

Trial Hearing  
WITNESS: CAR-OTP-P-2232

(Open Session)

ICC-01/14-01/18

1 International Criminal Court  
2 Trial Chamber V  
3 Situation: Central African Republic II  
4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard  
5 Ngaïssona - ICC-01/14-01/18  
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and Judge Chang-ho Chung  
7 Trial Hearing - Courtroom 1  
8 Thursday, 11 November 2021  
9 (The hearing starts in open session at 9.31 a.m.)  
10 THE COURT USHER: [9:31:08] All rise.  
11 The International Criminal Court is now in session.  
12 Please be seated.  
13 PRESIDING JUDGE SCHMITT: [9:31:36] Good morning, everyone.  
14 Could the court officer please call the case.  
15 THE COURT OFFICER: [9:31:48] Good morning, Mr President, your Honours.  
16 The situation in the Central African Republic II, in the case of The Prosecutor versus  
17 Alfred Yekatom and Patrice-Edouard Ngaïssona, case reference ICC-01/14-01/18.  
18 And for the record, we are in open session.  
19 PRESIDING JUDGE SCHMITT: [9:32:04] Thank you.  
20 Ms Struyven for the Prosecution.  
21 MS STRUYVEN: [9:32:09] Good morning, Mr President, your Honours. For the  
22 Prosecution today, we have  
23 Kweku Vanderpuye, Pierre Belbenoit Avich, Yassin Mostfa and myself,  
24 Olivia Struyven.  
25 PRESIDING JUDGE SCHMITT: [9:32:19] Thank you.

- 1 And the representatives of the victims, please.
- 2 MR DANGABO MOUSSA: [9:32:23](Interpretation) Good morning, Mr President.
- 3 Good morning everyone. The LRVs is represented by Enrique Carnero;
- 4 Evelyne Ombeni, legal officer; and myself, Dangabo Moussa. Thank you.
- 5 PRESIDING JUDGE SCHMITT: [9:32:45] Thank you.
- 6 MR SUPRUN: [9:32:47](Interpretation) Good morning, Mr President, your Honours.
- 7 The former child soldiers are represented by myself, Dmytro Suprun, counsel at the
- 8 Office of Public Counsel for Victims. Thank you.
- 9 PRESIDING JUDGE SCHMITT: [9:32:52] I turn to the Defence.
- 10 Ms Dimitri.
- 11 MS DIMITRI: [9:32:55] Good morning, Mr President. Good morning,
- 12 your Honours. Good morning everyone. This morning Mr Yekatom, who is
- 13 present in the courtroom, is represented by Mr Thomas Hannis, Mr Gyo Suzuki,
- 14 Ms Yasmeen Hajjali, Mr Jean-Michel Kola is just about to step in the courtroom, and
- 15 myself, Mylène Dimitri.
- 16 PRESIDING JUDGE SCHMITT: [9:33:15] So we assume he will be present. Thank
- 17 you.
- 18 Mr Knoops, please. Good morning.
- 19 MR KNOOPS: [9:33:20] Good morning, Mr President, your Honours. Good
- 20 morning everyone in the courtroom. The Defence team of Mr Ngaïssona appears
- 21 today before you with Madam Lauriane Vandeler, Ms Phoebe Oyugi and
- 22 Barbara Szmatala and myself.
- 23 Thank you.
- 24 PRESIDING JUDGE SCHMITT: [9:33:36] Thank you very much.
- 25 And also a welcome to our witness.

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1 Good morning, Mr Witness. Do you hear me and understand me well?

2 WITNESS: CAR-OTP-P-2232

3 (The witness speaks Sango)

4 THE WITNESS: [9:33:50](Interpretation) Yes, I can understand you. I can hear you  
5 loud and clear.

6 PRESIDING JUDGE SCHMITT: [9:33:54] Thank you.

7 On behalf of the Chamber I would like to welcome you to the courtroom. You are  
8 called to testify to assist this Chamber and this Court in the case of Mr Yekatom and  
9 Mr Ngaïssona. You have been informed that there are protective measures in place  
10 to provide for not revealing your identity, this is, face and voice distortion, and we  
11 are also using a pseudonym and that is the reason why I don't address you with your  
12 real name but as "Mr Witness" only.

13 Mr Witness, there should be a card in front of you with a solemn undertaking to tell  
14 the truth. Could you please read out loud the content of this card.

15 THE WITNESS: [9:34:59](Interpretation) I solemnly declare that I shall speak the  
16 truth, the whole truth and nothing but the truth.

17 PRESIDING JUDGE SCHMITT: [9:35:06] Thank you, Mr Witness. You are now  
18 under oath. That means that you have to speak the truth. You know the  
19 importance of speaking the truth before a court and before this Court and it is an  
20 offence within the jurisdiction of this Court to give false testimony.

21 Do you understand that, Mr Witness?

22 THE WITNESS: [9:35:39](Interpretation) Yes, well understood.

23 PRESIDING JUDGE SCHMITT: [9:35:41] Thank you. Mr Witness, before we start  
24 with the questioning, some practical matters. Everything we say here in this  
25 courtroom is written down and it is interpreted. And to allow for the interpreters to

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1 follow what is being said, we all have to speak at a relatively slow pace so that they  
2 can follow and also please start only speaking when the person that has asked you  
3 something or talked to you has finished and perhaps wait two or three seconds.  
4 These are practical matters I only wanted to tell you so that your questioning can run  
5 smoothly, so to speak. Thank you.

