

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 International Criminal Court
2 Trial Chamber I
3 Situation: Republic of Côte d'Ivoire
4 In the case of The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé
5 ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera Carbuccion and
7 Judge Geoffrey Henderson
8 Trial Hearing - Courtroom 1
9 Friday, 21 October 2016
10 (The hearing starts in open session at 9.34 a.m.)
11 THE COURT USHER: [9:34:36] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:35:04] Good morning. Good morning,
15 Mr Witness. Good morning to everybody. The floor is immediately to the Office of
16 the Prosecutor.
17 MR DEMIRDJIAN: [9:35:17] Good morning, Mr President. Good morning, your
18 Honours.
19 WITNESS: CIV-OTP-P-0435 (On former oath)
20 (The witness speaks French)
21 QUESTIONED BY MR DEMIRDJIAN: (Continuing) [9:35:29]
22 Q. [9:35:30] Good morning.
23 A. [9:35:31] Good morning.
24 Q. [9:35:32] I'd like us to resume where we left off yesterday. You explained to
25 us that there was this procedure, so to speak, known at Article 125 and that began late

1 in February and in March, particularly in Yopougon, and you explained to us that
2 these people were deemed to be rebels or attackers. That's how they were described.

3 Now, were these people of a particular ethnicity?

4 A. [9:36:11] Most of the victims of the Article 125 were nationals of the north or
5 people who had come from Mali or Burkina Faso. They had come to the country
6 from those other countries. They were not natives.

7 Q. [9:36:36] You said that they were necklaced because they were asked various
8 questions, where they had come from, where they were going, and you said it would
9 depend on the judgment of the people who had intercepted them that they would be
10 burnt, necklaced. So who were these people who decided whether these people
11 would be burnt to death with tyres or not?

12 A. [9:37:04] They were supporters of the presidential majority.

13 Q. [9:37:18] And then you said that these people would be burnt to death. And
14 just to be completely clear, were they partly burnt? Did some people survive?

15 A. [9:37:31] Those people did not survive because they were tied up and they
16 were burnt in a pile of old tyres or sometimes bits of wood, so those people would be
17 burnt to death. They could not -- they really couldn't escape alive. I wasn't there
18 myself but I did see some video footage and those were -- the video footage was
19 circulating, so to speak. Some of my elements shot footage using their telephones.
20 Some people might escape the fire but they would be struck with bits of wood.

21 MR DEMIRDJIAN: [9:38:39] Your Honours, if we may go briefly in private session
22 for my next few questions.

23 PRESIDING JUDGE TARFUSSER: [9:38:45] Yes, please go in private session.

24 Thank you.

25 (Private session at 9.38 a.m.)

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(Private Session)

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20 (Open session at 9.41 a.m.)

21 THE COURT OFFICER: [9:41:08] We are back in open session, Mr President.

22 PRESIDING JUDGE TARFUSSER: [9:41:13] Mr Demirdjian.

23 MR DEMIRDJIAN: [9:41:15] Thank you.

24 Q. [9:41:17] (Interpretation) Mr Witness, yesterday you also said that you were

25 up to your eyeballs in work, so to speak, and you would contact Dibopieu when –

1 Mr Dibopieu. Why did you contact him when you were so busy?

2 A. [9:41:40] First of all, he was contacted because at that time it was difficult to
3 reach Pickass because after the attack upon his home, he was truly -- well, it was truly
4 difficult to reach him. So I would contact Dibopieu because some of his officers were
5 supposed to come and fetch the people that we were holding in our premises. And
6 you see, they were very busy. Usually Dibopieu would send a few people and they
7 would take care of those people, they would handle them. So I would call and ask
8 that he send someone or provide some help.

9 Q. [9:42:59] And when you made the call to Mr Dibopieu, we're talking about the
10 same person, Jean-Yves Dibopieu?

11 A. [9:43:14] Correct.

12 Q. [9:43:15] When you called him, were other people present?

13 A. [9:43:19] Yes, there was Bogota who was there and Léger, they were there.
14 There was, there was Kouamé Stéphane, 52. Kouamé Stéphane. There were several
15 people present, several men. It was just by the entrance to our premises.

16 Q. [9:44:02] When you say "our premises" --

17 A. [9:44:05] I mean the base in Adjamé.

18 Q. [9:44:10] And when you called Mr Dibopieu, did you learn where he was?

19 A. [9:44:18] No, he did not give us his position.

20 Q. [9:44:42] Did you later learn what position he was at, Mr Dibopieu and other
21 members of the Galaxie Patriotique, especially when it came to use of Article 125, or
22 their stance, rather?

23 A. [9:44:57] Well, according to the information received from the Yopougon
24 elements - because you see it was in Yopougon that the Article 125 activities
25 began - according to the information gathered from the elements, the information

1 would be conveyed by way of the agoras and the parliaments. There was no -- how
2 should I put it? There was no time. Well, someone who was imprisoned -- this was
3 a middle of a crisis, you see, and a judge did not have any time to put someone on
4 trial, a person who had been intercepted. So these attackers had to be burnt to death.
5 So you see, 25 francs and 100 francs, that's why we said 125 francs, Article 125.

6 Q. [9:46:16] Very well. So you speak of information received from elements in
7 Yopougon. Exactly whom?

8 A. [9:46:23] The information received from the elements in Yopougon as -- well,
9 other than the commander, the commander of that particular zone, I could also
10 mention other -- I was also in contact with other officers, other elements, to
11 corroborate the information that I had received. So there were several sources, and
12 several people had shot video footage using their telephones.

13 Q. [9:47:09] Just a moment. Very well. Could you mention the commander of
14 the zone and these elements that you've mentioned that told you about this decision?

15 A. [9:47:25] The commander of the camp, Tino, was his alias, Maguy le Tocard as
16 well, also there was a lieutenant who was there. He was head of the Balou (phon)
17 alias 12.7 (phon). I heard this information from him as well and some other elements
18 too.

19 Q. [9:48:07] Very well. I'd now like to move on to another topic. On Tuesday,
20 on the first day of your testimony, page 49 of the transcript, you explained to us how
21 you had received instructions from Mr Stallone to prepare the patriots and to train
22 them. Somewhat later on, page 62, you said that when -- after the election, the order
23 became an official one and the young people were supposed to go back, rally to the
24 Ministry of Defence and voluntarily enlist in the army. So you mentioned an official
25 call after the election.

1 PRESIDING JUDGE TARFUSSER: [9:49:14] Maître Gbougnon.

2 MR GBOUGNON: [9:49:16] (Interpretation) I think it would be better, your
3 Honour, if my colleague were to actually read out the transcript being referred to
4 because the witness said Stallone spoke with and when the Prosecution summarises
5 in this way, they seem to be putting a different spin on things, so to speak.

6 MR DEMIRDJIAN: [9:49:44] Yes, I agree Stallone was speaking to -- that was
7 recorded in the transcript.

8 PRESIDING JUDGE TARFUSSER: [9:49:55] I would just like then that you speak
9 out when you're quoting and what you're quoting and from where you're quoting.
10 Thank you.

