

1 International Criminal Court
2 Trial Chamber I - Courtroom 1
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 Carbuccion and
7 Judge Geoffrey Henderson
8 Trial Hearing
9 Wednesday, 15 June 2016
10 (The hearing starts in closed session at 11.05 a.m.)
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- 10 (Open session at 1.50 p.m.)
- 11 THE COURT OFFICER: [13:50:12] (Interpretation) We are in open session, your
- 12 Honour.
- 13 PRESIDING JUDGE TARFUSSER: Thank you.
- 14 QUESTIONED BY MR DEMIRDJIAN: [13:50:15] (Continuing)
- 15 Q. [13:50:16] Good afternoon, Mr Witness.
- 16 A. [13:50:18] Thank you. Good afternoon.
- 17 Q. [13:50:20] I don't know whether you can see us, I'm Alexis Demirdjian of the
- 18 OTP.
- 19 A. [13:50:25] Thank you, Mr Prosecutor. I can see you.
- 20 Q. [13:50:30] The first thing I would like to do is to come back to an answer that
- 21 you gave us yesterday. You will remember that I showed you a document in which
- 22 a member of the Sorbonne had grabbed the pistol of a UN soldier; do you remember?
- 23 A. [13:50:54] Yes.
- 24 Q. [13:50:57] Yesterday I asked you what was the position regarding the presence
- 25 of ONUCI, and you answered that the government had accepted it, and you added

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1 that the government had not asked ONUCI to leave the country. That was your
2 answer yesterday.

3 I would like to point out that my question was related to the period after the elections,
4 that is when the elections, the results of the elections of 2010 had been proclaimed.
5 After that election, did the government demand the departure of ONUCI?

6 A. [13:51:46] Not to my recollection. I do not believe that the government asked
7 that ONUCI should leave. I do not believe so.

8 Q. [13:52:00] Are you certain of that?

9 A. [13:52:03] Certain would be an overstatement, but what I'm saying is I do not
10 remember it. I cannot say that.

11 MR DEMIRDJIAN: [13:52:15] Your Honours may have seen the email we sent last
12 night in relation to this very issue. We had sought leave pursuant it paragraph 36 of
13 your directions to use two materials which were not on the original list of materials.
14 So with your Honours' leave, we would like to use these two videos and display them
15 to the witness.

16 PRESIDING JUDGE TARFUSSER: [13:52:42] Can you tell us the reference number?

17 MR DEMIRDJIAN: [13:52:44] Yes. The first video is CIV-OTP-0074-0057. From
18 this video we wish to show a 1 minute and 16 seconds clip.

19 And the second one is CIV-OTP-0026-0016, and from this video it's a clip of about 26
20 seconds.

21 PRESIDING JUDGE TARFUSSER: [13:53:09] So the third one is withdrawn?

22 MR DEMIRDJIAN: [13:53:12] There is only two videos, your Honours.

23 PRESIDING JUDGE TARFUSSER: [13:53:14] Okay, okay. Thank you.

24 MR DEMIRDJIAN: [13:53:17] So may I first call the first video to be displayed via
25 eCourt. It is with the ERN I just gave, CIV-OTP-0074-0057, and the time code will

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1 start at 12.30, to end at 13.46. Can you play directly from eCourt?

2 THE INTERPRETER: [13:53:50] From the interpreters: If the Prosecutor could give
3 the precise line numbers in the corresponding transcript, we could be able to do a
4 sight translation into the record.

5 MR DEMIRDJIAN: [13:54:04] Do the interpreters have a copy of the transcript?

6 THE INTERPRETER: [13:54:08] From the interpreters: Yes, we believe so, but we
7 need to have the specific line numbers.

8 MR KNOOPS: [13:54:24] Mr President, before the video is displayed, I think
9 directive 36 also requires the Prosecution to indicate the relevance of the material
10 which is sought to add.

11 PRESIDING JUDGE TARFUSSER: [13:54:33] Yes. But we have understood the
12 relevance, I think.

13 MR KNOOPS: [13:54:39] Yes. But it wasn't I think indicated by the Prosecution.

14 PRESIDING JUDGE TARFUSSER: [13:54:42] Yes.

15 MR DEMIRDJIAN: [13:54:46] It was indicated in the email we sent last night, and I
16 believe the Presiding Judge already ruled on the issue.

