

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 International Criminal Court
2 Trial Chamber V
3 Situation: Central African Republic II
4 In the case of The Prosecutor v. Alfred Rombhot Yekatom and Patrice-Edouard
5 Ngaïssona - ICC-01/14-01/18
6 Presiding Judge Bertram Schmitt, Judge Péter Kovács and Judge Chang-ho Chung
7 Trial Hearing - Courtroom 1
8 Monday, 23 January 2023
9 (The hearing starts in open session at 9.31 a.m.)
10 THE COURT USHER: [9:31:17] All rise.
11 The International Criminal Court is now in session.
12 Please be seated.
13 PRESIDING JUDGE SCHMITT: [9:31:37] Good morning, everyone.
14 Court officer, please call the case.
15 THE COURT OFFICER: [9:31:44] Good morning, Mr President, your Honours.
16 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: [9:31:58] Thank you.
20 I ask for the appearances of the parties.
21 MR VANDERPUYE: [09:32:01] Good morning, Mr President. Good morning,
22 your Honours. Good morning, everyone. Good morning, Mr Poussou. The
23 Prosecution today is represented by Pierre Belbenoit Avich, Yassin Mostfa and myself,
24 Kweku Vanderpuye. Good morning again.
25 PRESIDING JUDGE SCHMITT: [9:32:16] Thank you.

1 And the representatives of the victims next, please.

2 MS MASSIDDA: [9:32:20] Good morning, Mr President, your Honours. For the
3 victims of the other crimes appearing today Mr Yaré Fall, Mr Enrique Carnero Rojo,
4 Ms Evelyne Ombeni and myself, Paolina Massidda.

5 PRESIDING JUDGE SCHMITT: [9:32:33] Thank you.

6 Mr Suprun.

7 MR SUPRUN: [9:32:35] Good morning, Mr President, your Honours. The former
8 child soldiers are represented by myself, Dmytro Suprun. Thank you.

9 PRESIDING JUDGE SCHMITT: [9:32:43] I turn to the Defence.

10 Ms Dimitri has resurfaced.

11 MS DIMITRI: [9:32:48] Good morning, Mr President. Good morning, your
12 Honours. Good morning, everyone. Good morning, Mr Poussou. Mr Yekatom is
13 present in the courtroom. He is represented today by Ms Fiona Houdin,
14 Ms Lena Casiez and myself, Mylène Dimitri.

15 PRESIDING JUDGE SCHMITT: [9:33:00] Thank you.

16 Mr Knoops.

17 MR KNOOPS: [9:33:02] A very good morning, Mr President, your Honours. Good
18 morning, everyone in the courtroom. Good morning, Mr Poussou. Our team today
19 is appearing before the Chamber with Ms Marie-Hélène Proulx - by the way, it's her
20 birthday today so good to know - Ms Pedroso, Sara Pedroso, Barbara Szmatala and
21 Alexandre Desevedavy and Ms Saskia Afande. Thank you, Mr President.

22 PRESIDING JUDGE SCHMITT: [9:33:35] Thank you, Mr Knoops. And of course
23 happy birthday, Ms Proulx. There are, let's say, worse and better ways to celebrate,
24 perhaps, I could imagine.

25 And of course very importantly, good morning, Mr Poussou. I hope you had a good

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 weekend and are ready to continue.

2 I give then Mr Knoops the floor to continue with the examination of the Defence.

3 MR KNOOPS: [9:34:04] Thank you very much, Mr President.

4 WITNESS: CAR-OTP-P-2625 (On former oath)

5 (The witness speaks French)

6 QUESTIONED BY MR KNOOPS: (Continuing)

7 Q. [9:34:10] Again, good morning, Mr Poussou. Welcome to the courtroom today.

8 I would this morning entertain with you the subject of COAC. You were questioned

9 about this subject on 16 January in this courtroom. And let me start with your

10 evidence on 16 December -- sorry, 16 January, that's the English real-time transcript

11 page 48, lines 9 till 11. You say that "[Mr] Yakete, at least going by what we knew at

12 that time, led the organisation [COAC] along with Mr Ngaïssona, [and] the two of

13 them led it together." That was your evidence on 16 January.

14 First of all, Mr Poussou, do you recall that this was also your statement on

15 24 November 2019? Can you remember whether you said the same thing in

16 November 2019?

17 A. [9:35:25] Thank you, Counsel. I'd like to add on something. The COCORA

18 was run by Levy Yakete, and the COAC was run by Mr Ngaïssona and Steve

19 Yambete. So you can't confuse. There are two organisation, COCORA and COAC.

20 PRESIDING JUDGE SCHMITT: [9:36:00] Mr Knoops, also for the continuing

21 examination, I think it is absolutely -- I would have no objection if you go directly to

22 the written statement from 2019. You don't have to have the intermediate step if he

23 recalls. I would be fine with it. It would I think also accelerate --

24 MR KNOOPS: Saves time.

25 PRESIDING JUDGE SCHMITT: [09:36:21] Yes, okay. Please continue.

1 MR KNOOPS: [9:36:26] Ms Court Officer could perhaps pull up the statement of the
2 witness. It's tab 45 of the Prosecution binder, CAR-OTP-2123-0377, paragraph 36 of
3 the statement.

4 Q. [9:37:02] You will see, Mr Poussou, if you have it on the screen, specifically I'm
5 interested in the second -- fourth sentence, (Speaks French) So this was
6 your -- (Interpretation) "Yambete ran the COAC."

7 (Speaks English) So this was your statement in November 2019. And you didn't
8 mention Mr Ngaïssona at all in your statement in connection to COAC. And
9 moreover, my question is, if your testimony was to be believed on 16 January, you
10 didn't amend your statement on 13 January when you reviewed your statement three
11 days before your testimony. And what I saw in the document on the review of your
12 statement, you reviewed it for 2 hours and 20 minutes. That's

13 CAR-OTP-00000808-000001. While you did amend your statement in regard to
14 Mr Ngaïssona two paragraphs, one at 119 and 127, you didn't amend paragraph 36.
15 So --

16 PRESIDING JUDGE SCHMITT: [9:38:57] Mr Witness, in this paragraph 36 you
17 mentioned that Steve Yambete led COAC. The name of Mr Ngaïssona does not
18 appear in this paragraph. How would you explain that? I think that's the question
19 that Mr Knoops wants to put to you.

20 THE WITNESS: [9:39:24](Interpretation) Thank you, your Honour. If you may,
21 Mr Yambete was the -- was kind of an executive director. He was the one who was
22 carrying out certain actions on the field and was at the helm of this organisation. He
23 was well known. He was well known by the public. Now, to be kind to him, the
24 limit -- he had certain intellectual limits that the real head of the organisation or the
25 one who was actually pulling the strings was Mr Ngaïssona.

1 PRESIDING JUDGE SCHMITT: [9:40:31] Mr Poussou, you mentioned in
2 paragraph 37, that's one page further, 0384, you mentioned that Mr Ngaïssona was
3 "*très proche surtout de Yambete*", he was very close to him, but you didn't -- you didn't
4 say there explicitly that he led the organisation, and that's the point where Mr Knoops
5 is heading at. And the question that Mr Knoops asks you is why you didn't mention
6 that at the time.

7 THE WITNESS: [9:41:07](Interpretation) The question that was asked to me
8 focussed on who was running or leading the organisation in an active way in the
9 field.

10 PRESIDING JUDGE SCHMITT: [9:41:34] Okay.

11 Mr Knoops, please continue.

12 MR KNOOPS: [9:41:37]

13 Q. [9:41:39] What is the foundation of your observation that Mr Ngaïssona pulled
14 the strings of COAC, which is also something new which is not in your statement of
15 2019.

16 A. [9:42:03] Now, this is not something new, Counsel. And this is in line with
17 what I already said on the question of *a reward for Mr Ngaïssona, who was linked to
18 the COAC when he was appointed to the government. So I'm just going to say the
19 same thing what I just told your Honour. The question was asked to me -- the
20 question that was asked to me was the one on who is managing or running or leading
21 these organisations in the field, and the person who was perceived as the person
22 running the organisation was Mr Yambete.

23 Q. [9:43:08] So it is your evidence that this information was not asked by the
24 investigators in 2019, is that the explanation why you didn't mention Mr Ngaïssona at
25 all in relation to COAC, that the question wasn't asked of you specifically?

1 PRESIDING JUDGE SCHMITT: [9:43:36] Mr Vanderpuye.

2 MR VANDERPUYE: [9:43:38] I think if you look at the preceding paragraphs, you'll
3 see that the witness did mention Ngaïssona in connection with COAC and in
4 particular with respect to the distribution of arms concerning their activities in the
5 field.

6 PRESIDING JUDGE SCHMITT: [9:43:52] And I think we have now seen that
7 specifically that he led the organisation was not said in 2019.

8 I think, Mr Knoops, you can continue from there.

9 MR KNOOPS: [9:44:04] Thank you.

10 Q. [9:44:05] Mr Poussou, my second question regarding COAC relates to your
11 evidence on 16 January, where you put to the Court that, after being questioned, what
12 was -- what could you tell us about the nature of the participation of Mr Ngaïssona in
13 COAC, and that is on transcript page, English real-time, 51, you say: "Secondly,"
14 referring to first after Ngaïssona releasing statements on behalf of COAC, I will come
15 to this topic in a minute, you say, "he was seen at the rally at Point Zéro with Steve
16 Yambete, he was there. If I recall correctly, he even spoke at that occasion during
17 that rally."

18 Also here the question -- and I'll go directly, as suggested by the Presiding Judge, to
19 paragraph 32 of your statement, it's still CAR-OTP-2123-0377, tab 45 of the
20 Prosecution binder. If you look, Mr Poussou, at that statement, you see that you
21 stated in November 2019 to the investigators of the Prosecution that Bozize and his
22 clan organised a big meeting at PK0 at the end of 2012. Present were Levy Yakete,
23 members militia COCORA, Steve Yambete (KNK), and (Interpretation) practically all
24 the lords of the KNK regime.

25 (Speaks English) So contrary to your evidence on 16 January, you did not say in 2019

1 anything about Mr Ngaïssona being seen at a rally nor having spoken at that occasion.

2 And also here I remind you that you reviewed your statement on 13 January for

3 2 hours and 20 minutes, and you, yet, didn't amend your statement regarding

4 Mr Ngaïssona, while you did amend your statement on two different issues regarding

5 Mr Ngaïssona.

6 So my question to you is, why did you change your statement or add these things, at

7 the least, to the statement you gave in 2019?

8 A. [9:47:47] Thank you, Counsel. I haven't basically changed my 2019 statement,

9 because in my mind *the Bozize Galaxie included Ngaïssona. And when I said all

10 the lords or the barons of the regime were present, in my mind, Ngaïssona, since he

11 was part of the lords of the regime in power, that is to say the KNK, he was -- he

12 should have been, he ought to have been there for that meeting. And I also stated

13 that physically I wasn't present *at that rally, but that is the report that was written,

14 and which was published in L'Indépendent.

15 Q. [9:48:58] Thank you, Mr Poussou.

16 My third point is your evidence given on 16 January where you did say that

17 Mr Ngaïssona signed statements from COAC.

18 And that's to be found, Mr President, on the English real-time transcript, page 50,

19 lines 12 till 15.

20 Yet also here, Mr Poussou, I put it to you in your statement you gave in 2019, the

21 paragraphs 32, 33 and 36 of your statement - and to me it's not necessary to disclose

22 them now to the witness - we find no words on the accusation on your behalf that

23 Mr Ngaïssona signed COAC statements, while you did mention him in paragraph 3

24 in connection to distribution of machetes. Also here what led you to the addition in

25 your evidence on 16 January that Mr Ngaïssona signed COAC statements?

1 PRESIDING JUDGE SCHMITT: [9:50:34] You may answer, Mr Poussou.

2 THE WITNESS: [9:50:40](Interpretation) Thank you, your Honour. May I repeat
3 what I said. I haven't added and I haven't supplemented anything to what I said in
4 2019. Perhaps in 2019, how shall I put it, I did not sufficiently -- or perhaps in 2019 I
5 wasn't sufficiently reminded of these things. And during the hearing on the 16th, I
6 remembered certain facts. But I insist that even though I did not mention his name
7 clearly, in my mind he was also included, involved.

8 PRESIDING JUDGE SCHMITT: [9:52:04] May I shortly.

9 It is absolutely clear that any party who sees either contradictions or amendments that
10 have not been said in a former statement, that party has to address that. That's the
11 first thing.

12 The second thing is if we would have to expect that the witness coming live to the
13 courtroom repeats exactly what has been said a couple of years ago in a statement to
14 the Office of the Prosecutor, for example, then we would not need a hearing at all.
15 Then we could, let's say, incorporate any written statement into the record without
16 hearing the witness.

17 So it's normal that it's not -- it's also perfectly normal that such live testimony in the
18 courtroom cannot be one on one the same as has been a couple of years ago. Also
19 given the dynamics of the questions, for example, in that case by the Prosecution.

20 But as I said, however, it's clear that you have to address it, but we cannot expect, as I
21 said, a 100 per cent repeating because otherwise we could do everything, let's say,
22 Rule 68(3) without, without even, even hearing the witness in the courtroom. I just
23 wanted to mention that.

24 Mr Knoops, please continue.

25 MR KNOOPS: [9:53:33] Thank you very much, Mr President.

1 Q. [9:53:36] Mr Poussou, what I would like to do now is go into a small exercise
2 with you. I just pointed three elements which in our submission - and it's for the
3 Court to decide - made your statement of 2019 different from your evidence on the
4 16th. That's about Mr Ngaïssona and Yambete leading COAC; secondly,
5 Mr Ngaïssona signing COAC statements; and three, that he was seen at PK0 and
6 spoke on that occasion.

7 Now, as an independent journalist, you will not I think blame me for asking you
8 whether you checked yourself any of these three accusations before uttering them in a
9 court of law.

10 So let me go then to the first statement you gave on 16 January: Yambete and
11 Ngaïssona led COAC together.

12 My first question is, what was exactly your source to make this accusation?

13 A. [9:54:59] The newspapers, especially the online newspaper, *Centrafrique Presse*
14 had the reputation of being very credible. Moreover, and I've said this in the
15 courtroom, Mr Ngaïssona and Mr Yambete were very close. They were linked to
16 Bozize's regime.

17 Q. [9:55:36] Okay. Thank you very much, Mr Poussou.

18 Now, the second assertion presented by you on 16 January: Ngaïssona signed
19 COAC statements.

20 My first question is, did you yourself check if this is true? For instance, did you see
21 one of those statements yourself? And if so, can you give us an example?

22 A. [9:56:16] Counsel, we are now speaking of events that have occurred 10 years
23 ago and you do agree with me that we hardly remember what we've eaten a week
24 before. And here to the best of my recollections, the releases or the memos drafted
25 by COAC on the situation of the country at that time, again to the best of my

1 recollections, were *attributed either to Mr Yambete or Mr Ngaïssona.

2 Q. [9:57:13] But can I take it from your answer, Mr Poussou, that you cannot recall
3 a specific example of such a statement which would be signed by Mr Ngaïssona on
4 behalf of COAC?

5 A. [9:57:32] That's exactly what I'm saying.

6 Q. [9:57:36] Well, we did our own research and we couldn't find a single one in the
7 materials provided to us by the Office of the Prosecution, but I can assist you with
8 giving one example we found in the Prosecution materials, that's tab 101.

9 Maybe it could be displayed to the witness. It's a broadcast of two communiqués or
10 releases by COAC on 9 March 2013, but both signed or made in Bangui on
11 8 March 2013. It's, by the way, CAR-OTP-2130-1290 at 1292, line 23, and 1293 at
12 line 54.

