

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 International Criminal Court
2 Trial Chamber I
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 Judge Geoffrey
7 Henderson
8 Trial Hearing - Courtroom 1
9 Wednesday, 19 October 2016
10 (The hearing starts in open session at 9.39 a.m.)
11 THE COURT USHER: [9:39:59] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:40:24] Good morning.
15 Before starting with the questioning of the witness or the re-start of the questioning of the
16 witness or the continuing of the questioning of the witness, I would direct the Office of the
17 Prosecutor to indicate latest by the end of this hearing day, but as soon -- latest by the end
18 of this hearing day the timestamps of the interview which they consider to be -- or, they
19 consider should be redacted.
20 The earlier the better.
21 MR MACDONALD: [9:41:33] We're going to send it, your Honour, in the next five
22 minutes. It's ready.
23 PRESIDING JUDGE TARFUSSER: [9:41:38] That's even better. Thank you very much.
24 Now I will continue, give the floor to the Office of the Prosecutor for the continuing of the
25 questioning.

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Private Session)

ICC-02/11-01/15

1 Good morning, Mr Witness. Good morning to you.

2 WITNESS: CIV-OTP-P-0435 (On former oath)

3 (The witness speaks French)

4 THE WITNESS: [9:41:57] (Interpretation) Good morning, Mr President.

5 PRESIDING JUDGE TARFUSSER: [9:42:00] As I said, we have only two sessions today,
6 this morning, we finish at 1 o'clock because we have other things that will happen in this
7 courtroom, so we don't have the afternoon. This is again dedicated to the questioning by
8 the Office of the Prosecutor, I would again recommend you to speak clearly and slowly,
9 but most of all clearly, because I can tell you it's not easy to listen to your interviews.

10 Mr Prosecutor, you have the floor.

11 MR DEMIRDJIAN: [9:42:48] Thank you, Mr President.

12 Your Honours, we might need to go in private session to ask a couple of questions which
13 relate to what was said in private session yesterday, probably a couple of minutes.

14 PRESIDING JUDGE TARFUSSER: [9:42:59] Thank you.

15 Let's go in private session, please.

16 (Private session at 9.43 a.m.)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
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ICC-02/11-01/15

1 (Redacted)

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16 (Redacted)

17 (Redacted)

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19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Open session at 9.46 a.m.)

25 THE COURT OFFICER: [9:46:38] We are back in open session, Mr President.

1 PRESIDING JUDGE TARFUSSER: [9:46:50] Thank you very much.

2 Mr Prosecutor.

3 MR DEMIRDJIAN: [9:46:53] (Interpretation) Thank you, Mr President.

4 Q. [9:46:57] Very well. Now, Mr Witness, I'm going to move on to another subject.

5 Yesterday you explained to us that once you had joined Bouazo, the GPP commander in

6 Adjamé, you had the role of chief of operations and, subsequently, you were deputy chief

7 of staff. Did you also work within the GPP with regards to intelligence?

8 A. [9:47:26] Yes, yes. Because the company that was based in Treichville was

9 especially created with that in mind in order to recruit within the union of transporters,

10 because there were a lot of people hailing from the north who had knowledge that -- and

11 were members of the rebellion and who could have access to that kind of information.

12 Q. [9:48:09] And this information that you obtained from said elements, what did you

13 do with it?

14 A. [9:48:17] We would transmit this information to the intelligence services at state

15 level.

16 Q. [9:48:29] And what kind of information did this involve? You spoke briefly about

17 the fact that these were people hailing from the north who had information, but about

18 what precisely?

19 A. [9:48:42] As to how the rebellion prepared itself, who -- what areas might be taking

20 in those members of the rebellion, and also, especially what the instructions were being

21 given to the supporters in Abidjan --

22 THE INTERPRETER: [9:49:13] Inaudible.

23 MR DEMIRDJIAN: [9:49:16] (Interpretation)

24 Q. [9:49:18] And what was your role within this exercise of gathering information?

25 A. [9:49:29] When I received the instructions as regards to the intelligence we were

1 supposed to gather, I would then transmit that information. And I was working with
2 Jeff at the time and Jeff was working also with an intelligence -- in an intelligence capacity,
3 he was an agent, and he was my leader and I reported to him, and subsequently to
4 Bouazo and other people in charge of the intelligence department with whom I was in
5 contact.

6 Q. [9:50:15] You spoke about this company being set up in Treichville. Who set up
7 that company?

8 A. [9:50:25] There were some companies receiving instructions from Jeff Fada, giving
9 instructions, because in Treichville there was no company, only -- this was the only
10 commune of Abidjan where there was no GPP company, so this was a commune that
11 was --

12 THE INTERPRETER: [9:50:52] Unintelligible.

13 THE WITNESS: [9:50:54] (Interpretation) That this was a commune that was entirely
14 infiltrated by urbanisée, was high density urbanised, and the commune was also
15 administered by --

16 THE INTERPRETER: [9:51:11] Unintelligible.

17 THE WITNESS: [9:51:13] (Interpretation) -- the PDCI party. The majority of the
18 inhabitants of the commune are members of the population who were favourable to the
19 FPI who were in place. So it was difficult to create a unit there because the elements
20 were exposed to many risks with regards to their identity. So we had to go about it in
21 another manner because I was within the union of transporters and I already had contacts
22 with many young people, so it was easier for me to be able to approach those young
23 people and give them the information, often in full knowledge of what was going on, we
24 would be able to extract information.

25 PRESIDING JUDGE TARFUSSER: [9:52:19] Maître Gbougnon.

1 MR GBOUGNON: [9:52:21] (Interpretation) Since yesterday we do have a problem,
2 Mr President, in terms of time. We need to be situated in terms of time frames. We're
3 going from one year to another without us knowing what the temporal framework is and
4 it's somewhat difficult for us to follow matters. I'm very sorry, but I would suggest that
5 my colleague, since --

6 THE INTERPRETER: [9:52:49] Overlapping speakers.

7 PRESIDING JUDGE TARFUSSER: [9:52:51] Do not overlap, please.

8 MR DEMIRDJIAN: [9:52:54] Sorry. It was actually my next question, your Honours.

9 PRESIDING JUDGE TARFUSSER: [9:52:57] Yes, I agree that we should put dates and
10 names. As I said yesterday, "we," "she," "they," it's not always enough.

11 MR DEMIRDJIAN: [9:53:14] (Interpretation)

12 Q. [9:53:26] Mr Witness, you said to us that you set up that company. Could you tell
13 us in which year that was and upon instructions from whom?

14 A. [9:53:35] It was in 2007 and it was upon instructions of General Jeff Fada.

15 Q. [9:53:46] You also told us that you transferred this intelligence to the authorities,
16 which service or department precisely?

17 A. [9:53:58] As I said, firstly, at the level of the commune, whenever there was
18 information that was not to do with the security, national security, we would transmit this
19 to the brigade commander, who was the first figure of authority in a judicial capacity, and
20 we would share information with the various figures of authority within the communes,
21 whether it be the police or the gendarmerie who were within our area.

22 So with regard to security and national intelligence, as I said, Jeff was working with the
23 ANSI, the national intelligence agency that he was an agent of, and whenever he received
24 information directly, this information would directly go to those in charge. And there
25 was also military information that we would work with and also the direction of

1 observation of territories, the directorate for observation of territories.

2 THE INTERPRETER: [9:55:40] Correction from the interpreter: It was not ANSI, it
3 was ANI.

4 MR DEMIRDJIAN: [9:55:46] (Interpretation)

5 Q. [9:55:46] Within those institutions that you have just mentioned to us, were there
6 any contact individuals? Let's talk about the police first and foremost being the first that
7 you mentioned.

8 A. [9:55:59] Now, as we're talking about intelligence here, there were certain
9 individuals that I did not have any contact with since the end of the crisis because these --

10 THE INTERPRETER: [9:56:10] Unintelligible.

11 THE WITNESS: [9:56:13] (Interpretation) -- these -- as to their identity giving it in
12 public, I don't know.

13 Can I continue?

14 MR DEMIRDJIAN: [9:56:29] Your Honours, I think that the witness is saying that there
15 is a concern if some of them are still in function right now, if they're still working within
16 the state authorities. I don't really -- I don't really see a reason why we shouldn't be able
17 to name them in public unless there's --

18 PRESIDING JUDGE TARFUSSER: [9:56:47] I don't think there is a problem.

19 But Mr Wagemakers?

20 MR WAGEMAKERS: [9:56:57] If you give me one minute, yeah?

21 PRESIDING JUDGE TARFUSSER: [9:57:00] Yes. I think why don't you sit --

22 MR WAGEMAKERS: [9:57:03] Yes.

23 PRESIDING JUDGE TARFUSSER: [9:57:04] -- near, you sit near the witness.

24 (Pause in proceedings)

25 MR DEMIRDJIAN: [9:57:49] And perhaps, your Honours, the witness may want to

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 explain why he wants to say that in private session. We could go in private session just
2 so he explains, to be on the safe side.