6 I give now the floor to Ms Struyven.

7 QUESTIONED BY MS STRUYVEN:

8 Q. [9:36:36] Good morning, Mr Witness. My name is Olivia Struyven. I'm a  
9 member of the Office of the Prosecutor and we've met before and I am going to ask  
10 you questions today and tomorrow.

11 Before we start, I have one more remark in addition to the remark of the judge, which  
12 is simply that if my question is not clear, don't hesitate to just tell me and I will try to  
13 reformulate the question.

14 Sometimes you will see me look at the screen and it's exactly to check whether the  
15 transcription is following our discussion to make sure that everything is properly  
16 recorded on the record.

17 Now, regarding your questioning -- the questioning today, I will first ask you some  
18 questions about the statements that you gave to the Office of the Prosecutor. I will  
19 then ask you some questions about your identity and your background, and I will  
20 only then ask you questions about the content of your statement.

21 Mr Witness, is it correct that you gave two statements to the Office of the Prosecutor,  
22 a first statement in September 2018 and a second statement in February 2019?

23 A. [9:38:20] Yes, that is correct.

24 Q. [9:38:23] And for the record, it concerns CAR-OTP-2090-0561 at tab 14, which I  
25 will refer to as the first statement. And CAR-OTP-2100-2569 at tab 21, which I will

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1 refer to as the second statement.

2 Mr Witness, were you able to read those two statements this week?

3 A. [9:39:13] Yes, I had the opportunity to go through the statements.

4 Q. [9:39:20] And I understand that you made two corrections to the statement in  
5 respect of paragraph 206 of your first statement at page 0590 and on the same page to  
6 the name mentioned in paragraph 211.

7 And for the record, the corrections have been registered and disclosed under  
8 CAR-OTP-2134-1693.

9 So, Mr Witness, is it true that you made those corrections?

10 A. [9:40:12] Yes, that is correct.

11 Q. [9:40:16] Now, in respect of the statements that you made to the Office of the  
12 Prosecutor, did you make these statements voluntarily?

13 A. [9:40:39] Yes. I gave those statements voluntarily.

14 Q. [9:40:51] And with those two corrections that you made, can you confirm that  
15 the two statements are true and accurate?

16 A. [9:41:21] Yes, they are true.

17 MS STRUYVEN: [9:41:28] Your Honours, I now have a few questions in closed  
18 session about his (Overlapping speakers)

19 PRESIDING JUDGE SCHMITT: [9:41:34] I understand.

20 We go to private session.

21 MS STRUYVEN: [9:41:38] One day I'll remember it's private -- closed -- private  
22 instead of closed.

23 (Private session at 9.41 a.m.)

24 THE COURT OFFICER: [9:41:58] We are in private session, Mr President.

25 (Redacted)

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6 (Open session at 9.51 a.m.)

7 THE COURT OFFICER: [9:51:14] We are back in open session, Mr President.

8 MS STRUYVEN: [9:51:21]

9 Q. [9:51:21] My first question, Mr Witness, is about Mr Ngaïssona. Can you  
10 explain to the Chamber what Ngaïssona's role was in the Central African Republic  
11 before the Seleka takeover in March 2013?

12 A. [9:51:57] Yes. Before everything else, Ngaïssona was a businessman, a trader.  
13 He was carrying out his activities. Thereafter, he became the president of the SCAF  
14 football club. Then he was promoted to the position of president of the Central  
15 African Football Federation. Then after that he was appointed Minister of Youth and  
16 Sports. These are the positions that he occupied in the Central African Republic.

17 Q. [9:52:47] Now, as a president of the football federation, who would he typically  
18 have contact with?

19 MR KNOOPS: [9:53:12] Mr President, this is quite a generic question.

20 PRESIDING JUDGE SCHMITT: [9:53:16] Yeah, I also thought. It could be  
21 anybody --

22 MR KNOOPS: [9:53:20] (Overlapping speakers).

23 PRESIDING JUDGE SCHMITT: [9:53:21] You're right, you're right. So please  
24 specify a little bit more. I think it's difficult for the witness to figure out what you're  
25 heading at.



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1 MS STRUYVEN: [9:53:30]

2 Q. [9:53:31] So in his position as the president of the -- of the football federation,  
3 would he have contacts with youth or individuals organising youth? Can you tell us  
4 a bit more about that, if you know.

5 A. [9:54:05] Well, you know, Ngaïssona is someone who has served the country.  
6 He was even a member of parliament, a deputy. I had forgotten to mention that.  
7 He started his business activities when he was still young. So he has always been at  
8 the heart of the Central African youth. That is what propelled him right up to the  
9 position of minister. He was someone who knew the Central African youth very  
10 well. He was also a friend of footballers and footballers were part of the Central  
11 African youth.

12 Now, regarding his other contacts, I cannot tell you any further thing about that.

13 Q. [9:55:07] You explained he was at the heart of the Central African youth. What  
14 was his relationship to the youth coordinators?

15 MR KNOOPS: [9:55:32] Mr President, it has not been established that there were  
16 youth coordinators.

17 PRESIDING JUDGE SCHMITT: [9:55:37] Okay. So first question, were there youth  
18 coordinators. Secondly, if so, was there any contact.

