to get that information. However,
14 what remains is that the transmission centre in Gbadolite was operational around the
15 clock.

16 As for the Central African Republic, Colonel Moustapha was able to regularly report
17 practically on a daily basis on the situation in the CAR and the challenges he was facing.
18 I earlier mentioned that his messages were sent to the ALC Chief of Staff or headquarters
19 and were addressed specifically to the Chief of Staff.

20 So communication between the Central African Republic and Bangui and -- rather, and
21 Gbadolite was possible since messages were transmitted. These messages from
22 Moustapha were sent by frequency modulation, and because I do not know the exact
23 nature of the equipment that was used I am not able to provide any further details. All I
24 can say is that there was a link between Colonel Moustapha and the transmission centre in
25 Gbadolite because there are reports to that effect, but I cannot say anything further

1 because I don't have any details as to the types of signalling equipment, or antennae, that
2 were used in that transmission.

3 Q. Following your analysis, would it have been possible for Mr Jean-Pierre Bemba to
4 command the MLC troops by Thuraya satellite phone from Gbadolite at the time of the
5 involvement of the MLC troops in Bangui?

6 A. In order to have a Thuraya connection, the two parties involved must each have a
7 Thuraya telephone set. So, so long as Moustapha did not have a Thuraya telephone set it
8 was not possible for Colonel Moustapha and Mr Bemba to communicate over the
9 Thuraya.

10 Furthermore, I believe that we all know what a Thuraya telephone set is. Any one of us
11 here could buy a Thuraya telephone; all you need to do is to buy the telephone, subscribe,
12 buy the requisite batteries and then use your directory to call whoever you choose to from
13 the available directory, and all that is required is for the other party to also possess a
14 Thuraya telephone.

15 So it is really just a very simple telephone, and I do recall that one of the witnesses
16 mentioned that at the time it was not possible to use mobile telephones in Gbadolite.

17 Well, Gbadolite, there were no relay transmission antenna so it was not possible to use
18 mobile telephones. That is why communication with Colonel Moustapha and
19 Bemba -- and Mr Bemba would have required that Mr Bemba have the telephone number
20 of Mr Moustapha and then simply call him.

21 And that would be just a simple, ordinary telephone conversation which can be
22 intercepted by anyone, it is not any more secure than the mobile phone that we use today,
23 and so these are the types of things that can be done. So from the moment Colonel
24 Moustapha was given a Thuraya telephone, then it was possible for them to communicate
25 with each other as simply as that.

1 Now, I believe that the other aspect of your question was whether he could actually
2 command. Well, commanding 1,500 people on the ground, from a distance of 1,000
3 kilometres, in a situation of which one is not properly informed, such as enemy troops,
4 friendly troops, situation on the ground, situation of the people, ammunitions, details
5 relating to the operational centre and cohesion relating to the missions given to the other
6 forces, well, I don't -- I don't see how it is possible for one to command under such
7 circumstances particularly when one needs to be informed about the situation and
8 location of the force, what it is doing and so on and so forth.

9 You see, yesterday -- from yesterday we have been talking about the system that enables
10 one to command, and Mr Bemba did not have such a system in place. In order to be able
11 to command, the commander must have a tool known as a staff headquarters, which is
12 under the command of a Chief of Staff. That headquarters collects all information and
13 issues orders, so I really do not see how Mr Bemba could have been fully informed, or
14 could have been as informed as the operational centre in Bangui, of what was transpiring.
15 In any event, any information that he could share with Colonel Moustapha was general,
16 open information, and I think that General Bozizé also had a Thuraya telephone and
17 maybe he could have been in a position to listen to such discussions, or call in pretending
18 to be someone else. As far as I am concerned, it would not have been possible under the
19 circumstances as we know them for Mr Bemba to command Colonel Moustapha using a
20 Thuraya telephone.

21 Q. From your experience as a soldier, is it possible to physically command a force of
22 about 1,500 troops from a distance of 1,000 kilometres from the battle-front?

23 A. That is exactly what I have just been talking about. That is not possible. To
24 command, one must have all the necessary elements. You cannot command by groping
25 in the dark. You need to know what your enemy is doing. You need to have all the

1 information to be able to command. So it is not possible to command under those
2 circumstances, regardless of the means of transmission or signalling. You see, the chief
3 must have all the resources that I talked about yesterday and today, and if those resources
4 are not available to the chief he cannot command.

5 Q. In general terms, and going by your military experience, is it possible to command a
6 force abroad which is involved in joint operations with other forces?

7 A. Once the force has been assigned, as was the case of the ALC, to the Central African
8 forces, to be equipped, fed and accommodated by the Central African forces and to be
9 under the orders of the Central African Chief of Staff Joint Services and under the orders
10 of the Central African forces, from that point on it is not possible for such an integrated
11 force to engage in its own personal war. All the forces engaged must comply with the
12 objectives that have been set out by decision from the highest level of the State, so such a
13 force cannot undertake its own private mission.

14 When dealing with a multinational force, all contingents are under the same command
15 and therefore cannot engage in their own private war. They must comply with the
16 orders of the commander of the operations on the ground. So the answer, as far as I am
17 concerned, is very clear. The ALC forces could not have engaged in a war of their own.
18 They were engaged in a war defined by the Central African Republic.

19 MR KILOLO: (Interpretation) Please, court officer, would you kindly display
20 document number 60 of the Defence list of documents, CAR-D04-0003-0132?

21 Q. General, would you please kindly read out this document for us?

22 A. This is a message porté, or hand-delivered message, from the Chief of Staff of Joint
23 Services, from the Chief of Staff himself. The Minister of Defence is informed of this by
24 way of report, and the addressee or recipient of this message is the commander of the
25 operations centre. Date, I do not see the date, but the month is January and the year is

1 2003. As far as I can recall, in January 2003 the commander of the operations centre was
2 Lieutenant-Colonel Bemondombi. It is a very urgent, hand-delivered message,
3 informing the commander of the operational centre that two officers of the MLC have
4 been appointed by their commander to integrate the team at the Operational Command
5 Centre. The message is signed by General Gambi, Chief of Staff Joint Services.

6 Q. From a military point of view, what is the significance of such a document?

7 A. The significance is that two MLC officers have been assigned to the operational
8 centre. They are not on secondment. They have not simply been made available.
9 They have been appointed or assigned to the Operational Command Centre and become
10 part and parcel thereof, assigned to carry out specific duties.

11 The other point is that those two officers were appointed by their commander, who was
12 Colonel Moustapha. Therefore, Mr -- Colonel Moustapha appointed from among his
13 officers two officers who, from the date of the message porté, would take up positions at
14 the Operational Command Centre of the Central African Republic army.

15 Q. Going by the standards - the military standards - in such matters, is it normal for the
16 Chief of Staff of the Central African army to be the one who makes a decision on the
17 appointment or assignment of MLC officers to the command -- the Operational Command
18 Centre?

19 A. It is part of the prerogatives of the commander of an army to inform the head of the
20 Operational Command Centre that two officers will henceforth be integrated to his team;
21 that is the team being all those involved in the functioning of the centre. So the Chief of
22 Staff is involved in the running of this centre. This means that there was prior contact
23 between Colonel Moustapha and the Chief of Staff Joint Services, which then is reflected
24 in what is written in this message porté. Through that contact Colonel Moustapha must
25 have suggested that two of his officers would be appointed to the Operational Command

1 Centre, and the Chief of Staff then informs his commander that those two officers will be
2 assigned to the command centre - to the Operational Command Centre - and this is done
3 before the two officers actually joined the command centre.

4 Q. Is it normal for the commander to be the one who proposes the names of those who
5 will be assigned to the centre?

6 A. Yes. He is the one in the best position to do so, because he is on the ground, he
7 knows his officers and, if there is a need for any officers to be assigned to the Operational
8 Command Centre, it is only normal for the head or leader of the detachment or battalion
9 to decide who will be assigned to such duties. This must also be done mindful of the fact
10 that the absence of those two officers should not be disruptive when it comes to the
11 internal functioning of his own contingent, so by making that decision the commander
12 would also have made sure that measures are taken to take care of the situation that
13 would arise once those two officers are assigned to the Operational Command Centre.
14 So it was well within Moustapha's - Colonel Moustapha's - authority to make that decision,
15 and in that case he is the one who decided that the number should be two and it was also
16 within his prerogatives to determine who or which individual officers will be
17 subsequently appointed.

18 Q. According to your experience, was this approach or this method of appointing
19 persons to the operations centre also applicable to the other loyalist forces?

20 A. Yes. Well, the other liaison officers who were integrated were from the USP, and
21 that officer from the USP was most probably appointed according to the rules by General
22 Bombayake, who was the chief of the USP. Quite normally it is therefore the commander
23 of any of the detachments who would have decided on the choice of the officer, or the
24 officers, to be assigned to the Operational Command Centre.

25 PRESIDING JUDGE STEINER: Thank you, Maître Kilolo.

Trial Hearing
Witness: CAR-D04-PPPP-0053

(Open Session)

ICC-01/05-01/08

1 General Seara, we are going to our short break, half-an-hour break. It's 11 o'clock. We'll
2 be back at 11.30.

3 I ask, please, court usher to accompany the witness outside the courtroom, and in the
4 meantime we will suspend and resume at 11.30.

5 (The witness stands down)

6 THE COURT OFFICER: All rise.

7 (Recess taken at 10.59 a.m.)

8 (Upon resuming in open session at 11.37 a.m.)

