

1 International Criminal Court
2 Trial Chamber I - Courtroom 2
3 Situation: Republic of Côte d'Ivoire
4 In the case of The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé
5 ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera-Carbuccia and
7 Judge Geoffrey Henderson
8 Trial Hearing
9 Tuesday, 8 March 2016
10 (The hearing starts in open session at 9.39 a.m.)
11 THE COURT USHER: All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: Good morning to everyone.
15 I see Mr von Bóné not on his feet but with the microphone on, so I think that he wants to
16 address the Chamber.
17 MR VON BÓNÉ: (Interpretation) Yes, your Honour. I would like that for the first
18 session it should be in closed session so that the witness can express himself on certain
19 subjects. I believe it is better to do that in closed session and after that we can revert to
20 open session.
21 PRESIDING JUDGE TARFUSSER: Thank you very much. If I understand well, the
22 witness wants to make a declaration closed session. Is that clear, is that what I
23 understood?
24 MR VON BÓNÉ: (Interpretation) Yes, your Honour.
25 PRESIDING JUDGE TARFUSSER: Okay. Then, please, court officer, can we go

- 1 in closed session. Well, closed session, yes.
- 2 (Closed session at 9.42 a.m.)
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- 25 (Recess taken at 10.09 a.m.)

1 (Upon resuming in open session at 11.01 a.m.)

2 THE COURT USHER: All rise.

3 Please be seated.

4 PRESIDING JUDGE TARFUSSER: Good morning again.

5 We received a request from the Prosecutor to make a request. I will not go, say

6 what -- please, Prosecutor, yours the floor.

7 MR MACDONALD: I would kindly request that we go in private session because it

8 refers to the matter that we dealt with in closed session. I believe private session is

9 sufficient.

10 PRESIDING JUDGE TARFUSSER: Please can you go to private session.

11 (Private session at 11.02 a.m.)

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1 (Redacted)

2 (Open session at 11.27 a.m.)

3 THE COURT OFFICER: We are now in open session, Mr President.

4 PRESIDING JUDGE TARFUSSER: So, Mr Witness, we are now again in open session,
5 just to let you know.

6 I would really call upon everybody -- this is a serious matter. We are trying to establish
7 the truth, nothing else. This is not a battle, not a political battle. This is just -- not
8 just -- this is a trial. So everybody who is listening I would just ask to keep calm and
9 trust the Court that we will -- we are here only to establish the truth and the witness is
10 here only to say what he knows, what he's obliged -- what he knows under the
11 obligation of the truth.

12 So please, Mr Prosecutor, I would ask you to continue your examination of the witness.

13 MR MACDONALD: For practical planning, we're sitting until what time?

14 PRESIDING JUDGE TARFUSSER: I would say 1 o'clock now.

15 MR MACDONALD: So full two hours.

16 PRESIDING JUDGE TARFUSSER: No. It's -- well, it is one hour and a half for the
17 witness.

18 MR MACDONALD: That's right.

19 PRESIDING JUDGE TARFUSSER: Okay. Thank you.

20 If this is okay with the -- we can go two hours. Okay. Yes. I didn't think about the
21 two hours for the -- okay. Thank you. I had the okay by the booths. Thank you.

22 QUESTIONED BY MR MACDONALD: (Continuing)

23 Q. Good morning, Mr Witness.

24 A. Good morning, Prosecutor.

25 Q. We shall continue today with your examination, and we need to really, really be

1 careful to avoid overlapping speakers, that is, between my questions and your answer.

2 I would like to continue questioning you by looking into the first round of elections.

3 Where were you at that time, at the time of the first round of the elections on 30

4 October 2010?

5 A. I was in Korhogo in the north of the country.

6 Q. Who were you with?

7 A. I was with the campaign manager, Mr Issa Malick Coulibaly and his team.

8 Q. How much time did you spend in Korhogo at that time?

9 A. I think we went to Korhogo one week before the election; and after the elections,
10 we returned to Abidjan.

11 Q. What was the atmosphere in Korhogo at that time when you were there?

12 A. During the first round of the elections in Korhogo, everything went well. The
13 atmosphere was congenial.

14 Q. When you returned to Abidjan, can you explain to us or remind us of the results of
15 the first round?

16 A. The results of the first round were as follows: President Gbagbo was first,
17 Mr Alassane Ouattara was second, and Mr Bédié was third.

18 Q. What did you do yourself during the time between the first and the second round
19 of elections; the second round, which we know took place on 28 November?

20 A. I had personally returned to Abidjan, and I was organising a return to the ground.

21 Q. What did preparing entail for you? Can you describe what that preparatory work
22 was for you?

23 A. When I talk about preparing for the ground work, I'm referring to issues like
24 logistics, what things need to be put together and which areas need to be visited. You
25 see, it's about campaigning. Since we had to campaign, we needed the resources and

1 everything that goes with organising a campaign. That's what I meant by preparing.

2 Q. How did you prepare the logistics? When you say "logistics," can you describe
3 what that entails?

4 A. Logistics includes resources, vehicles, t-shirts, and all that one needs to campaign
5 and to advertise our candidate. That is what it is all about.

6 Q. Who did you do that preparatory work with, that planning for the second round?

7 A. Well, it was done along with the campaign manager.

8 Q. Are you saying you did it with Mr Malick?

9 A. Mr Issa Malick.

10 Q. During the second round where were you?

11 A. We went back to Korhogo.

12 Q. How long before the second round?

13 A. If I remember correctly, maybe one week, if I remember correctly.

14 Q. With whom?

15 A. With the national director -- national campaign manager, Mr Issa Malick, it was
16 still with him.

17 Q. During the first round, you said that you were with Mr Issa Malick and his team.
18 Can you describe for the Court what you mean by "his team"?

19 A. His team was set up for each campaign manager who had an office and who
20 went -- which went along with him during the campaign. So maybe each team might
21 have had two or five persons. So there were always -- there was always a team of
22 several persons involved in the campaigning. That's what happened.

23 Q. Who would be the two candidates in the second round of the elections?

24 A. Mr Alassane Ouattara and Mr Laurent Gbagbo.

25 Q. What happened to Mr Bédié or what did he do during the -- between the two

1 rounds of elections?

2 A. He had nothing else to do because he had been eliminated, so he rallied behind
3 Mr Alassane Ouattara since both of them belonged to the same RHDP.

4 Q. How did he make that announcement? How did Mr Bédié make that
5 announcement?

6 A. Announce what, his defeat?

7 Q. No. His support to Mr Ouattara.

8 A. Announce? Announce publicly, it was a public announcement. The PDCI, the
9 RDR and the various other parties had come together to constitute the RHDP. That's
10 how it happened. That is how the official announcement is made publicly, through a
11 conference or through some form of meeting.

12 Q. Now, during the second round when you were in Korhogo, can you describe what
13 the atmosphere was like there?

14 A. The atmosphere during the second round was not good. Tension was mounting.
15 You see, people had realized that this was the last battle, the last steps, and that there
16 was going to be a winner at some point, so everybody was doing everything to ensure
17 that their candidate would win.

18 Q. How did things unfold in Korhogo at that time, in the Korhogo area?

19 A. That is what I have just told you. I told you that tensions heightened, tensions
20 were very high because these were the last steps, so to speak. Everybody needed to do
21 everything possible to ensure that their candidate won.

22 Q. How did that tension express itself? Can you advise the Chamber about this?

23 A. When I talk about heightened tension, what I mean is that the supporters of each
24 candidate wanted to win and, therefore, they did everything to bring out as many
25 supporters as possible to vote so that their candidate might win the election.

1 Q. Where did you vote?

2 A. I was unable to vote on that day. I could not vote in Korhogo.

3 Q. So on 28 November, you were in Korhogo on the day of the election, but you could
4 not vote. Where did you vote in the end?

5 A. I think I voted in Mankono.

6 Q. You -- when did you leave Korhogo in relation to the 28th? Did you remain there
7 on the 28th?

8 A. I left Korhogo, I believe, in the morning when the elections were still going on and
9 the results were not yet out.

10 Q. How did you travel on that day?

11 A. Tension was very, very high on that day. We felt that we were going to be
12 attacked in Korhogo, so we had to leave Korhogo. That is why we left. I think the
13 campaign manager's team travelled by air and others travelled by road. I travelled
14 through several towns in the north until I came out and found my way to Abidjan.

15 Q. Why did you think that you were going to be attacked?

16 A. That was information that was reaching us, information reaching us since we were
17 those in charge of President Laurent Gbagbo's campaign. We received that information.
18 We were in that area, we were in the village of his campaign manager, therefore, we had
19 to leave. It wasn't wise to remain in that area. So I think that after the campaign
20 manager had voted, everybody left. That's what I think.

21 Q. So this is information that you received?

22 A. Yes.

23 Q. That information, did it come to pass in anyway whatsoever that those things
24 happened while you were in Korhogo?

25 A. No, no. But there was a feeling, a sense that there was no safety for us, and that's

1 why we had to leave. But nothing happened before me.

2 Q. Mr Malick, Mr Issa Malick was from Korhogo, is that correct, and you were from
3 Mankono? Now, can you explain to the Court why you were part of Mr Issa Malick's
4 team and not part of the Mankono team since you came from Mankono and not
5 Korhogo?

6 A. Well, there's nothing wrong with that. I chose to work with Dr Malick's team in
7 order to provide him better support in his area. It was a bigger and a more significant
8 area, more relevant for the elections. And he also needed my support. That is why I
9 was with him.

10 Q. Why did he need your support?

11 A. Because I'm a good leader.

12 Q. I'm sorry, I didn't understand your answer. Did you say you were a good leader
13 or Mr Issa Malick is a good leader?

14 A. I said because I am a good leader.

15 Q. Apart from the fact that you state that you were a good leader, did you have any
16 special ties with the Korhogo area? When you say that he needed your support, I
17 would like you to explain that further to the Court.

18 A. Well, you see, when you talk about ties with Korhogo, let me tell you that I had ties
19 with every area of the north, and as far as I know I was well appreciated, I was well
20 loved by the people of the north and, therefore, I felt that I could make a contribution by
21 my way of speaking and convincing the people to support Mr Gbagbo. And I think this
22 was quite relevant for the campaign manager.

23 Q. Once again, I would like the Chamber to understand what ties you may have had
24 with the north, particularly with the Korhogo area.

25 A. Well, I come from the north myself. I have stated that already. I have always

1 said that I am from the north. All my children are from the north. My wife is from the
2 north. So that is also important, isn't it? That also has its significance when it comes to
3 campaigning.

4 Q. Very well. So you returned to Abidjan. What was the atmosphere like in
5 Abidjan at that time? You said that you could feel tension in Korhogo. You said also
6 that you received information which led you to take off and return to Abidjan. Now, in
7 Abidjan, what was the atmosphere like in Abidjan when you returned?