11 MR DEMIRDJIAN: [9:50:09] So Tuesday's transcript were T-86, your Honours, and
12 this was at page 49, like I mentioned earlier.

13 Q. [9:50:19] (Interpretation) Now the question is this: You made mention of an
14 official call after the election, but what about this training before the election?

15 A. [9:50:36] I would say it was unofficial training because the recruitment that
16 was being done was not announced. It really wasn't an official sort of thing. There
17 was no state announcement. There was no press release, for example, from military
18 headquarters or anything like that, or anything from the Ministry of Defence, to
19 inform the general population that this recruitment was underway. That's why
20 I would say it was unofficial.

21 Q. [9:51:22] Very well. Now, after the election, who issued this call?

22 A. [9:51:32] The official call was issued by Minister Blé Goudé.

23 Q. [9:51:41] And what were the circumstances?

24 A. [9:51:47] It was during a rally. During a rally. I wasn't there, but the rally
25 actually was televised and during the rally he called upon the young people, the

1 Young Patriots to -- all those aged 18 or over to go and enlist with the ministry of
2 defence because, you see, you see, they wanted to impose the candidate. And with
3 the manoeuvring of the commander of the new forces who was threatening to oust
4 President Gbagbo by force, the youth, the young people of Côte d'Ivoire, were
5 authorised to go to the ministry of defence and enlist in the regular army to face and
6 square off against the new forces.

7 Q. [9:53:13] Very well. And what was the goal of this official call to enlist?

8 MR N'DRY: [9:53:22] (Interpretation) Your Honour.

9 PRESIDING JUDGE TARFUSSER: [9:53:24] Mr N'Dry.

10 MR N'DRY: [9:53:26] (Interpretation) I apologise for interrupting. I don't want
11 us to have to return to this point and I -- just to prepare for our own examination.

12 Now, I believe the witness is giving us an account of another person's words. I think
13 it would be a good idea for us to establish the location of this rally so that we would
14 be in a better position to examine the witness when our turn comes. Could we have
15 an exact location of this rally?

16 MR DEMIRDJIAN: [9:54:06] Yes, your Honours.

17 Q. [9:54:10] (Interpretation) Mr Witness, could you tell us when you heard this
18 call and where the call was issued?

19 A. [9:54:22] The call was issued in February 2011 and within the commune of
20 Yopougon. I don't know the exact place, but it was within the commune of
21 Yopougon.

22 Q. [9:54:40] And regarding this call, you within the GPP, did you receive any
23 instructions or did you have a role to play?

24 A. [9:54:54] In December not all young people -- not all the young people who
25 had been trained were able to join the first wave because the first troops were not

1 sufficient and others had been disqualified or failed when they had their medical, so
2 you see, some, some had -- some of the trainees had not had enough time to provide
3 their certificate of primary education, so you see, this call within the GP -- well, there
4 would be a second wave, you see, and already, it was already scheduled or provided
5 for that the people who would enlist the priority would be given to our people, but all
6 the same, we did have a certain percentage of elements who were supposed to
7 integrate during the official recruitment as well.

8 Q. [9:56:30] Yesterday you told us that some men were included in the FDS units,
9 you mentioned the various units.

10 Now, were some GPP men sent to the presidential palace?

11 A. [9:56:48] Yes, yes. During the fighting we assisted the Defence and Security
12 Forces and also when the march was put down, so some people were yes, based at the
13 palace in March 2011.

14 Q. [9:57:24] How many soldiers were you with when you were --

15 A. [9:57:30] About 100.

16 THE INTERPRETER: [9:57:32] Interpreter correction: About 60 elements.

17 MR DEMIRDJIAN: [9:57:38] (Interpretation)

18 Q. [9:57:41] At the presidential palace were there other members of the Defence
19 and Security Forces?

20 A. [9:57:48] For the most part, there were elements from the Republican Guard
21 and also some men from the BASA. As I said, there were all the same from the FDS
22 and other units. Some were in civilian attire. They had not been able to get to the
23 base, but they were there as well. There were some officers there, but they weren't
24 all soldiers necessarily.

25 Q. [9:58:37] First of all, now, once you got to the presidential palace and were

1 stationed there, who did you report to?

2 A. [9:58:55] At the transmission room within the theatre of combat it was
3 Colonel Mody who was the highest ranked officer, because General Dogbo Blé was
4 not actually there in that room at the presidential palace. There was also
5 Commander Kipré, and they put me under the command of a warrant officer,
6 Warrant Officer Daligou.

7 Q. [9:59:30] How would you spell that name, Daligou?

8 A. [9:59:34] D-A-L-I-G-O-U.

9 Q. [9:59:39] You mentioned Colonel Mody, but I think there's been a spelling
10 error. Could you spell that out for us?

11 A. [9:59:50] M-O-U-D-Y, Mody. Mody.

12 Q. [10:00:00] Very well. Now, who you gave you the instructions to go and stay
13 at the presidential palace?

14 A. [10:00:15] Before we set up operations there, I went -- well, I'd been in Adjamé
15 since February. I went to get some ammunition --

16 THE INTERPRETER: [10:00:35] Inaudible.

17 THE WITNESS: [10:00:38] (Interpretation) And in Adjamé there were operations in
18 certain areas, zones, under the command of Commander Kipré. So in March the
19 commander asked that a detachment from the GPP come and provide support to
20 them there.

21 MR DEMIRDJIAN: [10:01:05] (Interpretation)

22 Q. [10:01:06] So you mentioned to us that you were placed in contact with
23 Warrant Officer Daligou and you also now mentioned that you were in contact with
24 Commander Kipré. Could you please explain to us what the role of the GPP was
25 once you were based at the presidential palace and what kind of activities you would

1 conduct?

2 A. [10:01:30] Well, the operations that were given over to us were diverse in
3 nature. Some of the personalities had to be put in safe places, for example, and there
4 were also convoys that were sent to go to get nourishment from the Republican
5 Guard in Treichville. Also, for example, there was a moment in time when the
6 general staff was occupied by the Forces Nouvelles and we took part in the fighting in
7 order to recuperate the fire hall, as well as the HQ. We also secured the perimeter of
8 the presidential palace.

9 Q. [10:02:32] And that fighting to take back the HQ, did you manage that?

10 A. [10:02:41] Yes, we did. We were successful and we were supported by the
11 elements of the Republican Guard and the BASA and we had heavy weaponry, which
12 meant that we were able to have the upper hand.

13 Q. [10:03:09] The fact that some elements of the GPP took part in retaking those
14 places, was that -- to regain control of the HQs, was that recognized by the authorities
15 in any way?