17 PRESIDING JUDGE TARFUSSER: [13:54:56] I think it was clearly set out in the
18 email. Please continue.

19 MR DEMIRDJIAN: [13:55:05] So can I hear from the Registry if it's possible to
20 display the video?

21 (Viewing of the video excerpt)

22 MR DEMIRDJIAN: [13:55:41] This is not correct. So it's from 12 minutes 30 seconds,
23 please.

24 Q. [13:55:54] (Interpretation) Mr Witness, we are going to show you an excerpt
25 from the RTI news on 18 December 2010. It is about 1 minute long.

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1 (Viewing of the video excerpt)

2 THE INTERPRETER: [13:56:33] Sight translation from the interpreters:

3 The numerous efforts made by UN to help Côte d'Ivoire to come out of the crisis in
4 which it has found itself since the attempted coup d'état of 19 September 2002 have
5 not been forgotten by the people and government of Côte d'Ivoire. Because of the
6 serious acts mentioned above, the president of the Republic of Côte d'Ivoire asks for
7 the immediate departure from the Ivorian territory of ONUCI and the French forces
8 supporting them. This means that the Ivorian government is already opposed to the
9 renewal of this operation, which expires on 20 December 2010, done in Abidjan on 18
10 December 2010. Thank you.

11 MR DEMIRDJIAN: [13:57:44] Can I hear from the Registry if there are any problems
12 with this? Because we're getting interruptions. Is this from our side? Is it from
13 our end the interruptions we're getting right now?

14 THE COURT OFFICER: [13:57:58] (Interpretation) Mr President, if I can be of
15 assistance, there is problems with the software to load the video. It is extremely
16 compact. That is why there are interruptions. I can suggest that you extract the
17 part that you wish to play as we have done previously and play it from your own
18 computers. I think it would be much easier.

19 MR DEMIRDJIAN: [13:58:37] Very well. We will play it from our computers.
20 Could we have the floor then in that case?

21 Q. [13:58:46] (Interpretation) Mr Witness, we are sorry, we could not play the
22 video in a manner that was seamless because of technical issues, so we will play it
23 again.

24 MR DEMIRDJIAN: [13:59:05] And before we play it, your Honours, the transcript's
25 ERN is CIV-OTP-0087-0421. For the record, we'll be playing from

1 page 2, line 71 to 79.

2 (Playing of the video excerpt)

3 THE INTERPRETER: [13:59:26] Sight translation from the transcript:

4 Côte d'Ivoire is still jealous about its sovereignty and the control of the steps that
5 should lead it along the path of development, the many efforts made by the UN to
6 assist Côte d'Ivoire to leave the crisis behind, which it has been in ever since the
7 attempted coup d'état of 19 September 2002 have not escaped the people and the
8 government of Côte d'Ivoire. Furthermore, they would like under the circumstances
9 to thank the UN sincerely. However, because of the serious events that were
10 mentioned earlier, the president of the Republic of Côte d'Ivoire has just asked for the
11 UN force, the ONUCI, to immediately leave the country as well as the French forces
12 that are supporting the UN force. This means that the government of Côte d'Ivoire is
13 opposed to this operation continuing, an operation which ends on the 20th of
14 December.

15 MR DEMIRDJIAN: [14:00:49] (Interpretation)

16 Q. [14:00:50] Have you heard the video?

17 A. [14:00:52] Yes.

18 Q. [14:00:52] Does this video refresh your memory in relation to the question I had
19 asked you earlier?

20 A. [14:01:08] I believe I did see that on the national television.

21 Q. [14:01:25] Now, the ONUCI force had been in Côte d'Ivoire since 2004; isn't that
22 so?

23 A. [14:01:31] Yes.

24 Q. [14:01:35] So if ONUCI is being asked to leave, forces that have been present in
25 the country, that could not have escaped your attention now, could it?

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1 A. [14:01:49] Why?

2 MR DEMIRDJIAN: [14:01:56] Your Honours, can we go in private session, please.

3 PRESIDING JUDGE TARFUSSER: [14:02:00] Let's go in private session.

4 (Private session at 2.02 p.m.)

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WITNESS: CIV-OTP-P-0520

(Private Session)

ICC-02/11-01/15

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13 Page redacted – Private session

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Trial Hearing
WITNESS: CIV-OTP-P-0520

(Private Session)

ICC-02/11-01/15

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13 Page redacted – Private session

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Trial Hearing
WITNESS: CIV-OTP-P-0520

(Private Session)

ICC-02/11-01/15

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Trial Hearing
WITNESS: CIV-OTP-P-0520

(Private Session)

ICC-02/11-01/15

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- 2 (Redacted)
- 3 (Redacted)
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- 14 (Redacted)
- 15 (Redacted)
- 16 (The hearing ends in private session at 3.37 p.m.)