8 A. I returned to Abidjan in the evening and the results had not yet been announced.
9 Everything was calm and we were waiting for the results. I think that is what the
10 situation was like.

11 Q. You say everything was calm. As far as you know, and without suggesting
12 anything, were there any restrictions on movement at that time in Abidjan or across the
13 country given that you travelled in the evening and so on and so forth?

14 A. I said I returned to Abidjan in the evening, in the evening. And I've told you that
15 the town was calm and that everybody was waiting for the results to be announced.

16 Q. Did things remain calm in Abidjan in the days following? Can you describe to the
17 Court what the situation in Abidjan was from the 28th onward?

18 A. After the elections, everybody was waiting for the results. People were going
19 about, things were calm, until the results started to trickle in. As the results were being
20 received, what happened in the end is that not all the results were announced on the
21 date and time at which the independent commission for the results was supposed to
22 provide those results, because it was not able to do so given that it was already past
23 midnight.

24 So Mr Youssouf Bakayoko was no longer able to provide the results for the last round of
25 elections. That is why things had to shift to the Constitutional Council, which would

1 then have to announce the results. That is how tension began to rise.

2 Q. Let us break this down step by step. Now, you referred to the independent
3 electoral commission, which was chaired by Mr Youssouf Bakayoko.

4 Your Honours, I would have a special request. Is it possible to shut down the television
5 set behind the witness, please?

6 PRESIDING JUDGE TARFUSSER: I don't know. It is possible, they told me. Okay, it
7 is shut down.

8 MR MACDONALD: Thank you very much. I just see different participants.

9 PRESIDING JUDGE TARFUSSER: Are you irritated by seeing yourself?

10 MR MACDONALD: I won't get into that. But I see that we see the different
11 participants behind the witness and I just noticed it now. I guess I wasn't annoyed by
12 myself so much, but I'll leave it at that.

13 Q. (Interpretation) Mr Witness, let us now return to your testimony.

14 Please talk to me about what you know about the independent electoral commission.

15 The question might appear to be very vast, but please this is to allow you to feel free to
16 speak freely as you wish what was this commission, what was its goal, what was its role,
17 what did it do during the election, during the campaigns and at the time of the results?

18 This is an opportunity for you to use your own words to explain to us what the
19 independent electoral commission was all about.

20 A. Thank you, Mr Prosecutor. The independent commission for organising elections,
21 well, the very role of the commission was to organise elections in Côte d'Ivoire across the
22 country, whether it be presidential, parliamentary or municipal elections. That was its
23 duty to organise elections, to set up offices, to have representatives of its various offices
24 to monitor elections and also to ensure that at the end of the elections the various ballots
25 are counted in various regions by the representatives of that structure alongside the

1 representatives of the two candidates, as well as other international organisations that
2 came to observe the elections and that, thereafter, the results would flow to Abidjan from
3 which a spokesperson would announce the results to the people. That was the role of
4 that organisation that had been set up for that purpose.

5 Q. So this commission had a structure whereby some offices would be involved in the
6 organisation of elections. But I would like you to clarify one aspect when it comes to
7 the counting of the ballots. You stated that at that time there would be a representative
8 of the electoral commission; is that correct?

9 A. Yes.

10 Q. You also said that there would be a representative of Mr Gbagbo, the candidate,
11 and another representative of Mr Alassane Ouattara, the candidate; is that correct?

12 A. Yes.

13 Q. You also said that there were other people present. Who would these people be?

14 A. I'm referring there to international organisations which come to monitor the
15 elections to ensure that they unfolded under proper circumstances. That is what I was
16 referring to.

17 Q. To help the Chamber understand that statement better, do you know these
18 organisations? Who were these organisations? Are you able to provide the Court
19 with a few names of the organisations, not the names of the individuals but the names of
20 the organisations that such persons may have represented on the ground?

21 A. I cannot give you the names of those organisations, but there were several of them,
22 several of them. Some from the European Union, some from the African Union and
23 some from various NGOs and other organisations that had come to monitor the elections
24 and provide an opinion whether there was transparency and non-violence, but I'm not
25 able to provide you with any names. But there were several of them.

1 Q. So there were several organisations on the ground?

2 A. Yes.

3 Q. You, who were present on the ground at the time of the election when people were
4 voting, I understand that you left on 28 May and you were travelling at that time. Now,
5 where were these people at the time of the elections during the day of 28 November
6 when you were in Korhogo?

7 A. Some of them were in Korhogo commune in the city itself. Some of them -- well,
8 when we went around in the surrounding villages we realized that we did not see some
9 of them in a number of polling stations, but in Korhogo itself they had a number of
10 people going around observing the elections.

11 Q. In your own words, how did things unfold at that time?

12 A. I told you that we did not spend much time in Korhogo, but we went to a number
13 of voting or polling stations and we observed that things were relatively calm.

14 Q. So things were going on well at the time you went to these polling stations?

15 A. Yes.

16 Q. You stated -- you stated or you referred a short while ago to a spokesperson of the
17 independent electoral commission. Can you identify that person so that we can
18 understand who we are talking about?

19 A. I can give you his family name, which is Bamba, but I don't have his full names.

20 Q. Did he speak publicly as a spokesperson after 28 November?

21 A. Yes, he is the one who announced the results that were coming in from the
22 commission.

23 Q. Where did you see that? Where were you?

24 A. I saw it on TV.

25 Q. Can you describe how you saw him? And how many times did you see him on

1 TV?

2 A. Well, I think he made the announcement wherever results were received.

3 Q. Where was he when -- where was he physically when the results were being
4 announced?

5 A. He was physically in Abidjan at the headquarters of the electoral commission.

6 Q. Where was the headquarters of the electoral commission located?

7 A. At the Deux Plateaux.

8 Q. So quartier des Deux Plateaux?

9 A. Mmm-hmm.

10 Q. You previously stated, and this was yesterday in the course of your testimony, that
11 Mr Damana Pickass was one of the members of the independent electoral commission.
12 Did you see in the days following when people were waiting for the results, did you see
13 Mr Damana Pickass and the spokesperson appear on TV at the same time?

14 A. Yes, I saw both of them on TV at the same time.

15 Q. Can you explain to the Court what you saw on the television?

16 A. When it was announced that the spokesperson of the electoral commission was
17 going to announce the results, all of us were in front of our TV sets and everybody was
18 taking down notes. When he started to announce the results, then Mr Damana Pickass
19 showed up. There were journalists, there was somebody from the cabinet of the
20 minister of the interior, I forget his name, and they -- they came and said that
21 mister -- that the results that Mr Damana was announcing were results that had not been
22 processed by the commission because there was a system whereby a commission was
23 supposed to sit and validate the results before the spokesperson would announce them.
24 Now, what we saw on TV live was that the results Mr Damana was -- was announcing
25 were results that had been received but had not been validated by the commission. So

1 there was disruption. And that is how Mr Damana Pickass withdrew the documents
2 from the spokesperson of the person of the commission and left. He took the
3 documents away and left. These are the facts and this is what happened.

4 MR MACDONALD: I would now ask for the floor and we will be presenting a short
5 video in full. The video can be found at CIV-OTP-0047-0820, and there is also a
6 transcript associated to that video that can be found at CIV-OTP-0048-1167 -- I will
7 repeat the last four digits: 1667. The video refers to what the witness just mentioned,
8 so I think Mr O'Shea, I see him nodding.

9 MR O'SHEA: Yes, there is no objection.

10 MR MACDONALD: Thank you.

11 THE COURT OFFICER: Mr MacDonald, is this information public?

12 MR MACDONALD: It is public.

13 (Interpretation) I have been informed that we need to press the evidence 2 button.

14 Q. Now, Mr Witness, Mr Witness, before we broadcast this video, when you said that
15 you saw things on the television, what TV stations were you watching?

16 A. I was watching the RTI, the TV channel of Côte d'Ivoire.

17 Q. Do I understand that that is the national Ivorian channel?

18 A. Yes, that's correct.

19 Q. Very well.

20 MR MACDONALD: (Interpretation) So we shall be presenting this video that lasts
21 for a few minutes.

22 (Viewing of the video excerpt)

23 MR MACDONALD: (Interpretation) I do apologise.

24 Q. Mr Witness, I am going to make the most of this to just stop it for a moment and
25 identify the individuals that we can see on the video. I'm sorry. I hadn't planned to

1 do so immediately, but why not do so while we're right at the beginning of the excerpt.

2 Mr Witness, could you please indicate who the Independent Electoral Commission
3 spokesperson is that is the person seated?

4 A. Yes. Thank you.

5 Q. And what is his name, once again?

6 A. Yes. He was the person I was referring to earlier, his name is Mr Bamba,
7 Mr Bamba Yacouba.

8 Q. Very well. And the individual to the right with the black shirt, right to the
9 extreme right of the screen who is holding his finger to his shirt, the black shirt and beige
10 trousers.

11 A. This is Mr Damana Pickass.

12 Q. Mr Damana Pickass. And the person to the left who is wearing a suit and tie?

13 A. That's the cabinet director, the directeur de cabinet for the minister for the interior.

14 Q. Do you remember his name?

15 A. Sorry, I do not remember his name.

16 THE INTERPRETER: Message from the English interpreter: Can a pause please be
17 respected.

18 MR MACDONALD: (Interpretation) Very well. We are going to continue with the
19 video. (Speaks English) I was doing so well, I think.

20 (Interpretation) So let us continue with the video, please.

21 (Viewing of the video excerpt)

22 MR MACDONALD: Having difficult issues with Transcend, your Honour, so I cannot
23 follow the transcript or, sorry, the messenger. It's okay. We'll continue and resolve
24 that for this afternoon.

25 (Interpretation) I'm going to have to change microphones. My console is no longer

1 working.

2 Q. Mr Witness, do you recall the date at which this event occurred?

3 A. Well, really, I do not recall the exact date, but it was after the elections, the second
4 round, I believe, but I do not recall the date at all. I do apologise for that.

5 MR MACDONALD: (Interpretation) Are my colleagues ready to admit that it was 30
6 November 2011? Have a think, and then maybe we can come back to that this
7 afternoon, because that would be of assistance for things to come.

8 Q. So, Mr Witness, let us continue with the chronology of events at the time of the
9 results. Subsequent to this incident where it would seem that there were clashes, if I
10 can use the term, between -- or within the Independent Electoral Commission itself, what
11 was the impact of this event on political life at the time when people were expecting the
12 results? Maybe you could describe to the Chamber what happened subsequent to that.
13 You could see that this was broadcast on France vingt-quatre, but it was also broadcast,
14 as you said, on national television throughout Côte d'Ivoire. Could you tell us what the
15 impact of this event was?