16 A. [10:03:29] Yes, it was recognized or acknowledged, because the colonel
17 informed us that the president had been informed of the efficiency of the elements
18 that had been placed at his disposal and he had decided to integrate those elements
19 on an official basis, those elements who were present in those -- at this mission, the
20 GPP elements, and he had received that, Dogbo Blé had received that information, the
21 chef de corps, the commanding officer, and when we arrived they had already the list
22 of the elements. They had already drafted a list that had been handed over to
23 Colonel Mody. So they wanted to know whether there were any additional elements
24 who were there or ones who weren't there so that they could update the list.
25 And at general staff level they had requested that we come to the palace and register.

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1 So that was the reaction and
2 and the recompensation, if you like.

3 Q. [10:05:01] You say that it was acknowledged by Colonel Mody who informed
4 you that the president had taken a decision. Can you please say precisely who
5 you're talking about when you're talking about -- when you say the president?

6 A. [10:05:17] The president of the republic, Mr Laurent Gbagbo. Because that
7 decision was that there were also some elements who were at the CRS. And they
8 had the BEPC diploma in their pockets. And they were concerned. And once you
9 had that diploma in your pocket that that decision would then apply to those
10 elements who were at the residence of the palace, the presidential residence, not only
11 those who were at the palace.

12 Q. [10:05:51] And just to be clear, during which period did you retake that staff
13 headquarters of the army and when did that decision fall?

14 A. [10:06:01] It was in mid-March 2011 when we regained control.

15 Q. [10:06:12] You also said that there were elements at the presidential residence.
16 Who were positioned there and how many were they?

17 A. [10:06:28] I don't have the specific manpower in my head, but there was
18 Commander Meledje who was there with some elements, there was Tchang and Shao
19 who was also there. And there were also elements from Cocody. Elements --

20 THE INTERPRETER: [10:06:48] Unintelligible.

21 THE WITNESS: [10:06:52] (Interpretation) -- that were also present at the residence.
22 And when the elements who were at the CRS received the instruction to leave their
23 position, they also joined or came to the presidential residence.

24 MR DEMIRDJIAN: [10:07:07] (Interpretation)

25 Q. [10:07:10] Could you please tell us which period that was and how you came

1 to know of this?

2 A. [10:07:18] When they left the CRS at the beginning of the month of April, they
3 went via Agban camp. And they were in civvies when they got to Agban. And the
4 manpower was there to secure the camp. And they were asked to enter the camp.
5 And they were in civvies they were not in military uniform, so we needed to check
6 them. And Commander Abehi asked some of those elements to remain on their
7 positions -- or, at their positions. And they called me asking me -- well, they came to
8 join me at the palace and they said -- they asked me if I should come to the palace and
9 then I said, "Well, let me report back to Bouazo." And he said, "No they are needed
10 at the residence." So from Agban they went directly to the residence.

11 Q. [10:08:42] You mentioned Commander Abehi. Who was that precisely?

12 A. [10:08:46] Commander Abehi was the commander of the Agban camp.

13 Q. [10:08:49] Do you have his complete name?

14 A. [10:08:52] Yes it's Jean-Noël.

15 Q. [10:08:59] You mentioned an individual by the name of Shao who was at the
16 presidency. Do you have his complete name?

17 A. [10:09:08] I do not have Shao's complete name. He was with Tchang in
18 Abobo.

19 Q. [10:09:27] Very well. You indicated to us that elements of the CRS had been
20 removed and you also -- you mentioned Tchang and somebody else. And from
21 when were they at the presidential residence, those people?

22 A. [10:09:50] Tchang had been at the residence since the month of February.
23 Since February. Because since February our combatants had also been there and the
24 Liberians were also there, so that was since the month of February our elements were
25 providing backup.

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1 THE INTERPRETER: [10:10:13] Message from the interpreter: Could the witness
2 please be requested to enunciate. He's starting to mumble again.

3 PRESIDING JUDGE TARFUSSER: [10:10:21] Mr Witness, the interpreters are
4 complaining that you start to mumble again. So please could you speak more clearly.
5 Thank you.

6 THE WITNESS: [10:10:38] (Interpretation) I said that since the month of February,
7 or from the month of February, Tchang and Shao were already at the residence with
8 other Liberian combatants as well.

9 MR DEMIRDJIAN: [10:11:01] (Interpretation) I'm waiting for things to be translated.

10 Q. You said that they were there providing support. Could you explain to us
11 what you know about their role at the presidential residence from the month of
12 February onwards?

13 A. [10:11:16] They were taking part in a security cordon that was placed around
14 the perimeter of the presidential residence from the Marie-Thérèse
15 Houphouët-Boigny intersection until some blockers -- there was some security
16 perimeter that had been placed around the presidential residence. So they were
17 providing support for the FDS and that's why they were there.

18 Q. [10:12:04] And those GPP elements, were they strictly within this perimeter
19 outside of the residence?

20 A. [10:12:14] There were some elements outside and there were some inside as
21 well.

22 Q. [10:12:28] And do you know who they were?

23 A. [10:12:30] Well, I've given you the names of the various commanders who
24 were present. There were elements who were outside. And some others were
25 inside. The elements, as I said, well, it would depend on -- they did not place

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1 themselves there of their own volition, it was under the orders of higher-ranking
2 officers within the residence and it was according to strategic requirements of the
3 officers present that they were put in various positions.

4 Q. [10:13:16] And at the presidential residence, who did they report to, those GPP
5 elements?

6 A. [10:13:25] They would report to Colonel Katé Gnatoa.

7 Q. [10:13:40] And to which unit or organisation did he belong?

8 A. [10:13:52] Colonel Katé, well I do not have his unit in mind. At the palace
9 level, at the palace level, he was the one who coordinated the security detail with
10 others as well. There was -- he was the one who was senior, if you like.

11 Q. [10:14:30] I was asking you about the residence and you have just mentioned
12 the palace?

13 A. [10:14:35] I'm sorry. It was the residence.

14 Q. [10:14:37] And was he at the residence?

15 A. [10:14:40] He was at the residence.

16 Q. [10:14:41] Very well. So I do not believe that his name was correctly spelt,
17 page 18, line 2. Is his -- G-N-A-T-O-A that's his family name, and his first name is
18 Katé, K-A-T-É?

19 THE INTERPRETER: [10:15:01] Message from the interpreter: Counsel is going
20 at the speed of light when spelling out names.

21 MR DEMIRDJIAN: (Interpretation) You also --

22 PRESIDING JUDGE TARFUSSER: [10:15:07] Counsel.

23 MR DEMIRDJIAN: [10:15:08] Sorry.

24 PRESIDING JUDGE TARFUSSER: [10:15:09] Thank you.

25 MR DEMIRDJIAN: (Interpretation)

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1 Q. [10:15:19] You also mentioned to us some Liberian combatants. Now, first
2 and foremost, were you at the presidential residence during that very period, we're
3 talking here about March, April 2011?

4 A. [10:15:34] Yes, yes. I was there on the 2nd and 4 April.

5 Q. [10:15:44] Very well. If we start with the date of 2 April, why was it that you
6 went there?

7 A. [10:15:49] I went there when the elements who were at the CRS were due to go
8 there. And it was in that context that I went there to the residence.