13 You see there, Mr Poussou, that the two communiqués on behalf of the executive
14 bureau of COAC were made by, as it says in French, "*le coordonnateur*, Mike Steve
15 Yambete" in both instances. And the name of Mr Ngaïssona does not appear in any
16 way in these two releases.

17 Were you aware, is my question, Mr Poussou, were you aware of those two releases
18 of 8 March 2013 issued by Mr Yambete?

19 A. [10:00:02] Counsel, may I remind you that on 9 March 2013 Mr Ngaïssona was
20 already part of the government as the minister of youth and sport, and at that point of
21 time he could not have signed a release or a memo for COAC.

22 Moreover, at that point *in time, there were many releases and some were only read
23 out on *Radio Centrafrique, which was the voice of the government at the time. And
24 other statements were published in the newspapers * or online, and we can find traces
25 of *these statements. But there were so many statements and releases that were

1 *broadcast on Radio Centrafrique, and we cannot find traces of them today.

2 PRESIDING JUDGE SCHMITT: [10:01:18] Well ...

3 MR KNOOPS: [10:01:23]

4 Q. [10:01:24] Mr Poussou, you're, I think, well aware that Mr Yambete was also at
5 that time in the government and did sign those COAC statements, so your
6 argument --

7 A. [10:01:39] Mr Yambete was not part of the government. You have to make a
8 distinction between being a minister and working within the office of a minister.
9 There's a major difference there. A minister works on behalf of the state, the
10 government of the Central African Republic, which is not the case of those who work
11 with him.

12 Q. [10:02:11] Mr Poussou, let me now turn to the third assertion you made on
13 16 January, which is, in our submission, not mentioned by you before coming to this
14 court, that is the assertion that Mr Ngaïssona was seen at the PK0 rally and even
15 spoke there at the end of 2012 in Bangui. And you say as basis for this assertion, to
16 be found in the English real-time transcript page 51, lines 19 till 21, you did say: "It
17 was common knowledge that Mr Ngaïssona and Steve Yambete were part of the
18 inner circle of President Bozize."

19 Was this -- and this is my question to you, Mr Poussou: Was this the basis for your
20 conclusion that Mr Ngaïssona even spoke during the rally at the end of 2012 in
21 Bangui?

22 A. [10:03:29] Not at all. I said, and I reiterate, I was told by The Independent
23 journalist who covered that demonstration who made -- who gave an account of it,
24 that Mr Ngaïssona had been at that rally. And I would like to specify that if I
25 remember correctly, it would appear that he also spoke.

1 Q. [10:04:03] Did you yourself speak to this journalist or did you read his article?

2 A. [10:04:24] When I send a journalist out to do a story, at the end we talk about it.
3 He gave an account, a report, an oral report before writing his article, which I read
4 over and which I correct before I publish it.

5 Q. [10:04:51] Mr Poussou, do I understand you correctly that you now say that
6 your yourself sent out this journalist and you reviewed his article being published in
7 L'Indépendent?

8 A. [10:05:10] Yes, that's what I said, Counsel.

9 Q. [10:05:19] Can I remind you what you said to this Court on 16 January,
10 transcript page 52, line 8, where you refer to a newspaper article or report by the
11 Indépendent where it was quoted that a number of people had been at the rally.
12 Lines 15 till 17 of the English real-time transcript, page 52.
13 You didn't say, Mr Poussou, on 16 January that you yourself sent out a journalist and
14 reviewed the article yourself before being published.

15 A. [10:06:09] I said many things on the 16th, Counsel, 16 January, in addition to
16 saying that I had read what several other journalists had published at the time. The
17 Indépendent also covered the rally in December, that is to say, the Indépendent had a
18 journalist there on site who wrote an article, which I read over, which I corrected
19 and -- the way it was written, not the -- and which I published at the time. So that
20 must be found in the record of the hearing.

21 Q. [10:07:05] Mr Poussou, if you were the person responsible for the publication of
22 this article, did you yourself cross-check the story that Mr Ngaïssona was present at
23 PK0 and spoke there before it was published?

24 A. [10:07:45] Well, if you ask *anyone in the press, *they will give you the same
25 answer, Counsel. The point of having a special envoy sent to an event *is that you

1 trust that person, you can rely on everything he says. *You don't have to cross-check
2 the information, because that kind of reporting is done in the heat of the moment.
3 That is why a media outlet sends a journalist that they trust, believing that the
4 journalist will cover the news in keeping with the code of ethics of professional
5 journalism, and that he will do so with his full conscience and soul. So I had enough
6 trust in my reporter who was on site to *publish his story and I didn't have to
7 cross-check the information.

8 Q. [10:08:59] Thank you very much, Mr Poussou, but my question was simply did
9 you yourself cross-check the facts and --

10 PRESIDING JUDGE SCHMITT: [10:09:07] No, he has -- Mr Poussou has answered
11 the question.

12 MR KNOOPS: Okay, then --

13 PRESIDING JUDGE SCHMITT: [10:09:07] You know, he has simply said obviously
14 it was a journalist that he knew and he sent the journalist there and the journalist gave
15 his account and he trusted the journalist. So we have to continue simply.

16 MR KNOOPS: [10:09:24]

17 Q. [10:09:24] Two final questions, Mr Poussou, on this topic. Do you have the
18 name of this journalist for us, first of all, the journalist you trusted?

19 A. [10:09:44] We had a number of reporters at our newspaper, and ten years on, I
20 can't specifically remember which reporter I sent to that location. So I can't give you
21 his name. Even the people who work for me at Bangui FM, I don't -- I can't
22 remember all their names.

23 Q. [10:10:08] Second question: Can you recall when this article was published?
24 Was it directly the day after the rally?

25 A. [10:10:24] We're talking about December 2012.

1 Q. [10:10:34] We're talking about 27 December 2012. But my question is, was the
2 article published on 28 December or 29 December, as you can recall?

3 A. [10:10:50] The article was published shortly after the event. It was a matter of
4 getting the content out about that rally. It might have been the 27th or the 28th. It
5 was, shall we say, it was part of the aftermath, if you could put it that way.

6 Q. [10:11:15] Yeah. Then I go to the next topic. Can you recall, Mr Poussou,
7 whether this rally at PK0 on 27 December 2012 took place in the morning?

8 A. [10:11:38] In the morning? If you include noon or part of the day, it is possible
9 that the rally might have been held midday.

10 Q. [10:11:56] Were you at that time privy to any information where Mr Ngaïssona
11 was staying in Bangui at that time, as an independent journalist?

12 A. [10:12:17] Counsel, I wasn't working with Mr Ngaïssona. I was not privy to his
13 agenda. I can't tell you whether he was in Bangui -- I mean, I really had no
14 specific -- I have no specific interest in Mr Ngaïssona.

15 Q. [10:12:39] Did you as a journalist learn at any moment, maybe after the 27th,
16 who knows, that Mr Ngaïssona was from 1 December to 27 December 2012, the
17 evening, outside Bangui for a FIFA mission to Tokyo, Japan, which was also, by the
18 way, in the press?

19 A. [10:13:10] There are 5 million people living in the Central African Republic.
20 My job as a journalist is not to deal with each and every one of those 5 million people.
21 So once again, let me say that I wasn't taking specific interest in Mr Ngaïssona. He
22 was not of any particular interest to me.

23 Q. [10:13:34] Let me show you Defence tab 1, CAR-D30-0001-0036, which reflects
24 on page 0037 and 0038 the foundation of what we just said, the trip of Mr Ngaïssona
25 via Casablanca to Tokyo till 17 December and his return on 26 December, which flight,

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 and that's tab 98, had to return to Paris due to the security situation.

2 It's tab 98, not necessary to display to the witness but just for the Court's information
3 and the Prosecution, of course, that this sustains that Mr Ngaïssona left 27 December
4 from Paris to Douala.

5 But more interesting is tab 96, that's I think for Mr Poussou also interesting to know
6 for his own research, tab 96, that is Defence D30, CAR-D30-0001-0034, it's an

7 *Ordre de Mission* from the FIFA, the International Football Federation, issued

8 1 December 2012 departure. But most interestingly is the next page 000 -- no, 0035,

9 which reflects three stamps of departure, 1 December, the first attempt to return to

10 Bangui on 26 December on the right top, and right under the arrival 27 December.

11 And my question to you, Mr Poussou, is do you agree that the flight from Paris to

12 Douala is a flight of around six hours? You took it several times, I think even more

13 than 17 times during your stay in France. Is that correct, six hours' flight?

14 A. [10:16:29] Yes, that's correct.

15 Q. [10:16:31] And the flight Douala-Bangui, one hour and a half, could that be

16 correct?

17 A. [10:16:38] That's about right, yes.

18 Q. [10:16:40] So you would agree with me, Mr Poussou, based on these documents

19 that it's a fact that Mr Ngaïssona arrived 27 December in the evening in Bangui, while

20 the rally took place around noon, as you said, correct? So he could not have been at

21 the rally?

22 PRESIDING JUDGE SCHMITT: [10:17:04] Well, you can -- let me put it this way, we

23 have the documents here and we can draw the conclusions out of it. So I would

24 not --

25 MR KNOOPS: [10:17:17] Okay, then I --

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 PRESIDING JUDGE SCHMITT: [10:17:20] Let me help the judges a little bit. If we
2 look at 003, I think, it's hard to say here, we have these two stamps 27 December, the
3 first one is -- which can be read very good is *aéroport Douala*, or what is it? That one
4 in the middle, right side middle.

5 MR KNOOPS: [10:17:50] Yes, that's the stopover in Douala on the 27th. So what
6 happened, Mr Ngaïssona --

7 PRESIDING JUDGE SCHMITT: [10:17:54] No, I understand. I'm fine. No, I
8 understand.

9 MR KNOOPS: [10:17:57] If you add up the (Overlapping speakers)

10 PRESIDING JUDGE SCHMITT: [10:17:59] Yeah, yeah, yeah, but we don't let --

11 MR KNOOPS: [10:18:02] Right, okay. All right.

12 Q. [10:18:02] Mr Poussou, thank you. I'm now moving to the next topic.
13 You were asked by the Office of the Prosecution 16 January if you had any
14 information concerning Mr Ngaïssona in regard to the distribution of machetes, and
15 then you say on the transcript page 54, lines 3 till 5 of the English real-time transcript
16 that "... by what we were told, there were a lot of information going about. I did not
17 see, but I heard from sources that Mr [Steve] Yambete and Ngaïssona also were
18 distributing machetes." And there was a sort of a competition between COCORA
19 and COAC. You recall that you said so on 16 January. Was this --

20 A. [10:18:59] I confirm.

21 Q. [10:19:01] Thank you, Mr Poussou. So was this around the time frame
22 December 2012 when this distribution in your evidence took place?

23 A. [10:19:22] Yes, that's the period of time.

24 Q. [10:19:25] Now, we just saw, at least that's the conclusion of the documents, that
25 Mr Ngaïssona only arrived in Bangui at the end of the day of 27 December 2012 --

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 PRESIDING JUDGE SCHMITT: [10:19:41] Well, that is a conclusion that would have
2 to be --

3 MR KNOOPS: [10:19:46] I did say. I did say it was a conclusion.

4 PRESIDING JUDGE SCHMITT: [10:19:48] But that's -- well, we don't -- we have date
5 stamps, we don't have timestamps.

6 Mr Vanderpuye.

7 MR VANDERPUYE: [10:19:56] I meant to ask that question as well, as you just
8 summarised, about the date stamps and timestamps. But do we have the itinerary
9 for the 27th? Because I don't think I saw that on the screen. What I saw was
10 itinerary arriving on the 26th and you indicated that the flight was turned around and
11 left the next day, but I don't know that we have that itinerary.

12 PRESIDING JUDGE SCHMITT: [10:20:16] But that, you know, we don't discuss this
13 with the witness.

14 MR VANDERPUYE: [10:20:18] No, no, no, of course.

15 PRESIDING JUDGE SCHMITT: [10:20:25] These are documents and, as I said, we
16 have the date here -- it seems to be that at some point in time 27th there was an arrival
17 in Douala and then a flight, but we don't know at what time. It could have been a
18 night flight from Paris. These are at least possibilities, but the Defence will I think
19 inform us, they will, to make it short, document -- will provide us with documentary
20 evidence and we will look into that.

21 Please continue, Mr Knoops.

22 MR KNOOPS: [10:20:55]

23 Q. [10:20:56] Mr Poussou, after my intervention to specify your sources about what
24 you did say in regard to the distribution of machetes, you said to the Chamber on 16
25 January transcript page 56, line 4 till 5, I quote: "I read this in the press in Bangui

1 and I also discussed this matter with certain political leaders." Unquote.

2 And you did say as a follow-up that you remembered reading this information in the
3 Démocrate Bangui newspaper, line 15 -- 14 of page 56.

4 Now my question to you, Mr Poussou, is: Were you able to verify this information?
5 Did you cross-check this information which was in the press, the Démocrate, as a
6 journalist? Did you cross-check that source -- potential source of the newspaper?

7 A. [10:22:04] I must tell you that the Démocrate was not the only newspaper that
8 published that information. There was also a number of other newspapers, in
9 particular, *Centrafrique Presse*, the articles from *Centrafrique Presse* are still available
10 online and they can be located. So from that period of time, making mention of the
11 distribution of machetes.

12 Now, if you ask me whether I myself verified that information, I would say what I've
13 already said, the natural reflex of a journalist is to believe what other journalists have
14 reported, and personally, Mr Marcel Dexter Gazikolguet, who was a journalist and
15 considered to be close to President Bozize's regime at the time, also reported that
16 information to me. So I was in a position to consider that Mr Marcel was a reliable
17 source, Mr Marcel Dexter Gazikolguet.

18 Q. [10:23:52] Thank you, Mr Poussou.

19 Is it your evidence that the name of Mr Ngaïssona was reported in all those
20 newspaper articles as a person who was in December 2012 distributing machetes?

21 A. [10:24:14] Those articles are still available. You can find them online, Counsel.

22 PRESIDING JUDGE SCHMITT: [10:24:26] May I shortly.

23 Mr Poussou, I took it from your -- I took it from your last answer that you also talked
24 with fellow journalists, but I may be mistaken. So my question would be, just to
25 make it clear for the record: Did you also have the opportunity to talk to one or

1 several journalists with regard to the distribution of these machetes, you know, apart
2 from the articles that appeared and that you have read?

3 THE WITNESS: [10:25:03](Interpretation) Yes, your Honour, I spoke to one fellow
4 journalist and I remember discussing that with Marcel Dexter Gazikolguet, who
5 worked for a newspaper that was close to the government and who lived in the 4th
6 arrondissement.

7 PRESIDING JUDGE SCHMITT: [10:25:22] Thank you. So I have understood
8 correctly. I just wanted to verify that.
9 Mr Knoops.

10 MR KNOOPS: [10:25:28]

11 Q. [10:25:29] Mr Poussou, speaking about your sources, that was indeed one of my
12 questions. Did you ask Mr Marcel Dexter Gazikolguet how he became privy of this
13 information that Mr Ngaïssona in December 2012 was with Yakete -- pardon,
14 Yambete distributing machetes?

15 A. [10:26:02] Counsel, I must tell you that the first lesson that is taught at
16 journalism school is the protection of sources. So I couldn't ask Marcel Dexter
17 Gazikolguet how he obtained that information. Even if I had asked him the question,
18 he would not have answered out of principle because he had a duty to protect his
19 sources. If you don't do that, there's no more news.

20 Q. [10:26:49] Did Mr Marcel Dexter Gazikolguet mention the names to you of
21 Mr Yakete and Ngaïssona as being allegedly responsible for distributing machetes in
22 December 2012?

23 A. [10:27:18] We talked about the COAC, so he told me about Steve Yambete and
24 Mr Ngaïssona. We didn't talk about Levy Yakete.