9 THE COURT USHER: All rise.

10 Please be seated.

11 PRESIDING JUDGE STEINER: Welcome back. Could, please, court usher bring the
12 witness in.

13 (The witness enters the courtroom)

14 PRESIDING JUDGE STEINER: General Seara, welcome back.

15 THE WITNESS: (Interpretation) Good morning once again. Yes, I'm ready.

16 MR KILOLO: (Interpretation)

17 Q. Based on your own analysis, sir, which was the most appropriate way to transmit
18 operational orders to the MLC troops in the Central African Republic and to receive
19 reports back from them?

20 A. In any case, amongst the means available to the forces it was the FM radios that
21 were the most secure because these are units that are produced for military purposes. I
22 talked about radio sets, walkie-talkies, Thurayas and cellphones. All those units are
23 intended for civilian use. Only FM frequency radios are intended for military use, so this
24 was the most secure way to communicate between subordinates and the operations
25 centre.

1 Q. Did you look into whether the various operational messages received from or
2 transmitted to the MLC contingent in the Central African Republic, whether those
3 messages were coded or uncoded?

4 A. The messages were coded, so when they were received they had to be decoded
5 before transmission to the authorities. And when you were sending a message based on
6 an open message that was received, the person involved would have to code the message
7 before sending it on. So messages were coded both ways.

8 Q. Did you look into why the messages were coded?

9 A. It is a rule of confidentiality and secrecy in the conduct of operations, so coding
10 systems are used for the various procedures from the most basic to the most complicated.
11 So coding messages would ensure the confidentiality of secrets relating to reports to the
12 operations centre and to orders issued by the operations centre.

13 Q. A short while ago we looked at an order that was issued by President Patassé. Do
14 you know whether there were any meetings between President Patassé and Colonel
15 Moustapha?

16 A. After reading the documents that I was able to analyse, it turns out that Colonel
17 Moustapha met with President Patassé a few times but not alone; he was in the company
18 of General Bombayake.

19 Q. In your opinion, what was the purpose of those meetings?

20 A. I believe that those meetings took place as from the time that General Bombayake
21 was given more powers, as we saw a short time ago. It was at this point when General
22 Bombayake received the powers of command and organisation that he had frequent
23 contacts with President Patassé. As a result, during those contacts, Colonel Moustapha
24 accompanied him because this would certainly have been at the request of President
25 Patassé.

1 We obviously do not know the content of the discussions during those meetings, but it is
2 highly likely that the discussions related to the ongoing operations.

3 MR KILOLO: (Interpretation) I would like to ask the court officer to display document
4 number 61 from the Defence list, CAR-D04-0003-0133.

5 Q. Can you please read out to us the document you have in front of you, sir?

6 A. It is a hand-delivered message from the Joint Services Chief of Staff of the Central
7 African Republic. It is sent for information to the Minister of Defence, and the recipient
8 of that message is the commander of the 4th bureau; that is the commander responsible
9 for logistics. The message is dated 17 January 2003 and it is very urgent. The message
10 informs the commander of the 4th bureau of the fact that the friendly MLC forces are to be
11 provided with logistical resources and fuel, as well as six troop transport vehicles and ten
12 jeeps. It is also requested that fuel and maintenance for those vehicles should be
13 provided. That is my interpretation of that document.

14 Q. In your opinion, what is the military significance of that document?

15 A. To begin with, the message clearly informs the chief of logistics of the Central
16 African army that he has to provide logistical support to the MLC forces. It is indicated
17 that these are logistical resources without any further clarification, but under the
18 prevailing circumstances this would refer to ammunition, it goes without saying, but this
19 would also include all other logistical resources that the MLC might need because that
20 term is generic. Then there is also fuel, which should be made available to the MLC for
21 the six transport vehicles and the ten jeeps. It is also repeated later on that fuel should be
22 provided for those vehicles, as well as maintenance, so generally speaking this is
23 confirmation of the comprehensive logistical support provided by the logistics unit of the
24 Central African forces General Staff to the MLC forces.

25 Q. In light of your analysis of the various documents, was the ALC General Staff in

1 Gbadolite able to provide weapons from Libya to the contingent in the Central African
2 Republic?

3 A. Based on the documents that we saw this morning, the ALC received weapons and
4 ammunition. With this message we see that there is comprehensive logistical support,
5 including means of transport, so everything was provided, including equipment and even
6 uniforms. So the Central African Republic was fully responsible for providing the
7 equipment and other materials necessary to the MLC which had come to reinforce its
8 army.

9 The interpretation that we can give to the weapons and ammunition coming from Libya is
10 that it was in fact not intended for the ALC. These were not supplies intended for the
11 ALC per se, but supplies provided to the Central African Republic. So what came
12 through the DRC from Libya was intended not specifically for the ALC forces, but
13 generally speaking to the Central African forces.

14 And why did these supplies transit through the DRC? This was probably because there
15 was not enough security for the transport aircraft to land directly in Bangui, so there was
16 the solution of the planes from Libya landing in Gbadolite and the weapons and
17 ammunition taken through the DRC territory to Zongo and then to Port Beach in Bangui.
18 This was the responsibility of the 4th bureau of the Central African Republic forces, and
19 this 4th bureau had to distribute these equipment and materials to the various units of the
20 loyalist forces.

21 Q. Were the MLC soldiers in the Central African Republic given combat uniforms?

22 A. We saw in a previous message that there was an order to equip the ALC forces,
23 including the provision of uniforms. This was included in one of the messages, and it
24 turns out that the Presidential Security Unit, the Central African forces and the ALC
25 soldiers were equipped and dressed in the same manner, with a few differences. The

1 first difference was that the units of the Presidential Security Group wore green berets and
2 insignia of ranks. The Central African soldiers also wore berets with ranks, but the ALC
3 soldiers did not have any head-gear and did not have any insignia indicating rank.

4 Q. The fact that the MLC was provided with Central African uniforms, does that have
5 any military significance at all?

6 A. This confirms that there was indeed an integration of the ALC forces in the
7 command structure of the Central African forces. Everyone was wearing the same
8 uniform, so it was easy to identify the people belonging either to the USP, or to the
9 Central African forces, or even the ALC.

10 THE INTERPRETER: And the General added that the Central African forces were
11 wearing red berets.

12 THE WITNESS: (Interpretation) In fact there must have been certain changes during
13 the conflict, because based on the documents that I read the uniforms were new uniforms
14 which had not been used prior to the outbreak of the conflict and these uniforms had been
15 supplied by China. So one can suppose that the members of the Central African Armed
16 Forces, who defected from the loyalist forces of President Patassé to join up with General
17 Bozizé, did not have those new uniforms that were now being distributed to the loyalist
18 forces.

19 MR KILOLO: (Interpretation)

20 Q. Did you analyse the issue of the transportation or movement of ALC troops to the
21 Central African Republic?

22 PRESIDING JUDGE STEINER: Maître, I'm sorry to interrupt you. Before you go to the
23 next point, I just wanted a clarification from the witness in his quality as a military expert.
24 Is that common practice that, when a foreign force is fighting in a country, that it adopts
25 the uniforms of the armed forces of this country?

1 THE WITNESS: (Interpretation) No, that is not the rule. Each contingent of a
2 multinational force arrives with its own equipment and uniforms, and they keep their
3 uniforms for the duration of the manoeuvres. If that decision was taken in this particular
4 case it was probably because the basic equipment or the uniforms worn by the ALC
5 soldiers were either insufficient, or not everyone had the same uniforms, so there was a
6 need here to make sure that all the uniforms of the ALC soldiers were the same. It might
7 also have been an attempt by the Central African Republic authorities to confirm that
8 there was in fact an integration of the ALC forces by providing them with uniforms that
9 were identical to the uniforms of the Presidential Security Unit, but that is not the normal
10 practice in multinational forces.

11 PRESIDING JUDGE STEINER: Thank you very much. And, according to your
12 knowledge, also the Libyan soldiers were wearing the CAR uniforms, the uniforms of the
13 Forces Armées de République Centrafricaines?

14 THE WITNESS: (Interpretation) Could someone repeat that question, please?

15 PRESIDING JUDGE STEINER: You said that the idea of having everyone with the same
16 uniforms was to show uniformity or union. My question is whether the Libyan soldiers
17 were also wearing the uniforms given by the Central African government?

18 THE WITNESS: (Interpretation) Nowhere in the documents that I looked at did I see
19 anything about the Libyan soldiers being present -- who were present in the CAR being
20 given uniforms. The status of those forces was certainly different, and if one uses one's
21 logic one would think that those soldiers would have been wearing Libyan uniforms,
22 uniforms from their country, which most likely were different from the uniforms of the
23 loyalist forces, the forces from the CAR.

24 JUDGE ALUOCH: May I seek a clarification from the evidence of the expert witness?

25 This is on page 32 of the transcript, the English version. The question was posed by you,

1 Mr Kilolo, line 12, and the question you posed reads as follows: "In your opinion ..." --
2 this is what you asked the expert witness, "In your opinion what was the purpose of those
3 meetings?" You are referring to meetings between Colonel Moustapha with President
4 Patassé.

5 What did not come out clearly from that question is were you asking his opinion as an
6 expert, or -- because this would be a matter of fact, because lines 8 and 9 reads,
7 "After ..."-- this is what the witness says, "After reading the documents that I was able to
8 analyse, it turns out that Colonel Moustapha met with President Patassé a few times but
9 not alone. He was in the company of General Bombayake." Then your next
10 question was -- that was the answer by the witness. Your next question was, "In your
11 opinion, what was the purpose of those meetings?"