19 MS STRUYVEN: [9:55:48]

20 Q. [9:55:53] Mr Witness, do you know if at the time in Bangui and elsewhere  
21 whether there were youth coordinators?

22 A. [9:56:18] Yes. He was the president of the football federation. So he managed  
23 football activities and they were sub-federations in the various localities of the  
24 country.

25 When he was promoted to the position of minister of sport, I would like to point out

1 that in all the provincial towns there were youth teams, youth associations.

2 Regarding his contacts, I cannot tell you more, but I know that it is somebody who  
3 knew a lot about the youth and he was well integrated in the youth environment.

4 Q. [9:57:24] You referred to youth associations. Can you explain to the Chamber  
5 what the role was of these youth associations.

6 A. [9:57:47] Yes. You know that in the Central African Republic, as I have already  
7 said, the presidents of neighbourhood youth groups, you had them, you had those  
8 presidents of the youth groups of neighbourhoods, presidents of youth groups in the  
9 arrondissements and in the prefectures. So each time they would organise youth  
10 movements, bringing together young people around artistic, football and cultural  
11 activities.

12 Q. [9:58:30] And at the time before the Seleka coup, were these youth associations  
13 linked to a particular political party?

14 A. [9:59:10] As you know, in Africa, where we come from, most youth associations  
15 support the party in power. Young people usually support the authorities in power  
16 so as to be able to benefit from assistance and subsidies.

17 Q. [9:59:57] You mentioned cultural events, support events. Could these youth  
18 associations also mobilise the youth for other purposes?

19 A. [10:00:31] Within the framework of association activities related to football or  
20 folk dances, I have never heard that young people were mobilised to create  
21 disturbances in the country. They were simply going about their business in order  
22 to bring about peace and calm in the country.

23 PRESIDING JUDGE SCHMITT: [10:01:35] So I think this would be the time to move  
24 to another issue.

25 MS STRUYVEN: [10:01:39]

1 Q. [10:01:40] Mr Witness, I will now ask you questions about the end of  
2 December 2012.

3 In your statements, in both of them, you refer to a speech given by Bozize. Can you  
4 tell us more about the speech held at PK0?

5 A. [10:02:18] Yes. It was a speech of President Bozize in PK0. This is when he  
6 went to Gabon for a dialogue. And when he returned from this forum he went to  
7 PK0 directly and addressed the people of his country. He asked everyone to be  
8 vigilant. He asked the population to be careful and look at what's happening in the  
9 fenced houses because there were individuals with bad intentions who were hiding in  
10 fenced houses with arms in order to harm the people. Mr Levy Yakete was the  
11 person himself who organised this gathering. He supervised the activities of youth.  
12 He organised the young people so that they could ensure the security of the country.  
13 So that is what Bozize said in his speech.

14 PRESIDING JUDGE SCHMITT: [10:03:52] If you want to continue in that regard,  
15 I think it would be perhaps -- make sense to look at paragraph 7 of the second  
16 statement. I don't know if you have it on your list, so I ...

17 MS STRUYVEN: [10:04:13]

18 Q. [10:04:13] So when you say the people in fenced houses, who did you  
19 understand that to be a reference to?

20 A. [10:04:33] Well, you know, when the Seleka coalition came and took power, the  
21 majority of the Seleka were Muslims. And by saying that, he wanted to target the  
22 Muslims. It's true that when the Seleka took power, weapons appeared from these  
23 fenced houses and from mosques. And that's why those who had arms used them in  
24 order to take over power.

25 Q. [10:05:32] And in his speech, do you remember if he referred to foreigners?

1 A. [10:05:47] Yes. He did speak about foreigners. He talked about Janjaweed  
2 and the Tora Bora who had the intention of taking power. He said they were  
3 strangers, foreigners who wanted to take over power.

4 Q. [10:06:21] Now, you already mentioned Levy Yakete. Can you explain to the  
5 Judges what happened after the speech of Mr Bozize.

6 A. [10:06:39] As far as I know, after that speech, Mr Levy Yakete created a  
7 movement responsible to mobilise and to be vigilant, and the association was called  
8 COCORA. They organised groups per sector, per neighbourhood, per  
9 arrondissement. The youth had to help the forces of order by erecting checkpoints.  
10 Their mission was to stop anyone with bad intentions. People who didn't have ID,  
11 they had -- was a reason to stop them and to hand them over to the police or  
12 gendarmerie.

13 MS STRUYVEN: [10:08:03] I have one question in private session, your Honours.

14 PRESIDING JUDGE SCHMITT: [10:08:08] Private session.

15 (Private session at 10.08 a.m.)

16 THE COURT OFFICER: [10:08:18] We are in private session, Mr President.

17 (Redacted)

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7 (Open session at 10.14 a.m.)

8 THE COURT OFFICER: [10:14:31] We are in open session, Mr President.

9 MS STRUYVEN: [10:14:39]

10 Q. [10:14:40] Mr Witness, you just gave the example about a Muslim who was  
11 assaulted at the checkpoints. Did you -- was this frequent? Did you hear about  
12 that at the time that that would happen frequently?

13 A. [10:15:14] Yes. Bangui is a large town. There were incidents that could  
14 happen in certain areas. I can't know everything that's happening. Today I'm  
15 trying to tell you what I know, what I saw myself.