25 Q. [10:27:36] Sorry, that was my -- that was my mistake. I meant Yambete. The

1 names are sort of alike. Apologies.

2 Now, in your evidence you gave on 16 January in the English real-time transcript
3 page 56, lines 17 till 24, you say that Mr Marcel Dexter Gazikolguet told you that the
4 leader of COAC was distributing machetes in the 4th arrondissement. You didn't
5 say on 16 January that Mr Gazikolguet mentioned any names, you said just
6 mentioned that the leader of COAC was distributing machetes. And now you say
7 that he mentioned the two names, Yambete and Ngaïssona. What is the version we
8 should follow, Mr Poussou?

9 A. [10:28:41] I stated to the investigators of the Office of the Prosecutor in 2019 that
10 Marcel Dexter Gazikolguet had said to me that Yambete, Ngaïssona were distributing
11 arms there. Now, since in my mind the COAC belonged to *both Yambete and
12 Ngaïssona, even if I am telling this Chamber that Gazikolguet *had reported to me
13 that *an official or some officials of the COAC were distributing weapons in the 4th
14 arrondissement, automatically, well, in any event, I didn't *ask him to specify which
15 official it was. *I think he was referring to *both Yambete and Ngaïssona.

16 Q. [10:29:57] Thank you, Mr Poussou.

17 Now, your second source, apart from the press you mentioned, the Démocrate and
18 other articles, you mentioned that you discussed this matter with certain political
19 leaders. Remember saying this on 16 January. Can you tell the Court which one of
20 those leaders you discussed this matter, as you mentioned?

21 A. [10:30:33] I also said, Counsel, I spoke and I still speak with all the Central
22 African Republic political leaders. So these are discussions I had and I really can't
23 give you a name just like that, saying that I spoke to such and such leader. These
24 were subjects of concern to all the people in the political realms.

25 Q. [10:31:05] And did those politicians you spoke to did have direct knowledge on

1 the distribution of machetes? Were they telling you that they knew about the
2 distribution of machetes and who was involved?

3 A. [10:31:40] During those times, what was common is that the *militias of the
4 government, so that's the COCORA and the COAC, *or at the very least, the leaders
5 of these militias were distributing machetes and this was *a cause of concern for the
6 political leaders. *They were worried that the situation could escalate to a situation
7 like Rwanda, to a civil war to which people would hack each other apart with
8 machetes. *People were very worried that these machetes could be used to kill our
9 Runga and Goula compatriots. *You can still find the traces of what I am telling you
10 about on *Centrafrique Presse*, traces of these concerns which were clearly expressed.
11 So with the political leaders, we were concerned, we were worried about the situation.
12 So I really cannot tell you if a political leader said that he knew that such and such
13 person had distributed on such a day on such a point of time at such a place the
14 weapons. I'm not in a position to provide you with such details.

15 Q. [10:33:13] Thank you, Mr Poussou.

16 Now, I move to my next question. This relates to what you told the Court on
17 16 January in regard to the alleged recruitment of individuals for COAC. You were
18 asked by the Prosecution on 16 January real-time English transcript page 57,
19 lines 8 till 9, if you know anything about how it is that they, COCORA and COAC,
20 recruited people or obtained members. And then you did say that many football
21 fans that were part of this group and certain COAC members were fans of the
22 *Stade Centrafricain*, the football club, lines 10 to 16 of the English real-time transcript
23 page 57, 16 January.

24 First of all, can you recall, Mr Poussou, that you told this piece of information during
25 your interview in November 2019?

1 PRESIDING JUDGE SCHMITT: [10:34:28] Again, Mr Knoops, if he didn't, please tell
2 him you haven't mentioned that in 2019 and why.

3 MR KNOOPS: [10:34:38] Okay.

4 Q. [10:34:39] Would you agree that you didn't give this information in 2019 in your
5 statement?

6 A. [10:34:57] Obviously the question would not have been put to me.

7 Q. [10:35:01] Okay. Thank you.

8 A second question on this topic is how did you know about this being certain COAC
9 members were, in your evidence, part -- fans of the SCAF, *Stade Centrafricain* football,
10 SCAF, how did you become privy to this information as you gave it to the Court?

11 A. [10:35:42] Counsel, as I have already said in front of this Chamber, I was myself
12 the vice president or one of the vice presidents of the Mocaf club. It was one of the
13 largest clubs in the Central African Republic, which means that I was -- I would
14 regularly go to the Barthélemy Boganda stadium where the championships of the
15 Bangui first league football matches would be played. The supporters and the
16 fanatics of football in my country are well acquainted with each other. They have
17 already met at various occasions during matches. So the -- and SCAF was also
18 playing against Tempête Mocaf. Our supporters and the SCAF supporters know
19 each other and we know each other, we all know each other. You could actually
20 bump into someone who has -- whom you met in the stadium and you know that he
21 supports such and such team. So if you find him with a weapon or if you find him
22 with signs *or symbols showing *that he belongs to a militia, you know that he is a
23 SCAF supporter or *he is a Tempête supporter, especially since within COCORA
24 there were supporters of Tempête Mocaf, another club.

25 Q. [10:37:54] What were the signs that somebody was a member of COAC, as you

1 just said? How could you see whether an individual was part of COAC or

2 COCORA? Were there identity cards or was there special attire?

3 A. [10:38:31] They were in vehicles that belonged to the people in power. *The
4 B375 vehicles that *everyone in Bangui knew were the vehicles used by the lords of
5 the regime.

6 Q. [10:39:05] And it's your evidence that some fans of the football club SCAF were
7 on those vehicles?

8 A. [10:39:31] Yes, starting off with Steve Yambete, who was a supporter of SCAF.

9 THE INTERPRETER: [10:39:38] Correction from the interpreter: The vehicle is
10 BJ75.

11 MR KNOOPS: [10:39:45]

12 Q. [10:39:45] And we're still speaking about a time frame of December 2012,
13 correct?

14 A. [10:39:57] These militia existed from December 2012 to March 2013 when the
15 regime was ousted.

16 Q. [10:40:14] Are we now speaking about COAC, COAC ceased to exist in
17 March 2013? Is that your evidence? You're speaking not about COCORA but
18 COAC, correct?

19 A. [10:40:32] There was no reason for COAC to exist when the regime they were
20 supporting was shown the door outside.

21 Q. [10:40:45] Thank you. My final subject regarding COAC is the following: Did
22 you know when Mr Steve Yambete became *chargé de mission*?

23 A. [10:41:08] Automatically after the formation of the *government of national
24 unity, so we're talking of February 2013.

25 Q. [10:41:22] And what is the source of this information?

1 A. [10:41:33] It's an official decree signed by the president of the republic
2 appointing Steve Yambete in an official way in Ngaïssona's cabinet as the *chargé de*
3 *mission*.

4 Q. [10:41:55] So February 2013. Okay.

5 Do you know when Mr Ngaïssona was nominated within this government?

6 A. [10:42:14] It's about during the same period, after the Libreville agreements.

7 Q. [10:42:27] And that was before Mr Yambete was appointed?

8 A. [10:42:41] I do not know what you're saying. Before what? Before, with
9 respect to what event, Counsel?

10 Q. [10:42:50] You said Mr Yambete was appointed February 2013.

11 A. [10:42:56] Yes.

12 Q. [10:42:57] And Mr Ngaïssona directly after Libreville. So my question is, was
13 Mr Ngaïssona appointed before Yambete in your evidence?

14 A. [10:43:14] Absolutely because Mr Yambete was appointed in the cabinet of
15 Mr Ngaïssona. The *chargé de mission* cannot be appointed before the minister
16 himself.

17 Q. [10:43:28] And were you aware of the time frame approximately for how long
18 Mr Ngaïssona was in office as minister?

19 A. [10:43:53] Approximately one month. The government did not last long.
20 There was the coup d'état orchestrated on 24 March.

21 Q. [10:44:09] If I were to say to you, Mr Poussou, that the decree which appointed
22 Mr Yambete as *chargé de mission* in this particular government was dated
23 30 December 2012, what would you say to this piece of information? Would that be
24 correct? You just said February 2013. You were aware of this information --

25 PRESIDING JUDGE SCHMITT: [10:44:44] Do you have -- do you have it?

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 MR KNOOPS: [10:44:47] Well, it's already submitted, Mr President. It's
2 CAR-D30-0000 -- sorry, 0007-0728, it's decree number 12.290, 30 December 2012. So
3 it's already submitted. It's not in our binder --

4 PRESIDING JUDGE SCHMITT: [10:45:14] But it's good to have it now in that
5 context in the record.

6 So, Mr Poussou, could that also be correct that Mr Yambete was appointed by the end
7 of December 2012? That is I think what Mr Knoops wants to know. And of course
8 you -- it's -- you are not personally affected by the appointment of Mr Yambete, but
9 the question is, could that also be correct?

10 THE WITNESS: [10:45:41](Interpretation) Thank you, your Honour. It seems
11 impossible to me that Mr Yambete could have been appointed before Mr Ngaïssona's
12 appointment to the government. Now, if the government that stemmed from the
13 Libreville accords that was put in place before 30 December, that would have been
14 possible. But I find that this government was set up after this date, it so appears to
15 me. And there are certain practices in the Central African Republic, there are certain
16 decrees that are predated. Now, if I'm shown a decree appointing Steve Yambete to
17 the ministry of sports and youth and it bears the date of 30 December, I really would
18 doubt the authenticity of such a decree.

19 PRESIDING JUDGE SCHMITT: [10:47:00] I think you have to move on, Mr Knoops.

20 MR KNOOPS: [10:47:02] I know, Mr President.

21 By the way, the record reflects 7028, but the page number of the decree is 0728 for the
22 Court.

23 PRESIDING JUDGE SCHMITT: [10:47:16] Thank you very much.

24 MR KNOOPS: [10:47:18] You're welcome.

25 Q. [10:47:19] Mr Poussou, finally on this topic, there was a Prosecution witness

1 who appeared before this Court in March 2021 and he was asked by the Prosecution
2 about the relationship between Mr Yambete as *chargé de mission* and Mr Ngaïssona as
3 minister of youth and sports and culture. And I would like to draw your attention to
4 one specific paragraph which might of interest also for you to read out. This is to be
5 found, it's P-1847, Witness P-1847, the transcript 023, English corrected one, 29 March,
6 page 13.

7 Please, Mr Poussou, pay attention to the following citation. This Prosecution witness
8 said about this so-called relationship that "... they did not really have a very close
9 relationship. Let me explain why I'm saying this. Steve Yambete, as a military
10 person, did not really respect the administrative hierarchy in order to relay his
11 messages. He went to the presidency for that in order to relay [these messages --] his
12 messages. It was someone who was really close to President Bozize and, when he
13 had something to say, he didn't go via a minister to communicate." End of
14 quotation.

15 Mr Poussou, does this reflect your own experience in those days as a journalist how
16 Mr Yambete operated?

17 A. [10:49:41] Not at all. May I repeat that I am not close to Yambete and even *less
18 close to Mr Bozize, *so I do not know how they would function in their private
19 spheres, so I cannot bear out or contradict what was just said.

20 Q. [10:50:13] Okay.

21 PRESIDING JUDGE SCHMITT: [10:50:14] That's absolutely okay, Mr Poussou.

22 MR KNOOPS: [10:50:17] Yeah, yeah.

23 Q. [10:50:18] I now move on, I proceed now to the year 2013 and your evidence,
24 Mr Poussou, pertaining to the purported meetings in Cameroon and first let me ask
25 you a general question.

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 At the time of these alleged meetings in Cameroon, which you say took place prior to
2 15 April 2013 in Yaounde, did you have any knowledge where Mr Ngaïssona was
3 living at that time?

4 A. [10:50:49] At the risk of repeating myself, and I'm not one of the people in the
5 inner circle of Mr Ngaïssona, so I do not know where he was living, but I did see him
6 in Yaounde.

7 Q. [10:51:16] Did you hear or see that Mr Ngaïssona was living at that time with an
8 individual with the name of Bernard Mokom?

9 A. [10:51:37] Counsel, I have absolutely no idea. These are not people with whom
10 I'm close.

11 Q. [10:51:49] Did you know anyone at that time with the name of Bernard Mokom
12 or met such an individual in that time frame?

13 A. [10:52:02] Not only I don't know him, but I think I've never met him.

14 Q. [10:52:16] Did you ever meet at that time Mr Maxime Mokom, see him there or
15 heard about him in Cameroon?

16 A. [10:52:34] These are people that I've never met, I never meet and I don't know
17 these people.

18 PRESIDING JUDGE SCHMITT: [10:52:46] But may I shortly.

19 But the names ring a bell with you, so you know who these persons are in principle; is
20 that correct?

21 THE WITNESS: [10:52:59](Interpretation) Your Honour, that's right.

22 PRESIDING JUDGE SCHMITT: [10:53:03] Mr Knoops, I would suggest the
23 following: When you go into the details of the meetings, I think it's better to start
24 after the break, but only -- when you have general questions, it's fine now, but when
25 we go in the --

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 MR KNOOPS: [10:53:20] That's fine with me, Mr President. I just then would like
2 to conclude this topic, the general question, with another question to Mr Poussou.

3 Q. [10:53:29] You testified on 17 January of this year before the Chamber it's the
4 English real-time transcript page 4, lines 23-25, that you know Mr Thierry Bongolo
5 but you did not see him at Yaounde. Do you still stand by this statement, this
6 evidence? Mr Thierry Bongolo.

7 A. [10:54:03] I said that it was in Paris that I saw, I was introduced to Thierry
8 Bongolo, but I don't think I have seen him in Yaounde or I did not see him in
9 Yaounde or I do not remember seeing his face in Yaounde.

10 Q. [10:54:26] Can you -- can you briefly describe, if you can, who he was?

11 A. [10:54:44] Counsel, I don't understand your question.

12 PRESIDING JUDGE SCHMITT: [10:54:50] What role, what position if you know. If
13 you know if he was a political figure or (Overlapping speakers)

14 MR KNOOPS: [10:54:56]

15 Q. [10:54:57] What was his professional, whatever. What do you know
16 about -- sorry. What do you know about Mr Bongolo, his profession, his potential
17 relationship with Mr Ngaïssona, whatever?

18 A. [10:55:15] I do not know what his profession was. I did not know his links and
19 I don't know his links with Mr Ngaïssona, but I did see him in Paris during the
20 meeting where the FROCCA was set and I guessed that he was part of the KNK party,
21 Mr Bozize's party, and this is what I know about this individual.

22 Q. [10:55:55] Thank you very much.

23 Mr President --

24 PRESIDING JUDGE SCHMITT: [10:55:57] So then we'll have the break now
25 until 11.30.

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 THE COURT USHER: [10:56:00] All rise.

2 (Recess taken at 10.56 a.m.)

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

4 THE COURT USHER: [11:31:42] All rise.

5 Please be seated.

6 PRESIDING JUDGE SCHMITT: [11:32:03] Mr Knoops, you still have the floor.

7 MR KNOOPS: [11:32:08] Thank you, Mr President.

8 Q. [11:32:12] Good after -- still good morning, Mr Poussou.

9 A. [11:32:18] Good morning, Counsel.

10 Q. [11:32:20] You're feeling okay? Because you have a scarf now. It's okay with
11 your health?

12 A. [11:32:27] Everything is fine.

13 Q. [11:32:29] Good to hear.

14 PRESIDING JUDGE SCHMITT: [11:32:31] Well, we have to acknowledge that really
15 the weather here at the moment is not in a way that is very healthy, so to speak. I
16 fully understand the scarf, actually.