12 So if I could ask the witness, were you giving that as an expert opinion or -- I wasn't clear
13 in what capacity that you are giving that answer, the answer to the question, "In your
14 opinion, what was the purpose of those meetings?" Am I clear, sir, am I clear in my
15 question? Yes.

16 THE WITNESS: (Interpretation) I also mentioned in the reply that it was after General
17 Bombayake had been designated to command and organise the forces so he -- de facto he
18 had the powers of a Chief of Staff Joint Services. When the President of the Republic
19 summons the equivalent of the Chief of Staff Joint Services, and he had given those
20 powers to General Bombayake with Colonel Moustapha who was the man leading the
21 reinforcements from the ALC, I suppose if he summoned those two military officers it was
22 to talk about operations underway.

23 So my answer was probably they were talking about the operations that were underway.
24 He wanted to see those two military officers, namely, the new leader of operations in the
25 CAR and then the leader of the MLC forces. I suppose if he summoned them because he

1 wanted to talk about military matters, nothing else, to talk about the operations underway,
2 that is the answer that I provided.

3 JUDGE ALUOCH: So -- sorry to come back to it, so under military rules and/or
4 regulations, that is what would normally happen. That's just what I want you to confirm,
5 because then that is an expert opinion.

6 THE WITNESS: (Interpretation) Well, if that was the will of the President of the
7 Republic, well, if he -- if that is his will he summons whoever he wants to talk about
8 whatever he wants to talk about. So as the President of the Republic, as the leader of the
9 armed forces, there's nothing abnormal about him summoning two military officers and
10 talking to them about defence matters.

11 JUDGE ALUOCH: Thank you.

12 MR KILOLO: (Interpretation)

13 Q. Sir, have you looked at the whole issue of mobility and transportation of MLC
14 troops within the CAR during the operations underway?

15 A. Yes, and we can see that some vehicles were provided to the ALC forces and, at first
16 glance, well, considering the number of soldiers one would say that the number of
17 vehicles was not sufficient. The vehicles in question were, judging by what I read in the
18 documents, were military vehicles with military registration plates from the CAR, and
19 they were light-duty vehicles. The personnel carriers, however, some of them would
20 have been military trucks; others might have been civilian vehicles that had been
21 requisitioned and quite legally by the authorities of the CAR.

22 The documents are also clear that those vehicles were driven by Central African drivers.
23 Now, that's really -- that really comes as no surprise because they knew the town, they
24 knew the city, the country, the state of the roads, the general terrain. They would know
25 what alternate roads to take if there were problems, so it seems to me from a military

1 point of view it would have been a good idea to have CAR soldiers driving those vehicles.
2 However, when one looks at the number of vehicles that were provided, if no other
3 vehicles had been provided, the number of vehicles that we're talking about here, the
4 number of vehicles decided upon by the Chief of Staff Joint Services, that seems like -- it
5 seems to be quite a low number to transport the forces, and Colonel Moustapha had to
6 have a bit of a rotation system considering the number of troops that had to be
7 transported.

8 Q. According to your analysis, which authority had control over these vehicles that
9 were provided to the MLC troops in the Central African Republic?

10 A. Those vehicles belonged to the head of the 4th office of the Central African Republic.
11 They were only provided or made available to the ALC forces. That means that when
12 you make something available to someone, it means that at one particular point you may
13 take the item back. If, however, in military terms, if you allocate a vehicle to a unit, it's as
14 if that vehicles becomes the possession of the unit for the duration of the conflict, but in
15 this case the vehicles were made available, too.

16 In the case of Colonel Moustapha, he had some logistics problems particularly relating to
17 the transportation of soldiers because these vehicles had only been made available to him,
18 and I remind you the drivers were CAR soldiers and reported to Moustapha. They had
19 to obey the orders of Colonel Moustapha.

20 Q. What conclusions would you draw about the command structure, the fact that it
21 was the head of the 4th office of the CAR forces that provided these vehicles to the
22 commander of the ALC forces?

23 A. Well, it's quite a logical thing, since the ALC entered the country, the CAR, and had
24 no vehicles to move about. Since that force was being integrated into the CAR forces,
25 obviously they had to be given means of transportation so that they could be deployed

1 quickly, so it was certainly part of the 4th office's role to do this, the 4th office being in
2 charge of logistics, so it was quite normal for them to provide those vehicles to them. It
3 was quite logical. The ALC was dependent upon them from a logistics point of view for
4 transportation when they were in the Central African Republic.

5 Q. Did you look at how the ALC troops were fed during that time when they were in
6 the Central African Republic?

7 A. The decision was taken that a general allowance would be paid to Colonel
8 Moustapha or to one of his representatives to feed the entire force. A very small part of
9 the food was provided by the CAR by the supplies directorate. For the most part, the
10 food was bought at the various markets in Bangui and then later more towards the north,
11 using the money that had been paid. The food was prepared by ALC soldiers and then
12 consumed by the staff. That is how it worked.

13 Q. Could you tell us exactly what you mean by this "general allowance"?

14 A. Well, this general allowance is a lump sum that is determined by the staff
15 headquarters, and that amount of money is the money needed to feed a soldier for
16 24 hours. That amount might change with time, and when the amount is paid, well, you
17 take that number, you multiply it by the number of soldiers and you get a result, and that
18 result is the money that is available to feed the corresponding number of troops over a
19 24-hour period.

20 Q. When you were conducting your analysis, did you observe any cases of pillaging, or
21 of looting, amongst or by the ALC owing to a lack of food?

22 A. No, on the contrary the witnesses that I interviewed in Kinshasa were entirely
23 satisfied with the way that they had been fed. Other than a few isolated cases, there
24 really were no problems having to do with feeding the troops, or providing meals to the
25 troops, when they were in the Central African Republic.

1 Q. From a military point of view, in terms of the command of the troops, did this have
2 any significance, the fact that meals were being provided to the troops?

3 A. Well, that's not the usual way of doing things. Usually, during a multilateral
4 operation, each contingent organises and pays for meals. Most likely there had been an
5 agreement to do things differently under these particular circumstances and that the
6 Central African Republic would be responsible for providing meals, or for feeding the
7 soldiers.

8 I think we also have to realise that the -- if the MLC had been responsible for meals, that
9 would have meant that the MLC would have had to pay this comprehensive allowance to
10 its forces so that they would be able to eat in the CAR, but that's not what happened.
11 What happened was that the Central African Republic provided the money for the
12 feeding, for the meals, of the MLC.

13 Q. Were you able to determine why it wasn't Gbadolite, but rather it was Bangui that
14 was paying for the meals for the feeding of the MLC troops?

15 A. Perhaps it was a suggestion made by President Patassé, because he himself was the
16 one who asked for the amounts for feeding the ALC be put in place and collected by a
17 representative of the ALC. So either it was what President Patassé wanted, or an
18 agreement between President Patassé and Mr Bemba before it had been finally decided
19 whether reinforcements would be sent to the CAR.

20 MR KILOLO: (Interpretation) I would like to ask the court officer to please display
21 document 66. This is CAR-D04-0003-0138, document 66 on the list.

22 Q. Sir, could you explain your analysis of this document to us?

23 A. This is a government authorisation, signed by the Minister of Defence of the Central
24 African Republic, which reads as follows:

25 "Further to instructions from the president ...", in other words instructions from President

1 Patassé, "... the Minister of National Defence hereby instructs General Yangongo and the
2 commander of the amphibian battalion to please organise on the Central African side of
3 the river, that is to say at Port Beach, the crossing of the Ubangi River by the battalion that
4 is being sent as reinforcements, the MLC battalion."

5 Furthermore, a request is also made to organise their temporary housing, or they should
6 be barracked temporarily, that is to say the amphibious battalion should be housed on a
7 provisional basis, and furthermore a situation report should be sent to the
8 Commander-in-Chief Joint Services for information purposes regarding the mission.

9 So once these troops had crossed over and had been put in the housing, this -- the
10 addressee was being asked to provide a situation report about the number of people who
11 had been taken over the river, that is to say from the Congo to the Central African
12 Republic, and to provide the number - the true number - of soldiers who had crossed over
13 for information purposes, and this was to be sent to the Chief of Staff Joint Services.

14 MR KILOLO: (Interpretation) Could I please ask the court officer to scroll down so we
15 can have a closer look at the stamp at the bottom of this document?

16 Q. Sir, can you identify who signed this document and what the date was?

17 A. What I see here is "9 January 2003" and it seems to be -- correction, it is signed by the
18 Minister, General Regonessa. As for the addressees, all the major commands, including
19 the supply office, the health services, the unit responsible for overall monitoring of
20 weapons and the staff headquarters, as well as the garrison major. I think I explained
21 yesterday that the garrison major was the commander for Bangui. And then we see as
22 usual one example -- correction, one copy to the records department and another copy
23 within the chronological log-book of such documents.

24 Q. Now, in this document when mention is made of organising the crossing over the
25 troops to Port Beach, from a military point of view what does this mean? What has to be

1 done exactly?

2 A. First of all initial contact must be made, and this is done by the Central African
3 Republic official. They have to contact the ALC to determine exactly how many people
4 are going to be crossing over, and that will have an impact on the number of ferry-boats
5 required to bring the people over. If there are not enough ferry-boats it has to be
6 determined how many times the same boat will have to go back and forth, so this will
7 give an idea of how much time will be needed.