16 A. Well, there was a serious impact after this event because it is serious for a country
17 organising elections that is expected to provide results to these elections without going
18 into any form of scuffle. It is not very pretty to see, and it wasn't a good thing for the
19 population at all because this is when things started or tension started to mount, in terms
20 of behaviour. But there was already tension within the Commission itself. There were
21 problems for people to get into such a state that you see here where people were not
22 acknowledging the -- or recognising the spokesperson because there was a role to fulfil
23 prior to coming to present the results.

24 And it would seem that the ministry of interior was reproaching the spokesperson for
25 not having followed the Code of Conduct of the Commission itself. And this gave rise

1 to the behaviour that you saw. And this is where people started to get up against each
2 other. And this was not good for a country where tension was already extremely
3 heightened.

4 Q. So at this time, if I understand correctly, this is what could be characterised as the
5 provisional results provided by the Independent Electoral Commission; do you recall
6 this?

7 A. Yes. These were the provisional results.

8 Q. Of the Commission?

9 A. Of the Commission. I apologise.

10 Q. So these were not yet the final results of the Electoral Commission; they were only
11 provisional results being provided? Subsequently, how did things unfold henceforth
12 within the Independent Electoral Commission itself, if you know, according to your
13 knowledge and what you were able to observe, if you were in Abidjan, as I understand
14 correctly?

15 A. As you said, these were provisional results that were coming out and that were
16 being announced here and there. But as I was not a representative of a party within this
17 organisation, I was not in or within the mechanism itself, in their offices. And I can't
18 tell you what decisions were taken and what actually went on within that Commission
19 because I was somewhere else. I was far away. But quite honestly, Mr Prosecutor, this
20 is within the limits of what I know.

21 Q. I do understand that you were not within the Commission itself, and it is entirely
22 understandable that you can't provide an explanation, but -- one moment, please -- but
23 how did this ricochet in the days after this, after the result, in the expectancy of the
24 results? Can you describe the atmosphere, from your perspective, according to what
25 you know?

1 A. As I said, if you want, I can give you further details. It was not a good situation.
2 For people to have this kind of image, for people who had gone to vote and who were
3 expecting results, they were expecting positive results for their candidates and
4 everybody, all Ivorians, realized there was a problem at hand.
5 And people realized that Mr Yacouba Bamba might have been a sympathiser or a
6 supporter of Mr Alassane and Mr Damana Pickass and the other person was a
7 sympathiser or supporter of Mr Gbagbo, and each and every one wanted to defend the
8 interest of their candidate.

9 As I said to you, this was not a good situation. Tension was rising within the
10 population in Abidjan itself and throughout the country. As I said to you, this was
11 important. It was not a good image to be giving because France -- and France Afrique
12 everyone was talking about this. And in democratic terms, it was not a good situation.
13 It was not democratic.

14 Q. You just mentioned the fact that tension heightened as a result. So let us
15 concentrate on reactions, let's concentrate on Abidjan where you were. How did the
16 population react? Can you describe the tension to us?

17 A. Well, I shall talk to you about tension. There was tension in people's voices, what
18 people were saying. They were all twisting it in their own way. And even in terms of
19 people's thoughts and behaviour, this made tension rise because it was taking personal
20 proportions. This is the tension that I wanted to talk to you about.

21 And later, there was no more trust. Nobody trusted anybody or any structure. And to
22 my mind - this is my individual experience, and I apologise - even if I was a candidate, I
23 could no longer have confidence in such a structure, having witnessed such a scene,
24 because it proved that there were only too many problems within that Commission.
25 And I believe that the candidates, whether it be Mr Gbagbo or Mr Alassane, no longer

1 had trust in this structure because there was -- there were problems providing the
2 results.

3 That's what I wanted to say to you, Mr Prosecutor. I do not know whether you have
4 understood me or whether the Chamber has understood me, or maybe you could put
5 other questions to me so that I can give you a better understanding. I hope I've made
6 myself understood.

7 Q. You have made yourself understood only too well, fear not.

8 You say and I shall re-read page 44 of the transcript, from line 25, you say:

9 "This is what I wanted to say: Tension was mounting because everybody was taking
10 position." This might have been an error in the transcript, but I do understand from this
11 that everybody was taking a position, an intentional position.

12 What did you mean by that, an intentional position, a position of intent?

13 A. It might be the word that makes all the difference in what I just explained,
14 "intentional." I'm talking about confidence that people had in a structure itself, whether
15 it be the sympathisers of Mr Alassane or those of Mr Gbagbo. There was no more
16 confidence in the structure. Everybody was mistrustful. And everybody had their
17 opinion of the structure. Maybe that's the word. What I meant by this was that this
18 image is something that everybody saw. It was not a good image for Côte d'Ivoire and
19 it was not a good image for the elections. That's what I meant.

20 Q. Very well. And at that moment in time, I do understand that Mr Gbagbo had a
21 presidential residence at the time, and where was that residence located?

22 A. Do you mean where he used to sleep?

23 Q. Yes, where he slept.

24 A. In Cocody.

25 Q. So the residence was in Cocody. And we might come back to that later. To your

1 knowledge, at that time, where was Mr Ouattara at the time when people were expecting
2 the results of the elections?

3 A. To my knowledge, I know that Mr Ouattara's HQ was also in Cocody, but it was at
4 the Golf Hotel, where -- as to where he was himself, I do not know. But I do know that
5 his headquarters were at the hôtel du Golf in Cocody.

6 Q. When you say the HQ, the headquarters, when you refer to the headquarters, are
7 you talking about the headquarters of the RDR or the RHDP? Let's put the Golf Hotel
8 to one side for one moment, we'll come back to that later. But the HQ of the RDR,
9 where was that?

10 A. It was the RHDP.

11 Q. Do you know the name of the street?

12 A. No. You want to know where the RDR HQ was or the campaigning HQ? You
13 need to be more specific. When we talk about the RDR, well, if you want to know
14 where the RDR HQ was, that was in Cocody, not far afield from the Pisam. Now, if
15 you're talking about the HQ, the campaigning HQ, that was in Cocody but a little further
16 afield at the hôtel du Golf. I need to know quite what you're attempting to ascertain.

17 Q. That's a very interesting clarification that you have provided, so we'll take that
18 calmly. You're talking about the HQ of the RDR, which you said was close to the Pisam,
19 which was the hospital, is that correct?

20 A. Yes.

21 Q. In Cocody?

22 A. Yes.

23 Q. And you say that the HQ, the campaigning HQ for Mr Ouattara was at the hôtel
24 du Golf?

25 A. Yes.

1 Q. Okay. Now, the RHDP HQ was in which neighbourhood? And could you
2 provide us maybe if you know with the name of the street?

3 A. It was in Cocody. The RHDP headquarters, that's what you're asking me, was the
4 former PDCI, which transformed in the RHDP in Cocody, not far from the Eglise Saint
5 Jean, the Saint Jean church.

6 Q. Very well. So let us come back to Mr Youssouf Bakayoko, the president of the
7 independent electoral commission. Were you a witness to whether, yes or no, he
8 announced the results of the findings of the independent electoral commission in terms
9 of election results?

10 A. You're talking about the final results?

11 Q. Yes.

12 A. He was not in a position to provide or announce the final results.

13 Q. And why was that?

14 A. Because according to the rules in place of the independent electoral commission
15 and the Ivorian constitution, he had up to midnight to provide the final results and
16 announce the results, and I do not believe that he was able to obtain all of the results.
17 And for that reason he came to provide a press conference saying that he had up to
18 midnight to announce and that we would wait until midnight. And at midnight he
19 came back to say that he could not announce the results because he did not have them all
20 in hand. So he then gave the responsibility to do so to the constitutional court.

21 Q. So let us come back to the presence of Mr Bakayoko on the television a few minutes
22 before midnight. Did you see that on television?

23 A. I saw that on RTI, the Ivorian television channel.

24 Q. And do you recall what he said at that moment in time before midnight? Do you
25 remember the details he provided or do you remember the details of what he said?

1 A. I can't really go into detail, but if my memory serves me correctly, he said that we
2 needed to be patient, and that it was not yet midnight, and that the results were being
3 analysed, and that we should wait for midnight before him -- before he would be in a
4 position to provide the results. I think that's what I heard.

5 Q. Very well. But did he announce any results at the end, past midnight?

6 A. Who, Mr Youssouf?

7 Q. Yes.

8 A. No, I do not believe so. I do not believe so. I didn't really pay any attention to
9 that, but I don't think so because it was no longer his role according to the constitution.

10 Q. Very well. According to the constitution, I understand that he could not then
11 announce anything. You say that it was after midnight and that it was foreclosed,
12 according to your testimony.

13 But my question is to what Mr Bakayoko did subsequently according to your
14 knowledge. What happened with the independent electoral commission subsequent to
15 that after midnight before we got to the constitutional court stage?

16 A. Sincerely, I really do not know. After having followed what he said, I didn't
17 follow what happened afterwards and what he did afterwards.

18 Q. So you didn't follow, but did you find out what he did?

19 A. No, Mr Prosecutor, I did not pay attention to that.

20 Q. Very well. Who is, as far as you know, the president of the Constitutional Council?
21 Could you give us his name?

22 A. Well, I -- I can -- I have his name right there, but I can't -- well, I have the name, but
23 I'm -- it escapes me somewhat. Let's continue.

24 Q. Let us continue then. Did you see him on television or in person?

25 A. On television, yes.

1 Q. At that time, can you describe to us what you saw on TV at that time?

2 A. He came to announce the results. That is what he did. He started announcing
3 the results, which he had the results in his possession from various cities. And there
4 were some problems in some cities in the north. The results in those towns had been
5 cancelled. He also stated the reasons for what had happened in various towns and why
6 results in some major cities had been cancelled.

7 Then he concluded by announcing the results, whereby President Laurent Gbagbo had
8 won the elections. He gave the results and I think he provided some figures. I don't
9 remember the figures, but I know that he -- I remember that he provided some figures.

10 Q. This announcement is made on national TV; correct?

11 A. National and international television. There were several journalists there.

12 Q. Prior to announcing the results as such, the official results, declaring the winner of
13 the elections, did you see the president -- had you seen the president of the
14 Constitutional Council before on TV?

15 A. No, I don't think so. No. Off the cuff, I don't think so.

16 Q. Where were you when the election results were announced on television? Where
17 were you?

18 A. I think I was either at home or at a friend's. At home or at a friend's. We were
19 watching.

20 Q. What did you do subsequently? What was your reaction? What did you do?
21 Where did you go? What was your reaction?

22 A. We went dancing. We were happy. We exploded in joy. Our president had
23 won and the constitutional court had made the announcement. So we went out
24 dancing. We were happy.