3 MR WAGEMAKERS: [9:58:09] The witness will answer the question, your Honour.

4 PRESIDING JUDGE TARFUSSER: [9:58:14] Okay. Mr Witness, please answer the
5 question. But as I said, if you have concerns, just tell me and we will try to sort it out.

6 THE WITNESS: [9:58:26] (Interpretation) Yes, Mr President.

7 So I was working with the director of military intelligence, the head of the DSD,
8 department of defence, Poheri Julien, the DSD, and I was working with two other
9 intelligence officers of the gendarmerie, more specifically of the CECOS, Lieutenant Gooré
10 Bi and inspector --

11 THE INTERPRETER: [9:59:08] Unintelligible.

12 THE WITNESS: (Interpretation) -- who --

13 THE INTERPRETER: Unintelligible.

14 PRESIDING JUDGE TARFUSSER: [9:59:11] We didn't understand the names.

15 THE WITNESS: [9:59:13] (Interpretation) Lieutenant -- as I said I was working with
16 Colonel Poheri, Julien, P-O-H-E-R-I, Julien. And the officers from the gendarmerie
17 intelligence, the GDR, who were within the CECOS, the BMO, Lieutenant Gooré Bi
18 G-O-O-R-É, acute accent, and B-I, next word, and Inspector Cerveau, I don't have his
19 name, but I think he was detained at the MACA.

20 MR DEMIRDJIAN: [10:00:06] (Interpretation)

21 Q. [10:00:06] You said that you set up the company in 2007. Was that company still
22 working at the beginning of the elections, that is to say in September 2010? Could you
23 please tell us during which period that intelligence service existed?

24 A. [10:00:26] From 2007 it was operational and, as I have said, even before there was
25 intelligence but that section was created specifically to infiltrate people who were close to

1 the rebellion and to have more reliable information or intelligence.

2 Q. [10:01:19] Very well. Now, let us move on to something else.

3 Yesterday on page 65, you mentioned a creation of the légion ivoirienne de sécurité, that is
4 the Ivorian security legion, can you tell us when that was set up?

5 A. [10:01:48] It was in December 2010 after the appointment of the new government,
6 the minister of defence, Mr Alain Dogou, D-O-G-O-U, so he was the person responsible
7 for defence and he was also a long-standing friend of Mr Bouazo Yoko Yoko. So he
8 asked him to designate 50 members of the GPP, to carefully select 50 members of the GPP
9 whose integrity could be guaranteed as well as their commitment to the cause of the
10 authorities in power. And this was for the purpose of seeing how to integrate these
11 people directly into the Defence and Security Forces. So we had to begin with those 50
12 and try to assess their effectiveness and discipline and -- and it was because the
13 authorities had been favourable to the creation of this unit and it had to be named the
14 Ivorian security legion.

15 Q. [10:03:45] And this group of 50 how did they start work?

16 A. [10:03:54] One of them was sent to the CRS after instructions from Colonel Djédjé,
17 who was director or commander of the CRS, he was sent to Williamsville in February 2011.
18 Others were sent to buy and then later on were assigned to the residence of the president
19 of the republic or to the presidential palace.

20 Q. [10:04:31] Very well. We will come back to that later. There is another point of
21 clarification: Yesterday when you said that Bouazo Yoko Yoko had made a request for
22 assistance to the first lady, and that is Simone Gbagbo, you said that he could use other
23 channels to receive resources whenever the need arose. Can you explain to us what
24 other channels you were referring to?

25 A. [10:05:09] He could pass through Jean-Yves Dibopieu or Damana Pickass or

1 directly contact Mr Charles Blé Goudé because all the patriotic movements were under the
2 authority of Mr Charles Blé Goudé with who was the leader of the Galaxie Patriotique.
3 The funding of those movements, whether it was the GPP, the Agoras and parliaments, all
4 the patriotic movements were under the responsibility of Mr Charles Blé Goudé. He was
5 the one who was in direct contact with the authorities.

6 Q. [10:06:04] And how do you know that he could have access to those channels?

7 A. [10:06:12] As I have already said, the GPP was set up subsequent to a decision of
8 the Ivorian authorities. It was not created by individuals of their own volition, this was a
9 political decision to recruit young people who could be trusted to face up to the rebellion,
10 young people who could not be doubted and who were ready to lay down their lives to
11 defend the institutions of the republic. So from the very beginning, the creation of the
12 GPP and the GPP itself was supported by the government in power.

13 Q. [10:07:35] You have just told us that the patriotic movements, whether it was the
14 GPP or the Agoras and parliaments, all those movements were the responsibility of
15 Mr Blé Goudé. What do you mean by that?

16 A. [10:07:59] When you talk about the Galaxie Patriotique that name encompasses all
17 those organisations, including the Agoras and parliaments, the GPP and all youth
18 movements that supported the FPI government and these movements were managed or
19 administered by Mr -- by the Galaxie Patriotique and its leader was Mr Charles Blé Goudé.
20 That is what I mean.

21 Q. [10:08:40] That leads me to another topic, the parliaments and Agoras. Can you
22 tell us a little bit what these were and how they functioned?

23 A. [10:08:53] The parliaments and Agoras were assemblies of young people, the vast
24 majority of whom were university students, but they also included members of the youth
25 wing of the FPI. They would organise themselves in certain communes and in certain

1 towns at specific locations, then they would create pseudo-parliaments, but there were
2 simply assemblies for the purpose of transmitting political messages so as to educate the
3 young people on political and other general matters, but the main purpose was to rally
4 the young people and the general population to the cause of Laurent Gbagbo. So they
5 explained why it was important to support the policies of the president and why it was
6 useful, whenever necessarily, to block all foreign forces. In any case, the purpose was to
7 always educate the youth, galvanise them, motivate them to always be on the watch-out
8 and for them to be available whenever needed, whenever a call was made, either for a
9 demonstration or for a match.

10 Q. [10:11:20] Can you explain to us how you learned about the objective of those
11 parliaments and the agoras, and the messages that they transmitted?

12 A. [10:11:36] I rubbed shoulders with some of the speakers of the parliaments and
13 agoras.

14 Q. [10:11:48] Can you mention those of the speakers that you had contact with?

15 A. [10:11:56] I had contact with Jean-Marie Konin, who was president of one of the
16 associations, association of agoras and parliaments of Côte d'Ivoire. I was also in contact
17 with Francis, aka Steve Biko. And also the president of one of the parliaments in the
18 Sorbonne; there were two parliaments there, he was the president of one of those
19 parliaments. Then there was also Maguy le Tocard who was in one of the parliaments.

20 Q. [10:12:46] The first name is Jean-Marie?

21 A. [10:12:51] Konin. And Konin is K-O-N-I-N.

22 Q. [10:12:58] And under what circumstances were you in contact with him?

23 A. [10:13:05] Jean-Marie Konin was in Abidjan before the crisis, but we were not in
24 contact, but it was when we were in exile that we got to know each other. He had a
25 specific role in the organisation of some of the operations that we had to carry out inside

1 Ivorian territory. That is how we got to know each other.

2 Q. [10:13:44] And what did Mr Konin tell you about the parliaments and the agoras?

3 A. [10:13:55] He said that the parliaments and agoras were funded by

4 Mr Charles Blé Goudé who himself received subsidies or allowances from the government

5 authorities which he distributed to the presidents of the association and movements and

6 they, in turn, distributed the money to the various parliaments and agoras.

7 Apart from those general measures, there were some speakers who were particularly close

8 to specific government authorities with whom they defended the cause of the

9 government.

10 Konin was particularly close with Mr Affi N'Guessan. And there was Taboutou, for

11 example, who was close to Mr Lida Kouassi.

12 So even though those people received subsidies from Mr Charles Blé Goudé at a personal

13 level they also received amounts of money from certain political leaders.

