

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Private 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
7 Judge Geoffrey Henderson
8 Trial Hearing - Courtroom 1
9 Thursday, 20 October 2016
10 (The hearing starts in open session at 9.36 a.m.)
11 THE COURT OFFICER: [9:36:30] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:37:16] Good morning. I would ask for just
15 a few minutes to go in private session for a decision.
16 (Private session at 9.37 a.m.)
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18 (Redacted)
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- 19 (Open session at 9.44 a.m.)
- 20 THE COURT OFFICER: [9:44:11] We are now in open session.
- 21 PRESIDING JUDGE TARFUSSER: [9:44:13] Thank you very much.
- 22 MR DEMIRDJIAN: [9:44:14] Your Honours, I was going to say I have a few
- 23 questions to clarify answers given yesterday in private session, but right after that
- 24 we're going straight into the period of relevance to the DCC.
- 25 (The witness enters the courtroom)

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1 MR DEMIRDJIAN: One suggestion I have for my colleagues particularly, because
2 yesterday on various occasions we had to stop to clarify the transcript, had some
3 inaudible parts. What we've noticed is that the French transcript is always a couple
4 of minutes late. We are following it and if there is anything that is inaudible, I will
5 receive a message and will follow it myself. So there is no need to interrupt every
6 time there is an inaudible.

7 PRESIDING JUDGE TARFUSSER: [9:44:57] Thank you very much.

8 Good morning, Mr Witness.

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

10 (The witness speaks French)

11 THE WITNESS: [9:45:06] (Interpretation) Good morning, your Honour.

12 PRESIDING JUDGE TARFUSSER: [9:45:11] We are here now to continue the
13 questioning by the Office of the Prosecutor. I obviously invite you, but I will do it
14 continuously as I did it yesterday, to invite you to slow down or speak slow and to
15 speak clear, but I have to say it also at the beginning of this day.

16 And I give the floor now to the Office of the Prosecutor for his questioning. Thank
17 you.

18 MR DEMIRDJIAN: [9:45:48] Thank you, Mr President.

19 QUESTIONED BY MR DEMIRDJIAN: (Continuing) (Interpretation)

20 Q. [9:45:59] Good morning, Mr Witness.

21 A. [9:46:02] Good morning, counsel.

22 Q. [9:46:04] Before going to 2010/2011 I have some clarifications regarding the
23 answers you gave us yesterday.

24 MR DEMIRDJIAN: (Interpretation) And for that purpose we will go to private
25 session.

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- 1 PRESIDING JUDGE TARFUSSER: [9:46:19] Let's go to private session shortly.
- 2 (Private session at 9.46 a.m.)
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- 25 (Open session at 9.53 a.m.)

1 THE COURT OFFICER: [9:53:53] We're in open session, Mr President.

2 PRESIDING JUDGE TARFUSSER: [9:53:55] Thank you very much.

3 Mr Demirdjian.

4 MR DEMIRDJIAN: [9:54:02] Thank you, your Honours.

5 Q. [9:54:07] (Interpretation) Mr Witness, I would like you to situate yourself

6 in September 2010. You have already given us quite some information about that

7 period, but you told me that -- you told us that after the demobilisation agreement in

8 2007 the units were demobilised. Now, as the elections approached, what was the

9 situation of the GPP?

10 A. [9:54:39] Close to the time of the elections, with regard to the GPP militias, as I

11 told you yesterday there was, first of all, the march. There were members from the

12 capital, the economic capital in Abidjan and also members who had come from the

13 interior of the country. And those people who came from the interior joined the

14 various camps in Abidjan because they were waiting for the answer that would be

15 given to them by the Ivorian authorities in reaction to that march.

16 Later on, Mr Stallone transmitted a message to us to the effect that those elements had

17 remained in the camps and other militias who had been living with their families

18 outside of the camps also came into the camps in preparation for the implementation

19 of orders.

20 Q. [9:56:17] During that period, and this is September 2010, what was the

21 relationship between the GPP and the minister of defence?

22 A. [9:56:33] During that period it was Minister Amani N'Guessan who was the

23 minister of the defence. And I would like to say that whenever a minister of defence

24 took service, he managed the army, the armed forces, but he also had the authority,

25 he had to contribute or also contribute to the administration or management of the

1 GPP because whenever the need arose, he could ask that members of the GPP be
2 placed at the disposal of the Defence and Security Forces. All defence ministers
3 were aware of this and even if -- even when there was a split within the GPP, the
4 minister had to settle the matter so as to put an end to the problem.

5 Q. [9:58:03] Yesterday you talked about a meeting in February 2009, March,
6 February.

7 Now as from September 2010, were there any other meetings with
8 Minister N'Guessan?

9 A. [9:58:24] Yes, there were meetings with the various leaders of various
10 movements. In 2008 there was an organisation that was created, UMAS, abbreviated
11 U-M-A-S, that is the union of self-defence movements of the south.
12 Officially the GPP had been dissolved in 2007 and instructed most of them to disarm.
13 So we could not simply present ourselves as that movement. So UMAS was sort of
14 like a smokescreen so that if our activities were reported in the media, those activities
15 would be attributed to UMAS. So this was in 2008. And for that to happen, this
16 UMAS would take responsibility for those activities.

17 Q. [10:00:01] Who was the leader of UMAS?

18 A. [10:00:04] It was Mr Djimy Willy and it is J-I-M-M-Y, Willy, W-I-L-L-Y.

19 Q. [10:00:22] So if I have understood you correctly, it was that individual Mr Jimmy
20 Willy who talked to the minister of defence?

21 A. [10:00:31] As I said, on 8 March it was set up, because as I said, with the
22 exception of the GPP there were annex units that were set up because either those
23 units were not under the authority of Bouazo, because they were the former members
24 of the GPP, and this was with a view to federating all of the movements of
25 self-defence and also because, officially speaking, all those self-defence units were

1 dissolved in 2007 after the dismantlement of the former combatants. And also
2 unofficially we were still in place in our various positions, so we needed another
3 interface that would give a smokescreen. So we didn't want people to say that GPP
4 was still conducted such-and-such activities in case those problems arose. So they
5 would not say it was GPP, they would say it was UMAS instead.

6 Q. That's what you said. But the question, specific question that I was putting to
7 you was that Mr Djimy Willy was at the head of the UMAS. Did he talk to the
8 minister?

9 A. [10:02:09] Yes, Djimy Willy was talking to Mr Bouazo.

10 Q. [10:02:15] Was there a meeting that you were present, that you attended with
11 that minister?

12 A. [10:02:22] There were or there was, before we started, before launching the
13 operation officially in December, before the elements entered the various camps, there
14 was a meeting held at the cabinet of the minister of defence, the cabinet of the
15 minister of defence of the GMMG. I did not attend, but I went with Bouazo's guard,
16 but I did not attend. But as I said, well, let's say that I did not sense the need. With
17 regard to what was going to happen, I was going to be informed and I did not take
18 part necessarily in clandestine operations -- I frequently took part in clandestine
19 operations, so I would avoid this kind of thing to the maximum.

20 Q. [10:03:34] Very well. Now, on the occasion when you did accompany Bouazo
21 to such a meeting, where was that?

22 A. [10:03:45] It was at the cabinet of the minister of defence.

23 Q. [10:03:47] And where is that in Abidjan?

24 A. [10:03:50] At the Plateau.

25 Q. [10:03:53] Now at a given moment in time you mentioned that in the month of

1 December there was a beginning of an integration operation for your elements. And
2 I am going to use the words that you used.

3 Very well. Now, you said that the elements were going to enter the various camps.
4 Could you explain to us precisely what happened and how, and how this integration
5 took place.

6 A. [10:04:25] Well, firstly, there were the medical visits, the medical tests that were
7 conducted or visits that were conducted at the hospital in Abidjan. And at the
8 former Akouédo camp, the houses, the land forces command base, after that medical
9 visit, the elements who were deemed apt to enter military service were then called for
10 training and sent to the various units in the first parachutist battalion in the
11 armoured battalion, to the air -- ground/air battalion to the ground/ground battalion.

12 Q. [10:05:41] Now this is for the transcribers, the interpreter doesn't really hear, you
13 said at an earlier stage that we shouldn't say in the press that the GPP had been
14 dissolved, you said it wasn't GPP but it was UMAS? Could you please repeat it
15 slowly?

16 A. [10:06:06] Well, in fact, what I said was that in case we had to lead operations
17 that would be written about in the press, the press might -- the press representing the
18 opposition, might say that, despite the disarmament and demobilisation operations
19 that were effected in Akouédo, why was it that the GPP was continuing to, for
20 example, still set up roadblocks around the camp and stand guard bearing
21 Kalashnikovs. So in case those problems would arise, we would then answer that it
22 was not the GPP but the UMAS that had come into existence after the disarmament
23 that took place in 2007. So we would -- its setting up was after the disarmament and
24 it was legitimate.

25 Q. [10:07:21] So that was just for the notes and that was page 11, line 23. Okay.

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1 Now, let's go back into this integration. You mentioned a few elements, in fact a few
2 camps. Very well. Now you mentioned the first parachutist battalion, the first BCP,
3 is that right?

4 A. [10:07:50] Yes.

5 Q. [10:07:51] You mentioned the ground-to-air battalion, that is the BASA?

6 A. [10:07:58] Yes, the BASA.

7 Q. [10:08:00] And you mentioned the armoured battalion?

8 A. [10:08:02] Yes, yes.

9 Q. [10:08:03] And that is the armoured battalion. And to which organisation or
10 unit did it belong to?

11 A. [10:08:10] The armoured battalion, as its name indicates, is the battalion for the
12 military armoured vehicles based at the Akouédo military camp.

13 Q. [10:08:31] Now you just mentioned three units of the army to us. Was there
14 also an integration within other organisations such as the police or the gendarmerie?

15 A. [10:08:50] This recruitment was uniquely for the army, so for the military forces,
16 because the conditions were not assembled for recruitment to take place and that no
17 mention had been made of the BPC because -- or, the BEPC diploma. And to get into
18 the gendarmerie or the police, you had to have that BEPC. So you had to have an
19 intellectual level, at least the BEPC and they were still in CM2 class.

20 So it was much later that another decision gave rise to the integration of the elements
21 because after that there were certain detachments, but I think we'll get to that.

22 THE INTERPRETER: [10:09:52] Message from the interpreter: Could the witness
23 please slow down and enunciate.

24 PRESIDING JUDGE TARFUSSER: [10:09:57] Could you -- excuse me, I interrupt.
25 Could you please slow down and pronounce better and clearer what you say.

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1 Thank you very much.

2 Mr Prosecutor.

3 MR DEMIRDJIAN: [10:10:11] (Interpretation)

4 Q. [10:10:21] Let's take our time, it's not a race. So maybe we should come back to
5 the last answer you just gave us, maybe to wrap up on this, you said that later there
6 was a decision that was given to integrate them into other organisations, when was
7 that in time?

8 A. [10:10:41] That decision was taken -- well, we came to know of this decision in
9 the month of March 2011, because from the month of February, as I said, there were
10 some elements from the unit that we had started putting in place in the Ivorian
11 security legion. And some had been seconded to the CRS1 base of the republican
12 security. And in some police stations, well, they were able to help those forces to
13 secure the installations.
14 So subsequently, some of the elements were either at the residence of the president of
15 the republic and at the presidential palace. And as I said to you, those elements
16 were placed at those various bases. And this showed that it also was proof of the
17 loyalty before -- towards the government authorities and a confidence had really been
18 installed. And the FDS, because they did not recognise themselves in this fight, in
19 this military fight, had deserted their various bases. And it was those elements who
20 had taken their place in those various units. And they had to be integrated on the
21 basis of their level, their level of study, or they were going to be placed in some
22 military unit. And that decision was taken later in the month of March.

23 Q. [10:13:37] Now, at the approach of the elections in the month of October, the
24 first round on 28 October, during that period, could you explain to us what the
25 relation was between the GPP, its leadership, Mr Bouazo, and the

1 Galaxie Patriotique?

2 A. [10:13:58] During that period, as I said prior, Mr Bouazo, who was a militant of
3 the FPI, an activist of the FPI, at a political level, in Adjamé, and more specifically at
4 the 220 because he had a polling station just next door in the primary school,
5 Mr Bouazo was firstly involved in the campaign, and there were FPI rallies in the
6 commune and he was involved in the organisation.