16 Q. [10:15:45] Of course. You refer to Levy Yakete setting up COCORA. Was  
17 there any other similar group that you heard of that was set up at the time?

18 A. [10:16:08] There is COAC. It was Steve Yambete who managed that at the time.  
19 He was the -- part of the ministry of youth at that time. He was a soldier. He was a  
20 lieutenant. If I remember correctly, he was responsible for -- responsible within the  
21 ministry of youth and sport. He was the one who set up the COAC or COAC  
22 movement. It was a movement very similar to COCORA. It was started up to  
23 work together with COCORA.

24 Q. [10:17:28] And what was their role concretely, of Yambete and Yakete? What  
25 was their role in terms of the organisation of these groups, COCORA and COAC?

1 A. [10:17:53] They were coordinators. Yakete was an adviser within the ministry.  
2 As regards Steve Yambete, he was a military person, but he was appointed as adviser  
3 in the ministry of youth and sport. Yambete was coordinator for COAC and Yakete  
4 was also coordinator of COCORA. The two movements were dealing with vigilance  
5 and security.

6 Q. [10:18:56] And what would their role entail concretely, if you know?

7 A. [10:19:21] I've just told you that. All I know is Yakete was responsible for  
8 missions as regards youth for the Central African Republic. He set up COCORA,  
9 which was a movement of vigilance. His work was to mobilise young people to  
10 make sure that they looked at the security of the country.

11 In the same vein, Yambete created his movement. It's true the movements were  
12 different movements, but their objective was the same. Yambete was an officer  
13 before he became part of the ministry of youth and sport. It was at the time when  
14 Mr Ngaïssona was minister of youth and sport. And it was then that he was  
15 appointed, Steve Yambete.

16 Q. [10:20:49] You explained that they mobilised the youth. How would they  
17 mobilise the youth?

18 A. [10:21:15] He was adviser at the presidency. The other was responsible under  
19 the ministry of youth and of sport. Perhaps their function allowed them to have  
20 access to all the young people, which allowed them to organise themselves. I wasn't  
21 there when they started their movement, so I can't tell you details. I cannot know  
22 how they proceeded in order to mobilise everybody. All I know is that I noticed that  
23 the youth in the neighbourhoods became more mobilised gradually, before the Seleka  
24 arrived in the capital.

25 Q. [10:22:14] And did you hear about Yambete or Yakete visiting the checkpoints?

1 A. [10:22:45] I never saw Yakete at a checkpoint. However, he had his elements  
2 which did the rounds in order to see what was happening in the different points and  
3 also to provide coffee with sugar. The person who I saw on the ground was -- was  
4 Yambete, Steve Yambete. Sometimes I saw him. But the other person I didn't see,  
5 no.

6 Q. [10:23:37] In your statement you referred to Ngaïssona in relation to COCORA  
7 and COAC. Can you explain to the Chamber what Ngaïssona's role was, if any, in  
8 COCORA or COAC?

9 A. [10:24:01] At that time Ngaïssona was the minister of youth and sport. It  
10 wasn't he who created the group. The founder of those movements was there. All  
11 the activities relating to the youth was carried out under the minister of the youth.  
12 But Mr Ngaïssona, I never saw him go on the ground and fund any activities or any  
13 part of the movement. It was, rather, Yambete and Levy Yakete who were advisers  
14 at the prime ministers who were more involved in the movement. But as regards the  
15 country, this was done under the aegis of the minister of youth and sport. That is  
16 what I do know.

17 Q. [10:25:29] I would like to show you one document. It's at tab 24,  
18 CAR-OTP-2100-2668. So tab 24.

19 It cannot be shown to the public.

20 And the question is do you recognise this document? So it's tab 24.

21 A. [10:26:50] Yes. That is the document comes from the 3rd arrondissement  
22 dealing with COCORA.

23 Q. [10:27:13] And do you know what the purpose was of the document?

24 A. [10:27:27] As I've said, coordination of COCORA was under the authority of  
25 Yakete. This movement had small groups in the different arrondissements, which



1 was supervised by leaders of those groups. And this document was drawn up by  
2 the different leaders of the groups of the arrondissements. So it was important that  
3 we had a small bureau so that there would be general coordination, we would be able  
4 to identify them and be able to work with them. And that's why in this document  
5 you can see the different elements who made up this bureau. Each arrondissement  
6 had its own bureau.

7 Q. [10:28:40] Now, if I -- if I ask you to look at the first name, the president, Guy  
8 Francis Baya, do you know this person?

9 A. [10:29:04] Yes, Guy Francis Baya was part of the political bureau of the KNK  
10 party. He was in the group which dealt with mobilisation of youth of the KNK. He  
11 lived in the 4th arrondissement.

12 Q. [10:29:50] (Microphone not activated)

13 PRESIDING JUDGE SCHMITT: [10:29:55] Microphone, please.

14 MS STRUYVEN: [10:29:57]

15 Q. [10:29:58] I would like to show you another document. It is at tab 13, it's  
16 CAR-OTP-2097-9014. And I would like you to go to the second paragraph, it's a  
17 document that lists the (Interpretation) "The network of Anti-Balaka in the town of  
18 Bangui". (Speaks English) And there is a reference to a certain Guy Baya and it says:  
19 (Interpretation) "Working at the presidency \*tailing Demafouth."  
20 (Speaks English) Does that seem to be the same --

21 PRESIDING JUDGE SCHMITT: [10:30:53] Mr Knoops.

22 MR KNOOPS: [10:30:56] Yes, we have an objection with the use of document  
23 because this is a document which is not signed nor dated. It has no link to the  
24 witness. And it's presented by a witness which was not willing to testify before this  
25 Court as the Court knows. Therefore, the authenticity of this document is at the least

1 problematic.