25 Q. Where did you go to celebrate?

1 A. I celebrated with some friends, all friends.

2 Q. Now, thereafter, did you just remain with your friends, or did you go into the city?

3 A. We went around the city to see those who were happy and those who were
4 unhappy. We went around the city. And when the time came for President Gbagbo to
5 be installed, we were at the office in the palace and he was installed.

6 Q. Before we get to the installation or swearing-in of Mr Gbagbo, did you see on
7 television what the reaction of Mr Gbagbo's clan at the residence was? Did you see
8 that?

9 A. Yes, I did.

10 Q. Can you describe that?

11 A. I saw the joy of those who went to congratulate him, to greet him. Everyone was
12 happy, just as I was happy too. All of his supporters were happy. And that's normal.
13 It's like with a football match between two teams; when a team loses and another wins,
14 then its fans are happy and they express their joy. So all these supporters of
15 President Laurent Gbagbo went to congratulate him. Even Blé Goudé went to
16 congratulate him and greet him. Ministers were there, his family were there, there were
17 several people there.

18 Q. Did you recognize any of the people who went to congratulate him at that time?

19 A. After Mr Blé Goudé?

20 Q. Yes. Any other ministers?

21 A. Yes, that's what I'm telling you, almost everyone was there. Everybody was there
22 to congratulate him.

23 Q. Very well.

24 A. Mr Prosecutor, I'm sorry, I would like to give you the name of the president of the
25 constitutional court. It's Yao N'Dré. You see, I can sometimes remember things, as

1 you can see. As you move on with the questions, you know. Mr President, you can
2 see that sometimes I remember, yeah? I think I'm not doing too badly. Thank you.

3 Q. Yes, let us proceed. And I will now show you a video that was shown on RTI.
4 And I would like --

5 (Speaks English) I'll say it in English: CIV-OTP-0075-0058. Now in the case of that
6 video we will be starting from approximately at minute 02.16 and until 3.48
7 approximately. So it's just under two minutes.

8 (Viewing of the video excerpt)

9 MR MACDONALD: (Interpretation)

10 Q. For the record, can you confirm that the gentleman in the cap is Mr Blé Goudé?

11 A. Yes, that is Mr Blé Goudé in a cap.

12 (Viewing of the video excerpt)

13 MR MACDONALD: (Interpretation)

14 Q. That gentleman, do you know him?

15 A. It is his adviser.

16 Q. Do you know his name?

17 A. Bernard something. Bernard something. His name is Bernard something.

18 Q. We can revisit that during your testimony when we deal with another event.

19 A. Okay.

20 (Viewing of the video excerpt)

21 MR MACDONALD: (Interpretation)

22 Q. On that excerpt of the video -- have you already seen this video before?

23 A. Yes. I told you that I saw all those who had come to congratulate
24 President Gbagbo on the RTI, the national television of Côte d'Ivoire.

25 Q. Let us continue. You said that there was a swearing-in, you say that there was an

1 installation where, at what location?

2 A. At the Plateau, at the presidency of the republic, the president's office.

3 Q. Is this the place better known as the presidential palace?

4 A. Yes, that is correct.

5 Q. For the purposes of your testimony, we -- can we understand that there was a
6 residence where the president used to sleep, and then there was the presidential palace
7 where the president had his office; is that the case?

8 A. Yes, his office was in the palace.

9 Q. That was somewhat of a leading question. Fortunately no objection from the
10 other side.

11 Where were you physically at the time of the swearing-in at the presidential palace?

12 A. I was at the palace. I was at the venue itself.

13 Q. Were you inside or outside?

14 A. I was inside.

15 Q. In which room did the swearing-in take place and what is the name of that room?

16 A. If I remember correctly, it is the salle des pas perdus, the lower hall where the
17 president usually receives diplomats and persons with whom he may have various
18 meetings.

19 Q. Salle des pas perdus, was that your answer?

20 A. Yes, I think so.

21 Q. Did you say pas perdus? I just repeated what you said, pas perdus.

22 A. Yes.

23 Q. Now, let me return to a question that escaped me regarding the residence. Now,
24 the -- the room or the hall which we saw on the last video, 0075-0058, that hall in which
25 people were seen embracing the president, where is that?

1 A. It is at his residence in Cocody.

2 Q. Where is that room located at the residence and does it have a name?

3 A. No, it has no name. It is his main living room downstairs.

4 Q. Have you been to that room or to that living room before?

5 A. Yes, two or three times.

6 Q. Let us now return to the swearing-in ceremony which you said took place in the
7 salle des pas perdus. Who was present at the swearing-in and can you describe to the
8 Court what happened at that time?

9 A. Well, when a president is to be -- or, when a president has been elected and has to
10 be sworn in there are guests, there are invitees, diplomats, presidents of various
11 recognized institutions or organisations that are affiliated to President Gbagbo, there
12 were military officials, gendarmes and ministers and family members and what have
13 you, and including myself. Then the president of the constitutional court was also
14 present.

15 Q. What did the president of the constitutional court do? What do he do?

16 A. He implemented the law. He is the president of the constitutional law and he was
17 there to implement the law.

18 Q. What did Mr Gbagbo do at that time?

19 A. Well, he was there and when the legal provisions were read what happened, you
20 know exactly what happens to a head of state who is then conferred with the powers of
21 his duty, according to the constitution of the state. So he was invested with the powers
22 conferred upon him. And I think that it is -- it is very clear what happens. Now, I'm a
23 bit worried, are we overlapping here?

24 Q. No, no, no. It's okay.

25 A. What happens then is he is conferred with his duties by the president of the

1 constitutional court within the provisions of the constitutional -- the provisions of the
2 constitution. It is on that day that someone contacted me and told me that at the same
3 time as the swearing-in was going on Alassane was being sworn in as well and that is
4 what -- that is when I found out what has happened. So I said: What is happening?
5 He said: They have taken Youssouf Bakayoko and over there he is also conferring
6 victory upon Mr Alassane Ouattara.
7 So when this person told me about that, we both left that hall where things were
8 happening and I said: This is not a good sign at all, this is not good for Côte d'Ivoire.
9 And he said: Yes, indeed, this is not good. How are we going to manage this
10 situation?
11 And I said this was beyond my control and that I didn't know what to do.
12 Mr Prosecutor, Mr President, this is how I came to find out what had happened on that
13 day. I wasn't expecting this to happen at all that we would have a situation where the
14 president of the constitutional court would be swearing in the president while at the
15 same time the president of the independent electoral commission would be swearing in
16 another president in the same country. That to me was a way of setting the country
17 ablaze.
18 This type of conduct is what I'm talking about. Who did this? Why was it done?
19 What was the reason? And quite sincerely, my view is that by doing this Côte d'Ivoire
20 was set ablaze, Ivorians were killed, a tsunami invaded our country because of this kind
21 of conduct, and I pray God, I pray God that this
22 should never happen again in my country. And it should never happen to any other
23 country because when people behave in this manner simply because of elections, they
24 bring misery on their people. They brought misery upon the Ivorian people. People
25 died. People on Alassane's side died. People on Gbagbo's side died. Côte d'Ivoire is

1 not for Alassane or Gbagbo. We have one country, a single and indivisible country,
2 which belongs to all Ivorians, whether they come from the north, the south, the west or
3 the east. Côte d'Ivoire is our fatherland. It is our country. We, therefore, must have
4 a conduct or an attitude that takes into consideration the innocent, poor people of the
5 country. Even though the most significant sacrifice could have been made, I think
6 Mr Prosecutor, sincerely, that it is for this reason that when you interviewed me, I
7 accepted to come and testify so that the truth may be known to the whole world. The
8 world ought to know what happened in Côte d'Ivoire. Whose fault is it that these
9 things happened in Côte d'Ivoire? Who is behind all these things that happened in
10 Côte d'Ivoire? Mr Prosecutor, that is why I am here, and I'm ready to answer the
11 questions and I provide you with the facts that I'm aware of and give you the reasons
12 why these things happened.

13 Mr Prosecutor, let me be specific. Let me say that I have not come here as a witness
14 who has been influenced. People are saying -- claiming that I have been given this and
15 that to be able to come and testify. No. I have never received anything from anybody.
16 You, your investigators, always interviewed me on the premises of truth. They asked
17 that I tell them the truth and nothing but the truth. That is what your investigators
18 always asked me. So I want to be very specific and clarify some of the rumours that
19 claim that I was paid to come and testify here. No. I'm very sorry. I did not come
20 here for that reason.

21 Mr President, I came here to tell you the truth so that the whole world may know what
22 happened in my country relating to the innocent Ivorians who died. Why did they die?
23 We must honour the memory of those innocent victims.

24 Mr President, Mr Prosecutor, I hope you have understood why I am here. That is what
25 I wanted to say. Thank you. I hope I did not take too much time. Thank you,

1 Mr Prosecutor.

2 Q. Well, you -- not too long.

3 MR MACDONALD: But Mr President, maybe this would be a good time to stop for
4 now because the next series of questions will be dealing with a video and an exhibit.
5 Maybe we can deal with that after the break, Mr President.

6 PRESIDING JUDGE TARFUSSER: I think it's a very good time to stop. We -- now I
7 have to, again, address the interpreters and the court reporters. I would like to make a
8 two-hour session in the afternoon, from 3 to 5, so we have a longer break now, in order
9 to give him a little bit of a rest and then now -- and then to go, if possible, from 3 to 5. Is
10 this possible?

11 Okay. So we resume at 3 o'clock. Thank you.

12 THE COURT USHER: All rise.

13 (Recess taken at 12.54 p.m.)

14 (Upon resuming in open session at 3.08 p.m.)

15 THE COURT USHER: All rise.

16 Please be seated.

17 PRESIDING JUDGE TARFUSSER: Good afternoon. Yes, please call the witness. Can
18 you call the witness. Yes, please.

19 (The witness enters the courtroom)

20 PRESIDING JUDGE TARFUSSER: Good afternoon, Mr Witness. I hope you had a
21 little bit of a rest. And now we start -- we continue with the questioning by the
22 Prosecutor for the next little bit less than two hours, okay?

23 THE WITNESS: (Interpretation) Yes, Mr President. Thank you very much. I did
24 get some rest.

25 PRESIDING JUDGE TARFUSSER: So the floor is to the Prosecutor.

1 MR MACDONALD: Thank you, Mr President.

2 Q. (Interpretation) Mr Witness, good afternoon.

3 A. Good afternoon, sir.

4 Q. We will continue in the same manner as this morning.

5 A. Okay.

6 Q. Allow me to revisit -- well, just before the lunch break we were talking about

7 4 December 2010 at the presidential palace for the swearing in of Mr Gbagbo.