8 As for space, well, we know where this will occur because it specifies that the arrival point
9 is Port Beach, but then once again an agreement has to be reached with the ALC regarding
10 the place where the troops will get on the ferry-boat. So this initial contact makes it
11 possible to organise the crossing in a detailed fashion, and then in the field at the time
12 specified on the DRC shore the ferry-boat arrives and then there has to be initial contact to
13 ensure that the number of people crossing over corresponds to what was agreed to and
14 then the people cross over and, depending on the number of trips that will be needed, the
15 commander will have to divide the number of troops into smaller groups.

16 It may not necessarily be the first 20, second 20 and so on and so forth. The leader of the
17 ALC would decide who will cross first, who will go into the first ferry-boat, the second
18 one and so on and so forth. Then the crossing takes place and then, once the troops are
19 on the other side, there has to be some sort of welcoming arrangements made and the
20 people will have to be taken to the temporary barracks. If it's -- if the barracks are far off,
21 transportation has to be organised and then the new arrivals have to be sent to their
22 barracks and so on and so forth.

23 I'd like to specify that these various phases are not part of a conflict situation. If it was a
24 conflict situation it would be the same phases, but at the same time one would have to
25 ensure the safety of the crossing area and the safety of the area where the troops get on the

1 boat.

2 Things were calm in the DRC. However, things were not necessarily calm on the CAR
3 side, so security might have to be provided; security for the welcome and for the making
4 of arrangements, the setting up of arrangements.

5 So I would point out that the situation would be one of vulnerability and I would point
6 out that such operations are always rather delicate in nature. These various phases that
7 I've mentioned that occur during normal times, if there had been any threats to the
8 boarding point or the arrival point, the CAR authorities would have to ensure the safety
9 of all the zones that had been designated for the crossing.

10 Q. From the Congolese territory were you able to determine which authority organised
11 the movement of the ALC forces from the DRC to the Central African Republic to be
12 placed under the control of the FACA?

13 A. Once a decision was taken to send ALC reinforcements to the CAR then it became
14 absolutely the role of the Chief of Staff of the ALC to organise at his level, for the benefit
15 of those to be sent as reinforcements, any arrangements that would enable the setting up
16 of that force alongside the Central African forces. It was therefore General Amuli who
17 ordinarily would have been in charge of that operation.

18 Q. Did you consider which authorities received the ALC contingent at the Port Beach
19 upon their arrival in Bangui?

20 A. Their reception was organised. As I recall from the documents, and I am certain of
21 this, the reception was organised at the behest of the Minister of Defence. Colonel
22 Lengbe, who was the commander of the operational centre, and General Bombayake were
23 at least the two authorities who were involved in receiving the ALC detachment.

24 Q. The documents before you refers to instructions from the president. What does
25 that bring to your mind in terms of hierarchy and command structure?

1 A. It is President Patassé who asked for reinforcements, and in his capacity as President
2 of the Republic and commander-in-chief of the armed forces, he is the one who gave
3 instructions to the minister to ensure that the ALC reinforcement troops were received. I
4 therefore believe that this is only quite logical, since the president had been granted his
5 request for reinforcement, he then went on to inform the minister about what he expected
6 in relation to the reception of the ALC forces. The ministerial order therefore was issued
7 to the various services of the Central African forces with a view to setting up the reception
8 system pursuant to instructions from the President of the Republic.

9 PRESIDING JUDGE STEINER: Just a clarification from the witness and mainly related to
10 the chronology of the events. We've been examining with the expert some documents
11 brought by Defence and apparently the agreement between President Patassé and the
12 commander-in-chief of the MLC was in mid-November.

13 Almost all of these orders that we've been discussing in today's hearing, on the provision
14 of uniforms, transport, means of communication, alimentation, et cetera, are dated the
15 second half of January.

16 My question is: We are talking here about the dotation to the MLC, the transport, the
17 crossing of the river, the installations, the uniforms, transport, arms, carburants et cetera,
18 as from mid-January? So what happened before? That's my question.

19 THE WITNESS: (Interpretation) From the documents I read, it emerges that the entire
20 ALC force sent to the CAR was not installed or set up in the CAR on the same day. It
21 was gradually that the battalion moved into the CAR. So from this position we cannot
22 determine whether this was in relation to the arrival of the first or the second or the third
23 battalion. It is true and clear that the first battalion arrived before 1 January in the
24 Central African Republic. Now, whether there are any other previous documents
25 relating to the arrival of the previous or the first battalion, I am not aware of that because I

1 did not see any such document. This document deals with the arrival of a battalion
2 relating to the contingents that came along to join Colonel Moustapha, adding up to a
3 total of three battalions. The point I'm making is that these battalions did not arrive on
4 the same day, so the document I'm referring to deals with the arrival of a battalion. Now,
5 whether it was the 2nd or the 3rd Battalion I do not know, but at the very least we know
6 that the -- there was already a battalion in place in the Central African Republic at the time,
7 although I did not see any previous document dealing with equipment and relating to
8 that first battalion.

9 However, from the testimonies we can see that from the time of the arrival of the first
10 ALC troops, those troops were taken care of by the Central African authorities. They
11 received equipment, they were set up in their facilities, they received resources for
12 transportation and what have you. I also said that six vehicles were -- lorries were
13 provided, maybe not for the entire force, but it is to be pointed out that some vehicles
14 were made available in view of subsequent arrivals such as another battalion.

15 PRESIDING JUDGE STEINER: So in accordance with the documents you had
16 opportunity to analyse, there is no information about the number of troops, nor
17 documents showing how these troops were received, fed or received uniforms in Central
18 Africa before the second half of January. The information related to these documents
19 we've been analysing today refer to the troops that arrived in the second half of January.

20 THE WITNESS: (Interpretation) That is correct. However, it emerges from several
21 testimonies - corroborated testimonies - that witnesses indeed testified that when the first
22 detachment arrived the troops were immediately taken care of by the Central African
23 Republic which provided logistical material, equipment, uniforms and what have you.
24 However, when it comes to documents - written documents - of this nature I did not see
25 any such document in relation to the first arrival.

1 PRESIDING JUDGE STEINER: Where, or better saying when the first troops arrived in
2 Central African Republic, if you are able to say?

3 THE WITNESS: (Interpretation) I do remember clearly that the first crossing was on 27
4 or 28 October, and this was by an RECC detachment and at that time Bangui was more or
5 less completely under attack and the idea was to ensure that this detachment could be in
6 the Central African Republic and ensure that subsequent landings will be done in safe
7 conditions.

8 The second crossing was on 29 and 30 October. However, I do not have any date on the
9 arrival of subsequent troops. So I have a recollection of 28 and 29 October as being the
10 date of the crossing of the first battalion with Colonel Moustapha.

11 PRESIDING JUDGE STEINER: And according to these testimonies, you see, you have
12 analysed this first battalion that arrived with Colonel Moustapha on 28 or 29 October have
13 already received weapons, uniforms and all logistics provided by Central African
14 Republic?

15 THE WITNESS: (Interpretation) Yes. You see, I even read in one of the testimonies in
16 the documents I received that some of the witnesses felt that the first ALC detachment
17 that arrived was very poorly dressed, they were in rags, and I also read that only part of
18 those troops had personal weapons and that, once they were received in the Central
19 African Republic, additional weapons, additional gear or attire and communications
20 equipment was made available, including transportation facilities, to those first troops by
21 the Central African authorities. That group was received in Port Beach and then taken to
22 Camp Béal before engagement, but they engaged quite quickly, or quite rather shortly,
23 after their landing.

24 PRESIDING JUDGE STEINER: This last part -- I'm sorry if I insist, General, but we need
25 to be very clear in order for the Chamber to analyse properly the contents of your report

1 and of your testimony. I've heard you say that you believe that all logistics was
2 provided. In the English transcript, it's not clear that you said "Je pense qui". I would
3 like to confirm if this last information you gave you know that equipments and logistics
4 were provided to the first troops, or you think that they were provided?

5 THE WITNESS: (Interpretation) Going by what is contained in the documents I
6 analysed, it is clear that the first detachment was not fully equipped and, because it was
7 supposed to engage in combat quickly because of the prevailing situation in Bangui, that
8 first detachment received equipment and uniforms and weapons before their engagement
9 in combat, and I'm going here by the information available. Those who already had
10 weapons did not receive new weapons. However, from the documents I read it emerged
11 that not all the troops had weapons, and so they had to be provided with weapons and
12 those weapons could only have come from reserve weapons from the Central African
13 army. So additional weapons were provided to that force in view of its engagement
14 subsequent to their arrival.

15 MR KILOLO: (Interpretation) I would like to ask the court officer to display document
16 number 68 of the Defence list of documents, CAR-D04-0003-0140.

17 Q. General, this is a document we already looked at yesterday. Could you please tell
18 the Court the date of this document and then give us your interpretation, or analysis, of
19 this document?

20 A. This is a document from the Chief of Staff of the Joint Services, addressed to the
21 commander of the military engineering services of the Central African Republic, date
22 8 November 2002. It is a very urgent, hand-delivered message, which seeks to inform the
23 addressee to take all necessary measures, along with his services, to ensure that health
24 and toilet facilities, electricity, sleeping facilities, depots and weapons and ammunition
25 facilities are made ready at the Begoua school for the allied battalion of the MLC. It is an

Trial Hearing
Witness: CAR-D04-PPPP-0053

(Open Session)

ICC-01/05-01/08

1 urgent and important message. The message porté is signed by General Gambi on
2 8 November 2002.

3 This means that the commander of the military engineering services would be responsible
4 for setting up the facilities where the allied battalion was set up, including health facilities,
5 electricity, sleeping facilities, depots and what have you, and all of that with a view to
6 hosting the battalion that would come in as reinforcement to the Central African Republic
7 forces. This meant that the school of Begoua then would be used for that purpose of
8 hosting the allied force. The commander of the military engineering services was
9 therefore responsible for organising the matériel or physical hosting of the ALC allied
10 forces that would come as reinforcement to the Central African forces.