2 PRESIDING JUDGE SCHMITT: [10:31:30] So -- but this would refer to the document  
3 as such and the value of the document. But nevertheless, the Prosecution is allowed  
4 to draw out a question here. But you rightly point out that we -- let's say if there  
5 were at any point of time a so-called bar table motion, this would perhaps be a  
6 document that would not have a lot of probative value or is not even proven to be  
7 authentic. But nevertheless you can ask -- you can ask the witness, of course, if these  
8 names tell him something.

9 MS STRUYVEN: [10:32:11]

10 Q. [10:32:12] So, Mr Witness, just with the description in French: (Interpretation)  
11 "Works at the presidency and he is responsible for monitoring or tailing Demafouth."  
12 (Speaks English) Would that seem to be the same person to you? Does that function  
13 correspond?

14 A. [10:32:49] I knew that he was working at the presidency, but when it comes to  
15 tailing or monitoring Demafouth, I was not aware of that. It is just now that I am  
16 seeing it in this document.

17 Q. [10:33:12] And that is not a problem, Mr Witness, at all.

18 So my next question would be: Was there any link between members of the  
19 COCORA or COAC and the Anti-Balaka later on?

20 A. [10:33:49] You know, when COAC and COCORA were operational, the  
21 Anti-Balaka were not in existence. The objective of COAC and COCORA was to  
22 monitor and protect the various neighbourhoods so as to prevent ill-intentioned  
23 people from infiltrating the town. It was only after the Seleka took over power that  
24 the leaders of those movements fled. There were no longer any leaders to organise  
25 the young people and so this vacuum was filled by the Anti-Balaka, which emerged.

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1 This is how come these young people joined the Anti-Balaka while others continued  
2 going about their business.

3 So I don't know whether there is a causal relationship or whether COAC or COCORA  
4 were used to create the Anti-Balaka movement. I was not aware of that.

5 PRESIDING JUDGE SCHMITT: [10:35:27] Just shortly for the record, the ERN of the  
6 item on tab 13 is CAR-OTP-2087-9014.

7 MS STRUYVEN: [10:35:47]

8 Q. [10:35:47] While we're on the subject, I just want to show you one more  
9 document just for recognition. And it is tab 23, and it is CAR-OTP-2100-2667.  
10 And the simple question will be if you recognise the document.

11 A. [10:36:48] Yes. That is a document from the COCORA group signed by  
12 Levy Yakete, the coordinator of the COCORA movement. And in that document he  
13 was giving a mandate to some people to supervise the COCORA groups.

14 Q. [10:37:23] And when you say "COCORA groups", do you have an idea of how  
15 many groups we're talking about or how many elements we're talking about, if you  
16 have an idea?

17 A. [10:38:01] I was not the coordinator of COCORA, so it was not possible for me to  
18 know the number of COCORA groups. I would like to point out that there were  
19 many youth groups in the Central African Republic and the majority of the Central  
20 African population was and is even currently made up of young people.

21 Q. [10:38:40] I will move to my next subject and it's about - you already mentioned  
22 it - it's about Ngaïssona becoming the Minister of Youth and Sports.

23 In your statement you explained why you believe he became the minister. Can you  
24 explain this to the judges, why you believe he became the Minister of Sports -- Youth  
25 and Sports?

1 MR KNOOPS: [10:39:33] Mr President, is this a question for the witness to speculate  
2 or does he have facts to tell the Court why Mr Ngaïssona became the president?  
3 Because yesterday I was also intervened by the Prosecution that the Defence should  
4 not ask questions the witness to speculate.

5 PRESIDING JUDGE SCHMITT: [10:39:54] The day before yesterday.

6 MR KNOOPS: [10:39:58] The day before yesterday, sorry.

7 PRESIDING JUDGE SCHMITT: [10:40:01] This is not -- this is not the most  
8 important factor -- (Overlapping speakers)

9 MR KNOOPS: [10:40:04] So the word believe, the word believe

10 suggests -- (Overlapping speakers)

11 PRESIDING JUDGE SCHMITT: [10:40:07] Yes, believe indeed, is -- so what we can  
12 ask the witness is if to his knowledge -- if he has any knowledge -- let me ask you,  
13 Mr Witness.

14 Do you have any knowledge, any facts or any talk that you heard people saying why  
15 Mr Ngaïssona was appointed Minister of Youth and Sports?

16 THE WITNESS: [10:40:39](Interpretation) Yes. I have already said that Ngaïssona  
17 is someone who was quite active amongst the Central African Republic young people.  
18 He helped the young people a lot in football activities, in business activities and in  
19 agricultural activities. He began as a businessman, as a trader and he carried out his  
20 activities amongst the youth before being promoted to the position of president of the  
21 SCAF football club. And these were young people.

22 Subsequently, he was promoted to the position of president of the Central African  
23 Football Federation, so he is someone who is very familiar or who was very familiar  
24 with the Central African Youth. He was in the SCAF football club, and as the  
25 president of the football federation he was the one supervising the football teams.