17 Please continue, Mr Knoops.

18 MR KNOOPS: [11:32:44] If the witness is happy, I'm happy too.

19 Q. [11:32:52] Mr Poussou, speaking about the Cameroon meetings, I first have also
20 an introductory question to you.

21 You can rather, sir, that on 17 January before the Chamber you -- no, sorry, it was
22 16 January, you said that -- the English real-time transcript page 17, lines 1 till 11, you
23 were asked by the Prosecution about the Western Union receipts but also minutes of
24 the meetings you took you say in Cameroon and your answer was that you don't
25 know where these documents and minutes are.

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 Now, I -- in order to save time, I would like to show paragraph 19, one-nine, of the
2 statement of Mr Poussou of 2019, at tab 45 of the Prosecution binder.

3 And maybe, Mr Poussou, you would be so kind to read paragraph -- I can also read it
4 into the record.

5 PRESIDING JUDGE SCHMITT: [11:34:25] I think it's -- we let the witness -- he's, as
6 we have seen, a very -- grasps everything very quick and also reading is very quick.

7 And I think it's enough perhaps for the record, Mr Knoops, if you read the last
8 sentence (Overlapping speakers)

9 MR KNOOPS: [11:34:44] (Overlapping speakers) to say, Mr President.

10 PRESIDING JUDGE SCHMITT: [11:34:45] That was my idea.

11 MR KNOOPS: [11:34:47] Yeah, yeah.

12 Q. [11:34:47] So, Mr Poussou, in November 2019 you did say to the investigators of
13 the Office of the Prosecution that these -- this memoir, you took from the alleged
14 meetings in Cameroon, you kept it confidentially in France in a place under your
15 control. So you indicated apparently a certain location where that information was
16 kept by you, while on 16 January you said that you have no knowledge where these
17 documents and minutes are.

18 Could you explain to us why you did know the location in 2019 of those documents
19 and on 16 January of this year you didn't recall that location any more?

20 PRESIDING JUDGE SCHMITT: [11:35:56] Mr Vanderpuye.

21 MR VANDERPUYE: [11:35:59] Thank you, Mr President. That's not what he said.
22 He said he didn't know where they were. The question was presently. And the
23 statement obviously refers to almost three years ago.

24 PRESIDING JUDGE SCHMITT: [11:36:09] Yes, but it's obvious that it's important to
25 know what -- so let me.

1 Mr Poussou, it appears that when you gave your statement to the Office of the
2 Prosecutor in 2019, you were in possession of certain documents. So we have now
3 January 2023, what happened to them?

4 THE WITNESS: [11:36:42](Interpretation) Thank you, your Honour. I swore before
5 this Chamber that I would tell the truth, the whole truth and nothing but the truth.
6 Therefore, I will be completely clear, crystal clear in answering this question. By my
7 very nature, or perhaps it's because of my profession, I'm the kind of person who jots
8 down everything, who takes note of everything in green notebooks, actually. I take
9 note of all the events, all the meetings I've attended, all the events. Both the
10 Yaounde meetings and the meetings that were held in Paris, I very carefully and
11 systematically recorded them. And when I left for Bangui, I put all of this material
12 into an envelope which I entrusted to a friend in France, a person who was entirely
13 trustworthy. It so happens that in the meantime we have gone through the
14 COVID-19 pandemic and this person was -- died. His family had to give the
15 apartment where I was living in France. That being said, however, the materials that
16 I entrusted him with were put in a safe place.
17 In the meantime, the Office of the Prosecutor and the French police have tried to find
18 this material and they have organised a search of my former residence in France
19 which had a number of consequences on my son, who was a child of two at the time.
20 So at one point I said I didn't want to have anything to do with the OTP any more. It
21 had to be said. And the materials that were put in a safe place, well, I had asked the
22 person to put them in a safe place, I also asked that the materials be destroyed. So
23 that is my answer to you.

24 PRESIDING JUDGE SCHMITT: [11:40:34] And who, to your knowledge, who did
25 destroy the material? The relatives of the person you entrusted the material with in

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 the first place? Or any or person that ...

2 THE WITNESS: [11:40:52](Interpretation) Exactly. I was in Canada -- no, I was in
3 Lomé when the search of my former residence in France occurred. So I called the
4 person who had put them in a safe place and I said, "I no longer need this material.
5 You must get rid of it."

6 PRESIDING JUDGE SCHMITT: [11:41:23] Would it be wrong if I said, and that's not
7 a problem if it were so, that you were -- by the search of your residence in France that
8 you were angered? Would that be a correct impression, if I word it this way?

9 THE WITNESS: [11:41:42](Interpretation) I was very angry, your Honour.

10 PRESIDING JUDGE SCHMITT: [11:41:52] This is why, well, I say unfortunately we
11 don't have the material any more.

12 Mr Knoops.

13 MR KNOOPS: [11:41:58]

14 Q. [11:41:59] Thank you, Mr Poussou. Just a few follow-up questions on this topic,
15 if you don't mind.

16 Do I understand your evidence correctly that you asked your friend to destroy those
17 materials?

18 PRESIDING JUDGE SCHMITT: [11:42:14] No. The friend had died. I think the
19 relatives of the friend.

20 MR KNOOPS: [11:42:19] Oh, the relatives of the friend.

21 PRESIDING JUDGE SCHMITT: Relatives of the friend.

22 MR KNOOPS:

23 Q. [11:42:19] But it was your request to destroy them, yes?

24 A. [11:42:26] To get rid of these -- the materials.

25 Q. [11:42:31] Can you approximately -- can you indicate when approximately you

1 asked for the -- to get rid of these documents, when was this?

2 A. [11:42:51] I think it was 2020 or 2021. I don't really remember particularly. It
3 was after I was interviewed.

4 Q. [11:43:02] And you were at that time in Canada, correct? I understand you
5 were in Canada at that point in time?

6 A. [11:43:09] Yes, I was living in Canada.

7 Q. [11:43:13] Okay.

8 A. [11:43:16] And I still do live there.

9 Q. [11:43:21] Okay. I come back to this topic at a later stage, Mr Poussou, but this
10 was just an introduction to the meetings in Cameroon.

11 Now I would like to go to the first meeting in the Hilton hotel. You spoke about this
12 on 17 January before this Court. You were asked by the Prosecution if Mr Ngaïssona
13 did say anything during that meeting, and your answer was, that's the transcript
14 page 7 of the English real-time transcript, lines 13 till 16 of 17 January, that

15 Mr Ngaïssona "was in constant contact with the children out in the field and that
16 these children were at the ready to fight." That's the in citation from the transcript.

17 Also in order to save time, I would like to put to the witness his statement, which is
18 of course not 68(3), but still, I would like to show the witness his statement at
19 paragraph 66, statement 2019, Prosecution tab 45, 66.

20 You say: (Interpretation) "Mr Yakete said that there were people in the field ready to
21 fight it out and they were just awaiting for instructions from Bozize to know what
22 had to be done."

23 (Speaks English) In this statement of 2019 you did not mention any purported role of
24 Mr Ngaïssona, let alone that he was in constant contact with the children in the field.

25 And I remind you again, Mr Poussou, that you reviewed your statement on

1 13 January of this year, three days before your testimony, for 2 hours and 20 minutes.

2 Do you have any explanation to the Court for this addition in your accusations

3 against Mr Ngaïssona

4 A. [11:46:12] There were no additional accusations. I have no actual interest in

5 trying to harm Mr Ngaïssona. There are no additional accusations. You mustn't

6 use such terms. If you're meaning what I told the OTP investigators in 2019,

7 certainly at that particular *stage of their questioning, mention was made of

8 Levy Yakete, but that being said, I've told this Chamber -- I've told the Chamber what

9 the general idea *was or what people who were members of the Bozize Galaxie were

10 saying. We're talking about meetings that were held in Yaounde, yet when it comes

11 to contacts that Ngaïssona said he had with the children *particularly in the field, it

12 seems to me that I *have repeated what he said, what he said at two meetings held in

13 Paris. So there's the paragraphs regarding Yaounde, but there were also meetings in

14 Paris.

15 Q. [11:48:09] That's clear, Mr Poussou, but my question is, why didn't you mention

16 the name of Mr Ngaïssona in 2019 in this context where you refer to this first meeting

17 in the Hilton as we can see in paragraph 66?

18 A. [11:48:39] Counsel, allow me to reiterate. As I understood it, well, in my mind,

19 I was not making a distinction between the people Yakete, Ngaïssona, if you look at

20 the paragraph, without mentioning the -- Yakete and the COAC, the militias and

21 Ngaïssona.

22 Q. [11:49:13] Thank you. My second question relates to your testimony before this

23 Court on the same day, 17 November, where you said to the Court that Mr Ngaïssona

24 during this meeting used coded language saying, I quote, "When he speaks of

25 'children', it is a coded language to talk about militiamen or the former soldiers of the

1 presidential guard." Transcript page 7, lines 22 till 24 of the English real-time
2 transcript.

3 Also here I point you to your statement in paragraph 66 further on where you did say
4 (Interpretation) "Going by my interpretation, he was referring to the COCORA and
5 the COAC militias."

6 (Speaks English) The word "he" refers to Yakete mentioned in the first sentence.

7 And also here's the question: Why didn't you mention Mr Ngaïssona in 2019, if he,
8 as you say now, was using coded language speaking about children in the field,
9 former soldiers of the presidential guard, militiamen, et cetera?

10 PRESIDING JUDGE SCHMITT: [11:50:58] Mr Vanderpuye.

11 MR VANDERPUYE: [11:50:59] He does mention it at paragraph 149 of his statement,
12 but if the question is specifically to paragraph 66, then that's another thing altogether.
13 And I think if Mr Knoop wants to put that issue to him, I would suggest that he put
14 it paragraph specific as opposed to what he said in his interview in 2019 because he
15 does mention it.

16 PRESIDING JUDGE SCHMITT: [11:51:24] Well, the paragraph 66 now, and
17 Mr Poussou has it in front of him, I assume, let me have a look. He has it. He
18 clearly stated that -- he refers to Mr Yakete, Levy Yakete. Also the second sentence
19 (Interpretation) in his interpretation -- "In my interpretation he was referring to the
20 COAC and the COCORA militia groups."

21 (Speaks English) So what the question can rightfully put to the witness, of course,
22 why he did not mention in his statement 2019 this coded language, let me put it this
23 way, whenever Mr Ngaïssona might have used it when the witness was present.

24 So, Mr Poussou, so it seems or it appears to be that the -- what you related on I think
25 it was 17 January what you related Mr Ngaïssona has told you or has said during one

1 of these meetings was that he has contact to the children and that this was coded
2 language. And Mr Knoops asks you why this does not appear here in your
3 statement 2019, this specific, this specific thing.

4 And I have explained before that of course it is -- we cannot expect that a written
5 statement that we have in front of us is repeated one on one. We have a live witness
6 specifically to clarify things, to amend things, to strike things out, whatever, whatever
7 happens in the courtroom. But the Defence of course has to point that out and ask
8 that. So that is -- these are the two things.

9 So, Mr Poussou, this is not in the statement 2019. Well, it could have been that
10 you -- Mr Vanderpuye, you are not fine?

11 MR VANDERPUYE: [11:53:34] No. Excuse my directness. If the question is
12 whether -- or what is meant by the term "*enfants*" as referring to the militia, COAC,
13 Anti-Balaka, et cetera, that is in his statement.

14 Now, the question is whether he refers in this specific paragraph, that's a different
15 story, and I understand entirely what the line is or should be, but if we're referring,
16 like I said, to his interview in 2019 --

17 PRESIDING JUDGE SCHMITT: [11:54:05] Where is it? Where is it in his interview?

18 MR VANDERPUYE: [11:54:06] Paragraph 162 he says it. Paragraph 169 I think I
19 said previously he says it also. And that just refers to the term "*enfants*" as referring
20 to militia or fighters and so on. But that's a different -- you know, that's not
21 paragraph 66, but it is used in the context of this interview.

22 PRESIDING JUDGE SCHMITT: [11:54:28] So we would have to figure out in which
23 context the witness on 17 January spoke about *les enfants*.

24 And I understood, Mr Knoops, that this was ascribed to the first meeting in Douala.

25 MR KNOOPS: [11:54:42] Well, Mr President, I don't understand this whole

1 discussion. The question is simply why Mr Poussou only mentioned Mr Yakete in
2 2019. While he reviewed his statement on 13 January, he didn't add the name of
3 Ngaïssona in paragraph 66. And the question is simply why didn't he mention
4 Ngaïssona in the context of this paragraph knowing --

5 PRESIDING JUDGE SCHMITT: [11:55:08] We don't speak about paragraphs in that
6 regard. It depends on what the paragraph refers to in time and space, so to speak.
7 So the question is, Mr Poussou, when -- so simply now, when did Mr Ngaïssona, if
8 you recall it, at what occasion did he speak of *les enfants* in that regard? What was
9 the occasion, if you recall it?

10 THE WITNESS: [11:55:39](Interpretation) Thank you, your Honour. To the best of
11 my recollection it was during the meetings in Paris. So it was said in my statement,
12 in my previous statement and reiterated before this Chamber at the beginning of my
13 testimony here. So if in that paragraph the question was about Levy Yakete, I don't
14 see the point of talking about Mr Ngaïssona. But if you're referring to all my
15 statements in 2019, it's quite clear that I was talking about Mr Ngaïssona.

16 PRESIDING JUDGE SCHMITT: [11:56:23] I think to make the record complete, this
17 ominous paragraph 66 refers -- is in the context of the first meeting in Yaounde. And
18 the witness now says, Mr Knoops, that, we have to continue from there, it has been
19 said to him in one of the meetings or in Paris.

20 MR KNOOPS: [11:56:50]

21 Q. [11:56:54] Mr Poussou, in the same paragraph --

22 PRESIDING JUDGE SCHMITT: [11:57:02] Mr Vanderpuye, still an objection?

23 MR VANDERPUYE: [11:57:04] I know Mr Knoops is going to continue in this
24 paragraph. With respect to the context of what was said, paragraph 68 speaks to
25 that issue. I don't know if he'll cover that, but just for the Chamber's edification.

1 And, if necessary, I'll deal with it later.

2 PRESIDING JUDGE SCHMITT: [11:57:20] Mr Knoops.

3 MR KNOOPS: [11:57:21] That wasn't my question.

4 PRESIDING JUDGE SCHMITT: [11:57:24] No, no, no, it's --

5 But now, Mr Poussou, when Mr Knoops continues talking about this paragraph 66, he
6 is talking about the first meeting in Yaounde in April 2013. In that context at the
7 time in 2019 you have spoken on this matter.

8 So Mr Knoops.

9 MR KNOOPS: [11:57:49]

10 Q. [11:57:50] You see, Mr Poussou, in the fourth line of this statement you did say
11 at that moment in 2019 (Interpretation) "At that time, the planned response was
12 limited to Bangui."

13 (Speaks English) Can you recall saying this in 2019?

14 A. [11:58:15] Yes, indeed.

15 Q. [11:58:21] So that means that during this first meeting there was no question of
16 children out in the field because the project was limited to Bangui, correct?

17 A. [11:58:37] Well, those children were mostly in Bangui as well, Counsel.

18 Q. [11:58:45] But that's not -- that's not an answer to my question. The question is
19 you say that the project was limited to Bangui, yes? There was no question of any
20 operations outside Bangui, correct?

21 A. [11:59:05] Yes, that's right.

22 Q. [11:59:07] So when you mentioned children out in the field, you mentioned
23 Bangui, correct?

24 A. [11:59:16] Absolutely in that context.

25 Q. [11:59:26] During this still the same meeting, you say that Mr Ngaïssona was in

1 constant contact with the children out in the field, as we now understand is Bangui.

2 Can you recall that in your statement, and that's paragraph 65 of 2019, if you have a

3 look at this statement, it refers to this meeting and it refers to: (Interpretation)

4 "Ngaïssona and Gbanga said that it was necessary to go back to the Libreville

5 agreements, and thus Bozize should go to N'Djamena to take part in the negotiations

6 so that his voice would be heard."