9 Q. [10:16:04] Very well. Now, on 2 April you arrived at the residence. Where
10 were you received and who did you talk to?

11 A. [10:16:17] Firstly, when we arrived we needed to introduce ourselves, or
12 announce ourselves to say that we were moving about and via a certain individual --

13 THE INTERPRETER: [10:16:39] The interpreter didn't catch.

14 THE WITNESS: [10:16:42] (Interpretation) -- I said what my destination was. And
15 when we arrived I called Tchang in order to ascertain what the arrangements were so
16 that we would not fall into an ambush and so that we would not be recognized
17 because the vehicles that I was moving around in was not a military vehicle, it was a
18 civilian vehicle.

19 So we arrived at the entrance and there were the Republican Guard elements there
20 present and the special unit of the Republican Guard, IUGN that was in charge of the
21 president's security. They were there and they controlled the access.

22 And when we arrived, first of all, they came to congratulate us. They said that they
23 had heard a lot about the behaviour and reactions of the elements at CRS level and
24 they had heard that in Adjamé we had been able to contain things and contain those
25 combatants that tried to traverse Adjamé and regain control of Cocody. So they

1 were the ones who congratulated us.

2 Q. [10:18:21] You talked about the son of the president. What is his name?

3 A. [10:18:25] Michel Gbagbo.

4 Q. [10:18:29] And at the residence, where was that precisely? Where did he
5 speak to you?

6 A. [10:18:37] When we -- when you enter there is an esplanade and there's a large
7 garden where there was a bitume that was installed. And then you go on to a
8 building, it is -- these are premises that are used as a larder for nourishment that was
9 given to the elements. And there's a terrace there in order to gain access to
10 the -- there is also a large room there where, you know, people, the elements would
11 go and rest in order to be away from the gunfire, from the French aircrafts. And it
12 was in that place that I saw Michel Gbagbo and he came to welcome us.

13 Q. [10:19:39] And when he spoke to you, how many people were present, how
14 many were you there?

15 A. [10:19:51] Well, there was quite a lot of people because when I arrived the GPP
16 commander was already there. And others came to welcome us. They were very
17 happy to see us. There were also Liberian combatants. There were students there
18 as well from the FESCI in Adjamé, that was in the month of February where they had
19 already gone to the Cocody campus, and then there were also some who had come
20 back to the residence. So there were a lot of people.

21 Q. [10:20:32] And after that exchange with Michel Gbagbo in that paved area, did
22 you talk to any other individual, did any other individuals talk to you?

23 A. [10:20:41] After that the president came back and said that he was really very
24 proud of the young Ivorians and said that we had already won the war because his
25 fight was to show that France, which for a very long time had been supporting the

1 rebels, and thanks to the opposition we had managed to do what we had done with
2 the Forces Nouvelles and this lifted the veil off France. And since 2002 all of this had
3 been orchestrated by France.

4 Q. [10:21:39] Well, first of all, when you say the president, who are you talking
5 about exactly?

6 A. [10:21:43] I'm talking about President Laurent Gbagbo.

7 Q. [10:21:52] And when you say that he surprised you, he talked to you, in what
8 part of the residence was that?

9 A. [10:21:57] When I said that he took us to one side, well --

10 THE INTERPRETER: [10:22:05] The witness is mumbling.

11 PRESIDING JUDGE TARFUSSER: [10:22:08] The witness is mumbling.

12 MR DEMIRDJIAN: [10:22:15] (Interpretation)

13 Q. [10:22:17] Yes --

14 A. [10:22:21] When I say that he surprised us, we were not warned prior to that
15 that the president was going to come and meet with us and we were not expecting it
16 either. And he spoke and he encouraged us as young Ivorians who really had
17 decided to defend the institutions of their country.

18 Q. [10:22:56] And in answer to the question in which part of the residence were
19 you when he talked to you?

20 A. [10:23:05] Well, there is a room called the youth room, I think it's Louis XIV or
21 Louis XV, so it was in that area.

22 Q. [10:23:35] I'm asked that for the next answer you speak a little bit louder for us
23 to hear you properly.

24 So this was in the yellow room, salon jaune. Who else was present when he talked
25 to you?

1 A. [10:23:53] There was Djokouehi. There was -- he was captain within the GPP.
2 There was Djokouehi Michael. There was Tchang who was also there. There was
3 Colonel Katé who was present. There was also Commander Meledje. There were
4 other elements who were also present at the MACA. Koffi Guy Parfait, alias
5 Assehoussou (phon), who was there with other elements.

6 The colonel had asked us, Colonel Katé had asked us, and Tchang, and asked Tchang
7 to call us. So that was them.

8 Q. [10:25:06] With the exception of the GPP elements you mentioned and Colonel
9 Katé, were there any other people in the yellow room?

10 A. [10:25:20] There were other individuals present. As I said, there were a
11 number of people.

12 Q. [10:25:37] I'd like to come back to a few of those names to make sure that we
13 have the spelling. The first is Djokouehi Michael?

14 A. [10:25:46] Yes, Djokouehi Dibeï. D-J-O-K-O-U-E-H-I, Djokouehi.

15 Q. [10:25:58] Very well. You then said that there was Okou Michel, or maybe
16 that was badly transcribed. You talked about Tchang, we've got that. We've got
17 Colonel Katé. Commander Meledje. So, Koffi Guy Parfait. You then said
18 something else about his name, Koffi?

19 A. [10:26:23] Koffi, like Koffi, yes, Guy Parfait.

20 Q. [10:26:25] Could you spell it please?

21 A. [10:26:28] Kouamé is K-O-U-A-M-É, Koffi is K-O-F-F-I, Guy Parfait, G-U-Y.

22 Q. [10:26:46] Very well. Thanks. Very well. You say that there were other
23 people present in the room. Could you please tell us who else was there and what
24 kind of people they were, were they politicians, civilians, FDS members?

25 A. [10:27:19] There were officers, there were FDS troops, there were civilians as

1 well. And politicians.

2 Q. [10:27:38] Did you recognize any people? Are you in a position of giving us
3 names?

4 A. [10:27:44] There was the former commander, I don't know of the infantry,
5 Colonel Gouanou, he was commander of a unit in Akouédo who was also present.

6 Q. [10:28:16] How do you spell Gouanou?

7 A. [10:28:18] G-O-U-A-N-O-U.

8 Q. [10:28:25] And Commander Gouanou, did he --

9 A. [10:28:29] He's a colonel.

10 Q. [10:28:31] He's a colonel, sorry. But did he say anything?

11 A. [10:28:36] Well, we -- he was not the one who had called us, it was
12 Colonel Katé. And Colonel Katé was working a lot with our elements who were at
13 the residence, so he was the one who had asked Tchang to have me come.

14 Q. [10:29:07] So when the President Laurent Gbagbo addressed your group, were
15 you sitting down or were you standing up?