7 We had received instructions in the context of intelligence gathering that we should
8 go out and ascertain where the RHDP leaders were going to organise their meetings.
9 And also in the various areas we had to ascertain who the newcomers were in the
10 RHDP to see whether there were new people arriving. Those were the operations
11 that were being led. And also there were some elements from the Yopougon-Sable
12 camp who went to reinforce the guards at Mr Charles Blé Goudé residence. That
13 was when he was appointed as minister after the elections.

14 MR KNOOPS: [10:16:05] Mr President, I'm sorry --

15 PRESIDING JUDGE TARFUSSER: [10:16:07] Mr Knoops.

16 MR KNOOPS: [10:16:08] -- I have listened the last couple of minutes to the
17 examination by the Prosecution and the answers of the witness, but the witness is
18 giving an exposé and we are not aware whether this is his opinion or whether these
19 are facts which he personally heard, saw. And as already mentioned earlier in this
20 Court with this witness, the witness is not an expert. Yet we are not aware, nor is
21 the Chamber, what the foundation is of all this information this witness allegedly has.
22 So we are listening the last 10 minutes to an exposé and we are totally unaware
23 whether this is information he heard, he didn't hear, or he assembled, or is an
24 assumption from the witness, et cetera.

25 In order to prepare our examination, I think it is vital also for the Defence to know

1 what the foundation is of all this type of information, otherwise the Defence is obliged
2 in its examination to go through all these statements, these allegation of the witness to
3 every time ask what is the foundation.

4 So my request to the Chamber is to instruct the Prosecution, well, it is maybe a little
5 bit a harsh word "instruct," but to -- with the recommendation to first ask, or after the
6 information given by the witness, what is now the proper foundation of all this type
7 of information.

8 It can be so that in the end it turns out to be a simple opinion of the witness, and that
9 is, of course, as the Court is aware, not in accordance with the protocol. So in order
10 to avoid every time an interruption by the Defence I think it would accelerate the
11 proceedings if the Prosecution every time ask for the foundation. Thank you.

12 PRESIDING JUDGE TARFUSSER: [10:18:22] Mr Prosecutor.

13 MR DEMIRDJIAN: [10:18:26] Your Honours, it will accelerate the proceedings if we
14 didn't have pointless objections. I ask the questions, I follow up and I ask the
15 witness the sources.

16 We are wasting time. And at this stage, it is absolutely unfair because counsel
17 knows that I spent two days asking questions and asking when, where, how do you
18 know. So I would ask that no more interruptions of this kind come our way.

19 PRESIDING JUDGE TARFUSSER: [10:18:58] Well, I think that the Prosecutor is right.
20 I mean, he has always asked where these information come from. And on the other
21 side, I think that also the position within the organisation by the witness is also to be
22 taken into consideration.

23 So I would ask the Prosecutor to continue his questioning, obviously asking always
24 also the source of information. Thank you.

25 MR DEMIRDJIAN: [10:19:42] (Interpretation)

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1 Q. [10:19:45] Very well, Mr Witness, I would like to come back upon a response
2 that you have provided us with. You just told us that some of your elements
3 were -- went to reinforce the residence of Mr Charles Blé Goudé and you said that this
4 was after the elections. Now, how many elements were sent there and how do you
5 know that and could be possibly provide us with their names?

6 A. [10:20:14] There were three elements who had been designated for the task,
7 there was Oulaï Franck, there was Yoya Bi, he was a captain from the
8 Yopougon-Sable camp. Those elements, when they were seconded upon instruction
9 of Bouazo, well I called the camp commander for him to take care of it. Those were
10 the three elements who were designated and those were the three elements I
11 mentioned.

12 Q. [10:21:11] And for how long did you designate those elements for that task for
13 reinforcement?

14 A. [10:21:21] Those elements were sent to the residence of Minister Charles
15 Blé Goudé until the clashes truly commenced. I did not have any comeback as to
16 how things were unfolding because during that period things were a bit fragile and
17 those authorities within the Garde Républicaine of the republic -- often some of them
18 would go and hide incognito at relatives or friends' houses. So I didn't have any
19 information in that regard.

20 Q. [10:22:21] You mentioned Oulaï Franck, the first name is well transcribed. The
21 second name?

22 A. [10:22:30] Yoya Bi, alias --

23 Q. [10:22:35] Could you spell Yoya Bi?

24 A. [10:22:38] Yoya Bi, Y-O-Y-A B-I.

25 Q. [10:22:45] And when I asked you what the time period was you said when the

1 clashes truly commenced. Could you please give us a time frame, a month perhaps?

2 A. [10:23:04] About two months because the clashes in Yopougon started in the
3 month of March. The clashes in Yopougon started in March, when we tried to break
4 through the security --

5 THE INTERPRETER: [10:23:40] Unintelligible.

6 PRESIDING JUDGE TARFUSSER: [10:23:48] I don't know in French, but in English
7 things didn't come through. "... when we tried to break through the security" and
8 then we have a --

9 MR DEMIRDJIAN: (Interpretation)

10 Q. [10:24:05] Yes, the last part of your response you said that it really started in
11 Yopougon in the month of March because the forces that we tried to break through.

12 A. [10:24:17] When the republican forces of Côte d'Ivoire, the FRC, started to or
13 tried to break through the security that had been put in place by the joint forces of the
14 security forces and our elements, at the Gesco corridor situated in Yopougon
15 commune and that was in the month of March 2010 -- 2011, I'm sorry.

16 MR DEMIRDJIAN: [10:24:59] Is that clear, your Honour?

17 Q. [10:25:05] (Interpretation) Very well. Another point that I would like you to
18 explain to us somewhat. Yesterday you made mention of the fact that subsequent to
19 a message that was given to you by Mr Ahoua Stallone, you trained a number of
20 young people. Did you also take part in the training of elements, whether it be to
21 provide security for ministers for their personal needs?

22 A. [10:25:39] As I said, there was the minister Alain Dogou who had requested that
23 we put place a special unit that we had named the Ivorian security legion and we had
24 already started with 50 elements upon instructions received. The elements had been
25 selected carefully. And they had to be --

1 Q. [10:26:27] One moment, please.

2 Were there any other ministers or other political people of those natures?

3 A. [10:26:37] We had to train those people for Bongouanou, that was the
4 commander, and Abi Adjeï, who was president Affi N'Guessan, so when I said it was
5 requested, it was somebody who had requested that the young people, the elements
6 be trained from the locality Bongouanou, and that they be initiated to arms handling
7 so that if the case arose they could face up to the armed rebellion that might seek to
8 set up shop in their locality.

9 And there were other figures of authority. There were other personalities with
10 mister -- who was in my region in Dabou --

11 THE INTERPRETER: A name the interpreter did not catch.

12 THE WITNESS: (Interpretation) -- who had requested that they also be trained so
13 that -- well, these were measures that were taken, personal measures that were taken
14 in order to ensure that the regions did not suffer from the rebellion were they to go
15 beyond the political agreements that had been signed and were they to try and enter
16 Abidjan by force and other localities inside.

17 So with the minister, Mr Assoa Adou, Abengourou, there were elements that were
18 also sent there for training, also in Niablé. And when I spoke about those
19 personalities, it was that those elements, the transport, the accommodation, the
20 nourishment for those elements who went to those various localities, in order to take
21 care of the training, was at their cost. And there at Gagnoa there was Kadet Bertin
22 who asked Zagbayou to train young people. And there, there were 300 young
23 people who were trained there because it was the town where the president of the
24 republic hailed from. And there might be many unfortunate events to come, so we
25 needed to make sure that there were a large strength, there was large manpower,

1 people who had been trained and who were ready to take up arms and fight.

2 Q. [10:29:58] We will come back to the names but, before that, can you explain to us
3 how you learnt that these political leaders made such requests?

4 A. [10:30:12] Because I was in contact with Bouazo. At that time I was responsible
5 for the military aspect and so he asked me to check with the commanders of those
6 various zones, inform them so that they should organise themselves with the officers
7 at the base and also with the other commanders in Abidjan so as to second the
8 elements that would go and conduct the training of those young people.

9 Q. [10:30:57] The first name that you mentioned it was commander Abi Adjèi.
10 Can you spell that please?

11 A. [10:31:12] Abi is A-B-I, then A-D-J-E-ï.

12 Q. [10:31:21] You also mentioned Serges Agnero. Can you spell Agnero.

13 A. [10:31:28] A-G-N-E-R-O.

14 Q. [10:31:32] You said he was in my region in Dabou. Can you spell it?

15 A. [10:31:41] D-A-B-O-U.

16 Q. [10:31:54] Very well. You also said that there was a request for Gagnoa,
17 Mr Kadet Bertin asked Zagbayou to train people there, you said there were 300 young
18 people. Were those young people armed during their military training?

19 A. [10:32:23] During the training they were not armed but, as I have told you, they
20 were taught to dismantle weapons, to assemble them and to take certain shooting
21 positions. They were also taught tactical manoeuvres and then communication and
22 transmission language and other things relating to the military domain. It was
23 subsequently that they received weapons, about a hundred Kalashnikovs which were
24 sent to Gagnoa.

25 Q. [10:33:27] Do you know how those weapons were sent to Gagnoa and through

1 whom or by whom?

2 A. [10:33:40] Zagbayou was one of those who transported those weapons. And
3 they had been placed in -- given to them by the minister.

4 Q. [10:33:56] How did you get to know about that?

5 A. [10:34:09] The elements of Gagnoa who were known as Cocotage (phon),
6 when we were trained we had feedback, we were informed that the training had been
7 done, and Zagbayou informed me that the preparations had been made and the area
8 was now -- they now had combatants who were ready to reinforce the Defence and
9 Security Forces in that town.

10 Q. [10:34:50] Yesterday you mentioned Zagbayou as an instructor in 2003, but in
11 2010 what was his role?

12 A. [10:35:01] Even though Zagbayou was a soldier of the regular army, he also had
13 the rank of colonel in the GPP, so because of his capacity of a soldier of the regular
14 army, he was not always available but he was one of the commanders in Yopougon
15 and he was respected by all the members of the GPP and even other movements,
16 other self-defence movements. He trained many of the members.

17 Q. [10:35:49] very well. Now let us move on to the second round of elections. In
18 your neighbourhood, you were still based in Adjamé; can you confirm that?

19 A. [10:36:01] Yes, I was in Adjamé.

20 Q. [10:36:04] Can you tell us how the second round of the elections transpired in
21 your commune?

22 A. [10:36:25] For the second round of the elections there were a few minor incidents,
23 as far as I know. During an RHDP rally, I don't know which specific party, that is
24 why I am talking about the RHDP, I don't know which particular party of that
25 movement it was, there was a rally in the stadium. At that time we had instructions

1 not to let any opposition party to assemble in the Delafosse stadium in our
2 neighbourhood, so we went there and we demanded that they leave the place, and
3 since they did not leave immediately we fired into the air and they dispersed and left
4 the location.

5 Then there was -- the commander called me after having received a complaint from
6 the commissioner of the 7th arrondissement police station, and when we called me I
7 told him, I told him that I was not reporting to him and if he had a complaint, he had
8 to complain to his superior because I was not answerable to him.

9 Q. [10:38:28] Now, the instructions to prevent all opposition gatherings or
10 assemblies, where did you receive them from?

11 A. [10:38:40] Bouazo was the one who transmitted the message, but personally I
12 had met Jean-Yves Dibopieu who was one of the leaders of the Galaxie Patriotique.
13 We met and I mentioned to him the various locations where the members of the
14 RHDP met for official or unofficial meetings or rallies. I talked about their
15 residences, the houses that were suspected of hosting members of the
16 Forces Nouvelles who had infiltrated Abidjan, so we met in Cocody, specifically in
17 the Faya neighbourhood, spelt F-A-Y-A. There was a drinking place there and we
18 met with the leaders and commanders of the FLGO who were in Abidjan.

19 Q. [10:40:08] How many times did you meet with Mr Dibopieu?

20 A. [10:40:19] We met on two occasions, I would say two times. The first time we
21 talked about the march and then we talked about the various locations, because such
22 information could not be communicated over the telephone, so it was necessary to
23 meet face to face.