14 Q. [10:15:32] And in which year did you know Mr Konin?

15 A. [10:15:35] It was in 2012. In 2012 he was based in a border area in Côte d'Ivoire,

16 but on the Ghanaian side between Niablé and Ghana.

17 Q. [10:16:05] The second name that you mentioned was Djakpa Francis, aka

18 Steve Biko. Can you spell Djakpa please?

19 A. [10:16:18] It is D-J-A-K-P-A.

20 Q. [10:16:29] Once again, can you tell us the circumstances in which you had contact

21 with him and where?

22 A. [10:16:39] Djakpa Francis and I both lived in Togo at one point while we were in

23 exile. We were in the same refugee camp.

24 Q. [10:17:02] And what did he tell you about the parliaments and the agoras?

25 A. [10:17:09] He confirmed to me generally speaking what Mr Konin had told me.

1 He said that there were differences between them quite frequently because Mr Konin and
2 Mr Djakpa did not belong to the same movement; Mr Djakpa belonged to a different
3 association of the parliaments and agoras. So quite frequently Mr Djakpa, Francis's own
4 association complained that the association to which Mr Jean-Marie Konin belonged was
5 more favoured or privileged because they had closer links with some of the leading
6 personalities of the FPI, and that is because these leaders reacted more quickly to their
7 grievances and not to those from the other organisation.

8 Q. [10:18:22] When you were talking about Mr Konin you said that it was
9 Mr Charles Blé Goudé who received subsidies from the government authorities and
10 distributed them to the presidents of the various associations. Did he tell you which year
11 that was?

12 A. [10:18:47] He didn't give me a year because I didn't ask him the question, but it
13 appeared to me that this was a non-profit organisation. They did not receive salaries,
14 they received allowances or subsidies. I did not ask to know which period that was.

15 Q. [10:19:17] You also mentioned Maguy le Tocard; is that correct?

16 A. [10:19:21] Yes.

17 Q. [10:19:25] Can you tell us who he was and what his role was. You have said he
18 was a speaker, but what else?

19 A. [10:19:36] Maguy le Tocard was one of the commanders of the GPP based in
20 Yopougon, and he was at the same time a speaker of the agoras and parliaments. He
21 spoke in the Plateau parliament, that is the Sorbonne.

22 Q. [10:20:00] So you had contact with him?

23 A. [10:20:02] Yes.

24 Q. [10:20:03] During which period?

25 A. [10:20:19] Even since 2005. Maguy was one of the senior ones. We were really

1 not friends as such, but we started collaborating as from 2008. This is when there was a
2 split regarding the leaders of the GPP, so Maguy was in the same camp as some of us who
3 supported Mr Bouazo.

4 Q. [10:21:08] Very well. You told us that he was a commander of the GPP. As from
5 when was that?

6 A. [10:21:22] Maguy was a commander, I would say, as from 2005, after we left the
7 base at Marie-Thérèse. He was one of those who created a new GPP unit, so he took
8 along with him some of the elements, some of the members, and then he trained some of
9 the young people also to become members of the GPP.

10 Q. [10:22:06] A short while ago while you were talking about the parliaments and
11 agoras, you say that they were explaining the policies of the government and why it was
12 important to support the policies of the government, so who gave these messages to the
13 various speakers?

14 A. [10:22:35] As I have said, quite frequently, these were messages that they received
15 from the leaders of the Galaxie Patriotique. Some of them were particularly close to
16 certain political leaders, either because they hailed from the same region or for other
17 reasons, but frequently also these were just observations on international and national
18 current affairs and they would relate it to the geo-political crisis that had erupted at the
19 beginning of the rebellion in 2002.

20 Q. [10:23:36] At some point you mentioned Kouassi. Who is this person?

21 A. [10:23:45] This is Kouassi Moïse. He was the minister of defence at one time and
22 the member of parliament for the Marcory commune. He was a founding member of the
23 FPI.

24 Q. [10:24:02] Do you remember which period he was the minister of defence?

25 A. [10:24:12] I believe he was minister of defence from 2000 up until the end of 2002,

1 because he was dismissed from the government after the assassination of former
2 President Guéï. After that there was a cabinet reshuffle and Mr Lida Kouassi was
3 dropped from the government.

4 Q. [10:24:48] Did you ever meet with Mr Kouassi?

5 A. [10:24:52] Yes, yes.

6 Q. [10:24:57] Which were the circumstances in which you met with him?

7 A. [10:25:07] I met with him because, apart from the fact that he was a minister and
8 political leader, I would not say he was a friend, but he was like a big brother to my father.
9 He was actually a witness at his marriage. This did not have anything to do with the
10 activities of the GPP.

11 Q. [10:25:54] You mentioned Maguy le Tocard and his role in the agoras and
12 parliaments. Now, can you explain to us his role within the GPP? What did he do as
13 commander in Yopougon?

14 A. [10:26:17] As a commander he was responsible for managing a certain number of
15 members or elements that he had brought together when he created his unit. Yopougon
16 is the largest commune in Côte d'Ivoire, so it is quite big, and it hosted a large majority of
17 the population that supported the government in place there.

18 So in Yopougon there was also Commander Zagbayou and Maguy le Tocard at one point
19 was also the commander in Yopougon.

20 Q. [10:27:18] In 2010, and I'm situating you here in the period of the elections as from
21 October, did Maguy le Tocard have any contact with the elements and authorities in
22 Yopougon?

23 A. [10:27:36] Yes, of course. I have to say, to begin with, that when we started
24 implementing the orders or calls that had been issued for us to start organising refresher
25 courses for our members and then providing training to other young people, either from

1 the FESCI or from other movements close to the regime, Maguy le Tocard carried out his
2 training in a public location close to the sixth arrondissement police station in Yopougon.
3 That is where he had -- his location was based. And so they co-collaborated with the
4 commissioner because they were neighbours right there.

5 Q. [10:29:04] In which office -- in which neighbourhood was his office precisely?

6 A. [10:29:11] It was in the Sicogi neighbourhood near the 18th arrondissement
7 police -- the 16th arrondissement police station.

8 Q. [10:29:27] What was your relationship between Maguy le Tocard and that police
9 station of the 16th arrondissement?

10 A. [10:29:40] As I have said, we collaborated with the authorities and forces of the
11 Defence and Security Forces. They would contact us to assist in certain investigations,
12 because we had very easy access to some circles, whereas they for their part would be
13 easily recognized as policemen or members of the security forces.
14 But those of us civilians were more able to have access to certain locations and to have
15 certain information. So when he received calls for assistance from the commissioner
16 from the police authorities, his job would be to gather information that would assist either
17 the police station or the gendarmerie commanders in their law and other assignments.
18 It should be pointed out that all GPP base camps were notified to the FDS forces in the
19 neighbourhoods so that there should not be any confusion.
20 When there was a base that had at least one unit that is 25 members, they would have at
21 least one Kalashnikov for the security of the militias.

22 Q. [10:31:30] Just to understand, you say he was Commander Sicogi in the Yopougon
23 camp. What was your role in the GPP hierarchy? What was your role with
24 Maguy le Tocard? I'm talking from October 2010.

25 A. [10:31:49] From October 2010, because I was number two after Bouazo, so

1 whenever I received instructions from Bouazo, I would transmit them to Maguy with
2 regard to conduct to be followed within the Yopougon area. And either he would do
3 that directly or -- and there was Tino also who was in the camp within the zone. So
4 Maguy, we would work together, because with the entire command we had to, of course,
5 provide training, and this was coordinated from the national base in Adjamé.
6 And then subsequently Maguy started to work more closely with Colonel Loba, who was
7 the head of the riot squad based in Yopougon, the BAE.

8 Q. [10:33:02] You have just mentioned to us Commander Tino, who was the area
9 commander. If I understand correctly, this was the northern Abidjan area?

10 A. [10:33:14] Abidjan north.

11 Q. [10:33:28] And from when did he work with this head of the BAE, Mr Colonel
12 Loba?

13 A. [10:33:37] Well, Colonel Loba, Maguy le Tocard started to work together with him
14 on a close basis, that is to say either conducting joint operations or on direct instruction
15 from the colonel. That was from November 2010.

16 Q. [10:34:09] And you mentioned to us at a given moment in time that the base camp
17 of the GPP, well, that you were able to mount guard with a Kalashnikov. And this base
18 camp, was it in Yopougon as well?