16 A. [10:29:17] We stood up and the place was not reserved for us, it was not
17 somewhere where we could sit down.

18 Q. [10:29:32] And how long did that exchange with President Gbagbo last?

19 A. [10:29:36] It was brief. He just -- he just congratulated us. It was brief. He
20 didn't give us any specific instructions.

21 Q. [10:29:50] And did you give an answer to what he said or did any of the
22 elements of your group talk to him?

23 A. [10:29:59] We didn't really have anything to say, you know, in the emotion.
24 This is the first time you set eyes on the president. And you know, we were happy.
25 We, we clicked our fingers. That's about it.

1 Q. [10:30:29] Very well. And when he spoke to you he said that the war had
2 already been won?

3 A. [10:30:36] Yes, we had already won the war because his struggle was to show
4 that France was really the sponsor of the rebels, so we had put up resistance and thus
5 France had to reveal its plans. So as far as he was concerned, we had already won
6 the battle.

7 Q. [10:31:06] You told us that you went back a second time on 4 April?

8 A. [10:31:11] Yes.

9 Q. [10:31:12] Explain the circumstances of this second visit there and who you
10 spoke to at the presidential residence.

11 A. [10:31:26] There was, there was a problem, you see, food was in short supply
12 and a colonel asked Tchang and I, because already Tchang asked to be part of the
13 escort, we were to escort a vehicle and go find -- get food. So we went to Bingerville
14 and we went and got some food and took it back to the residence.

15 Q. [10:32:17] And did you actually take the food back to the residence?

16 A. [10:32:24] Yes.

17 Q. [10:32:25] Very well. Now those two times you were there, on 2 and 4 April?

18 A. [10:32:29] Yes.

19 Q. [10:32:31] You said that you saw some Liberians. Which day did you see
20 Liberians combatants at the residence?

21 A. [10:32:40] Both days the Liberians were there, the two days that I was there yes,
22 also at the palace. When I was at the palace there were Liberians there.

23 MR DEMIRDJIAN: [10:33:04] Your Honours, if I may confer with my colleague
24 just for a minute, please.

25 PRESIDING JUDGE TARFUSSER: Yes.

1 MR DEMIRDJIAN: Thank you.

2 PRESIDING JUDGE TARFUSSER: [10:33:08] And may I ask a question also, so you
3 can.

4 Mr Witness, how do you know that they were Liberians?

5 A. [10:33:25] First of all, some of them we had already met in Guiglo, they had
6 been at the peace camp and -- well, first of all they spoke in English and some of them
7 understood a bit of French. Several times we had enough time to have a
8 conversation and to introduce ourselves.

9 So we knew each other by name, we knew a bit about each other. They knew that
10 we are Ivorians and vice-versa. They knew --

11 PRESIDING JUDGE TARFUSSER: [10:34:23] Mr Prosecutor.

12 MR DEMIRDJIAN: [10:34:25] Thank you. (Interpretation)

13 Q. [10:34:26] I'd like to return to one point. You said you were in Bingerville to
14 get food. Exactly where did you go?

15 A. [10:34:40] There's a locality within that place Bingerville, Eloka is the name of
16 that locality, Eloka, close to Grand Bassam. So in Ebrah we went to go and get some
17 food. We were able to cross by way of bac.

18 Q. [10:35:22] You also said that you were an escort for a Canter?

19 A. [10:35:27] It's a personnel transport carrier, that kind of vehicle.

20 Q. [10:35:34] Were there any troops with you when you went or were they two --

21 A. [10:35:43] We left once again we were at the Camp Akouédo and some
22 elements there joined us to escort the vehicle. Tchang was in a pickup. I also had
23 my pickup. There was the Canter vehicle and inside there were two people at the
24 front and four soldiers behind.

25 Q. [10:36:28] Now, in Akouédo camp, what people were stationed there?

1 A. [10:36:35] In Akouédo, in Akouédo there were several units. We had
2 elements there as well. They had been integrated into the unit there. They were
3 also there at that camp. There were several units at Akouédo camp.

4 Q. [10:37:38] Very well. Now, within the Canter, there were some soldiers but
5 what unit did they come from within the FDS?

6 A. [10:37:52] They were from the BASA.

7 Q. [10:37:57] Okay. And the food that you went to get, who did you get it from?

8 A. [10:38:04] It came from Moosou. I don't know exactly who the person was
9 but there were some sacks of rice, some oil, tomatoes, foodstuffs. It wasn't
10 pre-prepared food.

11 Q. [10:38:25] Very well. Let us return to the matter of the Liberians. You saw
12 some at the palace but also some at the residence. Could you tell us exactly who you
13 saw at the presidential residence?

14 A. [10:38:47] At the residence, well, I just mentioned the main leaders amongst
15 the Liberians who were. I didn't know all their names but the leader, the Liberian
16 leader, well, there was a princess called Josephine Johnson and the nickname of this
17 person was "the Princess." There was Junior Gbagbo and there was another Liberian
18 at the residence.

19 Q. [10:39:37] So you mentioned Josephine Johnson, Princess. And Junior
20 Gbagbo, the name?

21 A. [10:39:49] I never knew his true name. I remember Junior, Junior Gbagbo.

22 Q. [10:39:58] Very well. And these three people that you mentioned, were they
23 amongst the ones that you had known earlier?

24 A. [10:40:09] Oh, yes. I had met Junior before. And Mission was the third
25 name.

1 Q. [10:40:20] Do you know how long those Liberians had been in Abidjan for?

2 A. [10:40:28] Since January 2011.

3 Q. [10:40:36] What was their role or their mission when they were in Abidjan
4 since that time, January 2011?

5 A. [10:40:46] Their mission, their mission was -- well, they weren't assigned to the
6 city, really. They were assigned to the residence and the palace, those two locations.
7 That is where they were based.

8 Q. [10:41:10] I'm sorry, but Mission, do you know his full name?

9 A. [10:41:15] Mission was his name. I don't know his full name.

10 Q. [10:41:20] Do you know why they were at the presidential palace and the
11 residence, why were the Liberians there?

12 A. [10:41:31] They were combatants. They were combatants, fighters. They
13 were really -- well, they were battle hardened. They were used to war. Amongst
14 the commanders who were there, there was former soldiers from -- from Taylor, some
15 who had fought in Sierra Leone. So they were truly battle-hardened soldiers.

16 Q. [10:42:18] And how did it come to be that they were in Côte d'Ivoire during
17 that period of time?

18 A. [10:42:30] Beforehand they had been in Ghana, in Ghana, in the -- in a suburb
19 of Accra. That's where they had been before. And according to the information
20 gathered from some non-commissioned officers who had been on mission, when they
21 went to get them at the border with Ghana, some members of the Republican Guard
22 brought them back to Abidjan.

23 Q. [10:43:15] Who were these non-commissioned officers who passed on that
24 information to you?

25 A. [10:43:22] The non-commissioned officer who led the operation of bringing

1 these people back was head of the Republican -- Guéi Charles, not the same
2 Guéi Charles as the other one. There was two with the same name, but he was the
3 one in the Republican Guard. So, then after he went in exile with us and he went
4 back to resume service and he was assigned to Daloa. He was no longer within the
5 Republican Guard. He was sent to Daloa, to the second infantry battalion there.