11 PRESIDING JUDGE STEINER: Maître Kilolo, in your copy of the document, is that clear
12 that the document is dated 8 November, as the witness mentioned, because from my copy
13 I cannot see the day? Maybe it's not relevant, it's just a comment, because the witness
14 mentioned "... signed on 8 November," and just for the record, at least in the copies we
15 have here, we cannot read the "8".

16 MR KILOLO: (Interpretation) I dare not ask you a question, your Honour, but do you
17 see the month of November 2002?

18 PRESIDING JUDGE STEINER: Yes, that's why I'm talking just about the day, because
19 the witness said "8 November" and the number "8" does not appear. That's why I want a
20 clarification.

21 You have the floor, please, General.

22 THE WITNESS: (Interpretation) I have two screens before me. On the left screen I am
23 not able to see the date, but on the screen to my right I can clearly see that it is
24 "8 November 2002." Maybe this picture that I have to my right could also be put on your
25 screen to enable you to see the date.

1 PRESIDING JUDGE STEINER: Thank you. I'm satisfied with the explanation. It's just
2 for the record that the date does not appear in the copies that we have in front of us.

3 You can continue, Maître Kilolo.

4 MR KILOLO: (Interpretation)

5 Q. General, a short while ago, in answering the President's -- the Presiding Judge's
6 question, you made a distinction between a small group of the ALC detachment, which
7 arrived on the 27th or thereabouts at the Port Beach in Bangui, and the active forces which
8 came in on 29 and 30 October 2002. Could you please clarify the Court on the distinction
9 you make between those two groups?

10 A. A short while ago, I was saying that crossing over is a very delicate operation
11 because the troops that are crossing over are quite vulnerable. When you look at the
12 period under review, that is from 26 to 28 October, two or three days before the first
13 troops crossed over, the situation in Bangui was very unstable and very tense. The entire
14 city had come under the attack of General Bozizé's troops. So before the ALC forces
15 could cross over, it was only normal and legitimate and in line with military practice to
16 send a reconnaissance unit across so that they would contact or link up with Central
17 African forces and ensure that all security arrangements are made to ensure that the cross
18 over is done under the best possible security conditions, without endangering the active
19 forces that would cross over in that manner. So irrespective of the numbers, it might be a
20 section, maybe 30 people, or a company of 100 persons, that does happen to link up and
21 ensure that all security measures have been put in place prior to the crossing over.
22 There were two options open at that time; namely to remain on land and then participate
23 in the subsequent crossing over, or return to the DRC. Those were the two options open
24 to that -- the reconnaissance unit, which would then have reported to Colonel Moustapha
25 on the situation and the measures in place regarding the crossing over.

1 This would also be useful in guiding the ALC forces when they cross over, given that the
2 reconnaissance unit would have already been familiar with that side of the river, so this is
3 what is done to ensure that minimum standards of security are met at the time of the
4 crossing over.

5 Q. One last question. What did that small reconnaissance unit do when they got to
6 the camp beach in Bangui in the case at hand?

7 A. After the small unit made those initial contacts, they returned to Zongo and then
8 crossed over again with the group of the ALC.

9 Q. Do you know how much time that small group spent in Bangui before returning to
10 Zongo?

11 A. I did not read in any of the documents any specific details as to the time they may
12 have spent there, but going by the role that such a unit generally plays the -- they must
13 have spent very little time in the Central African Republic. They must have crossed over
14 and come back to Zongo on the same day, I believe.

15 PRESIDING JUDGE STEINER: Thank you, Maître Kilolo.

16 General Seara, we have now our lunch-break. It's 1 o'clock. We will suspend and
17 resume at 2.30.

18 I ask, please, court usher to accompany the witness outside the courtroom. At the same
19 time, we will suspend and resume at 2.30.

20 (The witness stands down)

21 THE COURT OFFICER: All rise.

22 (Recess taken at 1.00 p.m.)

23 (Upon resuming in open session at 2.34 p.m.)

24 THE COURT USHER: All rise.

25 Please be seated.

1 PRESIDING JUDGE STEINER: Good afternoon and welcome back.

2 Before we ask the witness to be brought into the courtroom, the Chamber has an oral
3 decision to be issued. It is the decision on the applications to question the Defence
4 Witness 53 by legal representatives of victims.

5 On 7 August 2012, the Chamber received an application from Maître Zarambaud on
6 behalf of the victims that he represents to question the expert witness, D04-53, filing
7 2255-Conf. The application contains a list of four sets of questions.

8 On the same day, the Chamber was notified of a similar application from Maître
9 Douzima on behalf of the victims that she represents, filing 2257-Conf. The
10 application contains a list of 19 sets of questions.

11 On 10 August 2012, the Defence filed its applications to both -- its observations, I am
12 sorry, to both applications, filing 2259-Conf, arguing that the legal representatives
13 failed to provide sufficient reasons to demonstrate that the victims have a personal
14 interest in examining Witness D04-53 and objecting to several specific questions as it
15 finds them, inter alia, unnecessary, leading or irrelevant.

16 On 14 August 2012, the legal representative, Maître Douzima, filed a reply to the
17 Defence observations and objections, filing 2263-Conf.

18 At the outset, the Chamber recalls its decision of 9 September 2011, and I will provide
19 the number of the decision. At the outset, the Chamber recalls its decision of 9
20 September 2011 setting, inter alia, a schedule for the filing of submissions in relation
21 to future applications to question witnesses.

22 For clarification and to address Mr Haynes' oral observations of this morning, the
23 Chamber's decision of 9 September 2011 exceptionally allows for automatic replies by
24 participants without prior leave by the Chamber. Indeed, the Chamber ruled at
25 paragraph 14 of decision 1729 of 9 September 2011 the following, and I quote, "From

1 now on, any observations on or objections to applications by legal representatives to
2 question witnesses are to be submitted at least four days before the relevant witness is
3 scheduled to testify. Any replies to those observations are to be filed at least two
4 days before the witness is scheduled to testify." End of quotation.

5 The Chamber has therefore taken into account Ms Douzima's reply in its present oral
6 decision.

7 Having considered the reasons given by both Maître Douzima and Maître
8 Zarambaud as to why they believe the personal interests of the victims they represent
9 are affected, the Chamber grants their applications as it is in the victims' interests to
10 better understand through the military expert's testimony whether the MLC troops,
11 who allegedly committed the crimes, were under Mr Bemba's command during the
12 2002/2003 CAR events.

13 In relation to the questions of Maître Zarambaud, the Chamber allows him to put his
14 questions to the witness, except for questions 4.1 and 4.2 that are irrelevant to the
15 witness's area of expertise.

16 Question 3.2 by Maître Zarambaud should be rephrased in order to avoid being
17 leading as it is in the current format.

18 In relation to the questions of Maître Douzima, the Chamber allows her to put her
19 questions to the witness. However, question 14 needs as well to be rephrased.

20 Now I ask, please, court usher to bring the witness in.

21 (The witness enters the courtroom)

22 PRESIDING JUDGE STEINER: General Seara, welcome back.

23 THE WITNESS: (Interpretation) I'm ready.

24 PRESIDING JUDGE STEINER: Thank you very much.

25 Maître Kilolo, you have the floor.

Trial Hearing
Witness: CAR-D04-PPPP-0053

(Open Session)

ICC-01/05-01/08

1 MR KILOLO: (Interpretation)

2 Q. Good afternoon, General.

3 A. Thank you.

4 MR KILOLO: (Interpretation) Court officer, please display document number 67
5 on the Defence list, CAR-D04-0003-0139.

6 Q. Sir, can you give us your interpretation of the document before you?

7 A. It is a government authorisation through which the Minister of Defence
8 authorises the barracks of the MLC allied force battalion at the Begoua public school
9 at the north exit of Bangui; that is, they are authorising that battalion to establish itself
10 at that school, which of course would then become its barracks.

11 The consequence is that the limits of the Bangui garrison are modified when it comes
12 to the north exit, that is one kilometre after the Begoua school. A roadblock for
13 controls would be set up at that point that is -- and controlled by the Presidential
14 Security Unit. This means that at that particular distance from the Begoua school a
15 roadblock for exit formalities would be set up so as to control people exiting in that
16 direction. The soldiers controlling that roadblock would be soldiers of the
17 Presidential Security Unit. This was tantamount to creating a specific zone located
18 north of the school and controlled by the Presidential Security Unit.

19 This memo is dated 19 January 2003 and there are several addressees. You have the
20 usual addressees in the previous mails and then you have the garrison major who is
21 responsible for the soldiers in the capital. So when the limits of that garrison are
22 modified, it is just normal for the major to be informed and also to ensure that the
23 measures are taken to set up a controlled roadblock manned by Presidential Security
24 Unit soldiers.

25 Q. Sir, what is the military significance of this document; that is from the point of

1 view of the command structure of the AL forces in Bangui?

2 A. First of all, it is the government that decides the location at which that battalion
3 would be barracked, so the battalion does not decide by itself where it establishes its
4 quarters. It is the government that decides.

5 This is also done because of reasons of security. That battalion was to be installed at
6 the school and there was a control checkpoint for purposes of security also and this
7 seems to be quite legitimate.

8 Q. And which government are you referring to?

9 A. The Government of the Central African Republic, because this government
10 authorisation document is signed and stamped "Ministry of Defence of the Central
11 African Republic."