19 A. [10:34:24] Well, the base camp was the training camp which was in
20 Yopougon-Sable. As I said yesterday, from November already we had started to go
21 running, and we were doing that in Yopougon and Adjamé communes. We were
22 running in an intimidating manner, that is to say we had our Kalashnikovs. And when
23 we came to certain crossroads in neighbourhoods which were said to be RHDP
24 communes that were inhabited for the most part by the RHDP supporters, at those
25 intersections we would fire into the air. So it was militarised running sessions that were

1 intimidating. So we were already operational at the time. And each had to behave
2 properly, because if the need arose, we were armed and we were at the ready.

3 Q. [10:35:47] Can you please clarify the term "footing" or "running," what does it
4 mean?

5 A. [10:35:58] Well, these were sections. We were divided into sections. And the
6 footing or running of those GPP elements in those communes were -- they were armed
7 elements that provided security and they were carrying Kalashnikovs. We would run,
8 we would sing military songs, and we would go through various communes, go to
9 various places, various neighbourhoods that were RHDP neighbourhoods, and often we
10 would fire into the air in order to intimidate people, to intimidate people.

11 Q. [10:36:54] When you say "we," did you take part or who was it?

12 A. [10:37:01] Yes. Well, firstly, it was I who launched the operation in Yopougon
13 first and foremost with Maguy le Tocard. Maguy le Tocard started in Niangon, and it
14 was from Niangon and we started with the company that I headed up from the
15 Yopougon-Sable camp. And we had two itineraries, two distinct itineraries that however
16 were to meet up in the Maroc-Yopougon neighbourhood. And we were then to line-up
17 in one line and come together to the Place Ficgayo in Yopougon, because that was where
18 we were going to meet Mr Oulaï Delafosse, who was military prefect of the western
19 region. So that is where we officially started those running, militarised running sessions.

20 PRESIDING JUDGE TARFUSSER: Maître Gbougnon.

21 MR GBOUGNON: [10:38:21] (Interpretation) Mr President, I have the same problem
22 again, the temporal frame. We do not manage to situate ourselves here.

23 MR DEMIRDJIAN: [10:38:32] C'est la prochaine question.

24 MR GBOUGNON: Okay.

25 MR DEMIRDJIAN: You just have to wait. I'll get to it. You know, we're getting there.

1 Q. [10:38:44] (Interpretation) Now, to the point, during which period did that
2 running or footing take place?

3 A. [10:38:52] That running started after the second round of the elections, in the
4 month of December after the second round of the elections.

5 Q. [10:39:07] And did it happen on more than one occasion or just on one occasion?

6 A. [10:39:11] Yes, it did happen on more than one occasion because, as I said, the
7 running that I have just described to you was the start-up phase, if you like, of that phase
8 of intimidation. And Maguy, upon his own initiative, had done this kind of running
9 with the elements of the camp in Adjamé as well. We also used to do such type of
10 running sessions, because we had an itinerary, we would leave Adjamé, we would leave
11 the 220 regiment, we would go along to the gare du nord, then we would go via the
12 market.

13 Q. [10:40:02] I just wanted to know how frequently this would happen, how
14 frequently you would go on such running activities?

15 A. [10:40:13] Well, as to the frequency it wasn't on a daily basis, but whenever we felt
16 there was tension, whenever there was tension within the part of the population
17 that -- that was not in agreement with the fact that Mr Laurent Gbagbo had won the
18 elections, so that was the part of the population that was supporters of the opposition, we
19 felt that there was a certain level of tension within the commune and then we would go on
20 such running activities in order to intimidate and make sure that those young people
21 remained calm.

22 Q. [10:41:08] Who instructed you in the art of running in such a manner?

23 A. [10:41:15] As I said it was Bouazo who gave the instruction that we commence
24 these running activities. And that was why I wanted to explain how things came about,
25 or the itinerary, because I wanted to explain that to you because the authorities of defence

1 and security -- both the defence and security were informed that it was us, but as I said,
2 when we went on our running sprees there were certain intersections where we would
3 fire into the air in a dissuasive manner and the security and defence forces were, of course,
4 alerted to the fact and came to make sure and ascertain what had happened and, at the
5 same time, they also wanted to make sure that there weren't any lack of discipline on the
6 part of our elements, so they would provide us -- they would accompany us, if you like,
7 and would follow us at a certain distance whilst we were running until we came back to
8 our base.

9 Q. [10:42:33] And during the running sprees that you took part in, did you see any
10 FDS yourself?

11 A. [10:42:40] Yes, yes. There were CECOS vehicles that went by, CECOS vehicles
12 that were in charge of conducting or ensuring security in the various parts of Abidjan.
13 And when we started en masse they were generally warned that we were going to be
14 coming out the next day, they were informed at least 24 hours in advance of our coming
15 out, so they wanted to make sure that the elements of the GPP that were involved in those
16 running sprees did not offend in any manner because we were armed and they wanted to
17 make sure that there was -- there were no mishaps and they would follow us at a certain
18 distance until we came back to our base.

19 Q. [10:43:42] And at a given moment in time you made mention of the fact that
20 during those running sprees you would sing military songs. Can you remember what
21 the lyrics of those songs were?

22 A. [10:44:05] There was the -- it's in Dioula dialect and the lyrics said --

23 THE INTERPRETER: [10:44:18] Unintelligible.

24 THE WITNESS: [10:44:23] (Interpretation) -- which means --

25 PRESIDING JUDGE TARFUSSER: [10:44:25] And the lyrics said and then --

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 THE WITNESS: (Interpretation) Well, in French --

2 THE INTERPRETER: [10:44:27] The witness said it in Dioula.

3 THE WITNESS: [10:44:32] (Interpretation) In French I shall paraphrase: The men,
4 because it's a bit indecent, you know, men have --

5 PRESIDING JUDGE TARFUSSER: [10:44:46] It doesn't matter. We're all -- we're all
6 adults.

7 THE WITNESS: [10:44:48] (Interpretation) "Men have risen to the occasion and men
8 have got an erection and women are running away." So that means that we are the men
9 and those rebels in front of us are the women who are going to be running away. And
10 there were other lyrics that said that "assailants have killed my family and I'm going to
11 seek revenge."

12 So those were the lyrics of the songs. There were other songs that also said that the
13 commando is not frightened of gunfire or bullets or frightened of anything at all or any
14 danger that they might face, they won't be afraid. That was the kind of songs, you know,
15 the motivating songs that were sung, also songs that were motivating and intimidating in
16 nature.

17 MR DEMIRDJIAN: (Interpretation)

18 Q. [10:45:41] Just one moment. I'm just going to make sure that all of these lyrics
19 have been properly transcribed.

20 So, one moment, please.

21 (Counsel confers)

22 MR DEMIRDJIAN: [10:46:35] (Interpretation)

23 Q. [10:46:36] I do apologise, Mr Witness.

24 Before going more in depth into the events of the post-election crisis I would like to come
25 back to an event that you mentioned to us yesterday. You talked about this protest

1 march of September 2010 on the part of the groupement des patriotes pour la paix. Now,
2 could you firstly tell us, if you recall, what the precise date was and what incited you to
3 go on that march.

4 A. [10:47:20] I do not have the precise date in mind, but it was the end of September,
5 but I don't have the precise date in mind.

6 Q. [10:47:35] And why did you go on that march? What was the aim of that protest?

7 A. [10:47:43] As I said yesterday it was the period in 2007, or from 2007 that was the
8 election period in September, and we were keeping a low profile, we were also expecting
9 some form of compensation that had been promised to us subsequent to the
10 Ouagadougou agreements which meant that compensation was going to be given to
11 former combatants for them to reintegrate into society. And as we were just ahead of the
12 elections and we had not yet won our case, we wanted to let the authorities know, and
13 more particularly the president of the republic, that we had not yet been taken under the
14 wing of the structure that was supposed to implement that operation.

15 And within the GPP itself there were rumours to the effect that we, the people in charge,
16 had received those monies and that more particularly, or more specifically that Mr Bouazo
17 had built himself a house somewhere and that he was using that money for his personal
18 reasons. so there was really dissent within our ranks and violence had reached a certain
19 level and we were in a very sensitive time, so we had to show our goodwill, but we also
20 wanted to make sure that those sums of money had not been disbursed by the
21 government and those individuals had not embezzled it.