24 Q. [10:40:47] With regard to the time period, you talked about "during the second
25 round I met with Mr Jean-Yves Dibopieu," but you have said you met with him twice,

1 so when was the first time and when was the second time?

2 A. [10:41:04] The first time was before the second round, in fact, it was before the
3 first round. And we were supposed to monitor the movements of the RHDP leaders
4 in the communes and to try to find out whether there were suspicious individuals in
5 their houses who had just arrived to live in their residences. So we had to gather all
6 those pieces of information in the field.

7 Q. [10:41:51] You say that "we had to monitor the movements of RHDP leaders,"
8 specifically who asked you to monitor their movements?

9 A. [10:42:05] I have said that Bouazo had received the instructions and that I
10 personally met with Mr Dibopieu, who instructed me in this area, and he had to
11 retransmit this information to Mr Charles Blé Goudé because he was also a member of
12 the Galaxie Patriotique and he was quite close to Mr Charles Blé Goudé.

13 Q. [10:42:38] Who told you that he had to convey this information to Mr Charles
14 Blé Goudé?

15 A. [10:42:45] Dibopieu, Jean-Yves Dibopieu.

16 Q. [10:42:55] A short while ago you told us that Bouazo had given that instruction
17 to you. Did he tell you from where that instruction came, to the effect that any
18 assemblies of the RHDP should be prevented?

19 A. [10:43:14] When I received the information, I didn't put that question to him,
20 because during that period there were measures that had already been taken at the
21 level of our bases. I told you that later on I met with Dibopieu, so I already knew
22 that these were preventive measures because I had already met with Mr Dibopieu so I
23 knew, I was aware that it was a decision. In our jargon we said that the network, we
24 used the word "network," that the network had issued that instruction without even
25 mentioning some people or institutions. But we knew it was the network because I

1 had met with Mr Dibopieu who had already confirmed these type of instructions.

2 So there was no need for me to ask him that question. And as I have already said, it
3 was not really in our custom to ask questions. When the main leader gave you
4 instructions, you knew that he was in contact with the authorities and he would be
5 the one answerable to the authorities. So we really had no reason to doubt his word.

6 Q. [10:45:26] You have said that in your jargon you said the "network," so can you
7 tell us what precisely that network was?

8 A. [10:45:48] By "network" we meant all those who supported us, political
9 authorities, and members of the Defence and Security Forces. So both civilians and
10 military people with whom we worked in the GPP, and also the leaders of the GPP,
11 we were working with some of these people even before Bouazo. So it was those
12 people all together that we referred to as the "network".

13 Q. [10:46:29] You have also said that when it was the chief, the main leader himself
14 that gave instructions, who are you referring to?

15 A. [10:46:45] In fact, as I have said, in the GPP, when you said the chief, the main
16 leader, it was Bouazo, he was the highest placed individual in the GPP. So when he
17 said something you did not dispute it.

18 Q. [10:47:06] You also mentioned in these meetings with Mr Dibopieu there were
19 elements of the FLGO. Do you remember their names?

20 A. [10:47:22] There was Marie-Claire, we called MC. I do not know that person's
21 real name. He is now in detention at the MACA.

22 There was Sahie Ange Michael. Later on he was seconded to the Republican Guard,
23 so after the -- after the recruitment he was sent to the Republican Guard. He had
24 been part of the close protection of Dibopieu.

25 There was also Vetcho, but during that period he was in Abidjan.

1 Q. [10:48:29] Can you spell Sahie Ange Michael?

2 A. [10:48:31] S-A-H-I-E.

3 Q. [10:48:35] And what was the second name, Vetcho?

4 A. [10:48:43] V-E-T-C-H-O.

5 Q. [10:48:48] During that period, November, December 2010, who was the leader of
6 the FLGO?

7 A. [10:48:59] The leader of the FLGO was Maho Glofiéhi.

8 Q. [10:49:13] Very well. You have told us about the instructions regarding these
9 rallies or assemblies, but did you also have to protect certain buildings or premises?

10 A. Yes, as I said before, we had to guard certain buildings or premises, and
11 specifically some police stations.

12 And there were other elements who were later seconded or assigned to the CRS.

13 Some authorities had requested to be given certain elements to reinforce their own
14 security.

15 Q. [10:50:21] Was the GPP requested to protect important locations in Abidjan, that
16 is apart from police stations and certain authorities?

17 A. [10:50:33] Yes. We also manned checkpoints in the various communes in order
18 to sort out the people who were moving about or circulating in the town.

19 Q. [10:51:04] Where did you mount those checkpoints, which parts of the town?

20 A. [10:51:10] To begin with, it was at or around our various camps or bases and
21 also in light of the assessment of the commanders of the various communes, because
22 they knew their communes best. And they knew the security, the most important
23 security locations, and so these were identified after their assessment.

24 Q. [10:51:54] And when were these checkpoints erected, do you know?

25 A. [10:52:01] As early as the month of October we were already providing security,

1 specifically for our camps or bases. The elements who were trained were there and
2 those who were to be trained were already moving into our camps, so we mounted
3 armed guards during the day and at night. So we had security corridors around our
4 bases as early as the month of October.

5 Q. [10:52:55] You have talked about -- we talked about your various bases before
6 the elections. Now, as from October 2010, where were these various bases and
7 checkpoints located?

8 A. [10:53:16] As from October there was Port-Bouët. In fact, in Port-Bouët there
9 was a base, but there were commands in Gonzagueville, G-O-N-Z-A-G-U-E-V-I-L-L-E.
10 There was the Yopougon camp and a base at Adjamé.

11 Q. [10:54:07] Can you tell us what happened at those checkpoints, what specifically
12 did you do there?

13 A. [10:54:15] At those checkpoints, vehicles were searched, the vehicles that were
14 circulating, and then the identification of the passengers. And if there were
15 pedestrians who looked suspicious, they could be stopped and their identities
16 checked. Then they would be asked where they were going, we would ensure that
17 they knew the area well, and also ensure that these were not members of the
18 Forces Nouvelles who had infiltrated the area. And since we are talking about
19 October, one of the elements of the Forces Nouvelles was also in Abidjan in order to
20 provide security during elections and there were also defence and security personnel
21 who were there to ensure protection for the elections, but there were rumours
22 circulating that they were infiltrators, including even Burkinabé soldiers in Abidjan,
23 so people's identities were checked.

24 There was also information to the effect that there were weapons circulating which
25 were supposed to be distributed to supporters of the opposition.

1 Q. [10:56:11] Very well. Now, and if you found yourself in the situation where
2 you stopped somebody that you found suspicious, what did you do?

3 PRESIDING JUDGE TARFUSSER: [10:56:26] Well, is it a hypothetical question or is
4 it a question if this has happened?

5 MR DEMIRDJIAN: [10:56:33] I will ask him an example as well.

6 PRESIDING JUDGE TARFUSSER: [10:56:36] Yes, please. Not a hypothetical
7 question.

8 MR DEMIRDJIAN: [10:56:39] I will rephrase.

9 PRESIDING JUDGE TARFUSSER: [10:56:41] Thank you.

10 MR DEMIRDJIAN: [10:56:41] (Interpretation)

11 Q. [10:56:44] Let me rephrase my question: Were there any situations in which
12 you had to deal with suspicious individuals, and, if yes, what happened?

13 A. [10:57:02] There were cases where there were people moving about in the
14 vicinity, and in the Adjamé base in particular there was a case where an individual
15 was moving back and forth in the neighbourhood and when he was stopped by the
16 elements on duty he had no knowledge of the town. And when he was asked where
17 he was going and where he was actually at that current moment, he said he was in
18 Abobo, whereas he was actually in Adjamé, so this was found to be suspicious. And
19 there was a large quantity of gris-gris on his person, so he was asked why he was
20 carrying these gris-gris, what was the purpose for him to be wearing so many
21 gris-gris.

22 He was not able to give us any convincing explanations, so we detained him in our
23 premises. I personally contacted the CECOS officers with whom we worked so that
24 they should come and fetch him. After the questioning that we had carried out, this
25 person said that he had been sent on a reconnaissance mission to come and check out

1 the various positions of the self-defence elements that we were. And that other
2 people had been sent to other locations such as the university residences, the GPP
3 base, so we had confirmation that this was a member of the Forces Nouvelles on
4 mission.

5 We called the CECOS officers, specifically lieutenant Gooré Bi at the cité, and his
6 colleague.

7 Before that there had been an incident, Agnakoua Charles, with Commissioner
8 Agnakoua Charles of the 7th arrondissement. So after the questioning there was
9 a small restaurant in our base, in our area, the commissioner was seated there and he
10 heard some parts of the questioning, so he asked to know what was happening. We
11 explained it to him, so he asked that this individual should be handed over to him, we
12 refused. So he was there in front of us speaking with Bouazo, but we didn't do what
13 he asked until CECOS, the CECOS people came to fetch this person.

14 PRESIDING JUDGE TARFUSSER: [11:00:52] We have now reached the time where
15 we have to pause, and to go for a break for half an hour, and therefore the hearing is
16 adjourned to 11.30.

17 THE COURT USHER: [11:01:05] All rise.

18 (Recess taken at 11.01 a.m.)

19 (Upon resuming in open session at 11.35 a.m.)

20 THE COURT USHER: [11:35:41] All rise.

21 Please be seated.

22 PRESIDING JUDGE TARFUSSER: [11:35:59] Good morning once again.

23 I give immediately the floor to the Office of the Prosecutor.

24 MR DEMIRDJIAN: [11:36:15] Thank you, Mr President.

25 Q. [11:36:19] (Interpretation) Good morning again, Mr Witness.

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1 A. [11:36:27] Good morning.

2 Q. [11:36:28] Before the break you told us or provided us with an example where
3 you had arrested an individual at a roadblock. But before giving other examples,
4 who gave you the instructions to set up those roadblocks or the checkpoints? That
5 was the word you were using "checkpoints," was it not?

6 A. [11:36:59] I received those instructions from Bouazo, and I transmitted these
7 instructions to the various commanders for them to be followed.

8 Q. [11:37:19] And did Bouazo inform you of where those instructions had come
9 from?

10 PRESIDING JUDGE TARFUSSER: [11:37:36] Yes, please, yours the floor.

11 MR N'DRY: [11:37:41] (Interpretation) The question, the open question put by the
12 Prosecutor was very clear in nature. Where did you get those instructions from?
13 And the witness said from Bouazo.

14 PRESIDING JUDGE TARFUSSER: [11:37:59] Yes. And the following question is:
15 "And did Bouazo inform you of where those instructions had come from?"
16 Where is the problem?

17 MR N'DRY: [11:38:15] (Interpretation) What I mean by that is that it was an open
18 question that was put in such a fashion that if the witness had wanted to add
19 anything else, he would have done so himself. Do we want to have the witness say
20 certain things?

21 PRESIDING JUDGE TARFUSSER: [11:38:30] I would like the witness to ask answer
22 questions and the question was: Did Bouazo tell you where he had the information
23 from?

24 And I don't think there is anything wrong with this question.

25 So, please, Mr Prosecutor.

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1 MR DEMIRDJIAN: [11:38:47] Thank you, Mr President.

2 Q. [11:38:49] (Interpretation) Could you please answer the question, Witness?

3 THE INTERPRETER: [11:38:57] Microphone, please.

4 THE WITNESS: [11:38:59] (Interpretation) The question that you've just put to me
5 was who gave me that order? Is that right?

6 So I said that it was Bouazo. And now you asked me the question as to whether I
7 knew where those instructions came from.

8 The answer is yes. The instruction came from Commander Kipré, who was the chief
9 of security at the presidential palace.

10 PRESIDING JUDGE TARFUSSER: [11:39:29] And how do you know that? Who told
11 you this?

12 THE WITNESS: [11:39:39] (Interpretation) It was Mr Bouazo.

13 PRESIDING JUDGE TARFUSSER: Yours the floor.

14 MR DEMIRDJIAN: [11:39:46] (Interpretation)

15 Q. [11:39:47] Commander Kipré was part of which organisation, Mr Witness?

16 A. [11:39:53] Commander Kipré was from the Republican Guard, and he was in
17 charge of security at the presidential palace.