1 And that is how come he was finally promoted to the rank of Minister of Youth and  
2 Sport. He was someone who knew young people and who was very familiar with  
3 the activities of young people because he had always been active amongst the youth.  
4 And I will like to point out that young people like to refer to him as big brother, big  
5 brother. He was usually considered as the big brother of young people because he  
6 was the one who usually assisted the youth.

7 Q. [10:43:04] Mr Witness, I'll move now to -- chronologically to the Seleka coup.

8 On 24 March, I believe it was a Sunday, the Seleka arrived in Bangui. And I'm going  
9 to ask you a few questions about where you were and what you were doing, but

10 I think the first questions need to be in private session.

11 PRESIDING JUDGE SCHMITT: [10:43:28] We go to private session.

12 (Private session at 10.43 a.m.)

13 THE COURT OFFICER: [10:43:41] We are in private session, Mr President.

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

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- 12 (Open session at 11.53 a.m.)
- 13 THE COURT OFFICER: [11:53:23] We are in open session, Mr President.
- 14 MS STRUYVEN: [11:53:32]
- 15 Q. [11:53:32] Mr Witness, in the weeks that followed, President Djotodia was sworn
- 16 in. Do you know if anything in particular happened during the ceremony, the
- 17 swearing-in ceremony?
- 18 A. [11:54:19] Yes, yes. I remember that incident.
- 19 Q. [11:54:29] (Overlapping speakers) Without giving any -- because we are in
- 20 public session right now, so without giving any details as to where you were, can you
- 21 tell the Chamber what happened? (Overlapping speakers)
- 22 PRESIDING JUDGE SCHMITT: [11:54:36] (Overlapping speakers) Microphone.
- 23 Microphone, please.
- 24 MS STRUYVEN: [11:55:05]
- 25 Q. [11:55:06] Did you understand my question? Maybe the microphone was off.

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1 So the question is, can you explain to the judges what happened during the swearing  
2 in of president -- new President Djotodia? I think it was April 2013.

3 A. [11:55:28] I would like to go into private session.

4 PRESIDING JUDGE SCHMITT: [11:55:50] Yes, then we go to private session,  
5 Mr Witness, yeah.

6 (Private session at 11.55 a.m.)

7 THE COURT OFFICER: [11:55:58] We are in private session, Mr President.

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

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22 (Open session at 3.18 p.m.)

23 THE COURT OFFICER: [15:18:32] We are in open session, Mr President.

24 MS STRUYVEN:

25 Q. [15:18:45] So, Mr Witness, my question is really specific to a very specific time

1 period, and it's the time period around this attack on Ndjo that you've already  
2 explained and before the 5 December attack.

3 Now, you've mentioned hunting weapons. You've mentioned other weapons. Can  
4 you explain to the Chamber how weapons at that time -- so not after the 5 December  
5 attack, but before the 5 December attack, how weapons were organised,  
6 how -- how -- how were weapons provided or how were they received. You've  
7 described this at length in your statement, but if you can explain to the judges what  
8 happened.

9 PRESIDING JUDGE SCHMITT: [15:19:39] Which is not a Rule 68(3) statement, by  
10 the way.

11 MS STRUYVEN: [15:19:44] No.

12 Q. [15:19:44] So what the judge is trying to say, so your statement is not in evidence  
13 as such. So it's not because you already said it in your statement that it is part of this  
14 case. So it's your testimony who -- that is going to be part of the case. So that's  
15 sometimes also why I ask you things that are already said in your statement is  
16 because your statement will not be part of the record. It's going to be your testimony  
17 that is part of the record.

18 A. [15:20:44] I have told you that in the beginning they did not have real military  
19 equipment. They only had hunting weapons manufactured by themselves. Each  
20 villager tried to procure their own weapon, an artisanal weapon. Otherwise,  
21 Richard provided only ammunition to them.

22 And when they won battles, they succeeded in recovering war weapons. They  
23 would report it to Richard and then keep them to continue with their operations.

24 You know, in Bangui, there were people who could purchase ammunition. In  
25 Bangui, there was a woman who was provided that ammunition to them. They sent

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1 an emissary who would take the ammunition from the lady and then they would take  
2 it to the front. That is how it happened.

3 Q. [15:22:33] And you earlier mentioned that money was also sent from Cameroon.  
4 Can you explain to us how that happened concretely? Where was the money sent to,  
5 and what happened with the money when it arrived?

6 A. [15:23:09] Yes. The money would enter Richard's hands and he was  
7 responsible for distributing it. He also used some of that money to procure  
8 ammunition and medicines to send to the front. He also bought food for the  
9 combatants. That is how he used the money.

10 PRESIDING JUDGE SCHMITT: [15:23:44] I would like to come back to -- because  
11 only seeing it now, Mr Witness, what you said about this attack on Ndjo village and  
12 that many civilians there were injured and killed and then brought to Djotodia who  
13 called Mr Tiangaye. You will recall that? You said that a couple of minutes ago.  
14 I'm referring here to paragraph 91 of your first statement, CAR-OTP-2090-0561 at 0575,  
15 paragraph 91. And the Office of the Prosecutor asked you at the time why they  
16 killed the civilians, that was a question.