22 So there was discord even between -- even in the group in the west there, those types of
23 rumours were being mongered because whilst we conducted our march in Abidjan in the
24 west, there was one of the counsellors of the president of the republic who was taken as a
25 hostage and held by the FLGO go elements by Mr Voh Sahi, V-O-H S-A-H-I, and he was

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 held by the members of the FLGO because he was accusing that member of having
2 embezzled that money, the money that had been earmarked by the presidency of the
3 republic.

4 PRESIDING JUDGE TARFUSSER: [10:50:58] This was by the way more or less the
5 same answer to the same question already on the record since yesterday.

6 MR DEMIRDJIAN: [10:51:06] Right. I needed additional details, your Honours.

7 Q. [10:51:11] (Interpretation) And Mr Sahi, what was his position or role?

8 A. [10:51:17] Who?

9 Q. [10:51:18] You mentioned Mr Voh Sahi.

10 A. [10:51:24] He was adviser to the president, President Laurent Gbagbo.

11 Q. [10:51:31] And this protest march took place where?

12 A. [10:51:36] The protest march, well, we assembled in Adjamé at the Delafosse
13 stadium that was just opposite our national base in Adjamé and it was at the Delafosse
14 force stadium that we gathered.

15 Q. [10:51:58] And how did you inform your elements that they needed to gather at
16 the Delafosse stadium?

17 A. [10:52:08] We contacted the various people in command and transmitted the
18 information via that means to the elements, and that's how they came to gather.

19 Q. [10:52:25] I would like to show a document to you.

20 MR DEMIRDJIAN: (Interpretation) If it could be brought up on the screen, it is
21 CIV-OTP-0045-1194, that is number 139 on our list of items.

22 Q. [10:53:40] Is the document up on the screen in front of you, Mr Witness?

23 A. [10:53:45] Yes, it is, Mr Prosecutor.

24 Q. [10:53:47] This is a document of four pages. I'm not going to go into detail of this
25 first page, it's from the direction de la police, this cover page. I would however like us to

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

- 1 go to page 3, please.
- 2 Very well. Can you see it or would you like us to blow it up?
- 3 A. [10:54:28] No, I can see.
- 4 Q. [10:54:30] Can you see where it says large gathering of auto defence
- 5 groups -- elements thereof? Have you seen this document before?
- 6 PRESIDING JUDGE TARFUSSER: [10:54:40] The problem is that we can't see it. The
- 7 problem is that we can't see it.
- 8 MR DEMIRDJIAN: [10:54:48] We are on evidence 1.
- 9 PRESIDING JUDGE TARFUSSER: [10:54:51] Yes, but --
- 10 MR DEMIRDJIAN: [10:54:52] It doesn't work?
- 11 PRESIDING JUDGE TARFUSSER: [10:54:55] Now it works. But now. Because we
- 12 have the same -- no, it still doesn't work.
- 13 Now we are ready.
- 14 MR DEMIRDJIAN: [10:55:12] Thank you, Mr President.
- 15 Q. [10:55:17] (Interpretation) Now, Mr Witness, please continue, what were you
- 16 going to tell me about the document?
- 17 A. [10:55:22] Yes, yes, this was a leaflet that Bouazo had asked Mr Achi Gaudens who
- 18 was in charge of archives to print. This was an information leaflet for the elements as
- 19 well.
- 20 Q. [10:55:48] And it makes reference to which event precisely?
- 21 A. [10:55:53] It refers to the march in September 2010.
- 22 Q. [10:56:03] Could we please go on to the next page. Very well. Can you see the
- 23 date at the top of the page?
- 24 A. [10:56:26] Yes.
- 25 Q. [10:56:27] Okay. And at the bottom of the page, can you see the author?

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 A. [10:56:31] Yes, I can see the author.

2 Q. [10:56:33] And who is he?

3 A. [10:56:34] Mr Bouazo Yoko Yoko Bernard, president of the GPP and spokesperson
4 for the auto-defence groups with his telephone number and his GPP address, email
5 address?

6 PRESIDING JUDGE TARFUSSER: [10:56:49] Just to say that the Chamber is able to
7 read.

8 MR DEMIRDJIAN: [10:56:56] (Interpretation)

9 Q. [10:56:58] Did you see this document at the time, that is to say before today?

10 A. [10:57:03] No, I did not see the document, but I did know that the various services
11 of defence and security had been informed of the preparation of said march.

12 Q. [10:57:21] Very well. Well, that's all the questions that I have for this document.
13 We can now put it to one side.

14 PRESIDING JUDGE TARFUSSER: [10:57:27] And we can also break for the --

15 MR DEMIRDJIAN: [10:57:31] Sure.

16 PRESIDING JUDGE TARFUSSER: [10:57:31] I think it's -- if you start a new issue.

17 MR DEMIRDJIAN: [10:57:35] Yes.

18 PRESIDING JUDGE TARFUSSER: [10:57:36] Okay. So I think we have the break now.

19 We come back here in half an hour, at 11.30. The hearing is adjourned.

20 THE COURT USHER: [10:57:44] All rise.

21 (Recess taken at 10.57 a.m.)

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

23 THE COURT USHER: [11:37:49] All rise.

24 Please be seated.

25 PRESIDING JUDGE TARFUSSER: [11:38:09] Maître Altit, I see you on your feet, so

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 before I give the floor to the Prosecutor, we will listen to what you have to say.

2 MR ALTIT: [11:38:23] (Interpretation) Thank you, Mr President. Mr President, it
3 was simply to inform you that I would like to address the Court very briefly, a few
4 minutes, and I think it would be most appropriate for everyone at the end of this session,
5 so I simply wanted to notify you that with your leave I would like to take two-to-three
6 minutes at the end of this session.

7 PRESIDING JUDGE TARFUSSER: [11:38:52] Two to three minutes, then two to three
8 minutes, two to three minutes you mean? So it's -- no, it's just for the planning, because I
9 have to give the word also to the other parties, it's not about me and you, as you know.

10 MR ALTIT: [11:39:10] (Interpretation) Obviously, Mr President, but this is a topic that
11 was talked about by the Prosecutor at the beginning of this morning, so it is not a debate, I
12 simply want to point out something that the Defence wishes to underscore.

13 PRESIDING JUDGE TARFUSSER: [11:39:29] Okay. Thank you very much. I will
14 take this in consideration.

15 And now I give the floor to the Office of the Prosecutor for the questioning of the witness.

16 Good morning again, Mr Witness.

17 THE WITNESS: [11:39:44] (Interpretation) Good morning, your Honour.

18 MR DEMIRDJIAN: [11:39:50] (Interpretation)

19 Q. [11:39:53] Mr Witness, following that protest march in September 2010, did you
20 make a report orally or in writing to your chief, Bouazo, or anyone else?

21 A. [11:40:16] No, I did not prepare a written report, but on the day of the march in
22 question, Bouazo, all of us, we took part in the march, but when the members of the CRS1
23 intercepted us at the firefighters' brigade towards the ministry of defence, it is at that time
24 that I talked about this to Bouazo and we stopped the march, but we asked the elements
25 not to resort to violence because the march had to be a peaceful march given that we also

1 wanted to keep on respecting the institutions of the state.

2 Q. [11:41:38] Did you send an email after that march?

3 A. [11:41:45] Yes, after that march I sent an email.

4 Q. [11:41:52] What was the content of the email?

5 A. [11:42:03] The email was a sort of a report on the march and there was a video
6 excerpt in attachment, so there was footage of part of the assembly that we had before
7 beginning the march.

8 Q. [11:42:31] Did you hand over a copy of that email to the investigators of the OTP?

9 A. [11:42:37] Yes, yes.

10 MR DEMIRDJIAN: [11:42:42] Could we display on the screen CIV-OTP-0082-0480.

11 Q. [11:43:41] Can you see the document on the screen?

12 A. [11:43:44] I can see the document, but it is not legible.

13 Yes, it is okay now.

14 Q. [11:43:55] Do you recognise this document?

15 A. [11:43:57] Yes.

16 Q. [11:43:59] And what is this document?

17 A. [11:44:08] It is a mail that I sent to an intelligence officer to inform him that we had
18 organised a march, as well as the justification for the march. And there's also the report
19 on the circumstances in which the march took place.

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 Q. [11:46:12] Very well. Without reading the addresses, can you tell us what -- well,
9 without actually reading out the address, the column "To," it is addressed to whom?