7 (Speaks English) Also here you didn't mention 2019 that Mr Ngaïssona was in what

8 you say constant contact with the children out in the field.

9 PRESIDING JUDGE SCHMITT: [12:01:09] We have covered that, Mr Knoops. It's

10 clear that it's not in here. We have covered. Please move on.

11 MR KNOOPS: [12:01:15] Okay.

12 Q. [12:01:18] When you did say in 2019 that Mr Ngaïssona and Gbangba said that

13 they should return to the accords of Libreville and Mr Bozize was supposed to go to

14 N'Djamena to take part in the negotiations there, you still say that they refer to armed

15 violence, armed operations?

16 A. [12:02:04] Thank you, Counsel. Now, if you're going to insist and mix

17 everything up, I will be completely confused. Now, we're talking about the first

18 meeting in Yaounde, the first meeting in Yaounde where some people spoke and said,

19 for instance, during the first meeting, Gbangba David and Ngaïssona said that

20 they -- you have to come back -- return to the Libreville agreements.

21 But when we went to the Paris, because this was the month of April, there was May,

22 June, July, August until Paris, in Paris the positions changed. The Anti-Balaka had

23 already attacked Bangui. At least they were fighting the Seleka and there were

24 casualties in the field. So the position had changed. I'm talking about the first

25 meeting in Yaounde.

1 So if you want to ask questions, I really would like you to put them in context.

2 Yaounde, Paris, Yaounde, Paris. I really can't answer to your questions in very
3 general way, Counsel. Thank you.

4 PRESIDING JUDGE SCHMITT: [12:03:37] If I may now.

5 When there seems to be a contradiction, it's clear that you can put it to the witness.

6 But we have here paragraph 68 and this is also in that context, and I read it out, still
7 on page 0388: (Interpretation) "At the end of the meeting, it appears clearly that the
8 objective of Bozize and his supporters was to return to the power by all means,
9 irrespective of the cost."

10 (Speaks English) So the witness has not mentioned it in a certain paragraph, but that
11 doesn't matter, we have to really look at a statement that a witness gave in a holistic
12 manner. So indeed, if you ask the witness, well, in paragraph 65 something is not
13 incorporated, well, yes, that indeed tends to confuse a witness. So we have to -- we
14 have to give Mr Poussou here the credit that he does not know where to orientate
15 himself in time. I understand that.

16 MR KNOOPS: [12:04:57] Mr President, I'm very sorry, but I don't agree with the
17 Chamber in this regard. It's no reason to raise voices against Defence counsel who
18 just puts very specific question.

19 PRESIDING JUDGE SCHMITT: [12:05:11] Well, that's another thing that I would
20 like to address.

21 Mr Poussou, you are -- we have gotten to know you a little bit in the past week, I have
22 to say, and as a journalist and with your intellect that we have also gotten to know in
23 the meantime, it is -- let me put it this way: Journalism, your profession, follows
24 certain rules. Also trial proceedings follow certain rules. And I think you perfectly
25 understand when I tell you that the roles of the parties in such a courtroom here are

1 completely different. Mr Vanderpuye for the Prosecution questioned you for a
2 couple of days and now it's the turn of the Defence. And the Defence of course has a
3 different interest. The interests of the Defence is to defend the best possible way
4 their client. And that is the background. And when there is a problem,
5 Mr Vanderpuye intervenes or the judges intervene, like I did and Mr Vanderpuye did.
6 And as I said, it's best to simply receive calmly, so to speak, the questions and answer
7 them to the best of your knowledge.

8 Mr Witness, you are understand that? I'm sure you understand that.

9 THE WITNESS: [12:06:45](Interpretation) I understand you, your Honour, perfectly.

10 But my irritation is due to the fact that I could not recover my bearings in time and
11 space because if there's no specification on the period, which was actually not a static
12 period but a dynamic one, I really find it difficult to orientate myself. So I
13 completely understand how things pan out in a trial. I'm available to answer your
14 questions, all questions in the most appropriate way.

15 PRESIDING JUDGE SCHMITT: [12:07:31] Also, Mr Poussou, when something like
16 that happens that you think now you are losing track, so to speak, about what time
17 we are speaking of, you can address that with the Chamber in a calm way and that's
18 the best way to handle things. Perhaps we can continue like that.

19 Mr Knoops, please.

20 MR KNOOPS: [12:07:55]

21 Q. [12:07:56] Yes, Mr Poussou, I believe I have approached you with respect for
22 your position and my question was not in any way meant to confuse you because I
23 did say that I was still speaking about the first reunion in Yaounde in the Hilton hotel.
24 And my question was simply that in your statement of 2019 you said that
25 Mr Ngaïssona with Mr Gbanga said that one should return to the *Accords de Libreville*.

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 And my question was simply: Is this indeed your recollection of the meeting, he did
2 say one should return to Libreville and Bozize should go to N'Djamena? We're
3 speaking now of April 2013. So there cannot be any confusion.

4 A. [12:09:06] Indeed, this was something that was said during the first meeting in
5 Yaounde amongst other things.

6 Q. [12:09:22] Thank you.

7 PRESIDING JUDGE SCHMITT: [12:09:23] Well, did then -- because I have pointed
8 out this paragraph 68, but did -- during this first meeting in Yaounde, did the ones
9 present agree or not agree that Mr Bozize should return to power at all costs? Was
10 this also said or was this only -- let's say were there some of them that said that, others
11 not? To your recollection.

12 THE WITNESS: [12:10:00](Interpretation) To the best of my recollections, all the
13 participants of this meeting wished and wanted to work for the return of
14 President Bozize to power. So the supporters and participants who were at the
15 meeting agreed on this objective.

16 PRESIDING JUDGE SCHMITT: [12:10:34] Mr Knoops.

17 MR KNOOPS: [12:10:35]

18 Q. [12:10:36] Mr Poussou, I would like to ask you some questions about the second
19 meeting in Cameroon, that was as you say, Hôtel des Députés, also April 2013. So
20 I believe there cannot be any confusion now between us.

21 First of all, can you give us any proof that you stayed in this hotel? Do you have any
22 documents left of your stay in this Hôtel des Députés or are they also destroyed?

23 PRESIDING JUDGE SCHMITT: [12:11:31] Mr Knoops, please leave the -- the second
24 part of your question is inappropriate.

25 Mr Vanderpuye.

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 MR KNOOPS: [12:11:38] Well, he used the word "get rid of" documents.

2 PRESIDING JUDGE SCHMITT: [12:11:42] No, no, but there is -- we have -- that is
3 not appropriate to the undertone that the witness has gotten rid of everything. And,
4 actually, we are speaking about some bill 10 years ago, I don't know who in this
5 courtroom is keeping all hotel bills over such a period.

6 But the question is, do you still have the hotel bill, for example, from that time?

7 Which would be surprising, but it might be.

8 THE WITNESS: [12:12:20](Interpretation) Thank you, your Honour. I could
9 not -- or I could not have obtained a receipt, because I did not pay for the hotel, and I
10 said this to the OTP Prosecutors that I was accommodated in this hotel by Socrate
11 Bozize. So if there is an invoice, it would have been addressed to him, so you have
12 to ask this person.

13 MR KNOOPS: [12:13:05]

14 Q. [12:13:05] In your evidence given to the Chamber on 17 January, you
15 say -- asked about -- by the Prosecution whether Mr Ngaïssona expressed anything
16 during the course of this meeting, so speaking about the second meeting in Yaounde,
17 April 2013 in, as you say, Hôtel des Députés, okay? You say that Mr Ngaïssona said
18 at that time that it be understood that he coordinated and organised elements in the
19 field. That was your evidence on 17 January of this year.

20 Yet if we look at your statement of 2019, paragraph 69 and also 70 --

21 PRESIDING JUDGE SCHMITT: [12:14:02] Well, to make it short. This paragraphs
22 69 until 71 of that statement and this so specifically, Mr Poussou, it does not appear in
23 this statement. So you know the question that Mr Knoops derives from that is you
24 didn't mention that so specifically at the time. Is there any -- yeah, is there any
25 explanation for that specifically or why didn't you mention it?

1 THE WITNESS: [12:14:42](Interpretation) Your Honour, certainly this question was
2 put to me further down in the statement, not at that stage of the statement.

3 PRESIDING JUDGE SCHMITT: [12:15:02] But -- no, not but. So important is,
4 Mr Poussou, we are now during the second meeting in Yaounde, also still April 2013,
5 at Hôtel des Députés, did Mr Ngaïssona say what you told us on 17 January, simply?

6 A. [12:15:31] To the best of my recollection, this is what he said, your Honour,
7 amongst other things that were said.

8 PRESIDING JUDGE SCHMITT: [12:15:42] Mr Knoops.

9 MR KNOOPS: [12:15:43]

10 Q. [12:15:43] And the question arises, Mr Poussou, why didn't you say this in 2019?
11 What is the reason why you didn't put this in your statement of 2019 and you didn't
12 amend your statement in this regard on 13 January of this year when reviewing it?

13 A. [12:16:11] There is no reason and I don't remember everything I told the OTP
14 investigators. So I just modified things I remembered. Now, even if I did not say it
15 here, I spoke about "them", "they said" explicitly, and when I say "they said", you
16 must understand that all supporters of Bozize of the members of the KNK with whom
17 we met at the Hôtel des Députés stated that.

18 Q. [12:17:08] Mr Poussou, you told the Court on 17 January, English real-time
19 transcript page 13, lines 20 to 25, asked by the Prosecution how Mr Ngaïssona was in
20 contact with individuals on the ground, that he exchanged phone contacts, he was
21 constantly on the phone with different individuals and you say that it can be deduced
22 from this that he was speaking to former FACA members, former members of the
23 presidential guard, as well as militiamen from COAC.

24 My first question on this topic is was this said during the second meeting in Yaounde
25 or the third one in April 2013?

1 A. [12:18:28] During the second meeting at the Hôtel des Députés, I repeat what I
2 said, Mr Ngaïssona spoke and he was constantly hooked to the telephone, he was
3 speaking with people over the telephone. So I inferred that he was speaking to these
4 people and *that they, supporters of Bozize, said that they were in touch with *those
5 people in the field. *So I guessed that they were their supporters.

6 MR KNOOPS: [12:19:07] By the way, the statement can be removed from the screen,
7 Mr President. Thank you.

8 Q. [12:19:13] Now, was it specifically referred that these contacts were with former
9 FACA members, former members of the presidential guard, as well as militiamen
10 from COAC?

11 A. [12:19:43] The people who were at the -- who were in power, some of them were
12 the leaders of militia or organisations considered to be militia organisations. Others
13 were heads of army. If they wanted to seize power by all means, as they said at that
14 point of time, they could only recourse to such people, and a majority of them were in
15 the field, so it was clearly said that they were in contact with men, armed men, at least
16 their close people who were part of the former presidential guard or the Central
17 African forces who were in the field.

18 Q. [12:20:42] You did say that you didn't hear Mr Ngaïssona speaking to an
19 individual by name, so how did you deduce from that conversation or those contacts
20 that he was speaking to these three specific groups which you, by the way, didn't
21 mention in your statement. So former FACA, former members of the presidential
22 guard, as well as militiamen from COAC. That is very specific. So how did you
23 come to that conclusion that he was speaking with those three groups?

24 A. [12:21:44] You're a legal expert, you should know that there is a letter and the
25 spirit. This is, in fact, an expression used in the legal spheres. The spirit of all

1 supporters of Bozize was to seize power by all means. They expressed their spirit
2 clearly. It's -- it involved using the former elements of the presidential guard, the
3 former FACA members and other militia to come back to power. So someone who is
4 closely following the Central African news and who is also participating in a meeting
5 with the supporters of Bozize where the question of return to power of Bozize was
6 raised could only come to the conclusion which is that -- which is mine.

7 Q. [12:23:04] You now say, at least it was 17 January, that Mr Ngaïssona also was in
8 touch at that point in time with militiamen from COAC. Your evidence of this
9 morning was that COAC ceased to exist in March 2013. So how came you to the
10 conclusion or the assumption that Mr Ngaïssona was also in touch with militiamen
11 from COAC while that organisation, as you said yourself, did not exist any more?

12 A. [12:24:03] The COAC was no longer carrying out its activities in the field. It
13 means it wasn't patrolling the roads, not arresting people, were not attacking people
14 in Bangui like it used to do before President Bozize's regime fell. And once the
15 coup d'état was orchestrated, the organisation had no concrete activity in the field,
16 but it did exist. So formally we can consider that after 21 March 2013, the COAC did
17 not formally exist, but it does not mean that the organisation was disbanded. It no
18 longer carried out activities, it was no longer attacking the Muslim fellow citizens, but
19 the organisation was not disbanded formally.

20 Q. [12:25:12] Could you tell us, Mr Poussou, on what basis your knowledge is
21 grounded, information you just gave that after March 2013 the COAC, although
22 formally disbanded, informally, apparently, in your evidence in some way existed,
23 what is the foundation of this information?

24 A. [12:25:44] (No interpretation)

25 PRESIDING JUDGE SCHMITT: [12:25:49] What was --

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 THE INTERPRETER: [12:25:51] I'm sorry, I did not hear the witness. He said
2 something, but I missed that.

3 PRESIDING JUDGE SCHMITT: [12:25:57] Could you please repeat, Mr Poussou.

4 THE WITNESS: [12:25:59](Interpretation) Thank you, your Honour. I can see what
5 the Defence counsel is trying to do. I never said that the organisation was officially
6 disbanded. So where are you pulling that from? That's the first thing.

7 And secondly, we -- from the outside we could still be in touch or keep an
8 organisation alive that existed, keep it alive in the country.

9 Now, just to give you one example, amongst others, you know even better than me,
10 Charles de Gaulle was -- basically sought refuge in London and he was using the
11 resistance in France, he was in touch with the resistance in France, and it was not
12 publicly known that he was at the head.

13 So knowing the fact that the supporters of Bozize had former FACA elements and the
14 presidential bodyguard and the former -- and the COCORA and the COAC militia,
15 and if they wanted to take -- seize power by all means, including by force, they had to
16 recourse to these organisations, which were still in the field even though the
17 coup d'état put an end to their day-to-day activities.

18 MR KNOOPS: [12:27:52]

19 Q. [12:27:53] Thank you, Mr Poussou. Well, you know, the reason I am asking
20 this is because you, on transcript page 28 of today, line 2 till 8, you said: "These
21 militia existed from December 2012 to March 2013 when the regime was ousted."

22 And after this: "There was no reason for COAC to exist when the regime they were
23 supporting was shown the door outside." End quote.

24 So I believe, Mr Poussou, that --

25 PRESIDING JUDGE SCHMITT: [12:28:33] Well, I think this has been -- however to

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 interpret, this has been answered by the witness. I think you can move on.

2 MR KNOOPS: [12:28:41] Yeah, I'm saying this because --

3 PRESIDING JUDGE SCHMITT: [12:28:42] No, no, I understand. Please move on.

4 MR KNOOPS: [12:28:44] -- the witness was denying that he --

5 PRESIDING JUDGE SCHMITT: Yeah, yeah, yeah.

6 MR KNOOPS: [12:28:46] -- did say that COAC didn't exist any more. All right.

7 PRESIDING JUDGE SCHMITT: [12:28:50] No, he was not denying that, but we
8 don't -- I think we don't interpret words here.

9 Please continue.

10 MR KNOOPS: [12:28:56]

11 Q. [12:28:56] Mr Poussou, were you ever privy to one specific phone call between
12 Mr Ngaïssona and a former member of the presidential guard, the FACA or, as you
13 say, the militiamen from COAC?

14 A. [12:29:29] I cannot specifically say if I was informed about a phone call or not.
15 Could you please reformulate your question, reword your question.