8 MR MACDONALD: But before going any further, I would like to say that this morning

9 when I talked about an admission I referred to 13 November 2011, whereas it was

10 13 November 2010, relating to 0047-0820. Where we see the incident where Mr Pickass

11 snatches the results from the hands of the spokesperson of the independent electoral

12 commission. Are my colleagues willing to recognize the date of that event?

13 MR ALTIT: (Interpretation) No objection, Mr President.

14 MS MASSIDDA: No objection, Mr President.

15 MR MACDONALD: (Interpretation)

16 Q. Mr Witness, you were present -- you said that you were present in the salle des pas
17 perdus at the presidential palace; is that correct?

18 A. Yes, Mr Prosecutor.

19 Q. You also mentioned the names of some people who were present. Now, I want to
20 show you a video excerpt from RTI on the swearing-in ceremony on 4 December. Let
21 me draw your attention and the attention of the Chamber to number CIV-OTP-0075-0059.

22 There is a transcript that goes with this excerpt bearing number 0087-0149 and we shall
23 be showing, if we get the link here, video excerpt for a few minutes. And we will stop
24 every now and then to put a few questions to the witness.

25 (Viewing of video excerpt)

1 MR MACDONALD: (Interpretation)

2 Q. First question: Do you remember this to have actually been the swearing-in
3 ceremony of Mr Gbagbo; is that what you have been talking about saying that you were
4 present?

5 A. Yes, that is it indeed.

6 Q. When we look here we see some dignitaries in attendance. Are you able to point
7 out where you were in the hall?

8 A. I was in front and the president was opposite me.

9 MR MACDONALD: (Microphone not activated)

10 THE INTERPRETER: Microphone.

11 THE WITNESS: (Interpretation) I was sitting opposite him. There were people and
12 I was sort of held back.

13 THE INTERPRETER: The witness says "arreté", held back or something.

14 MR MACDONALD: (Interpretation)

15 Q. Now, I want us to understand what you're saying. You have a camera facing the
16 crowd.

17 A. Well, I was behind the camera.

18 Q. Okay. Very good. So you were behind the view that we have on the screen at
19 1 minute 22, you were behind the camera that was filming this scene; is that correct?

20 A. Yes.

21 Q. When you look at the picture on the screen, are you able to identify the people
22 sitting down? To begin with, take the person in a cream suit.

23 A. Yes, Mr Aboudraman Sangaré, then you have Mr Laurent Dona Fologo.

24 Q. One moment please. Mr Fologo is he to the left or right of Mr Sangaré as you look
25 at the picture?

1 A. One second, please.

2 Please proceed.

3 Q. You say that Mr Sangaré is the one in the cream suit and Mr Fologo, as you look at
4 the picture is he to the right or to the left?

5 A. To the right, to the right.

6 Q. Very well. Let us proceed.

7 (Viewing of the video excerpt)

8 MR MACDONALD: (Interpretation)

9 Q. The president of the Constitutional Council, is that him?

10 A. Yes, it is indeed Mr Yao N'Dré.

11 (Viewing of video excerpt)

12 MR MACDONALD: (Interpretation)

13 Q. So I understand that you were present at that event? Were you present when
14 Mr Gbagbo made his swearing-in speech?

15 A. In the same hall.

16 Q. Yes, you were present in the same hall at the same time?

17 A. Yes, sir.

18 Q. Very well. We shall now --

19 (Viewing of the video excerpt)

20 MR MACDONALD: (Interpretation)

21 Q. Very well. You were present at the time of the delivery of this speech; is that
22 correct?

23 A. Yes, I was there.

24 Q. Now, let us return to something that Mr Gbagbo said when he talked about foreign
25 interference. Can you shed light on this to the benefit of the Court? What is

1 Mr Gbagbo referring when he makes that statement?

2 A. As you know, President Gbagbo has always said that death is the same thing as
3 dishonour. Mr Gbagbo was not only a great leader of Côte d'Ivoire, but in the past he
4 had also been a great opposition leader, and so because of his honour and dignity, he did
5 not accept certain things. This speech means that we are in a country where we are
6 sovereign, we have our independence, and it is not normal for people to guide us in the
7 way in which we have to administer Côte d'Ivoire; we have our constitution, we have
8 our rights. And I believe the president was alluding to the UN, the international
9 community, the European Union, people who were interfering in the internal affairs of
10 Côte d'Ivoire. And the president was absolutely not going to accept that, and it was a
11 strong warning that he was giving to these people. That is how I understood the
12 speech. I do not know whether that is precisely what he meant, but the person that I
13 know has always fought for the total sovereignty of Côte d'Ivoire.

14 And he even wanted from African countries that they should be respected. And
15 I believe that I should not go any further than that. That is what the case is today here.

16 Q. Just to clarify, when I look at the transcript, you refer to the United Nations, you
17 refer to the European Union and -- on page 13 -- or, rather, page 64, line 13, and you
18 talked about the international community. What are you referring to?

19 A. Well, we have always referred to the international community as a whole,
20 Mr Prosecutor.

21 Q. Five seconds, please. I think you mentioned international committee and -- but
22 I think you were referring to the international community; is that correct?

23 A. Yes, that is correct.

24 Q. Very well. To the best of your recollection, what was the name of the person who
25 at that time was the representative of the United Nations secretary general; that is, the

1 United Nations organisation in Côte d'Ivoire, UNOCI, do you remember his name?

2 A. Mr Chung.

3 Q. Mr Choi, C-H-O-I. Did Mr Choi intervene at the time of the electoral results; that
4 is, before or after did he intervene in the process of proclaiming the results of the
5 elections?

6 A. I think that he intervened in many things in Côte d'Ivoire.

7 Q. We will probably revisit that later, but the question is as follows: At the time of
8 the proclamation of the results and the interaction between the CEI and the
9 Constitutional Council, did he play any role at that time; and if yes, which role?

10 A. To my knowledge, the role that he played is that they were the ones who went and
11 took the president of the Commission, Mr Youssouf Bakayoko, and brought him to
12 proclaim the results in -- at the headquarters of the candidate, Mr Alassane Ouattara.
13 And I believe, if I remember correctly, that he said that the United Nations validated the
14 results that had been proclaimed by Youssouf Bakayoko.

15 Q. When you say "headquarters," you are referring to the campaign headquarters at
16 the Golf Hotel; is that correct?

17 A. Yes, Mr Prosecutor.

18 Q. At that time you were involved in the campaign with the director general of the
19 DNC, Mr Issa Malick. Even before the results were proclaimed or even before the
20 organisation of the elections by the CEI, what was the recognized role of the United
21 Nations? Because you have talked about the validation of results, but what do you
22 know about that; that is, during the electoral campaign itself before the results were
23 proclaimed?

24 A. What I could say and what I know myself is that we believe that the UN interfered
25 far too much in the internal affairs of Côte d'Ivoire, particularly when it came to the

1 elections. And as I told you a short while ago, they were the ones who said that they
2 had validated the results given by Mr Youssouf Bakayoko. So when the UN says that
3 they are validating those results, that meant that they did not recognize the victory of
4 Mr Laurent Gbagbo. That is what I understood, and that is what I believe it meant.

5 Q. At that time you were on the ground in the field. Within the Galaxie how was
6 that intervention, that interference perceived; that is, in the validation of the results that
7 is within the Galaxie Patriotique concretely?

8 A. It was revolting. It was not possible to accept. The UN was not there to
9 proclaim or validate results. We are in a sovereign country. We have our constitution
10 and our methodology of work. And as the president said in his speech, the person in
11 the best position to state the law was the Constitutional Court. That is what he said in
12 his speech, and that is what the entire Galaxie Patriotique felt and all the Ivorians who
13 supported Gbagbo, that is what they believed.

14 But on the other side, maybe you are going to talk about that, they did not accept that
15 three days after the CEI sent the file to the Constitutional Council, the Constitutional
16 Council was able to do their work and proclaim the results. So no one accepted the
17 results from the other side.

18 Q. As from that moment, you say that on the same day, Mr Ouattara also had himself
19 sworn in. Do you know how it took place, the circumstances in which it took place?
20 Do you have any details about that? And if so, how did you learn about it? If it is
21 hearsay information, what are the sources?

22 A. Mr Prosecutor, you know regarding the swearing in of Mr Ouattara, I was not
23 there. But when we were in the presidential palace, someone told me that Alassane
24 was also being sworn in by Mr Youssouf Bakayoko. He was swearing him in as the
25 president of Côte d'Ivoire.

1 Q. Now, concretely speaking, what was the reaction of the Galaxie, it's leaders?

2 How did they act on the field?

3 A. Well, we cannot talk about the field. The events had just happened. I was still in
4 the palace. The president returned home. I took my car, and I also returned home,
5 and I stayed there to observe the developments. I did not leave with the Galaxie
6 Patriotique. I simply went home. And I believe many of them went to congratulate
7 the President at the residence.

8 Q. At that time you have said that the international community was involved. Were
9 there any specific countries, just like the United Nations and the European Union, that
10 were accused of interference in the internal affairs of Côte d'Ivoire?

11 A. Counsel, can you kindly repeat your question or be more specific? I didn't quite
12 understand what you said.

13 Q. A short while ago, you mentioned that there was the United Nations, the European
14 Union, and also the international community, which were accused of interference in the
15 internal affairs of Côte d'Ivoire. Now, in the international community were there any
16 specific countries that were accused of interference in the sovereignty of Côte d'Ivoire
17 when it came to the elections?

18 A. Yes, your Honour. There's nothing hidden about that. France was one hundred
19 percent accused of being responsible for the crisis in Côte d'Ivoire. Everyone knows
20 that. The media was talking about that. Everybody was talking about that. We were
21 talking about it. Mr President Sarkozy was the president of France at that time, and he
22 interfered vigorously in this Côte d'Ivoire issue.

23 The President had accepted to take part in the election because the international
24 community compelled him to organise elections. And what I think -- what I think
25 personally is that he was trapped into organising the elections because when I finally

1 saw the developments, what happened after the elections, I realized that it was a trap
2 that had been set by -- for President Gbagbo, and he fell into it.

3 Q. Apart from France, were there any other countries that were accused, or was
4 France the only country?

5 A. As you know, counsel, we understood where Côte d'Ivoire's problem was coming
6 from because we realized that the international community had taken a firm position
7 against President Gbagbo and supported President Alassane. So whatever had to
8 happen was going to happen. But France, led by Sarkozy, no longer wanted President
9 Gbagbo's regime in Côte d'Ivoire. Everyone knows that. Everyone in Côte d'Ivoire
10 knows that. Everyone in Africa knows that. Sarkozy's friends no longer wanted
11 Mr Gbagbo's regime because, given everything that happened with the shelling or
12 bombing of Bouaké and what happened at the Hotel Ivoire, what happened when the
13 patriots revolted against what was happening, they were going to attack zone 4, the
14 Bema zone 4, and they were shelled. They were attacked wherever they went. So we
15 believed that the international community had overstepped. Their powers had gone
16 too far when it came to the issue of interfering in Côte d'Ivoire.