12 Q. Do you know why the decision was made to barrack the MLC troops at the
13 Begoua public school, rather than to house them in private residences?

14 A. It is always a bad decision to house troops in private residences. Soldiers
15 normally live together in a building, or in several buildings that form a single unit, so
16 the choice of the school had to correspond to the capacity of that school, that is it had
17 to be able to house those soldiers, and the location was at the north exit of Bangui, but
18 I do not know the reason for the government making that decision. They did not
19 simply take the decision haphazardly, because they must have taken into
20 consideration the need for security and comfort of the troops and this location
21 corresponded to what they were looking for.

22 Q. Do you know whether the MLC troops had physical contact with military
23 authorities while they were stationed in PK12; that is on the ground in Begoua?

24 A. Are you referring to Bangui, or PK12? Can you be more specific, please?

25 Q. Did you find out precisely how many kilometres away from Bangui centre is the

Trial Hearing
Witness: CAR-D04-PPPP-0053

(Open Session)

ICC-01/05-01/08

1 Begoua public school?

2 A. To be frank, no.

3 Q. When the MLC troops were in PK12, do you know whether they had any
4 physical contacts with any military authorities at all while they were there at PK12?

5 A. General Mazi visited them regularly, and those troops were also visited by the
6 Joint Services Chief of the Central African Armed Forces, that is General Betibangi,
7 and I think it is also possible that Colonel Lengbe visited them, who was the Chief of
8 Staff of the operations centre.

9 MR KILOLO: (Interpretation) Court officer, please kindly display document
10 number 59 of the Defence list, CAR-D04-0003-0131.

11 Q. Sir, what are your observations on this document?

12 A. It is a hand-carried message from the Joint Services Chief Of Staff of the Central
13 African Republic Armed Forces and it is addressed to the head of the second bureau,
14 that is the head of intelligence of the Central African Armed Forces. It is dated
15 7 January 2003. It is very urgent and provides information about the placement at
16 the disposal of the commander of the military security service of the Ministry of
17 Defence of soldiers of the second bureau. It is signed by General Gambi, so the head
18 of the second bureau of the General Staff is being informed that he would have at his
19 disposal members of the military security service of the ministry.

20 This is a special service which is responsible for the internal security of the armed
21 forces. In order to better understand this concept, I believe it can be identical to the
22 police of the police; that is the police unit responsible for policing the police, so this
23 unit plays the role of ensuring internal security within the armed forces.

24 So you have these members of the second bureau, that is the intelligence service, who
25 are assigned to that unit and I believe the intention here on the part of the General

Trial Hearing
Witness: CAR-D04-PPPP-0053

(Open Session)

ICC-01/05-01/08

1 Staff is to strengthen the capacity of the head of the second bureau; that is the
2 intelligence capacity of the operations centre of the General Staff. This seems to be
3 logical, because of the importance of intelligence in the conduct of the operations.

4 Q. What would be the consequence of this document from a military point of view
5 in relation to the MLC forces which were in the Central African Republic at the time?

6 A. Since the ALC forces were under the command of the Central African military
7 authorities, it benefited indirectly from the fact that the operations centre was being
8 reinforced in the area of intelligence, so they would have better information on the
9 general situation and on the situation of the enemy thanks to the strengthened
10 capacity of the second bureau.

11 MR KILOLO: (Interpretation) Court officer, please kindly display document 69 of
12 the Defence list, CAR-D04-0003-0141. Thank you.

13 Q. Sir, let us move on to something else, that is a document that dates back to the
14 first intervention of the MLC in the Central African Republic in 2001, and I would like
15 to ask you to give us your interpretation of this document and if possible make a
16 comparative analysis with what happened subsequently during the second
17 intervention of the MLC.

18 A. This memo is from the Joint Services Chief of Staff of the Central African
19 Republic Armed Forces and the purpose is the distribution of support to the allied
20 troops of the Libyan army and the MLC forces, so at the time of this document the
21 allied troops, that is the Libyan army on the one hand, and the MLC army on the
22 other hand, were engaged in supporting the Central African Army to liberate the
23 areas held by the rebels, according to the stated distribution.

24 The first observation is that the Libyan army was supporting, acting in support to the
25 Central African Armed Forces. This meant that the Libyan forces provided

1 assistance, but it was the Central African government forces that were leading the
2 operations, so this distribution was made between the Libyan army, which was in the
3 central town of Bangui, that is covering the second to the sixth districts. That is up to
4 PK9. With regard to the MLC forces, they were responsible for Camp Kassat and the
5 7th arrondissement or district, that is Landjia M'boko, so one can see that there was a
6 geographical distribution here that was mainly limited to the heart of Bangui, that is a
7 certain number of arrondissements, right up to PK9, whereas the MLC forces were
8 responsible for the entire area in the 7th arrondissement. So each of those forces
9 were placed at a specific location to support the armed forces of the CAR, so this is a
10 much more limited geographical area compared to the conflict area that we are
11 discussing today. So it is a totally different dimension, particularly when it comes to
12 the area covered. So the concentration of the Libyan and MLC forces in a small area
13 indicates that the purpose at that time was to provide support or assistance inside the
14 capital and not out of the capital. So this is the major difference between what
15 happened in 2001 and what subsequently happened in 2002. So for the first phase
16 only a part of Bangui was involved and during the second phase the area was much
17 larger. So the areas of operation of the MLC during the first and second phases were
18 very, very different.

19 Q. Now, when the MLC troops intervened the second time, can one say that they
20 were already familiar with the terrain during that year in 2002 since they had been
21 there in 2001?

22 A. Well, I don't think we can really say that, because judging by what I heard from
23 the people I interviewed, very few members of the ALC who were there in 2002 had
24 already taken part in the 2001 operation. All the same, a few had taken part in the
25 first operation, but really a very small number of people, judging by what I've

Trial Hearing
Witness: CAR-D04-PPPP-0053

(Open Session)

ICC-01/05-01/08

1 understood. In any event, this means that once the MLC troops left the area that
2 they had held in 2001, they found themselves on unfamiliar ground in unfamiliar
3 territory.

4 MR KILOLO: (Interpretation) I would like to ask the court officer to please display
5 document 62, D02-000 --

6 THE INTERPRETER: Interpreter correction: CAR-D04-0003-0134.

7 MR KILOLO: (Interpretation)

8 Q. Sir, we'll go through the usual exercise, that is to say, I'd like to ask you about
9 this document and the first incursion into the CAR. Could you share your thoughts
10 with us? Could you share your analysis with us? Perhaps you could also do
11 something of a comparative analysis between what we see here and the events of
12 2002?

13 A. Well, this is a message, a hand-delivered message, that originated with the CAR
14 Ministry of Defence, and it is intended for the director-general of supply. Among
15 other things, this person had various prerogatives, including the management of the
16 funds allocated to the Ministry of Defence, the funds allocated to that ministry within
17 the general State budget. In this message, we see that at the instructions or at the
18 request of the president, President Patassé, and this is for the director-general of
19 supply to -- instructions are given to cover this comprehensive allowance provided to
20 the MLC troops, urgent and highly important.

21 So we see here that everything that had to do with the feeding or the meals of the
22 MLC troops was covered, so this comprehensive allocation was provided. We've
23 spoken of this already this morning. So it was a single amount per man per day to
24 allow for the purchase of food for a 24-hour period; that is to say this allowance was
25 given to the ALC and with this allowance the ALC had the task of feeding its troops.

1 As for the date, myself, I can't make it out. I can't read it. I don't know whether this
2 is important or not, but what appears to be important here is the fact that it was a
3 decision taken by the president and this had to do with finances, with funding, and I
4 would say it would be normal for the president to make such a decision regarding the
5 comprehensive allowance given to the troops during their time in the CAR. If it had
6 to do with the first intervention, well, that would be the same mechanism as during
7 the second.

8 Q. Sir, I would like to ask you a question before we conclude with this set of
9 questions regarding this particular area. Now, we had the two documents from 2001
10 and I've been focusing more on the documents from 2002 and I counted 12 documents,
11 12 documents that we have reviewed with you for November 2002 to February 2003,
12 and I have shown you three documents regarding November 2002, documents 64, 65
13 and 68 of the various documents on the Defence list.
14 As for January 2003, I have shown you eight documents, 56, 58, 59, 60, 61, 63, 66 and
15 67, of the documents on this list. As for February 2003, I have shown you one
16 document and that is document 57 on the Defence's list of documents. I have a hard
17 copy of the various documents and, with the leave of the Presiding Judge, I would
18 provide you with said hard copy so that you could have a look at it for a minute or so
19 and then I will be asking you my question.

20 PRESIDING JUDGE STEINER: Court usher, please present the documents first to
21 the Prosecution.

22 MR IVERSON: Madam President, it doesn't appear that these are actually true
23 copies of the original. I mean, there are handwritten notes on these documents. I
24 have no idea what these numbers signify, or if they mean anything at all, but I
25 thought I would just, for what it's worth, draw your attention to that.

1 MR KILOLO: (Interpretation) Your Honour, if you don't mind, this is an internal
2 working document that was not intended for use by the expert and the figures that
3 you see are just the various number -- questions that I asked during my series of
4 questions regarding the various documents. It has no particular importance. Just
5 for -- just to jog the General's memory, I wanted to show him this document before
6 we move on to the next set of questions.

7 PRESIDING JUDGE STEINER: It appears to the Chamber that this numbering -- the
8 numbers that appears on the bottom of some of the pages does not affect the content
9 of the documents and therefore the Chamber does not oppose that these documents
10 are presented to the witness.