6 Q. [10:44:14] Now, you say that he went to get them on the border with Ghana.
7 Did he explain why or who had asked him to go and fetch those Liberian soldiers
8 from Ghana?

9 A. [10:44:28] What he explained to me was that Charles Blé Goudé had given him
10 money. He had sent him money so that he should leave the refugee camp in Ghana,
11 and he was to remain at the border. And you see, the situation was deteriorating
12 and they were to come in, but there was an incident with the Ghanaian authorities
13 and they were arrested.
14 So the Ghanaian authorities had received information to the effect that some refugees
15 who had fled the war, who had fled the country, were preparing for combat in
16 Côte d'Ivoire. And some of them were arrested by the Ghanaian authorities so they
17 had to hurry and quickly return to Côte d'Ivoire. So that warrant officer led the
18 expedition in question.

19 Q. [10:45:52] Did he tell you how much money was provided by Charles
20 Blé Goudé?

21 A. [10:46:01] No, he didn't tell me how much money it was. The
22 combatants -- I think it was 5,000 -- correction, 5 million each one was to receive.

23 Q. And do you know how many combatants he went to get in Ghana?

24 A. [10:46:26] The Liberians in Côte d'Ivoire, more than a hundred. Others came.
25 Some came in, then others joined them from other locations, from the west, for

1 example, from Tabou.

2 Q. [10:46:55] You said as well that there were some Liberian combatants at the
3 presidential palace.

4 I beg your pardon.

5 PRESIDING JUDGE TARFUSSER: Mr N'Dry.

6 MR N'DRY: [10:47:05] (Interpretation) Could my learned friend be so kind as to
7 give us some sort of temporal frame for this expedition.

8 MR DEMIRDJIAN: [10:47:18] Yes.

9 Q. [10:47:19] (Interpretation) Mr Witness, could you tell us when the Liberians
10 combatants had been brought from Ghana to Abidjan?

11 A. [10:47:28] I think I already said that was in January. I think you already
12 asked me. It was in January.

13 PRESIDING JUDGE TARFUSSER: [10:47:33] I think so as well. I think that was
14 the legal framework was already mentioned about.

15 MR N'DRY: [10:47:44] (Interpretation) The month of January related to the
16 presence of the Liberians. I am asking about this expedition to go and fetch these
17 Liberians from Ghana. That is a different matter. I'm trying to ensure --

18 MR DEMIRDJIAN: [10:48:11] The witness has answered now.

19 Q. [10:48:14] (Interpretation) This warrant officer who gave you that
20 information to the effect that Charles Blé Goudé had given a certain amount of money,
21 where did that information come from?

22 A. [10:48:27] He had the information. He was in charge of the expedition and he
23 also was in charge of the travel expenses. It was Charles Blé Goudé, he said, who
24 had sent the money to the Liberians. You see, the money -- well, he didn't
25 actually -- someone received an advance and they were waiting at the border, and

1 usually that is the place where the refugees are. It is in a suburb of Accra. So you
2 see, a large number of Liberians were at the border and, you see, the crisis was
3 brewing in Côte d'Ivoire and they were there waiting to cross over.

4 Q. [10:49:26] Yes, you explained that. Thank you. Understood.

5 (Counsel confers)

6 MR DEMIRDJIAN: [10:49:55] (Interpretation)

7 Q. [10:49:57] Yes, agreed. Now, how many Liberians were there at the
8 presidential palace?

9 A. [10:50:07] I don't know the exact number but the leader of the Liberians at the
10 palace, there was Zeguedoua, Z-E-G-U-E-D-O-U-A, Gbédiakou, G-B-É-D-I-A-K-O-U.
11 There was Chocho. There was Chocho, he was there too. There was Gbédiakou.
12 There was Miller (phon), he was present in the zone.

13 Q. [10:51:18] So you were at the presidential palace as of March. Could you
14 specify exactly when in March you got to the presidential palace.

15 A. [10:51:37] First of all, there were -- well, you see, there was the Bracodi
16 commission, well there was that neighbourhood, Bracodi opposite the SICOGI
17 company headquarters in Adjamé. That was burnt down. After that, there was
18 the -- well, the guy who was the commissioner, the head of the police station in
19 Bracodi, he was appointed coordinator of security for the various police stations in
20 Abidjan. He was based at the presidential palace with another police commissioner
21 from the first arrondissement.

22 Q. [10:52:44] I apologise, I apologise for interrupting. I'm trying to --

23 A. [10:52:53] Mid-March, mid-March.

24 Q. [10:52:58] When you got there in mid-March, were the Liberian fighters
25 already there or did they come later?

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1 A. [10:53:05] They were already there. As I said before, before definitively being
2 based, I would go there. I would go there often to go and get ammunition and often
3 as well, when we needed fuel, we would -- I would get authorisation to go and get
4 some fuel from the pump, the underground tank, and the Liberians were already
5 there.

6 MR DEMIRDJIAN: [10:53:45] Your Honours, if we can go in private session for the
7 next few questions, please.

8 PRESIDING JUDGE TARFUSSER: [10:53:52] Please, can we go in private session.
9 Thank you.

10 (Private session at 10.54 a.m.)

11 (Redacted)

12 (Redacted)

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14 (Redacted)

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20 (Redacted)

21 (Open session at 10.58 a.m.)

22 THE COURT OFFICER: [10:58:41] We are back in open session, Mr President.

23 PRESIDING JUDGE TARFUSSER: [10:58:49] Just to adjourn the hearing to 11.30.

24 Now we have the break. Thank you.

25 THE COURT USHER: [10:58:55] All rise.

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- 1 (Recess taken at 10.58 a.m.)
- 2 (Upon resuming in open session at 11.32 a.m.)
- 3 THE COURT USHER: [11:32:20] All rise.
- 4 Please be seated.
- 5 PRESIDING JUDGE TARFUSSER: [11:32:45] Good morning again.
- 6 The floor is to the Prosecutor, who I ask to -- whom I ask to give an estimate --
- 7 THE WITNESS: [11:32:54] Thank you.
- 8 PRESIDING JUDGE TARFUSSER: [11:32:57] -- before starting --
- 9 MR DEMIRDJIAN: [11:32:58] Yeah.
- 10 PRESIDING JUDGE TARFUSSER: [11:32:59] -- continuing his questioning.
- 11 MR DEMIRDJIAN: [11:33:01] Your Honours, I will try my best to finish within this
- 12 session.
- 13 PRESIDING JUDGE TARFUSSER: [11:33:05] You have the floor.
- 14 MR DEMIRDJIAN: [11:33:07] Thank you, your Honours.
- 15 Q. [11:33:10] (Interpretation) Very well, Mr Witness, before the --
- 16 MR DEMIRDJIAN: [11:33:19] I think we need to go in private session to complete
- 17 this incident, your Honours.
- 18 MR O'SHEA: [11:33:21] Before we go into private session, your Honours, I'd really
- 19 like my learned friend to stop on this incident for the simple reason that nobody is
- 20 charged with abducting three French nationals. This incident actually has no
- 21 correlation to what we're doing here. And so, in my submission, the Prosecution
- 22 should not be allowed to proceed. The incident -- the witness has given an answer
- 23 about the incident as to what he knows about it. In my submission it shouldn't be
- 24 taken any further.
- 25 PRESIDING JUDGE TARFUSSER: [11:34:16] Defence of Mr Blé Goudé, just on this

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1 because --

2 MR GBOUGNON: [11:34:25] (Interpretation) Mr President, I believe that in
3 addition, I don't know whether I can say this in open session or not, it was announced
4 to us that there would be a document that would enable us to continue in open
5 session. And in addition, as we already underscored, these are incidents that have
6 already been talked about in open session in Abidjan. So there's no element of
7 self-incrimination. So I think to my mind we can remain in open session.