17 Q. I'm sorry, but you have skipped too much ahead. You have talked about 43rd
18 Bema, the incidents there in 2004. Is that what you are referring to?

19 A. Yes.

20 Q. Let us move on to another day during that period in December 2010. How did
21 the African organisations react beginning by -- with ECOWAS; that is, Economic
22 Community of West African States?

23 A. After the elections?

24 Q. When you refer to the international community, you said they were against you,
25 against Côte d'Ivoire. How did ECOWAS react?

1 A. I didn't say against Côte d'Ivoire. I said against us, the Gbagbo regime, not Côte
2 d'Ivoire. That is what I said. The African union --

3 Q. Let us begin with ECOWAS, then we'll move on to the AU.

4 A. ECOWAS was playing the role of a betrayer to put an end to the crisis, and there
5 were mediators arriving in Côte d'Ivoire and there were other meetings elsewhere to try
6 and sort out the crisis. That is how come ECOWAS -- that was the role ECOWAS was
7 playing in Côte d'Ivoire.

8 Q. And how was ECOWAS perceived at that time during this period in December
9 when they intervened? Do you remember the statements made by the representatives
10 of ECOWAS when they were visiting Côte d'Ivoire regarding the elections?

11 A. If I remember correctly, many people came and went. There were many meetings.
12 But many of them advised President Gbagbo to give up the presidency to Alassane.

13 Q. And how was that perceived by you, the Galaxie Patriotique, and the supporters of
14 Mr Gbagbo?

15 A. Very badly. We could not accept that.

16 Q. Why?

17 A. Because we are a sovereign country. We have our constitution, we have our
18 mechanisms, our methods of working. There were people who had implemented the
19 law and proclaimed the results, so we could no longer accept advice from elsewhere.

20 Q. We have to slow down a little bit.

21 A. That's very fine by me.

22 Q. And yet, ECOWAS is made up of countries of West Africa. We are not talking of
23 the UN, the European Union or France. We are talking of African countries here.

24 A. Yes, that is true, but President Gbagbo always said that he never interfered in the
25 business of others, and so the others should not interfere in his own business. That was

1 the situation, Counsel.

2 Q. And those West African countries, were they linked to any sort of manipulation?

3 A. Yes, Mr Prosecutor. The neighbouring countries -- we have always said that some
4 of the heads of states were manipulated by France, by the European Union, that is, the
5 neighbouring countries. So many of the countries who are our neighbours wanted
6 President Gbagbo to withdraw and leave Mr Ouattara to take over power.

7 Q. And what were -- and why were they doing that?

8 A. Well, they are the only ones who know. I believe that they were defending their
9 own interests and their interests are important, and they felt that it was the best way of
10 avoiding a civil war. That is what I think.

11 Q. And how was this viewed within the Galaxie Patriotique; that is, that request by
12 ECOWAS that Mr Gbagbo should leave his place to Mr Ouattara?

13 A. I believe I gave you an answer a short while ago. The view was very negative. It
14 was not possible to accept that.

15 Q. Let us now move on to the African Union. Did the African Union intervene in the
16 crisis; and if so, at what time? Which month? What period? Are you in a position to
17 shed light on that?

18 A. Counsel, when you say "intervened," what type of intervention are you talking
19 about, military? Dialogue? Negotiations? Or are you talking about military
20 intervention?

21 Q. Let us start at the military level, because you are the one who have mentioned it
22 first. Was it envisaged that African countries could intervene militarily in Côte d'Ivoire;
23 and if yes, when was this first mooted?

24 A. Mr Prosecutor, after many attempts at negotiations we felt that they already were
25 biased. They themselves had already said that President Gbagbo had to leave the

1 presidency and that if he persisted in staying in power, they would use force and have
2 the African Union army intervene in Côte d'Ivoire. And that is when things really
3 began to degenerate. That is when things started going very badly. That is the
4 manner in which the African Union took the decision was not good.

5 Q. Do you remember when the African Union made that statement, that is that there
6 would be the possibility of military intervention if Mr Gbagbo did not leave?

7 A. I cannot give you precise dates, but it was during the period after the
8 proclamations made by the two parties, the two candidates, that is during that
9 three-month period. The UN, the African Union, the ECOWAS intervened, there were
10 mediators who came and discussed with the president, Mr Gbagbo, others discussed
11 with -- they discussed also discussed with Mr Alassane and each person made their
12 position known.

13 Q. During that period were there any meetings of the Galaxy to discuss ways and
14 means of putting an end to the crisis?

15 A. I believe that you have my statements there. I have already told you that at the
16 end of the second round of the elections I was surprised to see that Mr Alassane was also
17 sworn in as president of Côte d'Ivoire, just as Mr Gbagbo. I immediately understood
18 that there was a risk of civil war. That is my personal opinion. So right until
19 Mr Gbagbo's residence was shelled and until he was taken to the north and brought here,
20 I was no longer active. I had always been with the president, I was always supporting
21 him, but I was no longer active with the Galaxie Patriotique because I understood that it
22 was not possible. That was my personal analysis. I am not judging anyone.
23 I understood that the African Union was there, ECOWAS was there, the UN was there
24 and so on. We could not do anything. The all-powerful France was there. The 43rd
25 BIMA was present. The French military base was there in Côte d'Ivoire. So I

1 understood that we could not fight against all those people. It was not possible. It
2 was not possible at all because I could not see how we could go about this.
3 But there were people who did not believe that the international community or France
4 could interfere so deeply in that crisis the way they did. It was unimaginable. We
5 thought that diplomacy could be used to settle matters. And when the African Union
6 announced that troops would be sent to Côte d'Ivoire, people did not accept that and
7 that is when the crisis really began, the violence, the fighting and all those things. That
8 was the situation because we could not accept that.

9 Q. We are going to try to place your testimony in time, within a time frame,
10 particularly in relation to the use of force by the African Union as you have said. But let
11 me proceed by referring to some events in the month of December. I think it's
12 important to understand what you said yesterday at the very end of your testimony
13 when you referred to the organisation within the Galaxie Patriotique and the means of
14 communication when it came to rallies, meetings and various assemblies. I would like
15 to deal with that in the minutes ahead.

16 Are we in agreement here? Well, okay. Can you repeat or explain to us how
17 communication happened at the time?

18 A. Communication within our organisations?

19 Q. Yes.

20 A. We were very well organised. Very, very well organised. Communication was
21 through messages if we had to organise meetings or rallies. The president of the
22 Galaxie Patriotique, Blé Goudé, would send us a message about a meeting or rally that
23 would take place as such and such a place. So everybody got the message. Once the
24 leader sent out the message, we would go and have the meeting accordingly.

25 Q. Help us to understand. When you say the president of Galaxie Patriotique,

1 Mr Blé Goudé, communicated with you, how did he do it? What means of
2 communication did he use?

3 A. His communication service would send us messages to say we have a meeting at
4 such and such a place by telephone. If you want me to be specific, he -- we received
5 messages by mobile phone. So I've begun to understand that we need to be specific
6 when dealing with these things. Yes, it was by mobile phones.

7 Q. By mobile phones you say? And you're using your two thumbs and I understand,
8 thereby, that you are referring to text messages or the SMS?

9 A. Yes, Mr Prosecutor. Yeah, the SMS, that is what it is. SMS.

10 Q. What was Mr Blé Goudé's publication service or Mr Blé Goudé's communication
11 service? What was it? You said that you received SMSs and I think you also
12 mentioned that you -- that you -- at line 23, of page 77, that his communication service
13 would send you messages that there would be a meeting at such a commune at such a
14 time and at such a location. What was his communication service?

15 A. Thank you, Mr Prosecutor. I'm going to give you some examples. As you can
16 see, I, myself, within my own structure, NACIP, I have my own communication service
17 within NACIP which has the duty to communicate or to send out messages or to handle
18 any kind of publications whatsoever. That is the role of my communication service.
19 Mr Blé Goudé was well organised and I told you already that we were well organised.
20 He had a service and within that service there was a communication unit of people who
21 were in charge of sending out messages or mail inviting us to meetings. That is the
22 communication service I'm referring to.

23 So if you want to be very specific, let me tell you that these were individuals, people who
24 were appointed as responsible for communication, responsible for missions and so on
25 and so forth. So everybody had a clear and defined duty. And that is why I told you

1 that we were very well organised.

2 Q. As the Galaxie Patriotique at that time, did you use a particular phone network or
3 did you use any kind of network that was operational within the Côte d'Ivoire?

4 A. We had several networks that the communication service would use. I think that
5 he had a network which used the name COJEP, but I don't know who owned that
6 network, and the idea was for us to be invited to meetings, and that's the kind of
7 organisation I am referring to as being very well organised services.

8 Q. So you would have the word "COJEP" on your messages; is that correct?

9 A. Yes.

10 Q. Did you deal with any mobile telephone company in particular? Was the Galaxie
11 Patriotique dealing with any particular network or service provider?

12 A. Yes, that's what I just told you. I said that since the numbers did not appear, we
13 did not know which network it belonged to.

14 Q. Very well. Did you have any other means of communication to inform you of the
15 location, time and date of meetings or was it only mostly and mainly by the mobile
16 network?

17 A. It was always by a mobile network.

18 Q. The leaders, including yourself who was a leader, when you received those
19 messages, what did you do with the messages thereafter upon receiving them?

20 A. If I received a message as follows: "Let us meet in Cocody commune on Monday
21 at 11 a.m." if I receive the message and I attend, then I wipe out the -- or, I delete the
22 message.

23 Q. What do you do with the message thereafter? I understand that you read it, but I
24 also want the Chamber to understand the process by which messages were transmitted
25 within the organisation. It might appear to be technical, but I think it's important to

1 talk about it.

2 A. Very well. Maybe you didn't hear me. When we finish -- once the message has
3 been read, it is deleted because it is not an important message, it's simply an invitation to
4 attend a meeting. Once you have read it, you delete the message.

5 Q. How do you manage to gather a hundred thousand people in one location?
6 That's my question.

7 A. Now I begin to understand that you and I we are not understanding each other in
8 this matter. Now, when you talk about a meeting, you -- you need to clarify
9 whether -- there's a difference between meeting and réunion. You know, you -- when
10 you talk about réunion you're referring to a rally. For us a réunion is not a rally, it's
11 a -- what you're referring to is a meeting in our own terms. So when you talk about
12 réunion in French it cannot mean a hundred thousand people coming together. But
13 now when you mention a hundred thousand people, then it's another answer that I can
14 provide to you from a technical point of view.