18 Q. [11:40:08] Do you know what his rank was?

19 A. [11:40:13] He was a commander. He was a high ranking officer.

20 Q. [11:40:20] And he was chief of security at the presidential palace?

21 A. [11:40:31] Yes.

22 Q. [11:40:31] And the presidential palace in which commune?

23 A. [11:40:37] Plateau commune.

24 Q. [11:40:41] Plateau. Do you have his full name?

25 A. [11:40:44] When I had him on the telephone, he said Adams. He said "my

1 small name or my short name is Adams." So on the telephone he never gave his last
2 name and his rank. So I think that that is his first name.

3 Q. [11:41:13] I'm making sure that this has been correctly transcribed. Well, okay,
4 I don't have the transcript in front of me. We'll come back to it.
5 If we come back to the checkpoints, could you tell me, you've already provided us
6 with a bit of information, but what kind of questions would you put to somebody
7 when you stopped them at those checkpoints?

8 A. [11:41:42] Firstly, we would greet them good morning or good evening
9 according to the time of day and then we would ask them to turn the engine of their
10 vehicle off.

11 PRESIDING JUDGE TARFUSSER: [11:42:02] May I interrupt here. I would not put
12 the question as, the question the way at least it comes from the translation: "What
13 kind of questions would you put?" I would say: "What did you or have you put?
14 If you have been there, what concretely happened?" Not what hypothetically would
15 have happened in case this -- you were in a checkpoint. So if you have been, ask
16 punctually what they did.

17 MR DEMIRDJIAN: [11:42:39] Thank you, Mr President.

18 Q. [11:42:40] (Interpretation) Did you understand the distinction that the
19 Presiding Judge just made? So whenever you had situations, you stopped people,
20 you stopped an individual, what type of question did you put to them?

21 A. [11:43:04] Well, whenever I personally stopped an individual, and if that person
22 was in or on a vehicle, I would ask them to turn the engine off and to open the boot of
23 the vehicle and get out of the vehicle and help with the search. And we would then
24 search the vehicle. We would look under the seats as well. And he himself would
25 open the glove compartment in order for us to verify that there was nothing

1 compromising therein. And if we did not find anything suspicious, we would ask
2 him to provide us with his ID papers, and when he did we would then thank him and
3 he could go on his way.

4 If he did not have his ID papers on him, then we would put questions to him with a
5 view to ascertaining whether he was from -- a national from the country and why it
6 was that he did not have his papers on him, whether he had forgotten them or
7 whether he had lost them or whether they had not yet been issued. Those were the
8 kind of questions we would put to him.

9 We did not stop somebody just by virtue of the fact that they did not have their ID
10 papers, but if they did not have their ID papers on them and if they did not know
11 where they were, then that would be somewhat suspicious, and we would hand him
12 over to the authorities, the regular authorities, in order for them to be able to carry out
13 more in-depth checks.

14 Q. [11:45:18] Why were you attempting to ascertain whether it was a national of the
15 country or not?

16 A. [11:45:30] Because as I said, the reasons that Bouazo gave me when he gave me
17 those instructions was that during that period there were soldiers from the Burkinabé
18 army who were on an infiltration and recce mission in Abidjan, and there were also
19 soldiers from the Forces Nouvelles who were in Abidjan. So for the most part these
20 were people who had never set foot there and as a result we would check them.

21 Q. [11:46:24] You mentioned to us that you would then hand them over to the
22 authorities. Earlier you spoke about the CECOS and Commander Gooré Bi?

23 A. [11:46:36] No. He was a lieutenant.

24 Q. [11:46:39] Oh, a lieutenant, I'm sorry. And which unit of CECOS did he belong
25 to?

1 A. [11:46:43] He belonged to the law enforcement brigade of the CECOS of the
2 gendarmerie. So the law enforcement brigade was in the same premises as the
3 CECOS.

4 Q. [11:47:01] Was this the only unit that you would call upon, or did you call upon
5 any other units?

6 A. [11:47:14] In Yopougon, for example, we might call upon the BAE because, as I
7 said, the elements in Yopougon could work with the commander of that unit.

8 Q. [11:47:41] You say that in Yopougon they might call upon. Now, can you
9 clarify that as to who "he" was, who "they" were?

10 A. [11:47:57] When I say "ils" I'm talking about the elements of the GPP who was
11 setting up checkpoints or roadblocks because they would arrest people. They would
12 hand them over to the authorities and they would request that a CECOS patrol come
13 and pick them up. And they would -- on the other hand, they might hand them over
14 to the BAE.

15 Q. [11:48:24] In your first answer you said that they might call upon the BAE. Do
16 you know any concrete cases where they actually did so?

17 A. [11:48:34] As I was not based in Yopougon -- but we're talking here about the
18 month of October, are we not? Because after the second round, there were clashes
19 between the elements of the camps and the youth from the RHDP who had come
20 from Wassakara. And there were arrests of those youths who were then handed
21 over to the BAE.

22 Q. [11:49:29] And when was that precisely?

23 A. [11:49:31] It was in the month of December. It was after the elections.

24 Q. [11:49:41] In Abidjan itself, after the second round of the elections, was the GPP
25 the only force to set up those checkpoints or roadblocks?

1 A. [11:49:57] No, no. After the elections the GPP was not the only force. There
2 was also the students of the FESCI who had set up roadblocks. There were those
3 civilians who were saying that they were part of the majorité présidentielle. They
4 call themselves the Young Patriots. And they also set up roadblocks in their various
5 neighbourhoods.

6 Q. [11:50:34] And why did they set up those roadblocks?

7 A. [11:50:43] Because during that period, I think it was January or February 2011, in
8 that period to my knowledge, I don't have the precise date in mind, there was a
9 gathering of the Young Patriots, a gathering that had been convened by Mr Charles
10 Blé Goudé, subsequent to which there was a message requesting that the young
11 people block the French soldiers, the French, the ONUCI, whose unofficial mission it
12 was to provide the youth of the RHDP with arms and were helping the rebels to take
13 power. So it was necessary for those young people to make sure that the French did
14 not take power. So those young people also started to set up roadblocks and all of
15 that.

16 Q. [11:52:15] And did you personally see any roadblocks that were set up by the
17 FESCI or the Young Patriots?

18 A. [11:52:27] Yes, because during our movements around the capital, and more
19 specifically in Cocody, and even in Adjamé, in Adjamé the students who were at the
20 university campus had set up roadblocks in front of the campus, and there were also,
21 they were also in Williamsville by the CRS base and also in the south of Yopougon
22 there were roadblocks. And in Port-Bouët as well we received information to the
23 effect that there were roadblocks there and the young people from the FESCI and
24 Young Patriots had been setting up roadblocks in those various neighbourhoods.

25 Q. [11:53:38] Well, let's start with the GPP roadblocks. Apart from those searches

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1 and arrests that you mentioned to us, were there any situations that you saw or that
2 were reported to you that were incidents, incidents that occurred at those roadblocks?

3 (Witness confers)

4 MR WAGEMAKERS: [11:54:24] The answer -- the question is able and is willing to
5 answer the question, but in a closed session, please.

6 PRESIDING JUDGE TARFUSSER: [11:54:32] So I ask the court officer to go into
7 private session.

8 (Private session at 11.54 a.m.)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

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15 (Redacted)

16 (Redacted)

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5 (Open session at 12.00 p.m.)

6 THE COURT OFFICER: [12:00:57] We are back in open session Mr President.

7 PRESIDING JUDGE TARFUSSER: [12:01:06] Thank you very much.

8 Mr Prosecutor.

9 MR DEMIRDJIAN: [12:01:09] (Interpretation)

10 Q. [12:01:10] You mentioned that in other communes there were other events and
11 individuals refusing to stop at the roadblocks were beaten up. How did you learn
12 about these other events or incidents?

13 A. [12:01:26] Well, I must say we at that time had a fleet, rather a -- not a fleet, but a
14 group of telephones, a large number of telephones that we would use to communicate
15 with one another on certain radio frequencies because, as I said, during the election
16 the New Forces were helping with the security in government areas,
17 government-held areas, and the opposite held true as well.

18 So, you see, in non-government areas. So the frequencies were not necessarily
19 secure. But we would exchange information, and on the basis of information we
20 could learn about how the security situation was evolving in the various positions of
21 our forces.

22 Q. [12:02:47] Do you have any examples of situations such as that one that you
23 received information by way of these various telephones that were in use, or network
24 or a group of telephones?

25 A. [12:03:07] There were a number of incidents. The commune where it was

1 frequent was Yopougon and Port-Bouët. Those were the communes where such
2 incidents were much more frequent.

3 Q. [12:03:31] At one particular point you mentioned to us that during one incident
4 you had an AK-47. Could you tell us now, after the second round of voting, what
5 kind of weapons did the GPP men have?

6 A. [12:03:55] We had AK-47s. We had RPGs, without rockets. We had rocket
7 launchers. Well, you see, the parts, we had artillery, machine guns. And we also
8 had, well, some of the AK-47s had grenade launchers mounted upon them, and we
9 also had automatic handguns, pistols as well as other weaponry. Those were the
10 weapons that we had.

11 Q. [12:04:50] Just to make sure we've understood, did all the GPP elements have
12 weapons or just some?

13 A. [12:04:57] No, no. All -- not all the members had weapons, because first of all,
14 some people were knowledgeable about the behaviour or had knowledge of the
15 behaviour of our elements and there were some elements from the interior who didn't
16 really have any particular mastery of weapons and were not used to using them. So
17 we really didn't know how they might react.

18 We would give the weapons out depending on the availability of weapons and also in
19 light of the various responsibilities entrusted to the elements in question.

20 Q. [12:06:10] So just to have a general idea, could you tell us how many weapons
21 the GPP had or how many people were actually armed?

22 A. [12:06:24] Well, at the base in Adjamé, I would say -- it would depend on the
23 period of time as well. It also depended on the time frame.

24 Q. [12:06:43] I'm talking about after the second round.

25 A. [12:06:47] After the second round of voting, yes, of course. After the election

1 already, after the election I can say, let me think, February for instance, when
2 we -- well, there was a detachment of the unit that we had. We had some elements
3 already. They had been given weapons. And for Bouazo's guard, there were at
4 least ten armed men. And Bouazo's -- and also my own personal bodyguards, there
5 were always three, three members of the team with me, and they would go about
6 with me whether I was in a vehicle or going about in another manner.

7 Q. [12:07:59] Just so 50 units -- correction, 50 elements, which unit?

8 A. [12:08:06] From the Ivorian security forces.

9 Q. [12:08:08] Very well. Now, at any time did you receive weapons after the
10 second round of voting?

11 A. [12:08:17] Yes. First of all, first of all, the elements who went to the CRS, they
12 were given weapons directly from the CRS arsenal, and the elements that we had
13 seconded from -- or to police stations to help the police also received weapons at the
14 places where they had been sent to.

15 As for the base in Adjamé, some men had been recruited and -- from the police
16 district and also some people from the campus in Adjamé and also from the GPP base
17 there, so there were them as well.

18 There were some elements from Adiaké, and they went back to Abidjan with
19 weapons, AK-47s and RPGs. One detachment received weapons from the naval base.
20 You see, then they went back to Abidjan with such weapons because they went back
21 to Abidjan with the elements who had been based in Adiaké, so the weapons, the
22 weapons that they had had been given to them there.

23 Other than that, we took part in a number of missions upon the instructions of
24 Commander Kipré. And the deputy chief of staff from the first arrondissement in le
25 Plateau, and we received some equipment, some vehicles, pick-ups and I think there

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1 were six men each that received weapons.

2 What is more, we got four Kalashnikovs from the commissioner. I can't remember

3 his name right now, the police commissioner from Bracodi, the police station there.

4 We got some Kalashnikovs from him. And me myself, I was able to get three

5 Kalashnikovs with from Damana Pickasss, from his residence. And I remember that

6 that was in Yopougon. And he had a Chinese bodyguard.

7 What is more, there was one crate of grenades, defensive grenades at the palace, the

8 presidential palace at le Plateau, and that also was upon instructions of Commander

9 Kaladi (phon), I got those. And as I said, the elements who had been seconded to

10 various locations, well, the places where they had been sent to, they would -- well,

11 how should I -- Maguy Le Tocard, for example, and also the Yopougon camp, they

12 received weapons there, and also Colonel Loba --

13 THE INTERPRETER: [12:12:21] Inaudible.

14 THE WITNESS: [12:12:23] (Interpretation) -- BAE.

15 MR DEMIRDJIAN: (Interpretation)

16 Q. [12:12:24] Now, you've given us quite a bit of information. Let's take these

17 things one by one and let us try to specify the time frame.