17 Do you recall what you answered to the Office of the Prosecutor?

18 THE WITNESS: [15:24:49](Interpretation) I have told you that the Anti-Balaka had  
19 their base. I can tell you that when the Anti-Balaka started their actions, young  
20 Muslims also took up arms because in their minds they thought that the Anti-Balaka  
21 was fighting against all Muslims. And when they heard rumours according to  
22 which the Anti-Balaka were in the neighbourhood, they would take the initiative to  
23 launch operations. These were really not -- or, rather, these were really coordinated  
24 battles.

25 THE INTERPRETER: [15:26:00] Says the witness.



1 THE WITNESS: [15:26:02](Interpretation) And in this fighting, in these battles there  
2 were civilian victims, including women and children.

3 PRESIDING JUDGE SCHMITT: [15:26:09] Mr Witness, please allow me to try to  
4 refresh your memory. I'm reading from this paragraph and the page that I've  
5 already mentioned. This was your answer at the time: "For the Anti-Balaka, it was  
6 revenge for what happened to the Christians before. They wanted to clear the area  
7 from all Muslims. At some stage, all Muslims were armed and they were just like  
8 the Seleka. All the Muslims supported the Seleka to overthrow Bozize. Most of the  
9 Anti-Balaka are from the Bozize family, means Mbaya tribe and they did not want to  
10 have any Muslims already".

11 So this was your question at the time. Do you recall this as correct, or do you have a  
12 different answer today?

13 THE WITNESS: [15:27:20](Interpretation) I did not change my statements. I told  
14 you that all the young Muslims in our country took up arms and joined the Seleka.  
15 When you talk about a Muslim against an Anti-Balaka, the instinct of the Anti-Balaka  
16 is to kill the Muslim. At one point, the Seleka did not also want to meet with a  
17 Christian and allow them to leave. This is why during operations when an  
18 Anti-Balaka met a Muslim, they always wanted to try and neutralise or kill them.  
19 And the Seleka did the same against the Christians. It was like two teams fighting  
20 against each other. As you know, it was the Seleka that chased Bozize from power.  
21 After that the Seleka perpetrated violence against the population. Many people  
22 joined the Anti-Balaka movement in order to exact revenge and so whenever they met  
23 a Muslim, even a child, their reflex action was to kill that Muslim.

24 It is for that reason that there were many civilian deaths.

25 MS STRUYVEN: [15:28:56]

1 Q. [15:28:57] Now, going back to the money - so I'm still talking about the same  
2 period, meaning before the 5 December attack - you said that money was sent from  
3 Cameroon. Do you know how it was sent? Was it to a bank? Was it transferred?  
4 Can you explain to the judges how that money was sent to Richard?

5 A. [15:29:30] The money was transferred via Western Union. It was through  
6 Western Union.

7 Q. [15:29:45] And do you know whether these were big amounts or whether there  
8 were several small amounts? Can you explain to the judges or can you give more  
9 information about that?

10 A. [15:30:12] As you know, we were in a foreign country. It was not possible to  
11 send large amounts of money. Sometimes it was (Redacted)  
12 (Redacted). They were abroad as refugees so they could not be sent huge  
13 sums of money. Sometimes the money would come through Western Union and  
14 sometimes it was individuals who brought the money. In any case, they used all  
15 possible means to send money.

16 Q. [15:31:01] By the first part of your answer, do I understand you correctly that the  
17 money would be split up in smaller amounts so that you would not be seen to receive  
18 large amounts of money?

19 A. [15:31:35] The greatest amount we received (Redacted). And then, later on  
20 we would (Redacted)  
21 (Redacted)  
22 (Redacted)

23 Q. [15:32:14] And you also said that -- maybe one more question. Who would  
24 pick up the money? Because Western Union, as you know, you need to show an  
25 identity card to pick up the money. Do you remember who would pick up the

1 money on your side?

2 A. [15:32:45] It was Richard who collected the money. The money was sent in  
3 Richard's name. And sometimes (Redacted).

4 Q. [15:33:04] Yeah, you don't have to mention the last name. I think it's clear in  
5 the record which (Redacted) referring to.

6 Then you also said that some people were bringing money. Do I understand you  
7 correctly that you mean they would bring the money in cash? Is that how I  
8 understood you or I should have understood you?

9 A. [15:33:36] Yes. Sometimes Richard would send (Redacted)  
10 (Redacted).

11 Q. [15:34:00] And do you know or did you get to know who in (Redacted)  
12 (Redacted)

13 A. [15:34:29] From what I know, she collected the money from Ecobank in Bangui.  
14 But I do not know the source of the money. Richard would send (Redacted) to collect  
15 money from there, but I was never told about the origin of the money or the source of  
16 the money. So you see, we were not aware of everything that Richard did.  
17 Sometimes he would commit some actions and we would only become aware of them  
18 later on. There were times when he would organise fighting in certain areas and we  
19 would not be aware of it and only find out later on that he is the one who organised  
20 the fighting in this and that location. And he would confirm it to us, but that would  
21 be after the fact.

22 Q. [15:35:41] Now, going back to the actual ammunition, you explained that  
23 ammunition was bought in Bangui and then brought to the field. Again, very  
24 concretely, do you know how that was done? Who would buy the money and who  
25 would bring -- who would buy the ammunition and who would bring the

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1 ammunition to the field?