10 A. [11:46:29] It is the GPP address. So it means we kept a copy of the report on the
11 email account of the GPP in case we had to use the video footage later for another report
12 to any of the other authorities, so we made sure we already had a copy.

13 Q. [11:47:05] And who had access to this GPP address?

14 A. [11:47:11] There was Bouazo, Mémoire and myself at this particular time because
15 there were three of us who had the password to that address.

16 Q. [11:47:29] Very well. Once again, without reading or pronouncing the address,
17 there is another address in "Cc." Whose address is that?

18 A. [11:47:43] It is a copy that I was sending to an intelligence officer at the presidential
19 palace so that he could transmit that information.

20 Q. [11:47:59] You said an intelligence officer. From which organisation?

21 A. [11:48:22] I do not even know his official name, his real name. It was only that
22 name that we knew, that is before the "@" in the address.

23 Q. [11:48:39] Is this an intelligence service in Côte d'Ivoire?

24 MR DEMIRDJIAN: [11:48:56] Maybe counsel wishes to speak to his client on this issue.

25 THE WITNESS: [11:49:02] (No interpretation) (Pause in proceedings)

1 MR WAGEMAKERS: [11:49:49] Your Honour, the witness is prepared to answer this
2 question in a closed session.

3 PRESIDING JUDGE TARFUSSER: [11:49:54] Okay. Just to you, Mr Wagemakers,
4 why don't you from the next session on, meaning tomorrow, sit near -- in the seat near the
5 witness, as I said also this morning, because it makes things easier.

6 Okay. So in order to permit the witness to answer this question, I would ask the court
7 officer to go in private session just for this answer and then we come back in open session.

8 (Private session at 11.50 a.m.)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

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Trial Hearing
WITNESS: CIV-OTP-P-0435

(Private Session)

ICC-02/11-01/15

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Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 (Open session at 11.56 a.m.)

2 THE COURT OFFICER: [11:56:33] We are in open session, Mr President.

3 PRESIDING JUDGE TARFUSSER: [11:56:43] Thank you very much.

4 Mr Prosecutor.

5 MR DEMIRDJIAN: [11:56:47] (Interpretation)

6 Q. [11:56:50] Mr Witness, the video footage that you told us was an attachment to that
7 mail, who filmed it?

8 A. [11:57:06] One of the elements at the base. Afterwards he sent me the file via
9 Bluetooth and I downloaded it.

10 Q. [11:57:21] Do you have any objection to our displaying this video in public?

11 A. [11:57:27] No.

12 Q. [11:57:31] Very well.

13 MR DEMIRDJIAN: [11:57:33] (Interpretation) I think maybe the Registry should
14 display the video, it is CIV-OTP-0082-0482. It is number 88 on the list.

15 For the interpreters, the transcript is CIV-OTP-0093-0427. And I will ask the Registry to
16 observe pauses from time to time.

17 THE COURT OFFICER: [11:58:14] I'm informed that the technical issue is solved and
18 we are waiting for a technician to assist you.

19 PRESIDING JUDGE TARFUSSER: [11:58:20] Which channel?

20 THE COURT OFFICER: [11:58:24] And the video will be displayed on the channel 2.
21 (Pause in proceedings)

22 THE COURT OFFICER: [11:59:55] To speed things up, the Registry will be displaying
23 the video on the channel 1.

24 MR DEMIRDJIAN: [12:00:06] Thank you very much. So for the Registry, I would ask
25 you to play the first 28 seconds and to pause at that moment. And then we'll carry on.

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

- 1 PRESIDING JUDGE TARFUSSER: [12:00:21] So from timestamp 7.15?
- 2 MR DEMIRDJIAN: [12:00:25] No.
- 3 PRESIDING JUDGE TARFUSSER: [12:00:26] Or it starts from the beginning?
- 4 MR DEMIRDJIAN: [12:00:28] From the beginning. I'm not getting any sounds.
- 5 PRESIDING JUDGE TARFUSSER: [12:00:43] No, there is no audio.
- 6 MR DEMIRDJIAN: [12:00:48] You should press on evidence 1 on the box, no?
- 7 PRESIDING JUDGE TARFUSSER: [12:01:14] And how long is the video, in entirety?
- 8 MR DEMIRDJIAN: [12:01:18] The whole video is four minutes, but I will show about a
- 9 minute and a half.
- 10 (Viewing of the video excerpt)
- 11 MR DEMIRDJIAN: [12:02:00] So now we're on evidence 1.
- 12 (Viewing of the video excerpt)
- 13 MR DEMIRDJIAN: [12:02:08] You can pause here.
- 14 Q. [12:02:16] (Interpretation) Mr Witness, did you see the first 20 seconds?
- 15 A. [12:02:21] Yes.
- 16 Q. [12:02:22] Could you tell us where we are, where was the video footage shot?
- 17 A. [12:02:29] It was shot in Adjamé, on the pitch at the stadium, Delafosse stadium.
- 18 Q. [12:02:41] Was that the file attached to your email?
- 19 A. [12:02:44] Yes.
- 20 MR DEMIRDJIAN: [12:02:48] (Interpretation) Could we continue playing this video
- 21 up until timestamp 40 seconds -- (overlapping speakers)
- 22 THE COURT OFFICER: [12:02:54] (Overlapping speakers) -- to play the video, so it
- 23 will be now displayed on the evidence 2 channel. Thank you.
- 24 MR DEMIRDJIAN: [12:03:08] Since it was working, why don't we continue with the
- 25 same? We had the sound and the video. Let's continue with the same, otherwise ...

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 PRESIDING JUDGE TARFUSSER: [12:03:42] The problem is that the Registry should
2 not play the videos because they don't know the use you want to make, and when you
3 want to stop and the timestamps. So it's a little bit difficult to have this done by the
4 Registry, which probably should be done by the parties when they show the videos.

5 MR DEMIRDJIAN: [12:04:04] I can tell them the exact timestamps to stop. I would
6 just like only to ask them to go to the next page, or the next page in a document, in a
7 normal written document. There shouldn't be any problems to stop at a timestamp, if I
8 give the precise timestamp.

9 PRESIDING JUDGE TARFUSSER: [12:04:22] Yes, but probably for the future it's better
10 if you carry out these tasks.

11 MR DEMIRDJIAN: [12:04:27] We would love to, your Honours, but the technology is
12 not --

13 PRESIDING JUDGE TARFUSSER: [12:04:30] Yes, I know. So let's go ahead. I don't
14 know who is manoeuvring.

15 THE COURT OFFICER: [12:04:38] Then we will go back on the evidence 1 channel.

16 THE WITNESS: [12:04:48] (Speaks English) It's okay.

17 PRESIDING JUDGE TARFUSSER: [12:04:52] Too much technology makes life difficult.
18 (Viewing of the video excerpt)

19 MR DEMIRDJIAN: [12:05:09] Let's stop here. Thank you.

20 Q. [12:05:15] (Interpretation) Sir, now the individual here with a bag slung around
21 his neck, who is this person?

22 A. [12:05:24] That's me.

23 MR DEMIRDJIAN: [12:05:30] And just for the point of -- for the purposes of the
24 transcript, we're now at timestamp 42. Could we continue on to timestamp 45.

25 (Viewing of the video excerpt)

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

- 1 MR DEMIRDJIAN: [12:05:45] (Interpretation) Thank you.
- 2 Q. [12:05:47] And what can you read on the T-shirt?
- 3 A. [12:05:51] "GPP".
- 4 MR DEMIRDJIAN: [12:05:56] Could we continue for another five seconds.
- 5 (Viewing of the video excerpt)
- 6 MR DEMIRDJIAN: [12:06:09] (Interpretation)
- 7 Q. [12:06:10] And what do we see at the back, on the back?
- 8 A. [12:06:14] GPP national forces.
- 9 Q. [12:06:16] Very well.
- 10 MR DEMIRDJIAN: [12:06:19] (Interpretation) Could we continue playing the video
- 11 up until timestamp 1.12.
- 12 (Viewing of the video excerpt)
- 13 MR DEMIRDJIAN: [12:06:49] (Interpretation)
- 14 Q. [12:06:49] Now, this person wearing the white shirt who is walking about and
- 15 saying "Orderly, in an orderly way".
- 16 A. (No interpretation).
- 17 MR DEMIRDJIAN: (Interpretation) Very well. Could we continue playing the video
- 18 up until timestamp 1.30.
- 19 (Viewing of the video excerpt)
- 20 MR DEMIRDJIAN: [12:07:19] (Interpretation)
- 21 Q. [12:07:20] Mr Witness, Mr Bouazo is walking but who's he with?
- 22 A. [12:07:26] He was walking with -- as well some members of his close protection
- 23 service, his bodyguards.
- 24 Q. [12:07:37] Did you recognise these people?
- 25 A. [12:07:40] Yes, yes.