18 First of all, let's begin with the CRS elements, the men you sent to the CRS. How

19 many people did you send to the CRS and when was that?

20 A. [12:12:43] The elements who went to the CRS, that was in February 2011, 50 men,

21 50 elements because -- 50.

22 Q. [12:13:11] How do you know that they received weapons? How did you learn

23 about that?

24 A. [12:13:15] Well, depending upon my availability, each morning I would go to

25 the premises of the CRS1 to see the troops arrive, to review the troops, make sure that

1 the men were safe and sound and also to make sure that the commander from the
2 CRS and Kabila, also to ensure that discipline was being followed and that there was
3 nothing to deal with or no complaints or anything like that.

4 I would also receive reports from guards and people, you see, who were under the
5 command of Commissioner Kabila and also to see the men make sure that they were
6 fine, and also to get mission reports, other reports and then I would go back and
7 report back to Bouazo.

8 Q. [12:14:38] Now, Police Commissioner Kabila, do you have his entire name?

9 A. [12:14:43] Gnawa Kabila, G-N-A-W --

10 THE INTERPRETER: [12:14:51] Inaudible. Gnawa, G-N-A-W-A.

11 MR DEMIRDJIAN: (Interpretation)

12 Q. [12:15:01] You also mentioned that you received two Kalashnikovs at the home
13 of Damana Pickasss. When was that? Damana Pickasss. When was that exactly?

14 A. [12:15:17] After the results of the election had been announced, after election
15 results were announced, that was in the month of, the month of January, December or
16 January, just after the election. First we received -- well, you see, the number of his
17 men had been increased and also he got some weapons, additional weapons, and he
18 asked Bouazo to send some people to come and fetch them. So I went with Bouazo
19 on that mission to go and get those weapons.

20 Q. [12:16:15] And when you went to get those weapons with Bouazo, who was at
21 his home?

22 A. [12:16:22] Some members of his protection unit, his bodyguards, some
23 gendarmes and also some police officers. It was a mixed group, a mixed unit. His
24 personal bodyguards and he himself was there as well, because he was looking for us.

25 THE INTERPRETER: [12:16:59] Correction: We were looking for him.

1 MR DEMIRDJIAN: [12:17:02] (Interpretation)

2 Q. [12:17:03] Could you explain to us why there were both gendarmes and police
3 officers at his residence ensuring his protection?

4 A. [12:17:09] First of all, first of all, he was part of the ministry of the interior. He
5 was one of the leaders of the Patriotic Galaxy. And so he could have been a target.
6 Later, you know, his residence was shelled and grenades were thrown. What is
7 more, he was a commissioner and the head of the Independent Electoral Commission
8 and when the results were proclaimed by the IEC, he tore up the results. And as a
9 security measure, he had -- and he said, well, even before the election, even before he
10 had this close protection unit or bodyguards, if you will.

11 Q. [12:18:29] Very well. You said that he was present when you went to his home.
12 Could you explain to us briefly how you got the Kalashnikovs?

13 A. [12:18:39] At his residence there was one room that was set aside specifically for
14 the men who were standing guard at his home. And it was also a place where
15 people could rest. And it was also used to store weapons, some of the arsenal.

16 Q. [12:19:19] How did you know that it was his own residence?

17 A. [12:19:25] Well, it wasn't the first time that we had gone there. It wasn't the
18 first time I went there, not the first time. It was his official residence. It wasn't the
19 first time I had gone there. It was his official residence. I had been there before.

20 Q. [12:19:50] You told us that in this room there were weapons stored. Part of the
21 arsenal intended for a particular mission. Which mission was it?

22 A. [12:20:08] Well, the weapons, or that room that was being used for people to rest,
23 for example, the guards would rest there, and I remember there was a Chinese
24 bodyguard and other members of the security forces. It wasn't a permanent unit.
25 People would come and go. They would do shifts, I suppose.

1 And you see, when they would go and stand guard, some weapons were already
2 being stored in that same room. And then after, when we received weapons, of
3 course, you see, the weapons were stored in that room. That was when Damana
4 Pickass had received the weapons.

5 Q. [12:21:31] Finally, when you were at his residence, did you or Bouazo have a
6 verbal exchange with Damana Pickass?

7 A. [12:21:40] Yes, yes. I didn't have an exchange with him but he received us, he
8 did receive us. We got there. He was seated. He was talking with some members
9 of his -- seated outside and speaking to some of the guards. And then I was to speak
10 with him in his living room. And you see, well, it wasn't the first time that I had met
11 with him there. So he greeted me and Bouazo asked me to go speak to the Chinese
12 fellow to get the package.

13 And Pickass said "Go and see to that with your elder brother. Go take care of that
14 with your elder brother. In any event, you know."

15 So I went and saw the Chinese fellow who gave me ...

16 Q. [12:23:29] I apologise, Mr Witness, but if you could kindly articulate more.

17 Now, you said something, you had gone to see the Chinese fellow to see about getting
18 a package. Please take your time. Tell us what happened?

19 A. [12:23:44] I said that when he said "a package" he was talking about the
20 weapons that were to be obtained. And Pickass said "Okay, go see your big brother
21 over there. In any event, you know each other."

22 And I knew him, so I went out and left him there. And I think he had other things,
23 other things to talk about.

24 And so I went with the Chinese man to get the weapons.

25 Q. [12:24:27] You also mentioned that at the palace you received a crate of grenades

1 from Colonel Mody. When was that?

2 A. [12:24:41] In February.

3 Q. [12:24:46] And who was at the palace to get the crate of grenades.

4 A. [12:24:54] It was me.

5 Q. [12:24:55] And could you tell us something about Colonel Mody, what unit did
6 he belong to? What was his rank? What was his role?

7 A. [12:25:11] He was -- he was a colonel, a high-ranking officer within the
8 Republican Guard. He was at the palace because the duty officer --

9 THE INTERPRETER: [12:25:39] Inaudible.

10 THE WITNESS: [12:25:41] (Interpretation) -- presidential palace.

11 MR DEMIRDJIAN: [12:25:45] (Interpretation)

12 Q. [12:25:46] A few moments ago you said to us that there were some calls about
13 French soldiers and an ONUCI convoy. Within the GPP did you receive any
14 instructions regarding the ONUCI convoys?

15 A. [12:26:05] Yes, we did receive instructions. We were told that the ONUCI
16 people were in charge of giving young members of the RHDP weapons. And we
17 had to keep these UNOCI convoys from moving about within the capital.

18 Q. [12:26:51] Whom did you receive these orders from?

19 A. [12:26:58] As I explained, it was a mission that Bouazo told me about. And he
20 said that those were instructions that came -- it was in coordination with the
21 commander, commander Kipré, who we were working with, as well as another
22 officer I mentioned, and Bouazo asked us to follow those instructions within the
23 entire base in Abidjan.

24 So we blocked the ONUCI tanks because, you see, it was -- there were suspicions that
25 they were transporting weapons and giving them to the people from the RHDP.

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1 Q. [12:28:09] And did you actually block these tanks?

2 A. [12:28:13] Yes, yes.

3 Q. [12:28:19] How many times?

4 (Witness confers)

5 THE WITNESS: [12:28:50] (Interpretation) As I said personally, personally, I took
6 part in one of those operations. As I said, those operations occurred in several
7 locations within the capital. And me personally, I did take part in just one of those
8 operations, namely, blocking UNOCI tanks.

9 Q. [12:29:19] Could you describe this to us in open session?

10 A. [12:29:23] No problem.

11 Q. [12:29:27] Could you tell us when that happened and where it happened, which
12 location?

13 A. [12:29:37] I don't have the exact date. It was after the elections, I do know that.
14 Between December and January, December 2010 or January 2011. I don't have the
15 exact date in mind, but it happened in Adjamé on the boulevard des Martyrs. The
16 tank was coming from the intersection, the intersection from which you can go to
17 camp Agban or to the fire hall, that particular intersection, that is where they were
18 coming from.

19 We intercepted them at -- well, you know, there is the expressway that faces the place
20 des Martyrs, the square.

21 Q. [12:30:44] Could you please briefly explain to us how you blocked those UNOCI
22 tanks?

23 A. [12:30:54] Well, we should say that our mission was not to provoke any fire,
24 gunfire exchange or any fighting. We just wanted to block the movement of the
25 UNOCI tanks and to make sure that they turned back. And also search them, search

1 those tanks and make sure that they were not transporting any weapons, and if they
2 were transporting weapons, then we were supposed to take hold of those weapons
3 and we, with a view to making them stop, we had to make sure that they did not have
4 any weapons in their hands, any apparent weapons. We also had to be in civilian
5 attire, but we were assisted by the CECOS. So whenever we intercepted them at a
6 good distance, there was a CECOS vehicle that would cover us.

7 Q. [12:32:13] So you searched, did you not?

8 A. [12:32:16] Yes, we did search, conduct a search, and I made them open the
9 access point to the tank. And I went inside the tank in order to conduct the search
10 and I blocked the telephone of the elements inside.

11 They wanted to make a telephone call and I took their telephone with me.

12 Q. [12:32:50] What did you discover during that search?

13 A. [12:32:57] When we conducted the search, we did not discover anything. There
14 was just uniforms. But I believe that there was something else, you know, in the
15 newspapers at the time. But these were political manoeuvres. But had there been
16 any weapons, there weren't any, but as soldiers, they were not going to let us take
17 away those weapons without putting up some kind of a resistance.

18 Q. [12:33:43] Now, formerly when you explained to us the location, you talked
19 about an intersection whence one can come out of the Agban camp. Could you
20 please tell us what that intersection is or spell it to us?

21 A. [12:34:02] I said that they were coming from the l'Indénié intersection, the
22 l'Indénié intersection. And I said that this was an access road coming from the
23 boulevard Lagunaire, and from that boulevard Lagunaire, you could also go past the
24 military fire brigade and you could also gain access to the Cocody commune via the
25 corniche. And there was another road that went to Agban camp via the boulevard

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1 des Martyrs.

2 Q. [12:34:49] Do you remember whether that incident occurred at night-time or
3 during the day?

4 A. [12:34:57] It was during the day. It was in the morning. Well I don't know
5 whether it was the morning or the afternoon, but it was during daytime.

6 Q. [12:35:11] Just one moment, please.

7 Mr Witness, you mentioned that during the search you saw uniforms. Can you tell
8 us what kind of uniforms these were?

9 A. [12:35:52] They were UNOCI uniforms and there were T-shirts that were orange
10 in colour. They were polo T-shirts. But they had UNOCI uniforms.

11 Q. [12:36:11] You also mentioned that after having conducted the search, you saw
12 that there were other things being mentioned in newspapers and that these were
13 political manoeuvres. What did you read in the newspapers?

14 A. [12:36:29] In the newspapers it was being said that we had blocked the UNOCI
15 tanks and that we had found weapons and all of that, and that this was evidence that
16 ONUCI was transporting weapons to the rebels in Abidjan or the RHDP supporters.

17 Q. [12:36:59] Do you remember which press agency provided that information?

18 A. [12:37:07] I do not recall. But on that day I was interviewed by a newspaper, I
19 think it was the daily Le Temps.

20 Q. [12:37:25] Do you know whether that incident was video recorded?

21 A. [12:37:28] Yes, yes, because often when -- you know, I don't know what -- in
22 their euphoric state whether they wanted to film this or not, but it was filmed by an
23 element, but I did not film it myself.

24 Q. [12:37:55] Very well.

25 MR DEMIRDJIAN: [12:38:06] Could we please display -- well, we have to have the

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1 floor, we would like to show a video which is CIV-OTP-0070-1065 at tab 67. The
2 transcript is at tab 68, and the ERN is CIV-OTP-0088-0801.

3 THE COURT OFFICER: [12:38:31] Could you please confirm the level of
4 confidentiality of the video.

5 MR DEMIRDJIAN: [12:38:34] This one is public.

6 THE COURT OFFICER: [12:39:03] And it will be displayed on the evidence 2
7 channel.

8 MR DEMIRDJIAN: [12:39:29] (Interpretation) Very well. We can look at it now.
9 (Viewing of the video excerpt)

10 MR DEMIRDJIAN: [12:40:03] (Interpretation)

11 Q. [12:40:08] Mr Witness, you have just been shown a brief excerpt to start with.
12 Now, this is just for the transcription, we started from the outset of the video until
13 second number 29.