8 MR WAGEMAKERS: [11:35:11] Thank you, Mr President. I've heard this
9 argument now over and over from the side of Maître Gbougnon and it is about the
10 question which -- whether it is self-incriminating or not. And perhaps
11 Mr Gbougnon could indicate a rule or a concept of law that says if there has been
12 already something that might be incriminating, that being present, which waives the
13 application of Rule 74. I tried to find it, I looked and looked, I went to the library, I
14 couldn't find it.

15 But perhaps you could educate us on this, Maître Gbougnon.

16 PRESIDING JUDGE TARFUSSER: [11:35:47] Thank you. I would not like you to
17 address directly a colleague of yours, but the Chamber. Thank you.
18 Mr Demirdjian.

19 MR DEMIRDJIAN: [11:36:00] Your Honours, on the first objection it is an objection
20 about relevance of the questions, it relates to acts and conducts of the FDS during the
21 period relevant to the charges, it is evidence of pattern, of crimes committed by
22 members of the FDS, so I believe that we can lead -- we can lead this evidence.
23 As to the second part of the objection, the implication or involvement of the witness is
24 a question that we didn't get to yet, but it's something that we -- will come in the
25 following questions.

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1 MR O'SHEA: [11:36:35] Your Honours, just for your information, I know you want
2 to consult on this, but just for your information, in the Simone Gbagbo trial this
3 specific incident was discussed entirely in public, just so your Honours are aware.

4 (Trial Chamber confers)

5 PRESIDING JUDGE TARFUSSER: [11:37:29] We will consult and come back in 5,
6 10 minutes.

7 The hearing is adjourned.

8 THE COURT USHER: [11:37:37] All rise.

9 (Recess taken at 11.37 a.m.)

10 (Upon resuming in open session at 11.43 a.m.)

11 THE COURT USHER: [11:43:56] All rise.

12 Please be seated.

13 PRESIDING JUDGE TARFUSSER: [11:44:19] The question is, indeed, *stricto sensu*
14 unrelated to the charges, like many other questions in the last month were put here.
15 Nevertheless, and in the limited space as they want to prove the pattern of the
16 conduct of a certain conduct, they are admitted, but limited to that and without
17 extending it to the fact itself.

18 Thank you very much, please go ahead.

19 MR DEMIRDJIAN: [11:44:52] Can we turn to private session, your Honours.

20 PRESIDING JUDGE TARFUSSER: [11:44:54] Let's go into private session.

21 (Private session at 11.45 a.m.)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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1 (Open session at 11.48 a.m.)

2 THE COURT OFFICER: [11:48:03] We are back in open session, Mr President.

3 PRESIDING JUDGE TARFUSSER: [11:48:06] Thank you very much.

4 MR DEMIRDJIAN: [11:48:10] (Interpretation)

5 Q. [11:48:10] And speaking of these Liberian combatants, at an earlier stage you
6 mentioned Junior Gbagbo. Do you know why he was called Junior Gbagbo?

7 A. [11:48:30] Well, his first name is Junior and he was called Junior Gbagbo.

8 Q. [11:48:35] And why was that?

9 A. [11:48:36] Well, because he said that he liked President Gbagbo because he
10 liked Ivorians. We called him Gbagbo Junior or Junior Gbagbo.

11 Q. [11:48:49] Did he have any form of relation with President Gbagbo?

12 A. [11:48:54] Not to my knowledge.

13 Q. [11:49:02] Mr Witness, during your interview we saw that you drew a sketch
14 of the GPP that we showed a few days ago. You also prepared another sketch, the
15 organisational chart of the power structure of the FPI, did you not?

16 A. [11:49:18] Yes.

17 Q. [11:49:20] Who precisely prepared that?

18 A. [11:49:23] I was the one who drew that sketch.

19 Q. [11:49:26] Very well.

20 MR DEMIRDJIAN: [11:49:30] Could we display, your Honours.

21 CIV-OTP-0060-0011.

22 PRESIDING JUDGE TARFUSSER: [11:49:38] Just while we are -- before we show
23 the document, I just wanted to ask, I don't know if it was said, if this Junior Gbagbo
24 was not an Ivorian, was he? Which nationality was this man called Junior Gbagbo?

25 THE WITNESS: [11:50:12] (Interpretation) Mr President, Junior Gbagbo was a

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1 Liberian combatant. He was a Liberian combatant.

2 PRESIDING JUDGE TARFUSSER: [11:50:22] Okay. Thank you.

3 THE COURT OFFICER: Could you please confirm the level of confidentiality of the
4 document.

5 MR DEMIRDJIAN: [11:50:26] This one is public, yes.

6 Q. [11:50:37] (Interpretation) I do apologise, Mr Witness, but with regard to the
7 last question put to you by the President, do you know whether Mr Junior Gbagbo
8 had any relations or entertained any relations with President Gbagbo?

9 A. [11:50:49] I answered that. I said to my knowledge no.

10 MR DEMIRDJIAN: [11:50:58] That's fine.

11 Q. [11:51:02] (Interpretation) Okay, now this sketch before you, do you
12 recognize it?

13 A. [11:51:09] Yes, yes.

14 Q. [11:51:10] Very well. Could you tell us how you prepared it? How did
15 you --

16 A. [11:51:24] Well, this is a sketch which has three large -- or five large boxes in it
17 and, well, at the top there's a box under which there's a second box, and under the
18 second box there are three other boxes.

19 Q. [11:51:46] And the names that we see on this document, are these names that
20 you wrote down yourself or were they suggested to you?

21 A. [11:51:56] No, these are names that I wrote down myself.

22 Q. [11:52:01] Very well. Thank you.

23 Now I would like to now move on to another subject.

24 (Counsel confers)

25 MR DEMIRDJIAN:

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1 Q. I do apologise, Mr Witness, I just have a question about this sketch, at the top of
2 which we see the presidential palace and we see several names beside it. We note
3 that the name of the president does not figure on this sketch. Could you explain to
4 us why that is?