16 Q. [12:29:44] Did you yourself ever hear Mr Ngaïssona speaking to -- on the phone
17 at that time, April 2013, in Yaounde, speaking to an individual who was identified as
18 a member or former member of the presidential guard, a former member of the FACA
19 or a member of the COAC?

20 A. [12:30:24] I told you he was constantly hooked to the telephone. Unless he
21 himself could tell us whom was he speaking to and give us a name, one could only
22 assume whom he was speaking to. But we do not know -- we cannot know in a
23 more specific way with whom he was talking.

24 Q. [12:30:51] Thank you, Mr Poussou.

25 Now, after Yaounde, you went to France for what the Prosecution calls an interval

1 and you were asked about this on 17 January this year before this Court about this
2 return to France after Yaounde.

3 And the question of the Prosecution was were you, at that time, in contact with
4 individuals you met in Yaounde. And your answer was: "Yes, I was in constant
5 contact with Socrate ... And ... Kokate." English real-time transcript 25 -- page 25,
6 lines 20 till 22.

7 These were the ones, as I understand, who kept you abreast of the developments in
8 the CAR, yet can you enlighten us on which subjects they were keeping you
9 informed?

10 A. [12:32:13] Neither in the question that was put to me nor in my answer was
11 there any question of people keeping me abreast of developments in the Central
12 African Republic. We would talk and we would touch upon all topics. You asked
13 me if I was in contact with people in Yaounde. Yes, I was in contact with them, but
14 we didn't speak only about the situation in the Central African Republic.

15 Q. [12:32:51] But is it true that Mr Kokate was one of the sources of information
16 about what happened in Yaounde and afterwards?

17 A. [12:33:11] I don't understand your question. Mr Kokate could not be a source
18 of information for me. But I did have interactions with him. We spoke about
19 everything under the sun. We were in touch with one another.

20 Q. [12:33:30] In your statement on paragraph 16, you did say in the last sentence
21 that you had various discussions with Joachim Kokate, who did report to you on
22 what happened. So what did you mean with this sentence in your statement in 2019?
23 It clearly says he was reporting you what happened.

24 A. [12:34:04] Allow me to reiterate. We talked about many things. We called one
25 another rather regularly. At times, we might discuss what they -- he -- he would

1 travel to Cameroon at that time and he could report to me what his friends from the
2 KNK and other people close to Bozize were doing, people who were there.

3 Q. [12:34:51] You were asked by the Prosecution service on 17 January about what
4 Mr Kokate and Socrate told you in this interval period between you leaving Yaounde,
5 return to France and the period that Mr Bozize found himself in France.

6 And then you said about Mr Kokate: "The truth be told, knowing Joachim Kokate
7 well and his tendency to tell lies and fabulate, I didn't take it very seriously what he
8 might have told me."

9 How did you come to know that Mr Kokate had, as you say, a tendency to lie and to
10 fabulate?

11 A. [12:36:04] I would interact with him regularly. When you talk to someone
12 you're in a position to assess that person's reliability. If in the meantime there are
13 examples, or if things that you know the person has done and it's not quite the truth,
14 well, that allows you to form a conviction about someone.

15 Q. [12:36:44] Could you -- could you give us one example of what you say
16 something he, in your view, lied about or did fabulate about?

17 A. [12:37:13] Yes, Counsel. As I said, Mr Kokate, we interacted quite regularly
18 and I remember taking him to the television station (Speaks French). This was
19 during a debate that I had with the lawyers of Mr Bemba and Mr Kilolo, the lawyer.
20 And so I introduced Mr Kokate to Mr Kilolo, he was a lawyer at that time. And then
21 I learned that Mr Kokate had hinted to Mr Kilolo that when his elements were
22 deployed in our country, he was in activity, he was within the Central African
23 Republic army and all of that, and that he had even been hired by Mr Bemba's
24 Defence team to look for witnesses and others. Which was not true because when
25 Bemba's troops were deployed in our country, Kokate was no longer active. He had

1 already been thrown out of the army. So that's a specific example.

2 Q. [12:38:57] You say that Mr Kokate was thrown out of the army. You have more
3 information on why he was thrown out of the army? If you have.

4 PRESIDING JUDGE SCHMITT: [12:39:11] Mr Vanderpuye.

5 MR VANDERPUYE: [12:39:12] I think this is a collateral matter, to be honest. I
6 don't see what the relevance of the reason why he was discharged from the army has
7 to do with this witness's testimony.

8 PRESIDING JUDGE SCHMITT: [12:39:26] Yeah, but only if you happen to know
9 why, Mr Poussou. But if you say you don't know exactly, it's also fine. But I would
10 not object to the question as such.

11 THE WITNESS: [12:39:42](Interpretation) I don't know, Mr President.

12 PRESIDING JUDGE SCHMITT: [12:39:45] Actually, I understand that Defence
13 would like to -- if we have a witness here and he mentions it, we can ask him.
14 He doesn't know. Please continue.

15 MR KNOOPS: [12:39:56] Well, with all due respect, maybe the Prosecution would
16 re-read the transcript of 801 because then the relevance might be (Overlapping
17 speakers)

18 PRESIDING JUDGE SCHMITT: [12:40:05] Absolutely, yeah, yeah, yeah. I did not
19 sustain the objection, Mr Knoops.

20 MR KNOOPS: [12:40:12] No, but the impression is made also, with all due respect,
21 by the Court that this question is actually of a collateral matter, but that's simply not
22 the case, Mr President. And we were not posing questions just to fill the time here,
23 and really I would ask the Chamber and the Prosecution to, even if they don't at first
24 sight see the relevance of the question, they should bear in mind that we are
25 professionals and we have questions for a certain purpose.

1 PRESIDING JUDGE SCHMITT: [12:40:47] But, Mr Knoops, I reiterate that I let the
2 question pass because the relevance was relatively clear.

3 MR KNOOPS: [12:40:55] Thank you, Mr President.

4 Q. [12:40:59] Mr Poussou, speaking about Mr Kokate as being one of your sources
5 or anyway with whom you had discussions, you say in your evidence on 17 January,
6 transcript page 28, lines 9 till 16, that Mr Poussou claimed that he was heading up an
7 organisation by the name of Free Officers, you can recall this, and he said during one
8 of the meetings with President Bozize that these Free Officers, this organisation of
9 movement, were not well equipped, they had not enough equipment to launch an
10 attack.

11 My first question to you, when you mention the name Free Officers, do you refer to
12 the *Collectif des Officiers Libres*?

13 A. [12:42:11] Yes, that's right.

14 Q. [12:42:16] Did you ever hear or see any information or receive any information
15 that this movement of free officers really existed?

16 A. [12:42:31] To my knowledge, Kokate was the only member of this Collective of
17 Free Officers.

18 Q. [12:42:41] Maybe this is a very open question and obvious question, but do you
19 know if this movement was ever integrated in FROCCA, this one single person
20 movement of Kokate? Do you have any information whether this so-called
21 movement of free officers was integrated in FROCCA?

22 A. [12:43:13] Yes. Like MOREPOL and a certain number of movements, that
23 existed only in the form of their releases.

24 Q. [12:43:27] And how do you know that this movement of Free Officers which
25 existed of Mr Kokate only was integrated in FROCCA?

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 A. [12:43:46] That collective did issue a release or a statement indicating
2 membership in FROCCA.

3 Q. [12:43:59] And this was your only information at the time and now to say that
4 this meant they were integrated in FROCCA? There is no other information for your
5 conclusion that they were integrated? Just this press release, right?

6 A. [12:44:28] To my knowledge, yes.

7 PRESIDING JUDGE SCHMITT: [12:44:30] Well, an organisation with one member,
8 well, we can draw our own conclusions.

9 Please, Mr Knoops.

10 MR KNOOPS: [12:44:41]

11 Q. [12:44:43] What about the organisation MOREPOL, first of all, did this
12 organisation exist, in your view? Do you have any information whether this
13 organisation existed?

14 A. [12:45:02] I have no information about that. As I said, there were organisations
15 like that that were just empty shells that made statements saying that they were part
16 of FROCCA to give the impression to the general public that there was widespread
17 support for FROCCA. To my mind, MOREPOL had no structure. The existence of
18 an organisation also means that *an org chart has been published, a certain leadership
19 structure *with names. *Once you have a single individual who signs a release
20 announcing the existence of a movement, you have to doubt its existence. *So I think
21 that the MOREPOL of Levy Yakete was one of those organisations that was an empty
22 shell.

23 Q. [12:46:13] Thank you, Mr Poussou.

24 PRESIDING JUDGE SCHMITT: [12:46:14] Mr Knoops, would it be -- because I have
25 an appointment at 1 o'clock, would it be a problem perhaps if we shorten the lunch

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 break until 2 o'clock? Is this okay with you?

2 MR KNOOPS: [12:46:28] It's okay, Mr President.

3 PRESIDING JUDGE SCHMITT: [12:46:30] How are you time-wise, if I may inquire?

4 MR KNOOPS: [12:46:32] It's progressing well, Mr President.

5 PRESIDING JUDGE SCHMITT: Okay, good.

6 MR KNOOPS: [12:46:35] And I can certainly finish tomorrow, maybe at the second
7 session. I just have one question on this topic and then, in my estimation, we could
8 have a break because then I'm going to digest another topic. Yes? Thank you.

9 PRESIDING JUDGE SCHMITT: [12:46:55] Of course, yeah.

10 MR KNOOPS: [12:46:58]

11 Q. [12:46:59] Mr Poussou, still my final question on Mr Kokate's potential role.

12 You can recall, do you, that in your evidence given on 17 January, that is transcript
13 page 28, lines 14 till 16 of the English real-time version, you did say that Mr Kokate as
14 you just mentioned that these officers free officers movement were hell-bent and had
15 enough equipment to launch an attack and that the only thing they lacked were
16 financial means to pay for things like food.

17 My question to you is, Mr Poussou, did you know that food, the issue of food was, in
18 those days, enormous problem for anyone, not only the elements but also the
19 population, lack of food?

20 A. [12:48:24] I must admit that I haven't understood anything you've just said.
21 Truly, Counsel. I don't understand.

22 PRESIDING JUDGE SCHMITT: [12:48:35] I think it's also something, let's say, a
23 question which answers itself a little bit.

24 So let's have the break now a little bit shortened, if you -- I think it would be a good
25 idea, until 2 o'clock.

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

- 1 MR KNOOPS: [12:48:51] Mr President, I'm sorry.
- 2 PRESIDING JUDGE SCHMITT: [12:48:54] No, Ms Dimitri, not?
- 3 MR KNOOPS: [12:48:55] I was not finished with this question, Mr President. I'm
- 4 sorry.
- 5 PRESIDING JUDGE SCHMITT: Yes, but --
- 6 MR KNOOPS: [12:48:59] It's obvious, I know, but I have one follow-up question, if
- 7 you --
- 8 PRESIDING JUDGE SCHMITT: [12:49:03] But quickly, because, as I said I --
- 9 MR KNOOPS: [12:49:05] Yeah, okay.
- 10 Q. [12:49:06] Mr Poussou, final question: Were people being approached in those
- 11 days to contribute to food, to pay for food, so dignitaries, people like Mr Ngaïssona
- 12 were approached to contribute to food, to (Overlapping speakers)
- 13 PRESIDING JUDGE SCHMITT: [12:49:26] Mr Poussou, the background is were -- at
- 14 the time, to your knowledge, were people approached to provide money so that, be it
- 15 the general population, be it fighters, whosoever, be provided, could sustain
- 16 themselves, if you know?
- 17 THE WITNESS: [12:49:51](Interpretation) I don't know. And well, those who had
- 18 contacted those people, or if that existed, they would be in a better position to answer.
- 19 But to my knowledge, no.
- 20 PRESIDING JUDGE SCHMITT: [12:50:12] Ms Dimitri.
- 21 MS DIMITRI: [12:50:13] Yes, very quickly, Mr President. Could we do until 2.15
- 22 because we're reviewing videos with Mr Yekatom. Thank you.
- 23 PRESIDING JUDGE SCHMITT: [12:50:21] Of course, of course, 2.15 then.
- 24 MS DIMITRI: Thank you.
- 25 THE COURT USHER: [12:50:28] All rise.

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 (Recess taken at 12.50 p.m.)

2 (Upon resuming in open session at 2.20 p.m.)

3 THE COURT USHER: [14:20:16] All rise.

4 Please be seated.

5 PRESIDING JUDGE SCHMITT: [14:20:39] Mr Knoops, you still have the floor.

6 MR KNOOPS: [14:20:47] Thank you. Good afternoon, Mr President, your

7 Honours.

8 Q. [14:20:51] Good afternoon, Mr Poussou. I would like for --

9 A. [14:20:57] Good afternoon.

10 Q. [14:20:59] For this afternoon's session, I would like to go further on the interval
11 time frame before going to the meetings in Paris itself.

12 In your testimony, Mr Poussou, on 17 January, this is the English real-time transcript
13 page 26, lines 4 till 15, you did testify that it was in this interval period that what you
14 say the Anti-Balaka came into being.

15 First of all, do you mean with this interval time frame, you refer to the time frame
16 between April and the summer of 2013 I understood? That was the time frame you
17 refer to when the Anti-Balaka came into being. Could that be the time frame you
18 refer to?

19 A. [14:22:24] That is indeed the case.

20 Q. [14:22:28] Now, it will not be a surprising question to you, and I'm going to ask
21 you how did you know that in this specific time frame of April till the summertime of
22 2013, how you became to know that the Anti-Balaka came into being?

23 A. [14:23:05] The question isn't to know whether this was when the Anti-Balaka
24 were created, but it is during this period that the Anti-Balaka started, they started
25 fighting, they started fighting the Seleka in the provinces.

1 Q. [14:23:27] Thank you. And how did you become to know this, that they then
2 started to fight in the provinces in this time frame?

3 A. [14:23:44] Cities, villages, they were attacked. The media, the government
4 would draw up summaries of these attacks: In such and such a city, there was such
5 and such -- there was an attack and the government would state that there was an
6 attack by the supporters of Bozize. And then there were confrontations.

7 Q. [14:24:16] You refer to the government of, at that time, Mr Djotodia?

8 A. [14:24:33] The Tiangaye government and Mr Djotodia's regime.

9 Q. [14:24:43] Did you see yourself any reports at that time from the government for
10 the Anti-Balaka operations, actions within that time frame?

11 A. [14:25:11] The government's spokesperson at the time would often speak,
12 among other things, on state media in order to talk about the attacks of these armed
13 men in villages and the cities and he attributed them to Bozize's supporters.

14 Q. [14:25:47] During your testimony on 17 January before this Chamber, and that is
15 to be found in the English real-time transcript page 27, lines 2 to 6, you did say that
16 you came to the conclusion that they, referring to the people close to Mr Bozize,
17 would organise these Anti-Balaka militiamen in order to attack Seleka. And that
18 you -- and that you received confirmation thereof from Mr Levy Yakete.

19 Now, first question to you, Mr Poussou: What exactly did you hear from Mr Yakete
20 in this regard?

21 A. [14:27:08] You're asking me this question ten years later, you're asking me to
22 repeat what I heard exactly. I am not capable of answering this question.

23 Q. [14:27:22] Maybe you can tell the Chamber which led you to the conclusion that
24 the people close to Mr Bozize would organise these Anti-Balaka militiamen?

25 A. [14:27:46] I took part in meetings, among others, in Yaounde or in Paris, where

1 people close to Bozize had clearly led to be understood that they were organising
2 themselves, they were organising themselves to be -- to take control of power by
3 force.

4 If this is not an example, if it's not something that makes you think that they were
5 organising people on the ground, then you would have to find another definition for
6 this term. Furthermore, Levy Yakete also would say that he was in permanent
7 contact with people on the ground.