1 Q. [12:07:41] Can you give us their names?

2 A. [12:07:48] The people beside him, there was N'Guessan Zoro Grégoire. And the
3 other one I don't -- I can't remember his civilian name. He was someone from the
4 interior.

5 Q. [12:08:06] Very well. Very well. I think we'll end this discussion.

6 Now, before we go any further with the events of 2010, I would like us to go even further
7 back in time to the year 2004.

8 You explained to us, sir, yesterday that after being driven out of the Azito camp you went
9 to the gendarmerie school for about a month and then after your men were more or less
10 dispersed. Did you take part in any operations in the year 2004?

11 A. [12:08:56] I should specify that it was 2005, that is when we left the Marie-Thérèse
12 school. I wanted to set the record straight on that point.

13 In 2004 we took part in some operations, yes, indeed.

14 Q. [12:09:13] In what part of the country did those operations -- where were they
15 held?

16 A. [12:09:22] In the commune of Port Bouët, Cocody, in Cocody.

17 Q. [12:09:31] Were there operations outside of Abidjan?

18 A. [12:09:36] Yes, there were some operations outside of Abidjan, because it was in
19 November, November 2004, that was when we had opérations César, and then that
20 became operation Dignité. That was another operation. There was that operation and
21 some members, elements were sent to the interior of the country.

22 Q. [12:10:18] Please explain to us how the GPP took part in these operations, how
23 many men and exactly what actions or activities were you involved in?

24 A. [12:10:32] Well, the exact number of people, I can't give you the exact number.

25 When the operation was held no one --

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 THE INTERPRETER: [12:10:49] Inaudible.

2 THE WITNESS: [12:10:51] (Interpretation) -- Military authorities, César -- it was called
3 operation César, you see, because one renders upon -- one gives to César his due. That is
4 how it got the name operation César. And then by military means we were going to end
5 the rebellion, after the operation --

6 THE INTERPRETER: [12:11:26] Inaudible.

7 MR DEMIRDJIAN: [12:11:28] (Interpretation)

8 Q. [12:11:28] Could you explain to us, you said that the operation was -- well, that you
9 were deployed to a place outside of Abidjan?

10 A. [12:11:37] Bondoukou in Sapia, in the Bondoukou region.

11 Q. [12:11:46] And did you take part personally in this operation?

12 A. [12:11:51] We were sent there because we were to defend security. The rebellion,
13 the rebellion was led by men who were up until then part of the National Armed Forces of
14 Côte d'Ivoire. So, you see, there was a certain lack of confidence within the -- in the
15 armed forces, so we were sent there as well to -- (overlapping speakers).

16 Q. [12:12:28] When you say that you were sent to provide support to the armed forces,
17 which unit did you support?

18 A. [12:12:37] We were providing support to the -- a platoon from within the
19 gendarmerie.

20 Q. [12:12:50] And this platoon from the gendarmerie, who was leading it?

21 A. [12:12:58] I don't know who was the leader, but the lieutenant that we were
22 reporting to was Lieutenant Yeo, and I think that he's now a lieutenant colonel. I don't
23 know if he's still serving, but his last post, to the best of my knowledge, was -- well, he
24 was in charge of the airport security in Abidjan.

25 PRESIDING JUDGE TARFUSSER: Maître Gbougnon.

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 MR GBOUGNON: [12:13:28] (Interpretation) Your Honour, your Honour, I'm
2 looking at the transcript here and my learned friend asked a very interesting question.
3 He asked the witness whether he personally, well, was sent because he said -- well, you
4 see, he used the word "on," but I don't think the answer was transcribed, page 46, the
5 actual answer was not transcribed so perhaps if you could please clarify.

6 MR DEMIRDJIAN: [12:14:03] (Interpretation)

7 Q. [12:14:04] Page 46, line 2, your reply was not transcribed. I asked you whether
8 you took part personally.

9 A. [12:14:14] I took part --

10 THE INTERPRETER: [12:14:16] Message from the interpreters: Overlapping speakers,
11 speed and lack of enunciation.

12 PRESIDING JUDGE TARFUSSER: [12:14:24] Well, in the interpretation booth they
13 have three problems: Speed, not perfect pronunciation and something else, I can't
14 remember -- overlapping speakers, right, and overlapping speakers. So please if we
15 could really try to be more firm on this. So thank you.

16 Please now, Mr Prosecutor, go ahead.

17 MR DEMIRDJIAN: [12:15:02] (Interpretation) Kind of my fault, I was trying to move
18 quickly.

19 Q. [12:15:08] First of all, could you spell the name Sapia?

20 A. [12:15:12] S-A-P-I-A.

21 Q. [12:15:25] And the lieutenant could you spell his name?

22 A. [12:15:30] Y-I-O, Yeo.

23 Q. [12:15:34] Very well.

24 THE INTERPRETER: [12:15:37] Correction: Y-E-O.

25 MR DEMIRDJIAN: (Interpretation)

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 Q. [12:15:39] And what was that operation all about? What was your mission?

2 A. [12:15:53] Our mission was to be part of the advanced position, the advanced base
3 and to maintain that position, hold it between Bondoukou and Bouna, so that was the
4 mission before operation Dignité was going to be launched.

5 PRESIDING JUDGE TARFUSSER: [12:16:19] Excuse me, when was this operation
6 Dignité, period of time?

7 THE WITNESS: [12:16:35] (Interpretation) The operation, well, you see, it was in
8 October, October to November 2004.

9 PRESIDING JUDGE TARFUSSER: [12:16:47] Yes, please go ahead.

10 MR DEMIRDJIAN: [12:16:55] (Interpretation) Very well.

11 Q. [12:16:57] You said that -- you said that you were supposed to be part of the
12 advanced position between Bondoukou and Bouna. What did this mean exactly?

13 A. [12:17:14] Well, this advanced position or post was -- it was like -- we were like
14 scouts, so to speak, in advance of an operational base of a force. That is to say, we were
15 supposed to play a preventive role and perhaps warn of any advancing rebels. That was
16 one of the first advanced positions, you see. And we were one of the first advanced
17 positions of the FDS.

18 Q. [12:17:55] And how long were you stationed at this post?

19 A. [12:18:00] Two weeks, because there was an incident, you see, with the same
20 lieutenant. There was an incident and so, as a security measure, we deemed it best to
21 retreat to Abidjan.

22 Q. [12:18:26] In 2004 were you also deployed to Guiglo?

23 A. [12:18:33] Guiglo, as I said, that was in 2003, but in 2004 some elements were also
24 deployed in Guiglo as well.

25 PRESIDING JUDGE TARFUSSER: [12:18:49] Mr Prosecutor, may I ask how these

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 things relate to the -- it's in 2003, 2004, how these things relate to the charges?

2 MR DEMIRDJIAN: [12:18:59] Yes, your Honours, I was afraid you would ask that
3 question. Some elements of the answers the witness will give us are directly related to
4 what he will say about 2010, so I need to establish the basis first of the characters, the units
5 and the modus operandi. But I will be very brief. I'm trying to get through 2004 as
6 quickly as I can. Yes.

7 PRESIDING JUDGE TARFUSSER: [12:19:25] (Microphone not activated)

8 MR DEMIRDJIAN: [12:19:26] 2004.

9 Q. [12:19:34] (Interpretation) Very well. Mr Witness, Guiglo, did you yourself go
10 there?

11 A. [12:19:44] That was in 2003, Guiglo.

12 Q. [12:19:51] Very well. You're sure of that, 2003?

13 A. [12:19:54] 2003. In 2003, when we finished our initial training we were sent to
14 M'Bahiakro and then to Guiglo.

15 PRESIDING JUDGE TARFUSSER: Maître N'Dry.

16 MR N'DRY: [12:20:16] (Interpretation) Just so that we can follow, I would point out to
17 my learned friend that it is true that we will be dealing with this issue when our turn
18 comes, but the question was whether he himself had been there in 2003 in Guiglo and I
19 think the reply really did not suffice. If the witness could answer the question.