14 First and foremost, do you recognize this location?

15 A. [12:40:28] Yes, I do recognize the location.

16 Q. [12:40:30] And where was that?

17 A. [12:40:31] It was on the boulevard des Martyrs in Adjamé.

18 Q. [12:40:40] Have you been able to recognize anybody in those 29 first seconds
19 that we have just viewed?

20 A. [12:40:51] Yes, yes.

21 Q. [12:40:56] Who did you recognize?

22 A. [12:40:59] Well, I can see myself on the video, and there are other elements of the
23 GPP.

24 Q. [12:41:14] Very well. Let's show the video from the beginning again. And
25 when you see yourself, can you please ask us to stop it and then we'll freeze the

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1 frame.

2 Could we please start it from the beginning again please.

3 (Viewing of the video excerpt)

4 MR DEMIRDJIAN: [12:41:33] (Interpretation)

5 Q. [12:41:35] Okay. So we're at 4.21 seconds. What can you tell us about that
6 frame?

7 A. [12:41:46] Well, I'm the second person from the left. I am the one wearing the
8 boubou.

9 Q. [12:42:00] What colour is that boubou?

10 A. [12:42:04] It's blue and white.

11 Q. [12:42:09] Have you recognized anybody else up to now?

12 A. [12:42:12] Yes, yes. There are a number of the elements that were there with
13 me.

14 Q. [12:42:20] Okay. Well, let's continue playing the video. And if you recognize
15 an element whom you recognize and know their name, then sign, please.

16 (Viewing of the video excerpt)

17 MR DEMIRDJIAN: [12:42:38] (Interpretation) You can stop now. Can you come
18 back to second number 6, please.

19 THE WITNESS: [12:42:57] (Interpretation) There you are. So the one with the
20 brown T-shirt wearing short khaki shorts is Commander Bogota and his name is --

21 THE INTERPRETER: [12:43:22] Unintelligible.

22 THE WITNESS: He was the commander who was also with me at the base.

23 PRESIDING JUDGE TARFUSSER: [12:43:27] And his name is.

24 THE WITNESS: [12:43:29] (Interpretation) Essoh Wilfried Léger. Essoh is
25 E-S-S-O-H, Wilfried Léger. Léger, L-E-G-E-R.

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1 MR DEMIRDJIAN: [12:43:49] (Interpretation) We are at 6.16 -- 10.00. Can we
2 continue, please.

3 (Viewing of the video excerpt)

4 THE WITNESS: [12:44:20] (Interpretation) Maybe we could look at 30 seconds as
5 well, at second number 30. The one who is in the orange T-shirt.

6 (Viewing of the video excerpt)

7 THE WITNESS: [12:44:33] (Interpretation) The one who is in the orange T-shirt,
8 there we are. So he, he is deceased. He died during an attack in 2014, he died.

9 MR DEMIRDJIAN: [12:44:53] (Interpretation)

10 Q. [12:44:54] Was he one of your elements?

11 A. [12:44:56] Yes, yes. Drama Lale was his name.

12 Q. [12:45:05] Drama?

13 A. [12:45:06] Lale, L-A-L-E.

14 Q. [12:45:12] Very well. I believe that we can stop looking at the video now.

15 You said that you had talked to journalists about those elements?

16 A. [12:45:36] Yes, yes.

17 Q. [12:45:44] Did the journalists note down what you said?

18 A. [12:45:47] Yes. I was interviewed by a journalist from the daily newspaper Le
19 Temps.

20 Q. [12:45:58] And how did you introduce yourself?

21 A. [12:46:02] When he asked me what my name was, an element to one side of me
22 said, he said "Commander Metch." I said no. I don't want my name to be in the
23 newspapers. For reasons of security, I don't want my name to be in the newspaper,
24 and that they should put the name "Mike" in our transmission language so that they
25 should put me as "Commander Mike."

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1 Q. [12:46:42] Very well. What type of questions did they put to you?

2 A. [12:46:55] Well, first of all, if I remember correctly, they asked me why we had
3 conducted this operation and what political side we were on, as to whether we were
4 supporters of the opposition or whether we were supporters of the presidential
5 majority. It was that type of questions that were put to me and what the result of the
6 search was.

7 Q. [12:47:54] And the video that we have just viewed, does it represent the incident
8 that you described to us previously?

9 A. [12:48:02] Yes.

10 MR DEMIRDJIAN: [12:48:08] Your Honours, could we display on the screen
11 CIV-OTP-0070-1066.

12 THE COURT OFFICER: [12:48:50] The document is displayed on the evidence 1
13 channel.

14 MR DEMIRDJIAN: [12:48:54] Thank you very much.

15 Q. [12:49:00] (Interpretation) Can you see the article on the screen?

16 A. [12:49:07] Yes, I can see it.

17 Q. [12:49:09] Do you want us to blow it up somewhat? You can see, at the top
18 right-hand corner you can see written "le Temps"?

19 A. [12:49:20] Yes.

20 Q. [12:49:21] And the title is "Suspect movements: Three UNOCI tanks blocked
21 by the GPP in Adjamé."

22 Can you see that?

23 A. [12:49:32] Yes.

24 Q. [12:49:33] In the middle of the page there is a question to which an answer is
25 given, and the answer is that they supported Commander Mike of the GPP. Do you

1 want us to blow that up?

2 A. [12:49:51] I'm just looking for it.

3 Q. [12:49:52] Take your time.

4 A. [12:50:00] Yes, I can see it.

5 Q. [12:50:02] Now, who is that?

6 A. [12:50:03] You mean who the person who gave the answer is? That was me.

7 Q. [12:50:14] If we can just move down a little bit more. The question following,
8 the sentence following that reads as follows:

9 "In a few minutes the three UNOCI tanks were surrounded by the GPP elements.

10 Upon their insistence they searched the tanks and 12.7 weapons, ammunition and a
11 number of fatigues were discovered in the tanks." End of quote.

12 What can you tell us about that sentence, the last sentence about the weapons and the
13 ammunition?

14 A. [12:50:54] Well, personally, when I heard this I laughed, because that was not
15 the case. We had not recuperated any weapons in the tanks.

16 Q. [12:51:14] Please go ahead.

17 A. [12:51:17] I talked to Bouazo about it and he said "Just leave it. Just leave it."

18 Q. [12:51:26] So you, when answering the questions of the journalists, what did you
19 answer them? What did you say was the result of your searches?

20 A. [12:51:36] The answer that I gave, well, he put this in inverted commas, I think
21 that what he wrote in addition to that was his commentary.

22 Q. [12:51:48] Very well. Now, in the five minutes remaining before we take the
23 break, can you please tell us whether you received any information on the subject of
24 other incidents where UNOCI tanks had been blocked or searched?

25 A. [12:52:09] Yes, there were incidents, incidents in Cocody. And those same

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1 incidents in Cocody, in Cocody I think that on two occasions there were incidents of
2 this type in an Ébrié village in Cocody and also around the Akouédo camp where the
3 first infantry battalion was, in the neighbourhood surrounding that.

4 And there were also such incidents in Abobo.

5 Q. [12:53:13] I do apologise, just before coming back to those incidents you just
6 mentioned, is that document still up on the screen before you?

7 MR DEMIRDJIAN: [12:53:22] Can we display again the last document once again,
8 please. It was CIV-OTP-0070-1066. And can we scroll down a little bit to the
9 middle of the page?

10 Q. [12:53:54] (Interpretation) When you were referred to as
11 "Commander Maïcke," can you see the manner in which that is spelled?

12 A. [12:54:01] Yes.

13 Q. [12:54:02] I can see M-A-I --

14 THE INTERPRETER: [12:54:08] And the witness finishes off --

15 THE WITNESS: (Interpretation) -- C-K-E.

16 MR DEMIRDJIAN: (Interpretation)

17 Q. [12:54:10] Is that the precise spelling that you gave at the time?

18 A. [12:54:13] No, no. Well, he didn't ask me to spell it out. It was an audio
19 recording that he was making and he didn't ask me to spell it.

20 Q. [12:54:30] All right. And generally speaking, how did you spell it when you
21 said Commander Mike?

22 A. [12:54:46] M-I-K-E is Mike.

23 Q. [12:54:51] Very well. And just to clarify, when you see this article before you
24 can you tell us whether it is really you who were interviewed?

25 A. [12:55:02] Yes, it was me who was interviewed.

1 Q. [12:55:07] Very well. So I'm going back to the other incidents that you just
2 mentioned in Cocody at Anono village and at Akouédo camp and in Abobo. Can
3 you tell us what kind of information you received, and especially whether you heard
4 whether during those searches any weapons were found or not?

5 A. [12:55:45] To my knowledge, in Abobo and Akouédo, there were no searches as
6 such. It was rather in Cocody that there were searches because there was a convoy, a
7 UNOCI convoy that was telling -- taking food to the Golf hotel where the RHDP
8 officers were, and they were transporting nourishment or food that was seized.

9 Q. [12:56:33] One last question before the break. How did you come to learn of
10 those incidents?

11 A. [12:56:37] In the Anono incident, there were elements that took part in this.
12 And in Abobo commune there were elements that either took part in it or that were
13 present and they reported back. And the reports were given to the base in Adjamé.
14 But I was in charge of the intelligence in the archives, so I was to be informed of
15 everything that was going on.

16 Q. [12:57:19] And to make this crystal clear, when you say "elements", which
17 elements are you talking about?

18 A. [12:57:27] The GPP elements.

19 MR DEMIRDJIAN: [12:57:31] Your Honours, I would have to move to another
20 subject, so I think this might be a good time.

21 PRESIDING JUDGE TARFUSSER: [12:57:36] Thank you very much.

22 We go now -- well, Maître Gbougnon.

23 MR GBOUGNON: [12:57:43] Yes, Mr President.

24 For reasons of organisation, I think if we could kindly ask my learned colleague, he
25 had announced 10 hours. I don't know whether I'm good at accountancy or not, I

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1 don't think we're far off from that figure, but could provide us with an estimation of
2 the time that he has left so that we can prepare ourselves?

3 PRESIDING JUDGE TARFUSSER: [12:58:07] We are about a couple of hours to go,
4 from the 10 I mean, a little bit more than eight hours.

5 MR DEMIRDJIAN: [12:58:21] I'll be able to give a good indication by the end of the
6 next session, your Honours.

7 PRESIDING JUDGE TARFUSSER: [12:58:25] Okay. By the end of the day we will
8 have an estimate. Okay. Thank you very much. The hearing is adjourned to 2.30.

9 THE COURT USHER: [12:58:35] All rise.

10 PRESIDING JUDGE TARFUSSER: [12:58:38] To 2.30. It wasn't registered.

11 (Recess taken at 12.58 p.m.)

12 (Upon resuming in open session at 2.42 p.m.)

13 THE COURT USHER: [14:42:34] All rise.

14 Please be seated.

15 PRESIDING JUDGE TARFUSSER: [14:42:57] Good afternoon, everybody. Good
16 afternoon, Mr Witness.

17 Before giving the floor to the OTP for the continuing of the questioning, and I was
18 reminded that you have questioned the witness now for 8 hours and 15 minutes, so
19 out of the 10 there is not much left for tomorrow, just for you to be aware.

20 I know we were informed that the OTP has an issue to raise on the basis of our
21 decision of this morning and therefore I just very shortly, very briefly, would give the
22 floor to the Office of the Prosecutor. But before doing so, I would ask also the court
23 usher to bring the witness out for a few minutes.

24 MR DEMIRDJIAN: [14:44:07] Your Honours, for my intervention, it won't be
25 necessary because I will not be making the intervention. Mr MacDonald will do it

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1 tomorrow morning, if it's related to that.

2 PRESIDING JUDGE TARFUSSER: [14:44:17] Yes, but tomorrow morning, it's a bit
3 late, I would say.

4 MR DEMIRDJIAN: [14:44:21] Just a second, please.

5 Your Honours, we'll look into it now but perhaps we can deal with it at the end of the
6 session, just to make sure we have the right information, but I will not be dealing with
7 that part of the submission.