2 A. [15:36:14] I have already told you that Richard (Redacted)

3 (Redacted) and he was in contact with a

4 woman who could take the ammunitions to them and also was able to arrange for

5 medication to be taken across the river. So what I know is that the intermediary was

6 a woman. Because during that time, women were not being checked or searched.

7 It was men who were quite minutiously searched at the time and checked or

8 controlled.

9 PRESIDING JUDGE SCHMITT: [15:37:37] I think it would perhaps make sense to go

10 back to private session. Yeah, yeah, no, no. You see, we had -- we go to private

11 session and then I explain.

12 (Private session at 3.38 p.m.)

13 THE COURT OFFICER: [15:38:03] We are in private session, Mr President.

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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14 (Redacted)

15 (Redacted)

16 (Open session at 3.52 p.m.)

17 THE COURT OFFICER: [15:52:48] We are in open session, Mr President.

18 MS STRUYVEN: [15:53:12]

19 Q. [15:53:16] So, Mr Witness, you explained -- so in preparation of the 5 December  
20 attack, you had -- so FACA soldiers who had gone to the villages - and you gave the  
21 example of Damara, you gave the example of Bossangoa and other villages - you had  
22 FACA who had gone to Zongo. My question now is about the FACA who stayed in  
23 Bangui.

24 Do you know if Richard had contact with the FACA who stayed in Bangui at the time?

25 I'm still talking about the period before the 5 December attack.



1 A. [15:54:27] Yes. He had contact with people in Bangui, as well as with those  
2 who were outside the country. That is the manner in which he led or directed the  
3 operations.

4 Those who were in the bush or who were able to join the movements in the provinces  
5 were also fleeing from Seleka acts of violence, abuses that were being committed in  
6 Bangui.

7 So during the preparatory phase for the attack of 5 December, he sent for those who  
8 were on the other side of the river to come in order to coordinate the activities. He  
9 brought in the officers from the other side of the river to come in and lead those who  
10 were on ground and who were not soldiers. So these people worked as leaders or  
11 chiefs.

12 Q. [15:55:46] I have a few follow-up questions about that, but you first said he also  
13 coordinated with people outside of the country.

14 Can you give us examples of who -- who you're talking about.

15 A. [15:56:28] Well, you see, each group had a ComZone, and he worked in  
16 collaboration with the ComZones in order to coordinate the operations all the way to  
17 the suburbs of Bangui. It is at that time that those from the other side of the river  
18 joined them in order to carry out the attack of the 5 December.

19 So he was coordinating operations -- or, rather, coordinating the teams that were on  
20 the spot in Bangui and those who were further on or in the hinterland of the country.

21 Q. [15:57:17] And would you be able to give us examples of -- of soldiers, for  
22 example, who were -- who had stayed in Bangui throughout the period from the  
23 moment of the Seleka coup up until the 5 December attack?

24 So do you have any examples of FACA soldiers that Richard would have been in  
25 contact with who had stayed mainly in -- in Bangui throughout this period, maybe

1 with a few exceptions here, but who were stationed -- who kept on being stationed in  
2 Bangui at the time?

3 Do you have examples of individuals he was in contact with?

4 A. [15:58:13] Yes. I already provided you with a few examples. Tchakpa Blaise,  
5 for example, was one of the last to leave. It is when the troops got to periphery of  
6 Bangui that he joined them. He joined the various groups in the suburbs or  
7 periphery of Bangui. So you see, there were many soldiers, and it is not possible to  
8 know all the names of all the soldiers. The soldiers who were able to join the  
9 movement were many, many in number. It was a high number of soldiers.  
10 And so when the Anti-Balaka arrived, many other persons joined. And even after  
11 the 5 December, many of them withdrew from the group. Even Corporal Bagaza, he  
12 joined the movement on the spot in Bangui. It is when they got to the suburbs of  
13 Bangui that he joined them -- he joined them.

14 Q. [15:59:52] I just have -- does the -- at the time, so before the 5 December attack,  
15 did you get to know an individual or did you hear about an individual called  
16 Lieutenant Prince Lakouetene?

17 A. [16:00:22] No. I don't know him. Maybe if you mentioned his nickname, I  
18 might be able to know him because, you know, many persons preferred to go by a  
19 nickname.

20 Q. [16:00:44] Maybe Prince was his nickname.

21 Would you know anyone by the name Prince, a lieutenant?

22 A. [16:01:02] There were many Princes. So I am not able to know which Prince  
23 you are talking about.

24 Q. [16:01:13] Did you hear about a Prince who was in contact with Richard?

25 A. [16:01:39] Yes, but maybe if you give me another nickname, I will be able to

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1 recall. If somebody introduced themselves as God has left Africa, *Dieu a quitté l'Afrique*,  
2 you would be able to recognise such a name, but you might not be able to know that  
3 it is someone whom you already knew. It's not possible.

4 PRESIDING JUDGE SCHMITT: [16:02:09] So, Ms Struyven, I think you are going on  
5 a search for a nickname overnight so to speak.

6 MS STRUYVEN: [16:02:17] To see if I can find one.

7 PRESIDING JUDGE SCHMITT: [16:02:20] And then we conclude the hearing for  
8 today and continue tomorrow morning at 9.30.

9 Mr Witness, I would like to remind you that you please do not talk to anybody about  
10 your testimony, yeah?

11 So we meet together at 9.30 tomorrow.

12 THE COURT USHER: [16:02:38] All rise.

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