11 MR KILOLO: (Interpretation)

12 Q. Sir, I would like to ask you this question and please answer it as a former
13 brigadier-general of one of the largest armies in the world. After reviewing all these
14 documents that we've been looking at over the past two years, as an expert what is
15 your opinion of the organisation and the command of the MLC troops in the CAR in
16 2002 and 2003, between October 2002 and March 2003?

17 A. Well, judging by all the various documents that you have provided to me and
18 that we have looked at, upstream, it appears to me clearly that first of all the MLC
19 force was included in the forces of the CAR army in terms of meals, logistics, all the
20 logistical aspects, the MLC force was --

21 THE INTERPRETER: Inaudible.

22 THE WITNESS: (Interpretation) -- like any other unit of the CAR army supported by
23 the staff headquarters of the CAR army.

24 As far as the operational side of things are concerned, I would say that it's also clear
25 that the forces were integrated under command and control of the Chief of Staff Joint

1 Services of the CAR and consequently they received their orders and reported to the
2 Operational Command Centre located at Camp Béal.

3 As for the organisation, it's also clear that these were joint or mixed units that were set
4 up by the Operational Command Centre with the approval of the Chief of Staff Joint
5 Services, so these were joint units made up of MLC forces and CAR forces, so in the
6 field there were mixed units that were not purely Central African, not purely ALC.
7 Rather they were mixed units under CAR command supported by the CAR army in
8 terms of logistics and food, so I think we can say quite clearly that the ALC
9 detachment was under the command of the CAR, under the -- I really can't say more
10 than that.

11 They were under the orders of, under the command, under the control, and as for all
12 the rest, the ALC carried out the orders given to them and reported back to the
13 operations centre at Camp Béal. So they behaved exactly the same way as the
14 Central African Republic units did. They were under the same control and
15 command, so there you have it.

16 PRESIDING JUDGE STEINER: I just want to ask the court usher to take the
17 documents back to the Defence, please.

18 MR KILOLO: (Interpretation) I would like to ask the court officer to please display
19 document 20 on the screen, document 20 from the Defence's list of documents.

20 THE COURT OFFICER: Could the Defence please confirm the level of
21 confidentiality?

22 MR KILOLO: (Interpretation) This is a confidential document.

23 PRESIDING JUDGE STEINER: Just one moment, Maître Kilolo. I see that this is a
24 Prosecution document that was already discussed previously, so I ask first the
25 Prosecution if this document needs to be kept confidential since the information it

1 contains apparently has been already discussed even in public sessions?

2 MR IVERSON: May I have just a minute to consult with my colleagues, Madam
3 President? Thank you.

4 The Prosecution has no objection to make it a public document, Madam President.

5 PRESIDING JUDGE STEINER: Maître Kilolo, your opinion, your views?

6 MR KILOLO: (Interpretation) We are entirely in agreement, your Honour.

7 PRESIDING JUDGE STEINER: Since the information contained in the document to
8 my recollection has been already discussed and apparently there are no information
9 that should be kept from the public knowledge, the Chamber reclassifies document
10 CAR-OTP-0064-0759, which is now document 20 on Defence's list of evidence, as
11 public, and therefore the blinds can be raised again.

12 MR KILOLO: (Interpretation)

13 Q. Sir, you have a document here and in actual fact this is a sketch or a diagram
14 that was prepared by General Opande, who came and appeared before the Chamber
15 and gave testimony as an expert witness called by the Prosecution. He was called as
16 a military expert.

17 I'd like to ask you to share your analysis, your opinion, with us. As an expert, what
18 would you say about this document; this document that General Opande prepared
19 saying that this was the chain of command that was in place in the Central African
20 Republic when the MLC troops intervened? Basically, this is a diagram that shows
21 the chain of command starting with the commander-in-chief, Mr Jean-Pierre Bemba,
22 at the top, and then if we look to the left we see a dotted line and then we see the
23 MLC intervention force with General Moustapha, and then lower down we see the
24 three commanders, the commanders of the three battalions that were part of
25 Moustapha's brigade in the Central African Republic.

1 A. My first comment would be regarding the right side of this sketch. In a
2 military structure, there is always a chief, a commander, as you can see in this case.
3 As I explained earlier, a commander cannot know everything and do everything by
4 himself. He needs tools that assist him in his work. The tool that he uses is the
5 General Staff, so we can see the Chief of Staff here, Chief of General Staff, General
6 Amuli, who has four offices or bureaus to work with.
7 The first bureau which handles staff management, then there is intelligence and there
8 is then logistics as well, but here we see below the Chief of Staff G2, a little dotted line
9 which goes straight to the brigades. The chief is the command officer, but he works
10 through his General Staff. When he takes a decision, it is the General Staff that
11 formulates it and then passes it on to the other staff. So we see the dotted lines
12 under G2, which should not be a dotted line because the information or the order
13 from the chief goes to the Chief of Staff who then gives the orders to the various
14 bureaus who then convey such instructions into orders which are forwarded to the
15 various brigades. That's my first comment.
16 Secondly, I would like to talk about the line that goes straight from the commander to
17 the brigade commander. This would mean that the commander has direct command
18 over the brigade commanders. In such circumstances, one must then wonder what
19 the General Staff's role would be. Why have a General Staff when the
20 commander-in-chief can send orders directly to the brigade commanders? Why
21 have General Amuli in place? Why have heads of the various bureaus, generals and
22 colonels, in those positions when they do not serve any purpose given that the
23 commander-in-chief issues orders directly to the brigade commanders? So that's the
24 criticism I have of this sketch. This is not a workable formula. However, from time
25 to time the commander-in-chief may call a brigade commander to issue specific

1 instructions as the need -- as the need may be and so there will be no problem. In
2 that case the dotted lines, as I was saying, between G2 and the other brigade
3 commanders, should be actually a solid line and the line between the
4 commander-in-chief and the brigade commanders should be the dotted lines because
5 these communications do take place only from time to time and that's my comment
6 on the right side of this diagram.

7 As for the left side of the diagram, one would still ask the question then as to what the
8 purpose of the General Staff would be in these circumstances, because it has no link
9 whatsoever with the brigade in the Central African Republic? None whatsoever, in
10 which case the General Staff is completely useless because it has no link with the
11 Central African Republic, yet you can see a dotted line from the commander-in-chief
12 to General Moustapha's brigade. What interpretation can we give to those dotted
13 lines? Is it to say that the contacts are only from time to time, or is it a structural link?
14 When a contingent has left its country and is under the orders of a multinational force,
15 that contingent does not lose its nationality and it does not lose its links with its
16 national country, so those links are still in place and I have already explained to you
17 what they are like in a multinational operations.

18 Administrative issues and legislative issues, and logistical issues, rather, which
19 are -- which remain as national prerogatives and do not come under the multinational
20 jurisdiction, so to speak. So these dotted lines may reflect a structural link which
21 may be the administrative link, but it should not be directly linked to the commander.
22 It should be the case that the dotted lines go rather to the Chief of Staff before going
23 up to the commander-in-chief.

24 When one is a commander-in-chief, one has many issues to deal with and one cannot
25 simultaneously handle everything and deal with all and sundry, and issue orders to

1 everybody in all areas and in all matters. That is the job or the role of the chief or the
2 General Staff. It gives the commander-in-chief a sort of a breather so that he can
3 issue instructions to the General Staff which will then pass them on to the other parts.
4 My interpretation therefore is that this diagram points out that the General Staff was
5 useless, both in itself and in the offices of the officers there, as well as other
6 subordinates at the brigade level. That notwithstanding, I have also stated that the
7 commander, in specific and special circumstances, can contact the brigade
8 commanders to ask for such-and-such an information as the case may be.
9 You see, there is a brigade in the -- these brigades, by the way, are in the Democratic
10 Republic of Congo, and whatever happens in those brigades has a direct and
11 immediate bearing on the designs or the projects or the missions of the commander,
12 so it might happen from time to time that he needs to have direct link with those
13 brigades, but when you have a structure in which there is a direct link between the
14 commander and Moustapha's brigade, what I can say is that such links must or
15 should have gone through the Chief of Staff, not through to the commander-in-chief
16 directly, because they are administrative and structural links which must be
17 interpreted in that manner, and it is my opinion, my observations and my criticism of
18 this diagram.

19 Q. As far as you know, what would have been Mr Jean-Pierre Bemba's interest or
20 General Amuli's interest in having a structural or administrative link with Colonel
21 Moustapha during that time in the Central African Republic?

22 A. It is important to maintain an administrative link which enables reporting in a
23 number of areas on matters relating to staff and to personnel. Yesterday, I explained
24 that this link deals with all matters of human resource management, issues such as
25 deaths, wounded soldiers, discipline, awards and rewards and compensation and

1 what have you, need for reinforcement or no need for reinforcement, as the case may
2 be, information on challenges and difficulties that are encountered on the ground
3 which may be settled either by the Chief of Staff, General Amuli, in relation with the
4 Central African authorities, or by General Moustapha himself, and were it to be a case
5 of a strategic decision the commander-in-chief himself, Mr Jean-Pierre Bemba, may
6 also contact President Patassé and inform him that his forces which are now fighting
7 under the authority of the Central African forces are running into such-and-such a
8 problem, "I am concerned about this. What measures can you take to solve this
9 problem?" So these are the type of strategic and important issues that can be solved
10 between Mr Jean-Pierre Bemba and President Patassé.

11 If these problems were not solved at a lower level, then such problems may be
12 escalated to a higher level for resolution.