15 Q. Very well. Thank you for those very useful clarifications. A meeting would be a
16 rally while a réunion in French would be a smaller meeting?

17 A. Yes, Mr Prosecutor, that's correct.

18 Q. Who would attend meetings within the Galaxie Patriotique, those more restricted
19 meetings?

20 A. When President Blé Goudé convenes a meeting, it is the leaders who would attend.

21 Q. And when it's a rally, what happens?

22 A. When it's a rally, you can have more than 10,000, and it all depends on the message
23 and the situation, the political situation at hand. If Blé wants to have a major rally, all
24 he does is to send a message to all the leaders notifying them, and then the leaders will
25 pass on the messages to the various bases for mobilization. That's one.

1 Second, we had our communication services which would conduct publicity or
2 advertising in the local radio stations. We would advertise on the TV as well, stating
3 that there would be a rally on this day at this location at this time, indicating that
4 President Blé Goudé and his team would be at that rally, and that was all. The Ivorians
5 were mobilised, they were ready. All they needed to hear was such a message and they
6 would show up.

7 Q. Let us, let us deal with one rally. Let's take one rally and deal with it and we
8 would subsequently return to a meeting. But now if there is a rally, let's take the
9 example of a rally at CPA Figayo at the place de République, one of the biggest
10 assembling points, so to speak, can you explain to the Court how things work for such a
11 rally? Would you receive the message today in view of a meeting or a rally that's
12 intended to hold on the weekend? How do things work out?

13 A. If you were going to have a meeting in Yopougon at Figayo, President Blé would
14 tell us to take all measures to inform the basis of the meeting. There would be an
15 advert on TV indicating the date and place of meeting as well as the names of the
16 speakers. So the organisation would be done to ensure that transportation is available
17 for all the youths who are ready to go to Yopougon for the rally. Buses would be used.
18 All types of logistics would be deployed and made available to the population so that
19 they can attend the rallies. And I think this happens everywhere.

20 Q. I'm looking at the transcript here. Some respite.
21 Which buses were used to bring people to the rally points?

22 A. People could be transported to rallies by different means, including, for example,
23 the SOTRA buses, Société Ivoirienne des transports. We also had buses and minibuses
24 as well as other vehicles that could be used. Each official in their commune would
25 organise people to meet at a particular point from which they would then be transported

1 to the rally grounds.

2 Q. You have just mentioned SOTRA, S-O-T-R-A. What is SOTRA?

3 A. Société Ivoirienne des transports.

4 Q. In which areas did SOTRA operate?

5 A. Only in Abidjan.

6 Q. So it's a public transport system?

7 A. Yes.

8 Q. How did you manage to use SOTRA buses to take you to those rally points?

9 Would it be by using specific bus lines or was this a special arrangements for rallies?

10 A. You know, in Abidjan we have a number of lines for buses going through various
11 neighbourhoods, and the rally point would be at a place determined by the organisers,
12 who would then make an application to the general manager of that company to allocate
13 10 or 15 buses for use for transportation for that particular day and that would be the
14 case.

15 Q. Very well. Well, in order to understand what you're saying, I would like to find
16 out more about the issue of renting SOTRA buses. Is that what you're saying?

17 A. Yes.

18 Q. How did this actually happen? Who was it that would make such a reservation?
19 Was it you in NACIP or how did this happen?

20 A. Let me be very clear, and I've already explained this to you. President Blé Goudé
21 was a very well organised man. Within his own organisation he had several services to
22 handle all these issues, and I think that he would be in a better position to give you
23 details in answer to that question. He had an organisation within COJEP himself. He
24 had various officers in charge of various activities, people in charge of transportation,
25 those in charge of logistics, those handling microphones and speakers. There are

1 people in charge of chairs and all types of tents and what have you. So everybody had
2 a role.

3 Now, when it comes to how the arrangements was made for the buses to be available,
4 I think he's in a better position to answer you. I wasn't part of that structure or part of
5 that organisation. What I know is if there was a rally, buses and various lorries would
6 be available to transport people to the rally spot and that was it.

7 Q. Very well. We have about 40 more minutes to go.

8 A. Yes, yes, yes, we can go on. Yes, yes. We can go on.

9 Q. Can we continue?

10 A. Yes.

11 Q. You can tell us if it's difficult, mindful of what you said earlier in closed session.

12 A. No. Let's proceed. Let's proceed. No problem.

13 Q. Okay. Now, when it came to meetings, what was the arrangement when it came
14 to transportation? Was it the same thing or did you use your own resources?

15 A. For meetings, almost all leaders were responsible people who owned their own
16 vehicles, so people would travel using their own vehicles to attend the meetings. Given
17 that meetings were much smaller, not too many people were in attendance, the leaders
18 and officials would attend the meetings and that was it.

19 Q. You referred to a location a short while ago where meetings would take place, the
20 Hotel de Ville de Cocody. Was there any specific reason why you had rallies at that
21 particular spot as far as you know?

22 A. No, no, no special reason. No. Maybe simply because it was ideal for us to have
23 meetings there. It was not a very big place, so we would gather there to have our
24 meetings.

25 Q. Did you attend any meetings in December at the Hotel de Ville de Cocody?

1 A. I think so if my recollection is correct.

2 Q. Let me now turn to or focus on the RTI, Radio Télévision Ivoirienne. Where was
3 it located, the RTI, the headquarters or the main place of the RTI?

4 A. In Cocody.

5 Q. Can you describe for us the place? Can anybody just go in and out of the place?
6 How do things work there, if you have been there before?

7 A. How does one get into the RTI?

8 Q. Yes.

9 A. Well, the RTI is a public place, but it also has security because you don't just go in
10 and out anyhow. If you want to advertise something or provide some kind of
11 information for TV, you are free to go there and to contact the various services and
12 various officers in charge of various services there. So if you have business to do with
13 them, they will receive you and direct you to the relevant service.

14 Q. How is the security or protection of the location ensured?

15 A. Well, when you come in to the facility, there are the private security guards and
16 then you have the gendarmes.

17 Q. Which service of the gendarmerie provided protection for the RTI? Because it
18 would seem that there were various sections within the gendarmerie, if you remember.

19 A. You have already stated that within the gendarmerie there are a number of units.
20 Well, I don't belong to that profession, so I don't know whether it was the gendarmerie
21 brigade, platoon or intervention unit. I don't know. All I know is that the
22 gendarmerie was present at the television station.

23 Q. Very well. That's fair. That's normal. But how did you get to know that it was
24 the gendarmerie itself that was providing security at the time, and how do you manage
25 to distinguish between the gendarmes and the police and soldiers?

1 A. Gendarmes wear a different uniform from the police and customs and other
2 services. Quite often you would have a label on here on which the word "gendarmerie"
3 is written.

4 Q. For the record, the witness pointed to a belt -- or, I couldn't quite see from here
5 because of the computer screen, but you, the witness, you pointed to something.

6 A. Thank you. Thank you. Mr Prosecutor, it's up here, right here, right -- can you
7 see me? Right here. It's written right here. "Gendarmerie", right here.

8 Q. Above the right pocket; is that correct?

9 A. Yes.

10 Q. In December, did you witness any incidents or actions relating to the RTI involving
11 persons in Mr Ouattara's camp?

12 A. Witness? Well, that might be an overstatement, but I don't -- I don't -- I don't
13 remember. In December? Did you say December?

14 Q. Yes, December.

15 A. I see, I understand. But you see, RTI suffered, it came under attack several times
16 during that period when mister -- when President Gbagbo's regime was coming to its
17 end. The RTI was attacked several times. And I'm not able to provide you with a
18 specific date in December or January when it was attacked, but I know that the RTI
19 suffered a lot. You see, when there is a coup d'état and the RTI, for example, has been
20 taken over and an announcement has been made that one has become the president of
21 the country, that's what happens. So the RTI came under several incidents of attack,
22 but I cannot give you any further details than that. I'm sorry.

23 Q. Let us focus on the post-electoral crisis, that is between the second round of the
24 elections on 28 November to the month of April 2011. 28 November 2010 to April 2011.
25 As far as you know, was there any desire or will on the part of the Ouattara camp in

1 connection with the RTI?

2 A. Are you talking about the march on the RTI?

3 Q. Was there a march on the RTI? Are you aware of any such thing?

4 A. Yes, I'm aware of it because I was in Abidjan, but I was not at that location. I
5 know that -- I don't know whether that's what you want to talk about and that's why I
6 put the question to you. Is that what you want to talk about? In any event, what I
7 know is that there was a call from Mr Alassane Ouattara's people for the general director
8 of the RTI to be installed, someone who was appointed by Mr Ouattara. And people
9 marched to the RTI for that purpose. If that is what you're talking about, yes, I heard
10 about it, but I was not present at the location. I'm aware of it.

11 Q. Yes, I was referring to that. And do you remember when that took place?

12 A. If I am not mistaken, it would have been on 16 December, but I know that there
13 was a call to march against the RTI.

14 Q. Who launched that appeal, that call and how was it done? Was there a message,
15 several messages? Do you remember the context, that is for the march on the RTI?

16 A. There were several calls. The leaders of the RHDP youth wing such as
17 Achkabé (phon), there was Yayo (phon) Karamoko, those people called on the militants
18 to march. And there was also the prime minister who had been appointed by
19 Mr Ouattara who asked that the director general of the RTI should be installed
20 irrespective of the means used because this was done in front of the republican forces.
21 They had to go and install the director general of the RTI.

22 Q. Very well. You remember that Mr Guillaume Soro at that time was a newly
23 appointed minister in the Ouattara government; is that correct?

24 A. Yes.

25 Q. Regarding the call to march on the RTI, as far as you know, why was it necessary

1 to install a new director at the RTI, that is from the point of view of Mr Ouattara? What
2 was the purpose?

3 A. You see, there were elections in Côte d'Ivoire and then there were two presidents
4 in the country. Each person had to play his role, each person had to claim to be the
5 president. Mr Ouattara was in the hôtel du Golf. And we had nicknamed it the
6 smallest republic of the world because there there was a president, a prime minister, a
7 government and other personalities. And that government was operational.
8 So we had named it the smallest republic because, even from that hotel, it was possible
9 to set up an embargo against us because the borders were closed on the instruction of
10 that republic, which was recognized by the international community. All the ports had
11 been closed, the airports were closed, boats could not arrive and all the banks also had
12 closed. The French and European banks in Côte d'Ivoire had been closed because of a
13 decision taken by that smallest republic of the world.
14 And at that time, he appointed his director general of the RTI, we also had our director
15 general for the RTI, and so he -- his own had to be forcibly installed because he believed
16 that he was the one recognized as the president of Côte d'Ivoire and his decision had to
17 be implemented. I don't know whether I have made myself understood, Counsel, or
18 whether there is something else you would like me to clarify.