8 When you are among people who say that the solution to regain power is also a
9 military one, and especially using violence, and when you see them calling people
10 who are in Bangui or who are on the ground in the country, then this can only lead
11 you to draw one conclusion.

12 Q. [14:29:14] Can you recall, Mr Poussou, that on 17 January in the same portion of
13 evidence you gave at transcript page 27 of the English real-time transcript, lines 15 till
14 17, when you were asked by the Prosecution who these individuals were being
15 organised and who was involved, your answer was: "We didn't go into detail,
16 because details were not of interest to me. So I wouldn't be in a position to tell you
17 how it happened."

18 So how can you tell the Court that you were so sure that the people close to Bozize
19 would organise the Anti-Balaka elements in the provinces? And we're speaking here
20 specifically about the time frame of April, summertime.

21 A. [14:30:37] Without going into practical details, the supporters of Bozize, since
22 they are the people we're talking about, would clearly let this be understood.

23 Q. [14:30:54] Did you receive any information or was it being said by Mr Yakete
24 who were these Anti-Balaka militiamen in specific and where they were located?

25 A. [14:31:34] I did not belong to the -- the organisation -- or, rather, I didn't -- I

1 wasn't part of the group that had set up the Anti-Balaka, so you're asking the wrong
2 person.

3 Q. [14:31:57] (Microphone not activated)

4 PRESIDING JUDGE SCHMITT: [14:32:02] Microphone, please.

5 MR KNOOPS: [14:32:03] Thank you.

6 Q. [14:32:04] Mr Poussou, on 17 January, you were also asked by the Prosecution
7 service about the rise of the Anti-Balaka in more detail, and you did say, and that is in
8 the English real-time transcript, page 26, lines 11 till 15, that the Anti-Balaka were a
9 response to violence committed by the Seleka. Now, you say, "... in a spontaneous
10 fashion, the young native organised themselves in self-defence groups with a view [of]
11 defending their villages against Seleka looters." End of quotation.

12 So the question is, if these young native individuals organised themselves in a
13 spontaneous fashion, what had to be organised? Did you know anything about the
14 nature of organisation of these groups?

15 A. [14:33:51] Even though I don't really understand your question and you're only
16 citing part of my answer to the Prosecutor's question, I would like to say the
17 following, and I had already said this during this hearing.

18 In our country, there have always been self-defence groups. These self-defence
19 groups were made up -- were created to fight against road bandits, to fight against
20 herders who came from other countries within the region and who would
21 destroy -- and whose animals would destroy villagers' fields. So these groups
22 existed. And when the Seleka rebellion took place and the Seleka would start
23 looting, raping and massacring civilian populations, part of the citizens of the Central
24 African Republic who were part of these self-defence groups created self-defence
25 groups to defend their villages. But there was a large part of these citizens, these

1 citizens who had spontaneously organised themselves, who only had self-made
2 weapons. And when President Bozize fell and that he and his supporters decided to
3 regain power using violence and weapons, and they started organising mobilising
4 their supporters, the Anti-Balaka groups, then you have to understand the double
5 meaning of the word, meaning machete and also anti-Kalashnikov bullets, the
6 machete reference is in President Bozize's own language of his own region. So these
7 groups started to become organised by former soldiers who belonged to the
8 presidential guard and the FACA. Many Anti-Balaka leaders were Central African
9 soldiers from FACA, former members of the presidential guard. And all of this
10 leads me to say that as long as President Bozize and his supporters, as long as they
11 hadn't decided to regain power through violence, the self-defence groups within the
12 cities and villages, they did not have sophisticated weapons, but from the moment
13 that there was this idea of regaining power through violence, the FACA, the
14 professional soldiers started leading them.

15 Q. [14:37:31] Now, while you say on 17 January before the Court that -- asked
16 by the Prosecution, who were these individuals that were being organised and who
17 was involved, that was the question on the transcript, page 27, line 11 till 12. That
18 was the question put to you. Your answer was clearly in lines 15 till 17: "... I
19 wouldn't be in a position to tell you how it happened."

20 And that's my question to you, Mr Poussou, how can you -- how can you say yourself
21 as a witness that if you are not in a position to tell the Court how this all happened,
22 this so-called organisation, that Mr Bozize mobilised groups and that the FACA was
23 actually supporting these groups or whatever --

24 A. [14:38:50] The question wasn't to know how they mobilised but how they
25 purchased weapons, how these weapons were transported there. These are the

1 organisational details, the specific details, and only the members of the organisation
2 could be -- could know about these. I was not part of this organisation, so I didn't
3 know how they purchased the weapons, I didn't know how they were brought there.
4 So I am not well placed to give you more details than those I've already given.

5 Q. [14:39:28] Again, there's no need to raise your voice, Mr Poussou. These are
6 just normal questions.

7 A. [14:39:35] I'm not raising my voice.

8 Q. [14:39:37] There's no need.

9 A. [14:39:46] (No interpretation)

10 Q. [14:39:47] Now, you say that these young native individuals organised
11 themselves in a spontaneous fashion. But what I'm interested in, and maybe also the
12 other people in this courtroom, is what you meant with the words "the young native
13 organised themselves in self-defence groups". What type of organisation was this?

14 A. [14:40:22] I've already answered this question.

15 Q. [14:40:24] We're now speaking about a different subject. This is just about the
16 people in the villages. You say they -- in a spontaneous fashion, they organised
17 themselves in those groups. My question is simply, Mr Poussou, can you tell us
18 more about how in these villages those self-defence groups organised themselves.
19 We're speaking not about the general picture you tried to describe, but just the
20 information, if you have, about the organisation in those villages, in the provinces.
21 Do you have any information on this?

22 A. [14:41:13] I have never lived in a village, so I can't specifically answer this
23 question.

24 Q. [14:41:20] Okay. Thank you very much.

25 Have you any information, were you, for instance, privy to any contacts, phone calls

1 between the people close to Mr Bozize and any of those self-defence groups in some
2 village in the time frame, not to confuse you, April, summer 2013?

3 A. [14:42:08] I cannot answer this question because I do not have the details.

4 Q. [14:42:17] Now, what should we then understand of your answer in your
5 evidence on 17 January, transcript page 27, lines 18 till 20, where the Prosecution,
6 after you have said that you don't know who was involved in the organisation of
7 those groups, the Prosecution asked you about the link between Mr Ngaïssona and
8 Mr Yakete, and then you say: "One should say that [these] individuals were very
9 close." They "would speak to each other on a regular basis."

10 And my question to you for today, Mr Poussou is: Were you privy to any of those
11 supposed contacts between Mr Yakete and Mr Ngaïssona, either contacts by phone or
12 meetings? And we're speaking here again of the time frame of April, summer 2013.

13 A. [14:43:50] I have already told this Court that when the FROCCA was established,
14 the supporters of Mr Bozize, among whom was Levy Yakete, Mr Ngaïssona, and they
15 would not only -- they would not only meet, they met after the meeting that set up the
16 FROCCA, but would also hold regular meetings together. They would speak
17 together in a small circle. And this is an example that shows that these people
18 would speak regularly between themselves.

19 Q. [14:44:43] But it's true, isn't it, Mr Poussou, that you yourself, you were not
20 privy to these conversations, you were not part of them? You didn't witness any of
21 those meetings?

22 A. [14:45:02] What do you mean I wasn't witness to these meetings? I was present
23 at the meeting that established FROCCA, so I saw them speaking together.

24 Q. [14:45:12] Of course, you are right. But my question is, do I understand your
25 evidence correctly that there were also separate meetings, as you say, between

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 Mr Ngaïssona and Mr Yakete, apart from the FROCCA meetings? And my question
2 to you is, if that's the case, were you aware of what was being discussed between
3 them? So you're speaking here about the so-called regular meetings you just
4 described between the two of them and potentially others of this, what you say, small
5 circle?

6 PRESIDING JUDGE SCHMITT: [14:45:55] Mr Witness, Mr Poussou, either if you
7 were there, were together with them, then you could know it, or afterwards
8 somebody has told you about it. And if not, it's a clear no.

9 THE WITNESS: [14:46:15](Interpretation) As I was not part or associated with those
10 small meetings, I would not be able to tell you what was mentioned there.

11 MR KNOOPS: [14:46:26]

12 Q. [14:46:27] Thank you, Mr Poussou.

13 Now I move to my next topic. After having discussed and examined the so-called
14 interim time frame from April to summer 2013, I would like to bring you back to the
15 first meeting, Mr Poussou, in the Novatel where, as you said, were around 20 people
16 present. It was transcript, page 32 lines -- line 2 in the transcript of 17 January.
17 And it was your evidence, lines 11, 13 of that transcript, page 32, that, I quote: "In
18 reality, the president and his entourage had already arranged this organisation
19 beforehand ..." End quote.

20 And you based this - and that's to be found in transcript page 35, lines 3 till 13 - on the
21 fact that, as you said, Mr Bozize pulled out a name, the name FROCCA, and this was
22 proof that he and his supporters had met beforehand and that the first meeting was
23 simply to a formal approval of this.

24 My first question to you, Mr Poussou, is the following: Other than your statement
25 that Mr Bozize, as you said, pulled out the name FROCCA, can you give us any other

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 indication, foundation for your assertion that in reality, the president and his
2 entourage had already arranged this beforehand?

3 Again, a long question, but I thought it fair to the witness to also mention directly his
4 source of information or his -- the basis of his conclusion, transcript page 35.

5 So, simply, Mr Poussou, other than Mr Bozize pulling out the name FROCCA, what is
6 the foundation to say that everything had already been preconceived by him and his
7 entourage?

8 A. [14:49:27] I stand by what I have already said, Counsel.

9 Q. [14:49:35] That is very good to know, Mr Poussou, but this may be simply a yes
10 or no question. Did you have other information other than your statement he pulled
11 out the name FROCCA? Yes or no?

12 A. [14:49:58] I stand by what I have already said.

13 PRESIDING JUDGE SCHMITT: [14:50:01] That is an implicit answer, he has
14 provided us with the information why he took this conclusion.

15 Please continue, Mr Knoops.

16 MR KNOOPS: [14:50:12]

17 Q. [14:50:15] And what was the basis of your conclusion that Mr Bozize apparently,
18 as you suggest, had preconceived the name FROCCA? Because you say he pulled
19 out the name FROCCA.

20 A. [14:50:43] Well, you're putting the same question to me and I shall give you the
21 same answer. I stand by what I have already said in response to that question,
22 Counsel.

23 MR KNOOPS: [14:50:55] It's a different question, Mr President. I would like to put
24 on the record that the witness is not answering the question.

25 PRESIDING JUDGE SCHMITT: [14:51:02] No, no, I -- no, no, it was the same

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 question and the witness --

2 MR KNOOPS: [14:51:04] No, no, it was not the same question.

3 PRESIDING JUDGE SCHMITT: [14:51:14] But the witness has -- first of all, it would
4 be good if we had translation for this, then we continue.

5 MR KNOOPS: [14:51:12] Mr President, my question was simply --

6 PRESIDING JUDGE SCHMITT: [14:51:15] For whatever reason, we didn't get the
7 last answer by the witness translated, so it would be good if we had translation first.

8 THE INTERPRETER: [14:51:25] I repeat what he said. The witness says that he
9 stands by what he answered previously, Counsel.

10 PRESIDING JUDGE SCHMITT: [14:51:32] And the witness has now extensively
11 explained why he took the conclusion that Mr Bozize had preconceived the
12 organisation and also the name, and I think this has been answered.

13 MR KNOOPS: [14:51:47] Yeah, but Mr President, with all due respect, my question
14 is now: How does the witness know that the name was preconceived by Bozize?
15 That's a different question.

16 PRESIDING JUDGE SCHMITT: [14:51:56] Well, it's a very -- it's a very fine
17 distinction.

18 I assume I know the answer, but, Mr Witness, if you see now the -- you said, when it
19 comes to the organisation, you thought because he pulled out the name, he must have
20 thought about it and must have conceived that before. Now the question is, which is
21 very hard to distinguish, but what do you -- what made you think that he also
22 preconceived the name FROCCA? Please repeat it, if you may.

23 THE WITNESS: [14:52:44](Interpretation) Yes, Mr President, thank you. I
24 explained here, and I shall repeat, because it's the same question, during that meeting
25 setting up the FROCCA, Bozize arrived and asked for those in attendance to suggest

1 names or a name for the organisation that was being set up. There were a number of
2 suggestions and Bozize listened to the suggestions and said -- and reading from a text
3 before him, he said, Why don't we call it the *Front pour le retour à l'ordre constitutionnel*,
4 et cetera, the Front for the Return to Constitutional Order. Now, if that hadn't been
5 done ahead of time, it would not have been on that piece of paper. And Bozize, in
6 Yaounde and also when he went to Paris, had the aim of restoring constitutional
7 order, so if it came to setting up an organisation with a view to doing so, then it
8 logically ensues that it should be called thus.

9 PRESIDING JUDGE SCHMITT: [14:54:16] Mr Poussou, I must say it's essentially
10 exactly the same answer, but you provided even more details, so thank you for that.
11 Mr Knoop, please, I think you can move on. This is now really answered.

12 MR KNOOPS:

13 Q. [14:54:30] Mr Poussou, I would like to go to the second meeting in a hotel close
14 to the Champs Elysées in August 2013. You did say about this second meeting in a
15 hotel near the Champs Elysées that at that meeting allusions were made to military
16 activities on the ground. Transcript page 38, lines 23 till 24.

17 What do you mean with the word "allusions" in terms of concrete words or any other
18 form of interaction which you will recall which led you to believe that were allusions
19 made to military activities on the ground?

20 A. [14:55:46] Unless you reread my statement to me, I don't have any specific
21 elements to provide you with in this regard specifically.

22 Q. [14:55:57] Well, it was in your evidence on 17 January, transcript page 38. You
23 did say -- confronted with an email was -- this was sent by Mr Serefio long after the
24 first meeting, you said, "... this was a follow up. It follow up on a second meeting
25 that took place in a hotel near the Champs Elysées. During that meeting allusions

1 were made to military activities on the ground, that were being carried out on the
2 ground. So someone had to have told Mr Serefio that this meeting's goal was to set
3 up a military organisation. But to my knowledge, that was not the case. So I don't
4 think I touched upon this aspect of his questioning in the answer I gave him, in the
5 reply I sent to him." That is the full context of your statement.

6 And the question here is, what did you mean with the word "allusions"?

7 A. [14:57:31] There are a number of responses to that question. The mail from
8 Mr Serefio said it was Mr Serefio who made reference or who indicated and was
9 complaining about the fact that he was absent from that meeting that was going to
10 talk about military matters, and it was him talking and this question should have
11 been put to Mr Serefio.

12 Now, secondly, let me repeat, as I said, that there were a number of meetings near the
13 Champs Elysées and that during one of those meetings, Mr Ngaïssona attempted to
14 say that the children out in the field were motivated, that he was in contact with them
15 and that Francois Bozize had said, cutting him short, that those matters would be
16 broached subsequently.

17 So in one way or another, during the meetings that were held near the
18 Champs Elysées, the Bozize supporters, or at least one of them amongst them,
19 Mr Ngaïssona, was talking about the children out in the field who were ready to fight,
20 without mentioning the others, of course.

21 Q. [14:59:16] Was it your understanding that Mr Ngaïssona was referring to the
22 Anti-Balaka elements in the provinces who spontaneously rose and organised
23 themselves to defend against Seleka?

24 A. [14:59:48] I do not believe that is the case. I do not believe you should be
25 putting words in my mouth, Counsel.

1 Q. [14:59:58] It was a question to you, Mr Poussou.

2 Now, in your evidence --

3 A. [15:00:05] The answer is no then. Allusion was not being made to the young,
4 the self-defence groups of youngsters, because you need to make a distinction
5 between those who spontaneously set themselves up in order to defend their village
6 and those who were organised by the Bozize movement. There is a distinction to be
7 made between the two.