8 PRESIDING JUDGE TARFUSSER: [14:44:46] Well, it's another problem which
9 is -- yes, which is created. I thought we could decide these things in -- now in very
10 short time, but we can't. So we continue with the witness questioning, and I give the
11 floor immediately to the Office of the Prosecutor for the continuing of the questioning.
12 And just to return to what was said this morning on the schedule, I mean, we should
13 really try to stick to the timing which was somehow announced, as much as possible.

14 MR DEMIRDJIAN: [14:45:33] I'll try my best, your Honours, But as you've seen,
15 we've had a few delays here and there.

16 PRESIDING JUDGE TARFUSSER: [14:45:39] Yes, but these delays are calculated.

17 MR DEMIRDJIAN: [14:45:42] I understand.

18 PRESIDING JUDGE TARFUSSER: So try.

19 MR DEMIRDJIAN: But putting aside the delays, which is not a good excuse I
20 concede, the reality is that I think that we're hearing relevant and pertinent evidence.
21 I wouldn't want to be bound by the approximation I gave your Honours of 10 hours
22 but I'll try to be as close as possible.

23 PRESIDING JUDGE TARFUSSER: [14:46:04] You have the floor.

24 MR DEMIRDJIAN: [14:46:05] Thank you very much.

25 Q. [14:46:07] (Interpretation) Good afternoon, Witness.

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1 A. [14:46:13] Good afternoon, Mr Prosecutor.

2 Q. [14:46:17] This morning you mentioned to us that when the GPP elements
3 intercepted the UNOCI tanks, you said at page 56 that at a good distance away, there
4 was some cover provided by CECOS vehicles. Now, just -- I'll put the question --
5 PRESIDING JUDGE TARFUSSER: [14:46:50] Just finish the question, otherwise,
6 the record will not be -- will not be easy to be read. So finish the question.

7 MR DEMIRDJIAN: [14:47:01] (Interpretation)

8 Q. [14:47:05] The question is this, Mr Witness: The day that you took part in this
9 search of the UNOCI tank, were the CECOS vehicles in the neighbouring area at a
10 good distance away as you said?

11 A. [14:47:22] Yes.

12 PRESIDING JUDGE TARFUSSER: [14:47:26] Excuse me, before answering, I want
13 to give the floor to Mr Gbounnon.

14 MR GBOUGNON: [14:47:29] (Interpretation) No, I think the Prosecution has
15 understood. The Prosecution has understood and rephrased the question, so this is
16 fine by me.

17 PRESIDING JUDGE TARFUSSER: [14:47:43] So the next time you just need to
18 stand up and he will understand. Okay. Thank you very much.

19 MR DEMIRDJIAN: [14:47:53] I hadn't even put the question, your Honours.

20 PRESIDING JUDGE TARFUSSER: [14:47:57] Mr Witness, now you can answer the
21 question.

22 THE WITNESS: [14:48:05] (Interpretation) Yes, on that day indeed there was a
23 CECOS vehicle because the tank in question was first intercepted by the CECOS
24 vehicle at the carrefour de l'Indénié, the intersection that I mentioned earlier, and the
25 UNOCI soldiers did not stop, so we were informed of that and we went to intercept

1 them at the place that was shown on the video. And they withdrew when I asked
2 that the tank be opened up so we could go inside.

3 The vehicle moved forward and went on the other side of the motorway, the same
4 part of the road. You see, there are three lanes, but over on the lower side beside the
5 tank, there was a vehicle, a CECOS vehicle, when I conducted the search of the tank.

6 Q. [14:49:24] Thank you for making that clear to us, Mr Witness. Now, this
7 morning you also mentioned at page 19 of the transcript that some of your men were
8 standing guard at Charles Blé Goudé's residence. Now, did you personally know
9 the members of his security detail, his bodyguards?

10 A. [14:49:53] Yes, there was Sergeant Blédé.

11 Q. [14:50:03] And how did you know that person?

12 A. [14:50:07] Through the soldiers who were standing guard there because he
13 would -- quite often he would go by the camp since soldiers from that camp were
14 standing guard there. So often they were very much in contact with Commander
15 Tino at that time.

16 Q. [14:50:38] What period of time was that that you saw Sergeant Blédé?

17 A. [14:50:46] January 2011, January. As of January 2011 and thereafter, that is
18 when we met one another for the first time at the camp. Went to see commander --

19 THE INTERPRETER: [14:51:17] Inaudible.

20 THE WITNESS: [14:51:21] (Interpretation) Just at the entrance to the camp there
21 was a bit of a gathering and there was a spot where you could have a drink, and I was
22 there having a drink.

23 MR DEMIRDJIAN: (Interpretation)

24 Q. [14:51:38] You said "sergeant." Was this person part of a particular
25 organisation?

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1 A. [14:51:50] He was a non-commissioned officer. I don't know whether a
2 non-commissioned officer within the police or -- but he was a non-commissioned
3 officer. I don't know what community he belonged to. I saw him in uniform as
4 well.

5 Q. [14:52:09] One last question: How often did you see him as of January 2011?

6 A. [14:52:23] We didn't see one another all that often, but in April we did see one
7 another. It wasn't -- well, it's not someone I rub shoulders with often.

8 Q. [14:52:42] Very well. I would now like to take you to December 2010. We
9 know that there was a march that was organised by the RHDP. Are you familiar
10 with that march?

11 A. [14:52:58] That I'm familiar with?

12 Q. [14:53:02] Yes.

13 A. I wouldn't quite say familiar with.

14 Q. [14:53:05] Do you have knowledge of the march?

15 A. [14:53:08] Yes, yes.

16 Q. [14:53:09] Did you play a particular role in relation to this march?

17 MR WAGEMAKERS: [14:53:27] The witness is able and is willing to answer the
18 question in closed session.

19 PRESIDING JUDGE TARFUSSER: [14:53:35] Can we know, can he also know
20 why?

21 MR WAGEMAKERS: [14:53:38] Yes, because he was -- we know that there were
22 casualties during this march and we know as well from the file that --

23 PRESIDING JUDGE TARFUSSER: [14:53:48] No, no.

24 MR WAGEMAKERS: [14:53:50] -- that this witness was involved one way or
25 another.

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1 MR DEMIRDJIAN: [14:53:59] Perhaps we could have the discussion briefly in
2 private session if we want to air it out.

3 PRESIDING JUDGE TARFUSSER: [14:54:06] Well, I don't know if we need a
4 private session at this moment. But I mean, it's always the responsibility of the
5 parties also to -- Mr Gbougnon.

6 MR GBOUGNON: [14:54:19] (Interpretation) Your Honour, I think that, well,
7 without getting into the details, I think each and every one of us here has read a
8 certain number of statements and I don't believe, I don't believe that this really comes
9 under Rule 74. Quite frankly, I don't understand why we would be going into
10 private session. I am just putting the question out there. Frankly, I don't see
11 anything, anything incriminating in the statement that was given.

12 PRESIDING JUDGE TARFUSSER: [14:54:56] I would just say one thing: We
13 cannot go into private session for the whole thing. I mean, there are parts where he
14 can describe in open session things we more or less know. When it comes to the
15 parts where he is involved, of course we go. But we should not cover the whole
16 incident.

17 MR WAGEMAKERS: [14:55:22] That's fine, your Honour.

18 PRESIDING JUDGE TARFUSSER: [14:55:23] Okay.

19 MR WAGEMAKERS: [14:55:24] That's fine, your Honour.

20 PRESIDING JUDGE TARFUSSER: Okay.

21 MR DEMIRDJIAN: But perhaps the Prosecutor can indicate when he will ask --

22 PRESIDING JUDGE TARFUSSER: [14:55:30] Yes.

23 MR WAGEMAKERS: [14:55:31] -- more or less operational things.

24 PRESIDING JUDGE TARFUSSER: [14:55:33] That's what I said at the beginning.

25 It's up also to the responsibility of the questioner to be aware of this and maybe ask to

1 go in private session when it comes to it.

2 MR WAGEMAKERS: [14:55:44] Okay.

3 PRESIDING JUDGE TARFUSSER: [14:55:45] Okay. Thank you very much.

4 Please, Mr Prosecutor.

5 MR DEMIRDJIAN: [14:55:49] (Interpretation)

6 Q. [14:55:52] I will begin with general information and when we get to more
7 specific items, please gesture to me or I will gesture to your counsel.

8 Now, first of all, let us begin with that. Did you receive instructions in relation to the
9 RHDP march in December 2010?

10 A. [14:56:26] When -- when the decision to organise that march was taken by
11 Mr Guillaume Soro, when the information came through, that march had been
12 scheduled and it was supposed to be towards the RTI and then, you see, onwards to
13 the office of the prime minister, the Primature. There were a number of meetings
14 between the former Minister of the Interior, Mr Tagro, and a number of officials from
15 the self-defence movement within -- including the GPP. And prior, you see, in
16 October, actually, we were already on alert because already we already were in a state
17 of alert, and the instructions were to support the Defence and Security Forces, the FDS,
18 because the march was to be in Cocody. And the point to draw back of the forces,
19 well, it was to go by way of the expressway Boulevard des Martyrs, which separated
20 us from the neighbourhood. So, you see, the march was necessarily going to have to
21 go by that particular location and the Adjamé base was already in the perimeter, so it
22 was part of our mission.
23 Our mission was to intercept the people, the marchers who were going to come back
24 from Cocody, and hand them over to the authorities.
25 As I explained earlier, during that period of time we carried out some military

1 training exercises and some elements of the FESCI took part in that as well and so the
2 campus as well and the students belonging to the FESCI who were at the university in
3 Cocody were also on alert, as we were, and the elements as well of the GPP. The
4 people in the commune of Cocody were on alert because the march was going to be
5 held in their commune. So that is what I wanted to tell you.

6 Q. [15:00:06] You told us that after Mr Soro's decision to schedule this march,
7 there were meetings between the former interior minister, Mr Tagro, and some
8 leaders of self-defence organisations. So how did you learn about these meetings
9 and what did you learn about them?

10 A. [15:00:37] The march was forbidden. So any protest movement had been
11 forbidden by the government. As early as December, after the elections and after the
12 proclamation of results in December 2010, the leaders of the RHDP were at the Golf
13 hotel and they were there with certain commanders of the Forces Nouvelles. And
14 considering that it was a group, a movement that was in opposition to the
15 government in place who -- and the president had been confirmed by the
16 constitutional council, these people were coming there to install the managing
17 director that they had appointed for the RTI. So it was said that anyone who took
18 part in that march would be considered as a rebel because this was an insurrectional
19 movement and anyone participating would be considered as a rebel.

20 Q. [15:02:11] Who told you about these meetings, and were you present?

21 A. [15:02:18] No, I did not attend. Well, whatever had to do with political
22 meetings, I really was not interested in those types of meetings because whether I was
23 there or not, I would be informed.

24 Q. [15:02:57] Can you tell us which of the leaders of the GPP met with Minister
25 Tagro?

1 A. [15:03:08] Mémoire, for example, he accompanied Bouazo. There was also
2 General Ato Gbeli A-T-O G-B-E-L-I, who was one of the commanders in Port-Bouët.
3 And there was other leaders such as Djimy Willy, they also attended the meeting,
4 Maguy le Tocard as well. There were several of them who went. Some of them,
5 first of all, came to the Adjamé base while others went to the meeting directly.

6 Q. [15:04:06] So once you were informed of the substance of the decision, what
7 did you do within the GPP in order to organise yourselves?

8 A. [15:04:29] This was an instruction that was transmitted, so the first thing to do
9 was we convey the message to the other commanders and the elements had to be
10 mobilised. So that was the first step, to make sure that the elements, the militias
11 were on alert. So even those who had sought authorisation or permission for
12 absence, they were told to remain because the government needed them.

13 Q. [15:05:08] On the day of that march, approximately how many members of the
14 GPP took part?

15 A. [15:05:24] I cannot give you a precise figure. As I have said, even in Cocody
16 itself, the elements there are considered as members who participated. With regard
17 to the base itself, the number of elements who had been requisitioned in case of need
18 to take part in cracking down on that march, I would say that there were two
19 commanders designated, one from the Adjamé base and another from another camp.

20 Q. [15:06:23] Now, the members of the GPP who participated in cracking down
21 on this march, how were they dressed? What was their attire on that day?