20 MR DEMIRDJIAN: [12:20:50] (Interpretation) Very well.

21 Q. [12:20:51] Very briefly, this operation in Guiglo, could you tell us why you went
22 there and with whom? What was the background?

23 PRESIDING JUDGE TARFUSSER: [12:21:06] Maître N'Dry.

24 MR N'DRY: [12:21:10] (Interpretation) Indeed he has not answered, the witness has
25 not answered the question yet. When you asked him the question, well, there was an

1 answer, but -- but "did you go," himself? That was the question and the reply was
2 "Guiglo was in 2003."

3 THE INTERPRETER: [12:21:31] Overlapping speakers.

4 PRESIDING JUDGE TARFUSSER: [12:21:36] Don't overlap, please. Don't overlap.
5 Now Prosecutor, please.

6 MR DEMIRDJIAN: [12:21:41] (Interpretation)

7 Q. [12:21:41] So you went. Can you explain why you went, the conditions, the
8 circumstances?

9 A. [12:21:48] We went to Guiglo -- well, you see, a joint group had been trained with
10 some people from the paratrooper battalion and that group was called the cyclone group
11 and that detachment, we went to Guiglo with that detachment alongside. As I said, we
12 also had cooperation with some people from the Liberians. There was some
13 people -- some people who had actually been refugees in Guiglo at that time.

14 Q. [12:22:41] Very well. So you have told us that you were with the first BCP in
15 Guiglo; is that so?

16 A. [12:22:48] Yes.

17 Q. [12:22:49] And when you were there who did you report to?

18 A. [12:22:55] There was a non-commissioned officer, he was a paratrooper, he was
19 later appointed military prefect. He was the person we were working with. And the
20 commander of the region was -- well, that was the commander of that particular region.

21 Q. [12:23:20] Very well. Last question on this point: You mentioned some
22 Liberians, who were they?

23 A. [12:23:30] They were fighters, militiamen from a Liberian organisation called
24 UPWAR (phon). And they had -- ultimately, you see, they were refugees, they were at a
25 camp called Peace camp, a refugee camp in Guiglo, they were refugees there. And you

1 see, there was violence and the local people of that town and those combatants were
2 also -- you see, they were from the same ethnic group. Guiglo is a Guéré place and there
3 are also Guéré people in Liberia, so, you see, they spoke the same language. And those
4 fighters, those combatants felt involved and they were co-opted by --

5 THE INTERPRETER: [12:24:39] Inaudible.

6 THE WITNESS: [12:24:42] (Interpretation) -- I mentioned this during the interview,
7 but to be more specific, Paul Dokui was the name of the person. He was in contact with
8 the people who were in charge of that group and they co-opted him as well to support the
9 Defence and Security Forces because, you see, they felt concerned or involved in the
10 whole matter. And there were some clashes, but it wasn't -- it wasn't a coordinated kind
11 of thing, so some people went out of control and there were incidents with a number of
12 people there.

13 Q. [12:25:32] You mentioned a particular group, UPWAR?

14 A. [12:25:38] Yes, UPWAR, UPWAR, UPWAR. The way it's written, well, the
15 pronunciation English word, I really don't know how it's written.

16 Q. [12:26:02] You don't know the word in English?

17 A. [12:26:05] Well, the Liberian combatants, there were two groups, two main groups
18 who took refuge and we fought with some who came from UPWAR or -- and there was
19 another group Nobel. Nobel, N-O-B-E-L. And UPWAR, I think, is U-P-W-A-R, the
20 pronunciation Brooklyn's British.

21 Q. [12:26:49] The last part of 2004, before we go back to 2010, you say that some
22 aircraft belonging to Côte d'Ivoire were destroyed and after the operation you went back
23 to Abidjan. Could you tell us about the situation in Abidjan, and what you did in
24 response to the destruction of these aircraft?

25 A. [12:27:16] Well, the situation in Abidjan -- Abidjan, the security forces were on alert

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 and there were reports that Doué, the chief of staff, was preparing a military coup d'état
2 sponsored by the French army. Those were the rumours going about during that time.

3 Q. [12:27:59] Now, in response to the rumours were there any calls issued?

4 A. [12:28:05] There were -- there was a response, there were calls issued, there were
5 calls when -- when we received instructions to -- well, there were some calls to block the
6 French forces, they had been accused of wanting to remove President Gbagbo by force
7 and put in someone, another person, a general. So, you see, there were suspicions about
8 the French army forces and the armoured vehicles. Officially, they said that they were
9 dealing with a precarious situation and they were ensuring the safety of their nationals,
10 but the government was saying that that was just a ruse and they were planning to
11 remove the president from power by force.

12 Q. [12:29:18] Now within the Patriotic Galaxy was there any response or reaction?

13 A. [12:29:28] The most notable response was from minister Charles Blé Goudé who
14 said that the people of Côte d'Ivoire, no matter where they might be, that they should
15 block the French forces because, you see, the French were trying to overthrow the
16 government and put in someone else to lead Côte d'Ivoire and that we needed to block
17 the French forces.

18 And Mr Jean --

19 THE INTERPRETER: [12:30:20] Inaudible.

20 THE WITNESS: [12:30:21] (Interpretation) -- also said something quite well known to
21 the effect of for each Côte d'Ivoire -- each person from Côte d'Ivoire should get his
22 Frenchman.

23 MR DEMIRDJIAN: (Overlapping speakers. No interpretation)

24 MR WAGEMAKERS: [12:30:54] The witness will answer the question in a closed
25 session.

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Private Session)

ICC-02/11-01/15

1 PRESIDING JUDGE TARFUSSER: [12:30:57] Yes. What was the question? Now,
2 which was the question, because --

3 THE INTERPRETER: [12:31:02] Message from the interpreters --

4 MR DEMIRDJIAN: [12:31:06] Your Honours, the question is whether he within the
5 GPP acted upon these calls.

6 PRESIDING JUDGE TARFUSSER: [12:31:10] Because it was not on the transcript.
7 Mr Wagemakers.

8 MR WAGEMAKERS: [12:31:15] The witness will answer the question but in a closed
9 session, please.

10 PRESIDING JUDGE TARFUSSER: [12:31:20] Okay, let's go in closed session, please,
11 court officer.

12 (Private session at 12.31 p.m.)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

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Trial Hearing
WITNESS: CIV-OTP-P-0435

(Private Session)

ICC-02/11-01/15

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Trial Hearing
WITNESS: CIV-OTP-P-0435

(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-0435

(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-0435

(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-0435

(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-0435

(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-0435

(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-0435

(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-0435

(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-0435

(Private Session)

ICC-02/11-01/15

- 1 (Redacted)
- 2 (Redacted)
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- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Open session at 1.00 p.m.)
- 9 (The witness stands down)
- 10 THE COURT OFFICER: [13:00:20] We are in open session, Mr President.
- 11 PRESIDING JUDGE TARFUSSER: [13:00:23] Thank you very much.
- 12 The witness is out. And Mr Wagemakers, thank you.
- 13 Maître N'Dry.
- 14 MR N'DRY: [13:00:33] (Interpretation) First of all, your Honour, I did wish to say
- 15 something but in private session. Private session, just for a few minutes. I would like to
- 16 make a number of observations that I believe are very important for the trial and its
- 17 continuance.
- 18 PRESIDING JUDGE TARFUSSER: [13:01:04] Let's go in private session then.
- 19 (Private session at 1.01 p.m.)
- 20 (Redacted)
- 21 (Redacted)
- 22 (Redacted)
- 23 (Redacted)
- 24 (Redacted)
- 25 (Redacted)

Trial Hearing
WITNESS: CIV-OTP-P-0435

(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-0435

(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-0435

(Private Session)

ICC-02/11-01/15

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Trial Hearing
WITNESS: CIV-OTP-P-0435

(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-0435

(Private Session)

ICC-02/11-01/15

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Trial Hearing
WITNESS: CIV-OTP-P-0435

(Private Session)

ICC-02/11-01/15

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13 Page redacted – Private session

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25 (Open session at 1.18 p.m.)

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

- 1 THE COURT OFFICER: [13:18:28] We are in open session, Mr President.
- 2 PRESIDING JUDGE TARFUSSER: [13:18:34] Thank you very much.
- 3 Just to announce in open session that the hearing is adjourned to tomorrow morning 9.30.
- 4 Thank you.
- 5 THE COURT USHER: [13:18:44] All rise.
- 6 (The hearing ends in open session at 1.18 p.m.)