8 Q. [15:00:36] Was that distinction made during this meeting?

9 A. [15:00:52] Of course the answer is no.

10 Q. [15:00:54] In your evidence I just quoted, you said that to your knowledge it was
11 not the case that the meeting's goal was to set up a military organisation. Can you
12 explain to the Court why this was not the case, according to your knowledge, that the
13 meeting was not meant to set up a military organisation.

14 A. [15:01:34] I was in attendance at those meetings. I am not a military man.

15 *People come together to set up a military organisation with military people, as far as
16 I know.

17 Q. [15:01:45] But I believe, unless the transcript is reflecting a wrong answer,
18 maybe we can also check the French version, but it says here, Mr Poussou, that you
19 testified on 17 January, in lines 2 till 3, that somebody had told Serefio that the
20 meeting -- meeting's goal was to set a military organisation, but to your knowledge,
21 that was not the case

22 PRESIDING JUDGE SCHMITT: [15:02:19] Well, he has now said -- he has now
23 said -- I think it was -- in English it was not completely -- not completely reflected. If
24 I look at the French transcript, the witness said, "When you want to create" -- it's
25 now my -- I'm not an interpreter -- "If you want to create a military organisation, you

1 do that with military people." And he was a civilian. So simply I understood it at
2 least, also on 17 January, that Mr Poussou simply during this meeting had not the
3 impression that a military organisation was created. I think that that
4 is -- Mr Poussou, was my understanding correct? Okay.

5 MR KNOOPS: [15:03:05]

6 Q. [15:03:06] But how can you reconcile this with your answer you just gave a
7 minute ago?

8 PRESIDING JUDGE SCHMITT: [15:03:12] No, it is in line with what he said. He
9 said he's not a military man. I'm looking at the French transcript, that's important,
10 he's not a military man, and if he would create a military organisation, so to speak, he
11 would do that with military people. So it's not a contradiction. It's actually simply
12 an explanation by the witness.

13 Have I understood you correctly, Mr Poussou, if I may ask?

14 THE WITNESS: [15:03:40](Interpretation) Yes, indeed, Mr President. You have
15 understood me correctly.

16 MR KNOOPS: [15:03:46]

17 Q. [15:03:47] And to your knowledge, Mr Poussou, had Mr Ngaïssona any
18 affiliation with military service? Was he a military man?

19 A. [15:04:11] Not to my knowledge.

20 Q. [15:04:14] Is it your evidence that FROCCA had a military wing, a military part?

21 A. [15:04:30] I never said that. So I'm not going to start claiming such a thing
22 today. There was no military wing of the FROCCA. Any military wing that had
23 any direct links with the FROCCA as an entity, not with certain members, because
24 there is the FROCCA entity and then there is the members of FROCCA. Those are
25 two different things.

1 Q. [15:05:11] Now, you also said on 17 January, Mr Poussou, in the English
2 real-time transcript, 39, that "As the Anti-Balaka evolved, there were former elements
3 of the presidential guard and of the Central African forces who joined them and who
4 organised them in concrete terms out in the field." And you go on to say: "This
5 was common knowledge in the press that these people were close to [Mr] Bozize."
6 Do you have any other source or information except for the common knowledge that
7 as the Anti-Balaka evolved, former members of the presidential guard and the Central
8 African forces joined them and organised them?

9 A. [15:06:38] I cannot say anything else apart from what I have already said,
10 Counsel.

11 Q. [15:06:48] Also, here the question arises, whether you were able to cross-check
12 this common knowledge in the press that all these people were close to
13 President Bozize and that elements of the -- former elements of the presidential guard
14 and of the Central African forces joined the Anti-Balaka and organised them.

15 A. [15:07:38] In fact, Counsel, I don't know whether you are making a comment or
16 a question. I'm getting lost here. Can you please put your question. Because
17 sometimes I'm getting completely lost in your comments and your analysis and your
18 interpretation. I don't know whether it's that or whether it's a question. What is
19 your question precisely? I'd like a question to which I can answer quite simply.

20 Q. [15:08:04] The question is the following, Mr Poussou: Whether this common
21 knowledge you refer to in the press was cross-checked by you as an independent
22 journalist, and specifically what were your sources to say that all these elements
23 joined the Anti-Balaka as that movement evolved?

24 A. [15:08:36] What I'd like to remind you, that I am not testifying here as a
25 journalist. I am testifying here as an individual who was part of FROCCA. So at

1 the time that you are talking about, I was more a member of the FROCCA than a
2 journalist, firstly.

3 Secondly, the men who were in charge of the presidential guard, Koudemon Olivier,
4 alias Gbangouma, Semdiro and others, were people who it was said that they were
5 leading the Anti-Balaka. It is public knowledge that those people were close to
6 President Bozize. That is a known fact throughout the CAR. If you go to Bangui
7 today and you put the question to a child, "Who is Olivier Koudemon?" and he will
8 say to you, "He is a former soldier who came with Bozize in 2003 as part of his
9 rebellion and who was very close to Bozize," Counsel.

10 Q. [15:09:51] Thank you, Mr Poussou. Mr Poussou, you were shown -- just to
11 finish this topic. The answer to my question is other than this common knowledge,
12 the press and that every child in the CAR knows about this, you don't have direct
13 knowledge --

14 PRESIDING JUDGE SCHMITT: [15:10:20] Mr Knoops, the witness has answered the
15 question and we take our conclusions from that.

16 MR KNOOPS: [15:10:25] All right.

17 PRESIDING JUDGE SCHMITT: [15:10:27] We will not repeat it several times. This
18 goes in circles, otherwise.

19 MR KNOOPS: [15:10:33]

20 Q. [15:10:34] Mr Poussou, you were shown on 17 January by the Prosecution tab 65,
21 which is a document with -- maybe you can recall it -- it's probably not necessary,
22 Mr President, in order to save time to pull up the document again.

23 But you can recall, Mr Poussou, that this was a document reflecting names which
24 were allegedly part of FROCCA. It was the first time that you saw this document.
25 This was your testimony on 17 January transcript, page 70, seven-zero, line 22. If

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 you would like to see the document, sir, then we can show it to you.

2 You're still there or you're falling asleep?

3 PRESIDING JUDGE SCHMITT: [15:11:33] I think we should --

4 THE WITNESS: [15:11:37] (Overlapping speakers)

5 PRESIDING JUDGE SCHMITT: [15:11:39] I think we should show it -- we should
6 show it to the witness, out of fairness, please, we should show it.

7 MR KNOOPS: [15:11:40] Of course.

8 THE WITNESS: [15:11:43](Interpretation) No, no, I'm following you. I'm all ears.

9 MR KNOOPS: [15:11:51] It is tab 65 of the OTP, CAR-OTP-2124-0852, and it's about
10 the -- it's at page -- it's the role of -- attributed to Mr Ngaïssona.
11 It's page 0859.

12 Q. [15:12:39] Mr Poussou, you see -- and you were already shown this document,
13 as I mentioned, 17 January. In the fourth paragraph you see the name of
14 Mr Ngaïssona mentioned in connection to (Interpretation) in charge of internal affairs
15 and associations.

16 (Speaks English) And you did say on 17 January that this was the first time you saw
17 this document?

18 Yeah, my first question --

19 A. [15:13:17] That is correct.

20 Q. [15:13:20] My first question to you, Mr Poussou, did you ever hear of this
21 position of Mr Ngaïssona attributed to him in this document before this was shown to
22 you on 17 January?

23 A. [15:13:46] I would have said so. This was the first time I was seeing that
24 document and I saw that such a level of responsibility had been attributed.

25 Q. [15:14:01] But specifically the function as mentioned here, a function within

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 FROCCA titled "*Responsable* for interior affairs and associations," did you hear of such
2 a position, such a function in FROCCA before 17 January?

3 A. [15:14:34] Counsel, you are having me say what I have already said. Before
4 17 January, I had no knowledge of this document or of this function, and it was when
5 I discovered this document that I discovered that that function existed.

6 PRESIDING JUDGE SCHMITT: [15:14:51] Mr Vanderpuye, I think it's answered by
7 the witness. What was your objection?

8 MR VANDERPUYE: [15:14:56] I'm not sure where -- well, I'm not sure what the
9 17 January is referring to, so I'm not sure --

10 PRESIDING JUDGE SCHMITT: [15:15:02] Well, obviously, we are in the afternoon,
11 it's the third session, and let's say concentration by everyone has to be upheld for
12 another half hour, I may suggest. So on 17 January this document was shown to the
13 witness. The witness has at that time, if I recall correctly, already said that he sees it
14 for the first time. Mr Knoops wanted to know now, because this is a different thing,
15 if also the attribution of this post to Mr Ngaïssona is information that is new for the
16 witness and he has answered it now.

17 MR VANDERPUYE: [15:15:43] Thank you for that. The reason why I raise it is
18 because there's an email that was shown to him on 17 January dated August 2013
19 which precedes the email which attached this document which is dated
20 September 2013 --

21 PRESIDING JUDGE SCHMITT: [15:15:59] I also recall that.

22 MR VANDERPUYE: [15:16:01] -- which contains -- which contains that position.

23 PRESIDING JUDGE SCHMITT: [15:16:04] That is a different thing.

24 MR VANDERPUYE: [15:16:06] Okay.

25 PRESIDING JUDGE SCHMITT: [15:16:07] You are speaking, rightfully so, of two

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 documents. We have a witness in the courtroom who gives testimony and we have
2 now clarified it, although it seems to be difficult in the afternoon a little bit, but
3 Mr Poussou was perfectly clear now.

4 Mr Knoops, please continue.

5 MR KNOOPS: [15:16:28] Well, thank you, Mr President. I'm happy that you were
6 able to understand my question.

7 PRESIDING JUDGE SCHMITT: [15:16:32] Well, I always try to understand
8 everybody here in the courtroom.

9 MR KNOOPS: [15:16:36] It had nothing to do with the dates, but it was, indeed, the
10 position.

11 Q. [15:16:41] Thank you, Mr Poussou, for your answer. I appreciate it.

12 Now, in line with your answer, you said - still on 17 January in this court - that from
13 your point of view domestic affairs and associations, when you were asked by the
14 Prosecution what should we understand of this position, that this position as
15 domestic affairs and associations is "... a reference to groups in the field, such as the
16 COAC ... That is my interpretation ..." That was your answer on 17 January
17 transcript, page 70, line 22.

18 So again, my question to you is, is it your position that elements of COAC were, at
19 that time, August, September 2013, still in the field?

20 A. [15:18:12] Quite honestly, I don't really understand what you're trying to say,
21 Counsel. I don't understand. What are you trying to say? Maybe you need to
22 reword your question. What do you mean to ask me?

23 PRESIDING JUDGE SCHMITT: [15:18:28] Let me -- also, Mr Poussou, really it's a
24 very long day for everybody, I understand that, but Mr Knoops wants to know if you
25 have information how long COAC was in the field, was operating in the field. And

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 he suggests to you August, September 2013.

2 I think, Mr Knoops, I have -- then please make it more precise what you want to
3 know.

4 MR KNOOPS: [15:18:57] Yes. I'm sorry if I was --

5 PRESIDING JUDGE SCHMITT: [15:18:59] No, no, but please reword it a little bit so
6 that we can continue.

7 MR KNOOPS: [15:19:03]

8 Q. [15:19:04] I'm sorry, Mr Poussou, if the question wasn't clear. It was a simple
9 question.

10 When you were asked by the Prosecution to give your view on this position
11 attributed to Mr Ngaïssona, which you saw for the first time, you said, "... from my
12 point of view, [this position] is a reference ..." the word association "... to groups ... in
13 the field, such as COAC ..." That was your answer on 17 January.
14 And my question is the following: Is it your evidence that COAC elements were at
15 that time still in the field, speaking about August, September 2013? End of quotation.
16 Is that clear enough, the question?

17 PRESIDING JUDGE SCHMITT: [15:19:51] Well, position, I say he has information
18 (Overlapping speakers)

19 THE WITNESS: [15:19:55](Interpretation) In any case, I can answer.

20 PRESIDING JUDGE SCHMITT: [15:19:58] Okay, wonderful. Then please do that,
21 Mr Poussou.

22 THE WITNESS: [15:20:03](Interpretation) Thank you, President.

23 Counsel, you know, you can't, even if you try a hundred times, you can't make me
24 say that which I have not said. I did not say that COAC had been dissolved formally.
25 And I stand by my word. And when the question was put to me, when I was asked

1 what my understanding was of this function, I said that I thought that this alluded to
2 this. And so, what I draw from this is that the coup, the 24 March coup d'état put an
3 end to the actions on the ground, meaning going from house to house, carrying out
4 raids, arresting our fellow citizens in Bangui. They couldn't do this any more
5 because there were other masters in place in Bangui. But that doesn't mean that they
6 were formally dissolved, if that's what you're trying to make me say.

7 MR KNOOPS:

8 Q. [15:21:25] Mr Poussou, I'm not the one who is trying to make you say anything.
9 Just don't put words in my mouth.

10 A. [15:21:33] Absolutely you are.

11 PRESIDING JUDGE SCHMITT: [15:21:35] Please, as I said, it's obviously relatively
12 late. No discussions, Witness, with Defence counsel.

13 The witness has now answered the question, and please move on, Mr Knoops.

14 MR KNOOPS: [15:21:48] Mr President, I'm now going to touch upon a new topic,
15 and in light of the time and the, how to put it, the --

16 PRESIDING JUDGE SCHMITT: [15:22:05] You don't have to say anything.

17 MR KNOOPS: [15:22:08] The position of the witness --

18 PRESIDING JUDGE SCHMITT: [15:22:09] No, no, no --

19 MR KNOOPS: -- towards the Defence --

20 PRESIDING JUDGE SCHMITT: [15:22:09] -- no, no, no, We don't say the position
21 (Overlapping speakers)

22 MR KNOOPS: [15:22:12] -- I would suggest --

23 PRESIDING JUDGE SCHMITT: [15:22:14] I'm always in favour of saying out of
24 respect to everyone, we had all a long day. So does that mean you would be still
25 able then to finish tomorrow?

Trial Hearing
WITNESS: CAR-OTP-P-2625

(Open Session)

ICC-01/14-01/18

1 MR KNOOPS: [15:22:25] Yes.

2 PRESIDING JUDGE SCHMITT: [15:22:26] Because that's the most important thing.

3 And we have also to have in mind that -- I'm not seeing it now, but Mr Vanderpuye
4 might have -- actually, but it's up to you, of course, that you would have any further
5 questions on redirect. You never want to say anything beforehand, I understand
6 that, like Defence counsel, I understand that, but I would not expect too much, but
7 still so that we have perhaps an hour at the end.

8 MR VANDERPUYE: [15:22:59] Yes, Mr President. Obviously it depends on what
9 happens tomorrow, but --

10 PRESIDING JUDGE SCHMITT: [15:23:03] Absolutely, absolutely. What can you
11 say differently?

12 MR VANDERPUYE: [15:23:06] At this moment now, I would say I don't have
13 anything.

14 PRESIDING JUDGE SCHMITT: [15:23:12] Yeah, I thought. Okay, fine.

15 So then, thank you to everybody, specifically to Mr Poussou. We have also to keep
16 in mind that Mr Poussou testifies now over a week, and that is really, if you try to put
17 yourself in his shoes or in the shoes of any witness who testifies for such a long time,
18 this is extremely -- you have to be extremely patient and indulgent to go through that.
19 So thank you to everyone.

20 Mr Poussou, with fresh strength we meet tomorrow at 9.30.

21 THE COURT USHER: [15:23:45] All rise.

22 (The hearing ends in open session at 3.23 p.m.)