22 A. [15:06:37] They were in civilian attire with FDS armbands, white armbands.

23 Q. [15:06:50] Were they armed?

24 A. [15:07:04] Some of them. But in Adjamé we did not receive any instructions
25 to carry weapons during that march.

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1 MR DEMIRDJIAN: [15:07:14] I think, your Honours, now would be a good time to
2 go to private session, because I will get into the role.

3 PRESIDING JUDGE TARFUSSER: [15:07:21] Yes.
4 What?

5 MR GBOUGNON: [15:07:26] Monsieur le Président.

6 PRESIDING JUDGE TARFUSSER: [15:07:28] What is it? What is the problem,
7 Maître Gbougnon?

8 MR GBOUGNON: [15:07:31] (Interpretation) Mr President, the witness has just
9 said that he and his elements in Adjamé were not armed. So why go into private
10 session, if we are talking of self-incrimination here, if he and his elements were not
11 armed?

12 PRESIDING JUDGE TARFUSSER: [15:07:53] I don't know, but as I said, it's
13 responsibility of the questioner on the basis of the questions he wants to put, then
14 we'll see what the answer is and what the question is.

15 So let's please go in private session.

16 (Private session at 3.08 p.m.)

17 (Redacted)

18 (Redacted)

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24 (Open session at 3.28 p.m.)

25 THE COURT OFFICER: [15:28:41] We're in open session, Mr President.

1 PRESIDING JUDGE TARFUSSER: [15:28:53] Thank you very much.

2 Mr Prosecutor.

3 MR DEMIRDJIAN: [15:28:58] (Interpretation)

4 Q. [15:29:01] Mr Witness, at one point you mentioned that in Cocody some of
5 your militias were there as well as members of the police and the FDS. To begin
6 with, how could the FDS members recognize the members of the GPP?

7 A. [15:29:23] As I have said, the GPP members were wearing white FDS arm
8 bands and there were buttonholes that could be put together with a safety pin.
9 So these were the arm bands that were used when they were operational, either in
10 military uniforms or in civilian attire. And they could also announce themselves and
11 identify themselves at that time.

12 Q. [15:30:13] From your position where you were in Adjamé, were there members
13 of FDS stationed there or positioned there?

14 A. [15:30:24] At boulevard Des Martyrs, because people were coming down and
15 often you see the CECOS vehicle would come and get these people, these marchers at
16 the boulevard and put them into four-by-fours and take them back to the base.

17 Q. [15:30:48] And you saw that yourself? Could you tell us how many people
18 were picked up that way by the BMO?

19 A. [15:31:08] I don't have an exact number, but a dozen maybe, 10, a dozen.

20 Q. [15:31:27] Now, over on the Cocody side, which one of your elements were
21 over there?

22 A. [15:31:36] There was Louoba, Toualy, Giscard. L-O-U-O-B-A, Louoba.
23 Toualy, T-O-U-A-L-Y. And Giscard, G-I-S-C-A-R-D. Giscard was there.

24 G-Y-P-R -- G-U-É-Ï. I would say about 30 elements who were from the base. They
25 were from the base, from the base in Adjamé.

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1 Q. [15:32:37] Now, close to the position where you were, there was a police
2 station, the 7th arrondissement police station?

3 A. [15:32:47] Yes.

4 Q. [15:32:47] Who was the police commissioner there?

5 A. [15:32:49] The police commissioner of the 7th arrondissement, Agnakoua
6 Charles, A-G-N-A-K-O-U-A.

7 Q. [15:33:04] Now, that day did he respond in some way to the activities
8 conducted by the GPP?

9 A. [15:33:13] Yes, yes. That day we were close to a square off. He came with
10 some elements and he wanted to -- well, you see at that time we were intercepting the
11 marchers and we were keeping them, we were keeping them in the premises. They
12 were being beaten up, detained. They asked to be released. He asked for them to
13 be turned over to him because he was the one who had had the authority to deal with
14 these people under a situation like that one. We refused to do so. It really was
15 very -- well, you see, he summoned Bouazo, Bouazo got there and it really
16 degenerated. The whole situation degenerated because he came, the base
17 really -- we were going to really have problems with him and then he stayed in the
18 area, and us too, and we had to shut down, shut down the -- or close the room and we
19 had to establish a perimeter around our base, around 1900 hours or 2000 hours --

20 THE INTERPRETER: [15:35:10] Inaudible.

21 THE WITNESS: [15:35:12] (Interpretation) -- arrived.

22 MR DEMIRDJIAN: [15:35:22]

23 Q. [15:35:23] Could you repeated the last sentence?

24 A. [15:35:26] Vehicle from the BMO CECOS who arrived and the commissioner
25 was there with his men, he had been informed of the situation, well the situation

1 between the police commissioner and us. They blocked off access and they took care
2 of the commissioner. There were people wearing hoods and time -- I suppose he
3 managed to find some time to call his supervisors. He no longer had any authority,
4 you see, in that regard.

5 Q. [15:36:21] I'm being asked to ask you to slow down so that the transcript can
6 reflect everything you've said.

7 Now, you said, sir, that these pieces of rope were being used. Who took the decision
8 to use the rope that day?

9 A. [15:36:43] Bouazo gave me the instructions not to leave. He told me not to
10 leave -- correction, not to take out any firearms. And the march was not going on in
11 Adjamé, it was outside of the area and thus, we were to intercept the marchers and
12 we didn't need to use weapons, we could just use these pieces of rope. And if
13 necessary, as he said, if we intercepted any and they had weapons, if that were to be
14 the case, I was then authorised to take out a weapon.

15 Q. [15:37:42] Now in the course of that day, the march upon the RTI, were you in
16 contact with your boss, with Bouazo?

17 A. [15:37:52] Yes, I was in contact with him.

18 Q. [15:37:57] And where was he that day? Where was he physically located?

19 A. [15:38:06] Well, you see, the march was underway. I was along the boulevard
20 des Martyrs when we began intercepting the marchers. Some people were fleeing
21 from the march, they were fleeing. The march was being put down, repressed, so
22 we had this place and -- well, I don't know where he had gone to.

23 And when there was this altercation with the police commissioner of the 7th
24 arrondissement I called him, he arrived to provide explanations with the
25 commissioner.

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1 Q. [15:39:12] I'd now like to move on to another topic.

2 Now, in Williamsville did an incident occur that you know about during which an
3 imam was killed?

4 MR WAGEMAKERS: [15:39:38] The question will be rather generic and not as to
5 the specific.

6 MR DEMIRDJIAN: [15:39:44] Once we get to the specific, yes.

7 Q. [15:39:49] (Interpretation) If you could speak in general terms?

8 A. [15:39:52] Yes, I do have knowledge of an event in Williamsville during which
9 an imam and his family died.

10 PRESIDING JUDGE TARFUSSER: [15:40:06] Can we have the temporal reference
11 when this happened?

12 THE WITNESS: [15:40:17] (Interpretation) I believe it was in March 2011,
13 March 2011.

14 PRESIDING JUDGE TARFUSSER: Thank you.

15 MR DEMIRDJIAN: [15:40:28] I think we need to go in private session because
16 we're getting closer.

17 PRESIDING JUDGE TARFUSSER: [15:40:33] So now, please, could you call the
18 private session. Thank you.

19 (Private session at 3.40 p.m.)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Private Session)

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(Private Session)

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(Private Session)

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1 (Redacted)

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5 (Open session at 3.51 p.m.)

6 THE COURT OFFICER: [15:51:40] We are back in open session, Mr President.

7 PRESIDING JUDGE TARFUSSER: [15:51:42] Thank you very much. We have
8 another 7, 8 minutes and then we stop, please.

9 MR DEMIRDJIAN: [15:51:51] (Interpretation)

10 Q. [15:51:55] Mr Witness, have you ever heard the expression "Article 125"?

11 A. [15:52:11] Yes, I've heard that expression.

12 Q. [15:52:13] What's it all about? What does it mean?

13 A. [15:52:17] Article 125 makes reference to the cost, the minimum cost to buy
14 some gasoline at the retail level and a box of matches. So the box of matches was 5
15 francs and the gas was 120, so the grand total was 125 francs.

16 Q. [15:52:51] And what was the context, when was that term or expression used?

17 A. [15:53:03] When -- since we didn't -- since we were not in a position to put
18 anyone in prison, when we had people detained in our premises, they didn't even
19 spend 24 hours with us. During the same night we would call upon someone from
20 the FDS and sometimes, if they were busy, well, the person would not come
21 immediately and it would only be in the evening that they would come to get the
22 person who was in detention in our premises.

23 There was a period of time during which, I think it was late February, March, when
24 really there was a lot of RHDP supporters in various communes, and then there were
25 the new forces and they were trying to gain power, and you see, there was an

1 ultimatum. There were clashes in Abobo and during that period of time, we used
2 the same procedure and at one point we were really extremely busy, a lot to do, up to
3 our eyeballs, so to speak, and you see, in some communes, in the commune of
4 Yopougon, this started, the 125 francs started. People who were deemed be rebels or
5 attackers or if it wasn't someone from the neighbourhood, we would put questions to
6 the person. If the person wasn't familiar with Abidjan, if the person couldn't justify
7 his presence at a particular place, in accordance with the judgment of the people who
8 were consulted, the person would be burnt because you see, at our level, we had not
9 received an order to burn anyone, but as I explained -- well, I called the officers that
10 I was working for -- with, and I said, "These people are here, these people are here.
11 Come and fetch them."

12 And they said no, they had too much work to do, too much on their hands. So
13 you're talking -- so, no problem, we tried to contact -- and I called the guy who
14 worked there and they kept saying that they were so busy, they -- and, and so I said,
15 "Do we let them go? What do we do with them? Should we send them away or
16 send them to the camp? There's -- there's not any room left."

17 Q. [15:57:03] So you said --

18 (Pause in proceedings)

19 PRESIDING JUDGE TARFUSSER: [15:57:51] I think we stop here.

20 MR KNOOPS: [15:57:56] Mr President, in the meantime, I just address the Court
21 for one second. We would suggest to the Chamber that the last private session
22 would be declassified such that it's not a private session because, as the Court has
23 observed, that leaves still the question of the Prosecution as to the level of action after
24 this incident. The witness didn't incriminate himself at all.

25 PRESIDING JUDGE TARFUSSER: [15:58:25] We will go through this, yes.

1 MR KNOOPS: [15:58:27] Thank you.

2 MR DEMIRDJIAN: [15:58:29] Just to put it on the record that we will object, but
3 we can talk about it at another time, your Honours.

4 PRESIDING JUDGE TARFUSSER: [15:58:38] Okay. Maître Gbougnon.

5 MR GBOUGNON: [15:58:39] (Interpretation) Yes, your Honour, I think my
6 learned friend has omitted, in good faith, but he omitted to provide an estimate as to
7 the amount of time that he intends to use tomorrow.

8 PRESIDING JUDGE TARFUSSER: [15:59:01] I'm coming to this. I'm coming to
9 this. I just wanted to ask the -- to tell to the witness that we finish -- we are finished
10 our session today, that we will see you tomorrow morning at 9.30 again, and
11 therefore I would now ask the court usher to accompany out the witness.

12 (The witness stands down)

13 PRESIDING JUDGE TARFUSSER: [15:59:43] Thank you. Thank you very much.

14 Now, before adjourning the hearing to tomorrow morning, I recall -- was just
15 informed now by the court officer that you have spent so far 9 hours and 13 minutes
16 so we are -- we have the exact account. And I would ask you to give an estimate, a
17 realistic estimate, on the time you still need in order to also to permit the other parties
18 to prepare.

19 MR DEMIRDJIAN: [16:00:21] Absolutely, your Honours. Looking at the topics
20 that I have left and, I mean, we're talking about the period of February until April, we
21 have a few killings to go through and combats at the Presidency, so I would suspect
22 to use most of the first session and possibly half of the second. But again, I really
23 don't want to bind myself to specific times. I want to -- but I'm leading I hope what
24 you would be believe to be relevant and pertinent evidence. But again, second
25 session, we should be done.

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- 1 PRESIDING JUDGE TARFUSSER: [16:00:55] I hope that after the end of the first,
- 2 you are done, but this is about the estimate.
- 3 I now close this hearing and adjourn it to tomorrow 9.30.
- 4 Thank you very much.
- 5 THE COURT USHER: [16:01:10] All rise.
- 6 (The hearing ends in open session at 4.01 p.m.)