19 Q. I have fully understood your answer. You have said a lot of things. And we can
20 revisit some of those things if need be. But what was the importance of the RTI during
21 that period according to you?

22 A. Regarding the RTI, communication was important, that is for both sides. Each
23 side wanted to send out messages to the population of Côte d'Ivoire, so it was necessary
24 to have control over the RTI so that, in the case of Ouattara, the president, newly
25 recognized by the international community, should be able to send all his messages, but

1 since they were unable to gain control over the RTI, the international community found
2 another way of overcoming this problem. They set up the TCI, this means that the
3 smallest republic of the world created another television station which went operational.
4 And that is how come the international community started shelling and disrupting the
5 national RTI so that they could no longer broadcast any programmes. As from that
6 time it was TCI which was broadcasting. That is what happened during that period.

7 Q. And TCI, you are referring to Télévision de Côte d'Ivoire, that is Ivorian -- Côte
8 d'Ivoire television; is that correct?

9 A. Yes, Counsel.

10 Q. Was it possible for people to move about freely at that time? Let us leave aside
11 the march on the RTI. I am just talking about the small Republic of Côte d'Ivoire, that is
12 Mr Ouattara's government at that time at the hôtel du Golf, was it possible to move in
13 and out of that hotel?

14 A. No.

15 Q. Why?

16 A. Because Mr Laurent Gbagbo government had taken certain decisions and set up
17 roadblocks at Nos tout (phon) so that no one could go in or come out and nothing could
18 be brought in or taken out, so it was a way of asking them to leave that location and go
19 back home. But they didn't want to do that.

20 Q. I'm trying to look at the transcript. So there was what I would call a blockade of
21 the Golf Hotel?

22 A. Yes, Counsel, access was blocked to that hotel.

23 Q. To your knowledge in the Gbagbo government who was physically blocking access
24 to that hotel, which force?

25 A. I believe it was the FDS, the security and defence forces.

1 Q. So the FDS officers set up a perimeter around the hotel?

2 A. Yes, the defence and security forces set up that perimeter based on the decision of
3 President Gbagbo, and those people inside were being asked to go home.

4 Q. Do you know whether this happened before or after the march on the RTI?

5 A. Mr Prosecutor, I believe it was when the announcement was made that there
6 would be a march that access was blocked, that is to the best of my recollection, if my
7 memory is good.

8 Q. I believe your memory is good on that point.

9 A. Thank you, Counsel.

10 Q. How many days before the march, do you remember?

11 A. I am sorry, I really cannot remember.

12 Q. Now, let me come back to the rally at the Cocody hôtel de ville or the town hall in
13 Cocody. In fact, not a rally, I'm using the wrong terminology. It was actually a
14 meeting. Let us be specific.

15 A. Thank you. I believe it was before the march. That is what I think.

16 Q. Why was there a meeting organised at the Cocody town hall at that time; do you
17 remember the purpose? Maybe you may not know the details, but generally speaking
18 what was the purpose of that meeting?

19 A. As you know, we were already in the midst of a crisis and depending on the day,
20 we would meet from time to time to assess the developments, but there were really no
21 decisions taken. We would attend the meetings, each person would explain what was
22 happening in the country and each person would give their point of view regarding the
23 manner of resolving the problems. There was really no specific purpose for those
24 meetings, no specific decisions to be taken.

25 Q. When the march on the RTI was announced, Mr Soro announced that march. To

1 your knowledge, how did Mr Gbagbo's government react? How was the reaction to
2 that call? Can you tell us the impact that this might have had on the government in
3 power at that time controlling the institutions of the republic?

4 A. When the government of the smallest republic announced the march on the RTI,
5 the prime minister took measures. He was addressing the soldiers, but the RHDP
6 youth wing members were also spreading messages so that people should march on the
7 RTI. That is how it happened. People were coming from Abobo and from all sorts of
8 places. Others were coming from behind the Golf Hotel to forcibly install the director
9 general. So measures were taken to prevent people from taking over the RTI.
10 Measures were taken to prevent the other people who were at the Golf Hotel from
11 coming to take over the RTI, so I think there was a serious confrontation and the images
12 are there, the video footage is there. I was not present on the site.

13 Q. You talk about the FDCI soldiers at the Golf Hotel. Now this refers to the Côte
14 d'Ivoire national forces, but at that time the forces that were at the Golf Hotel, that is in
15 the smallest republic, were they already referred to as the FDCI at that time?

16 A. No. They were referred to as rebels.

17 Q. And why did you refer to them as rebels?

18 A. Because we felt that they were not regular soldiers. These were people who had
19 taken up arms and were supporting someone else. They were not recognized. They
20 were supporting someone who was not recognized as the president of Côte d'Ivoire.
21 That is why we were considering them as rebels. They also considered us as rebels
22 because President Ouattara had been recognized by the international community, so
23 they referred to us as rebels and we referred to them as rebels.

24 MR MACDONALD: I'm looking at the time, your Honours. There is 10 minutes left.

25 Do we -- shall we take --

- 1 PRESIDING JUDGE TARFUSSER: There are 20 minutes left because --
- 2 MR MACDONALD: Twenty minutes?
- 3 PRESIDING JUDGE TARFUSSER: -- we started at 17 -- we started at 3.10.
- 4 MR MACDONALD: Okay, thank you. That's what I wanted to know.
- 5 PRESIDING JUDGE TARFUSSER: So there would be 20 minutes left.
- 6 MR MACDONALD: (Interpretation)
- 7 Q. Is that okay with you, Mr Witness?
- 8 A. Yes. It is tough, but I'm fine.
- 9 Q. With the guidance of the Chamber, I will ask you the question. Do you
- 10 prepare to -- do you prefer to continue or do you want to stop now? Because if you
- 11 want to stop now, that would be fine. You are the one to decide.
- 12 A. I prefer 5 p.m. because I would like to go and sleep.
- 13 PRESIDING JUDGE TARFUSSER: Well, 5 p.m. is 10 minutes. Okay, just go ahead
- 14 10 minutes.
- 15 THE WITNESS: (Interpretation) Thank you.
- 16 MR MACDONALD: (Interpretation)
- 17 Q. You mentioned that there was a rebel force in the Golf. At that time did you
- 18 know their name?
- 19 A. The soldiers at the Golf Hotel? No. We simply called them rebels.
- 20 Q. I was talking about their numbers, how many of them were there?
- 21 A. Counsel, we did not have access to the Golf Hotel, but based on our information,
- 22 there were many of them.
- 23 Q. When you say "many," how many? 3,000? 4,000? 5,000? 10,000? 20,000?
- 24 A. No, I do not think so. Maybe 1,000 or 500.
- 25 Q. Explain to us, according to you, why were they soldiers -- why were there soldiers

1 at the Golf Hotel? How did they come to find themselves there? For how long had
2 they been in Abidjan? That is if you know.

3 A. Thank you, Mr Prosecutor. As far as I know they were there because Mr Alassane
4 Ouattara was there and he had been recognized by the international community as the
5 president, so in order to protect him and to protect the government of the smallest
6 republic, that is why they came. I do not know how they actually arrived there, but
7 they were there. Many of them, they were there and they were there to provide
8 security for Alassane.

9 If you are interested, based on information that was circulating, they were discreetly
10 transported by UN tanks to go there because they simply did not fall from the sky.
11 That is the information that we heard.

12 Q. And where did you get this information from? Are there any specific sources that
13 UN transported rebels?

14 A. Yes. Everyone was talking about that, but I have told you I did not see it. I have
15 no evidence for that. I am telling you what I heard.

16 Q. You said you heard. Where? From whom?

17 A. From my friends, from people, maybe from people who knew. You know, news
18 circulates very fast, especially in a situation of crisis. Everybody was alert and paying
19 attention. I personally did not see that, but this is what was being said.

20 Q. Let me backtrack for the last five minutes and try to clarify the situation.

21 You were in the north of Côte d'Ivoire during the electoral campaign. To your
22 knowledge who was responsible for security during the elections in the north? Was it
23 only the rebels or were there other forces? And if yes, which forces?

24 A. There was the UN, there was also a unit whose name I really do not remember that
25 the government had set up specially to oversee the elections and there were also units of

1 the people of the north because a unit had been set up to supervise elections in all the
2 regions, and there were some of them in the north.

3 Q. What about Abidjan, were there only the FDS forces, or did you have other
4 members of the organisations that you have mentioned, including the UN and the
5 members of the rebel forces?

6 A. I've talked about the joint forces. There was the UN, and there was the FDS.

7 Q. And when you talked about the joint forces, what do you mean by that?

8 A. It is the type of security involving the police force and the people from the other
9 side, and they were supervising the elections. And this was also happening in the
10 north.

11 Q. So there were joint forces in the north, the UN, rebels, FDS; and then in Abidjan, it
12 was the same thing?

13 A. Yes.

14 Q. So there were rebels in Abidjan even before the creation of the smallest republic?

15 A. After the Ouagadougou agreement, which had talked about the organisation of
16 elections, decisions had already also been made about the security forces so that all the
17 sides could agree on them.

18 Q. So the split that you indicated in the Côte d'Ivoire, that is the north-south split,
19 during the elections it simply disappeared?

20 A. Even before the elections, during the Ouaga negotiations or agreement, President
21 Gbagbo, himself, went to the safe corridor, the safe area to remove the barriers and to
22 instill trust in people and make clear that there was no longer any division.

23 Q. And the blockade of the Golf Hotel, how long did this last, until when, which
24 month? We know that President Gbagbo was arrested on 11 April, but as far as you
25 know, in relation to that arrest, when did this blockade end?

1 A. You had the Forces Nouvelle, the new forces, the republic forces which arrived
2 Abidjan. There was fighting, there was a war. I do not know whether those
3 blocks -- that blockade still existed because they had triumphed over us. They had won
4 the battle, so possibly it no longer existed.

5 We have two minutes left.

6 MR MACDONALD: I would propose, your Honour, that with your permission, we
7 stop here.

8 THE WITNESS: (Interpretation) I'm sorry, Counsel. Yesterday you asked me the
9 name of the person responsible of the Sorbonne of Plateau. His name was Nadeau
10 Clément. I had just remembered his name. Is that okay with you?

11 MR MACDONALD:

12 Q. (Interpretation) Duly noted.

13 A. Thank you.

14 PRESIDING JUDGE TARFUSSER: Okay. Now I think we are through. You deserve
15 a rest. We close here. We resume tomorrow morning at 9.30. The hearing is
16 adjourned.

17 THE WITNESS: (Interpretation) Thank you.

18 THE COURT USHER: All rise.

19 (The hearing ends in open session at 5.00 p.m.)