13 Q. The structural and administrative link between Mr Jean-Pierre Bemba and
14 President Patassé, were they direct links or did they go through another party,
15 another channel?

16 A. When I read through the messages, I realised that all the messages were sent by
17 General Moustapha's signalling team to the General Staff, that is EMC, EMC, and so
18 the messages were sent to the transmission centre in Gbadolite, and the first person
19 who would receive those messages would be the Chief of Staff, and if the issue at
20 hand was a serious matter, and given that the transmission centre was open around
21 the clock, then the operator at the transmission centre would, at the time of receiving
22 such a message, call the Chief of Staff and tell him that a message had been received
23 from General Moustapha pointing out a serious situation and that needed prompt
24 attention.

25 Then he would deal with it and bring it -- and determine whether or not to promptly

1 bring that information to the attention of the commander, that is Mr Bemba, or to do
2 so the next day in the morning. That is the role of the Chief of Staff. He is the sieve
3 or the filter of information which gives some elbow room to the commander-in-chief
4 and leaves the commander-in-chief to deal only with problems that should be dealt
5 with at his level. So this sketch establishes a link between the commander-in-chief
6 and the Chief of Staff and the various bureaus, but there is no feedback of information
7 to the Chief of Staff who will then forward such information or filter it for the
8 attention of the commander-in-chief. That is what the normal setup ought to be.

9 Q. Does this comply with military standards that generally apply in terms of an
10 administrative or structural link with forces that have been placed under the
11 command of a foreign country?

12 A. In all multinational operations, each contingent maintains responsibility for the
13 administrative management of its staff, as well as logistics. That is the case even
14 today with regard to multinational operations that are taking place on the ground,
15 except otherwise provided by special arrangement or agreement.

16 In this case, in the case at hand, logistics was entirely in the hands of the Central
17 African Republic, but the administrative link in addition to the logistical link,
18 including provision of weapons and ammunitions and communications and
19 transmission and provision of all manner of equipment. Now, if that had been the
20 responsibility of the MLC, then such a logistical link between the contingent in the
21 CAR and the headquarters would have been in place, but there was an agreement
22 that the logistics would be handled by the Central African Republic.

23 So what remained in place was the administrative link between the CAR intervention
24 force and the home base, the country of origin, for matters relating to nationals of that
25 particular contingent. It is not because the contingent had become un -- had come

1 under a multinational force that the umbilical cord with the national forces was cut
2 off, so they were things that had to be reported particularly in the area of
3 administration to the Chief of Staff of the national group.

4 Q. To be more specific, was there a hierarchical link within the context of the
5 2002/2003 operations in the Central African Republic between Colonel Moustapha, as
6 he then was, now General, between him and the Chief of Staff in the DRC as well as a
7 link with Mr Bemba?

8 A. There was no direct operational hierarchical link, but there was clearly a link in
9 the case where for example the authorities of the Central African Republic may have
10 complained about the manner in which Moustapha -- Colonel Moustapha was
11 executing orders. If such a case had arisen, it would have been for the Chief of Staff
12 and Mr Bemba to decide whether or not to replace Colonel Moustapha as brigade
13 commander.

14 Now, when and if they decide to proceed with such a replacement, then it is -- it
15 would be proof that such a link does exist to the extent that Moustapha himself was
16 part of the staff of the MLC as any other ALC troops in the CAR. He himself is part
17 of the staff of the MLC and although he was involved in the administration of the
18 staff.

19 So one cannot say that there was a command hierarchical link as such, because
20 Moustapha and his troops were under the command of the Central African forces.
21 So there is no direct command hierarchical link or operational hierarchical link as
22 such, if you prefer that.

23 Q. You have mentioned the possibility of replacement. How would 1,500 troops
24 withdraw from a country where they have been made available to another army?
25 Let us be specific with the case at hand.

1 A. I will be a little bit more general in my answer. There are two things that an
2 actor must always do properly: Getting on stage properly and exiting properly. So
3 for an army it is very important to be successful when entering a country for a foreign
4 army and it is also important to prepare a successful exit.

5 I believe that the entry of the CAR forces or rather of the ALC forces was properly
6 organised in collaboration with the forces of the Central African Republic. However,
7 the exit was a lot more complicated and the conditions were not right to the extent
8 that it came as a result of a sudden decision calling for a replacement which
9 apparently did not take place and which then gave rise to the rebel forces at the time
10 to create a rather difficult situation for the return of those forces. One of the
11 detachments was able to return more or less under acceptable conditions, but the
12 other two encountered several difficulties.

13 So coming into the country and exiting the country did not all happen as should have
14 been the case. You see, at the time the decision was taken to withdraw the forces so
15 that they could return to the DRC, at that time the Central African forces were not
16 ready, they were not sufficiently ready, to replace or to take over from the ALC
17 brigade, so the conditions in which the replacement took place was not -- the
18 conditions were not conducive enough, because you may want to know that such a
19 withdrawal is also to be understood as part of the combat strategy.

20 So when it got to that point, General Bozizé's forces then took the offensive and it
21 would appear from the documents I read that the withdrawal of those forces was
22 done without any or with very little assistance from the Central African forces. The
23 question, however, remains whether the CAR forces had the sufficient resources to
24 safely return the ALC forces to Zongo. I am not sure they did.

25 MR KILOLO: (Interpretation) Court officer, I no longer need that document on the

Trial Hearing
Witness: CAR-D04-PPPP-0053

(Open Session)

ICC-01/05-01/08

1 screen.

2 Q. Now, General, I would like to have your objective analysis, critique an expert
3 opinion on a number of excerpts that I will read to you from statements made by
4 General Opende who appeared here as an expert witness for the Prosecution. I am
5 looking at paragraph 28 of his report, CAR-OTP-0064-0617, and I quote, "Instructions
6 for the deployment of MLC forces in the Central African Republic were approved by
7 Bemba single-handedly without the -- without informing the high military and
8 political officials of the MLC for their contributions and opinion," end of quote.

9 What are your comments on that excerpt?

10 A. Within the MLC organisation, what could be referred to as a Defence Council
11 was in place and it is within that forum that matters of defence were discussed. It
12 would seem to me that this would have been the best forum for dealing with that
13 problem.

14 The decision to second reinforcements from the ALC to the Central African Republic
15 taken by direct contact between Mr Bemba and President Patassé is a possibility.
16 However, I have not seen in any document any written evidence of such an
17 agreement. It is true that there must have been such an agreement, but it must have
18 been verbal or oral.

19 Now, Mr Bemba and President Patassé could have agreed for a force to be sent to the
20 Central African Republic. Now, what about the details pertaining to the movement,
21 the crossing over and all the operations relating to that movement? I think that that
22 is no longer within the purview of Mr Bemba. It is the responsibility of the Chief of
23 Staff to proceed.

24 Mr Bemba may have decided for the contingent to be moved and appointed the
25 commander, but from that time on if it is Moustapha who was commander from that

1 time on, from the time of the decision, then it is the Chief of Staff who then must
2 organise the entire operation to determine how the force will move over. Mr Bemba
3 and President Patassé may have had their agreement, but the force had to be brought
4 together and we must point out that this happened very, very quickly under very
5 pressing conditions.

6 It was therefore the responsibility of the General Staff to organise the movement of
7 the troops to put them under the orders of the High Command of the Central African
8 forces. What I'm saying, therefore, is that the organisation and the movement of the
9 forces did not fall within the purview or the responsibility of the commander-in-chief.

10 Q. General, the decision whereby an MLC authority agrees to send a detachment to
11 the Central African Republic at the request of President Patassé, could that decision
12 be said to have been an operational decision, or was it a political, strategical decision?
13 How would you qualify such a decision?

14 A. It was an entirely political decision, entirely political. When a multinational
15 force is set up to intervene in a particular area, the decision of a country to send a
16 contingent force to that country is a political decision. It is not the soldiers
17 themselves who make such a decision. It is a political decision which is taken at the
18 highest level of the State. It is not a tactical or an operational decision. It is a purely
19 political decision.

20 Q. Last question for today. Were we to agree that Mr Jean-Pierre Bemba himself
21 accepted to make that decision for the Central African -- for the MLC troops to go to
22 the Central African Republic, does that make of him through that decision the final
23 authority over the troops?

24 A. Absolutely not, no. It is an entirely political decision. Since the decision was
25 taken by the political wing, then the military wing now sets about to implement that

1 decision and that was the role of General Amuli and his General Staff. It was for
2 them to implement the political decision that had already been taken, so it is not a
3 command decision. It is a political decision.

4 The presence of the ALC forces as reinforcements in the Central African Republic was
5 a politically significant event which was followed by military effects in terms of the
6 operations that were carried out. What I'm saying is that this was a political decision
7 and you can see that in examples on a daily basis whereby when faced with such a
8 situation countries can decide to send contingents to be part of multinational forces.
9 These are basically political decisions which do not necessarily have a military
10 significance.

11 PRESIDING JUDGE STEINER: Thank you very much, Maître Kilolo.

12 General Seara, it's time for us to adjourn. For today, it's enough.

13 I thank very much the Prosecution team, legal representatives of victims, the Defence
14 team, Mr Jean-Pierre Bemba Gombo. I thank very much our interpreters and court
15 reporters and General Seara for sure.

16 I will ask, please, court usher to accompany the witness outside the courtroom. At
17 the same time, we will adjourn and resume tomorrow morning at 9.30.

18 (The witness stands down)

19 THE COURT OFFICER: All rise.

20 (The hearing ends in open session at 4.02 p.m.)