5 A. [11:53:12] This is because the names of the individuals who are written here
6 are those people who, to my knowledge, said or stated that they entertained relations
7 with the Galaxie Patriotique and the associated movements. And that is why I wrote
8 those names down.

9 Q. [11:53:48] So explain to us with regard to that why it is we see the name of the
10 first lady, Madam Simone Ehivet Gbagbo, Ehivet Gbagbo.

11 A. [11:54:10] As I explained, the members of the Galaxie Patriotique received
12 finance from certain figures of authority, namely the first lady. And those ministers
13 and those people whose names I mentioned had -- had already entertained relations
14 with movements such as the FESCI, the GPP or the Parliaments and Agoras. That's
15 why I put those names there.

16 Q. [11:54:58] Very well. A last question: And for which -- what period in time
17 is this sketch valid?

18 A. [11:55:09] I did not define a specific time frame, but I could say that it was
19 from 2003, 2003, until the end of the political crisis in 2010, 2011.

20 Q. [11:55:32] Very well. You mentioned certain elements in Yopougon. I
21 would like you to be shown a video of two to three minutes and this is video
22 CIV-OTP-0028-0008. And if this could be brought up on the screen.

23 THE COURT OFFICER: [11:56:05] The video will be displayed on the evidence 2
24 channel.

25 MR DEMIRDJIAN: [11:56:08] (Interpretation)

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1 Q. I would like to ask you, we're going to be showing you the first minute of this
2 video, I would like to draw your attention to it and see whether you recognize any of
3 the individuals and name them if you do.

4 Let's make sure that the witness is on the evidence 2 channel.

5 (Viewing of the video excerpt)

6 MR DEMIRDJIAN: [11:57:42] (Interpretation)

7 Q. [11:57:45] Very well. Now, first of all, Mr Witness, did you recognize the
8 location in this video?

9 A. [11:57:56] I did not really recognize the location itself. It was in Yopougon, I
10 know that, in Maguy, in the area of Maguy.

11 Q. [11:58:10] And on the screen we saw Maguy le Tocard identifying what was
12 going on. Did you see any other individuals in that video?

13 A. We saw some elements, I do not know their names directly. These might have
14 been elements that had been seen previously.

15 PRESIDING JUDGE TARFUSSER: [11:58:37] Maître Gbougnon.

16 MR GBOUGNON: [11:58:39] (Interpretation) I do apologise, but we do not have
17 the date of the video. We do not have the date of the video. It was not provided by
18 the Prosecution.

19 PRESIDING JUDGE TARFUSSER: [11:58:48] Okay. Mr Prosecutor, have you a
20 date for this video?

21 Could you -- well, I don't think you could ask -- or, could you ask the witness if he
22 knows something about the period in this -- in which these facts have been filmed, or
23 if these facts had happened.

24 MR DEMIRDJIAN: [11:59:28] Yes. Just a second, please.

25 Q. [11:59:50] (Interpretation) Mr Witness, when you look at these pictures can

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1 you give us an approximative time period when they would have been filmed?

2 A. [12:00:02] I think I said before that it was in March 2011 that those types of
3 videos were sent to us by elements in Yopougon. So you did not see any videos with
4 the elements themselves perpetrating acts, but some of the elements filmed footage
5 and sent them by telephone.

6 PRESIDING JUDGE TARFUSSER: [12:00:35] Maître Gbougnon.

7 MR GBOUGNON: [12:00:37] (Interpretation) Mr President, on the eCourt
8 protocol there is the obligation to provide to the parties the dates of videos, so I do
9 not understand why there are no dates.

10 PRESIDING JUDGE TARFUSSER: [12:00:53] No, no, I just thought that first we ask
11 the witness and now obviously we will provide -- I think the Prosecutor is in a
12 position to provide a date of this video and the source where --

13 MR DEMIRDJIAN: [12:01:06] According to the metadata we have, your Honours,
14 it was uploaded on YouTube on 6 March 2011, so that's the latest time it would have
15 been recorded.

16 Q. [12:01:19] (Interpretation) Mr Witness, it is stated in this video that when it
17 was filmed the commune was divided into six parts and each one had its commander
18 and the objective was to mobilise the young people against the rebels. Can you tell
19 us from where they would have received these instructions?

20 PRESIDING JUDGE TARFUSSER: [12:01:50] Maître Gbougnon.

21 MR GBOUGNON: [12:01:51] (Interpretation) Mr President, this we are really
22 into speculation here. The witness has said "I don't know the area specifically. I
23 was not there. I do not know what was happening." So how can we know -- how
24 can he know where the instructions came from on the basis of comments made on the
25 video footage?

1 PRESIDING JUDGE TARFUSSER: [12:02:18] Can you reformulate and break down
2 the question.

3 MR DEMIRDJIAN: [12:02:24] (Interpretation)

4 Q. [12:02:25] Very well. To begin with, you told us yesterday of roadblocks and
5 searches. Now, did you see which type of activities were being carried out on these
6 roadblocks?

7 A. [12:02:44] I explained that on the roadblocks vehicles were searched, as well as
8 certain pedestrians who were deemed to be suspicious.

9 Q. [12:02:59] To your knowledge was this done by the units of Maguy le Tocard?

10 A. [12:03:07] As I have said, all the units of the GPP had received the same
11 instructions. So when they set up the roadblocks the same procedures were
12 implemented.

13 Q. [12:03:22] And can you confirm to us where those instructions came from?

14 A. [12:03:28] I have said that the instructions had been issued by
15 Commander Kipré and I received them directly from Bouazo. So he told me that
16 these are instructions from Commander Kipré to mobilise the elements so that they
17 could set up roadblocks as their various positions. So as from that time, up until the
18 end of the crisis those roadblocks were there, so during the skirmishes there were
19 always such checkpoints.

20 Q. [12:04:24] I would like a second extract of this video footage to be shown to
21 you, which begins at 1.35.

22 (Viewing of the video excerpt)

23 MR DEMIRDJIAN: [12:05:33] (Interpretation)

24 Q. [12:05:37] We stopped at 2.28. Mr Witness, we are speaking here of an open
25 space. Did you recognize this place?

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1 A. [12:05:49] Yes.

2 Q. [12:05:51] Where was this?

3 A. [12:05:53] It was in front of the office of Maguy le Tocard.

4 Q. [12:05:58] And where was this situated?

5 A. [12:06:01] I've already said, right next to the police station of the
6 7th arrondissement.

7 Q. [12:06:09] Very well. Yesterday on page 41 of the transcript, T-89, you said
8 that you believed in -- it was in January or February, you said there was an assembly
9 of the Young Patriots convened by Charles Blé Goudé and after that assembly there
10 was a message saying that while -- in which he asked that they should block the
11 French and the ONUCI whose mission was to arm the young people of the RHDP.
12 To begin with, was this the only call or were there other calls to block the French
13 soldiers and ONUCI specifically made by Mr Charles Blé Goudé?

14 A. [12:07:20] I do not know whether it was the only call. As I have already said,
15 I did not take part in meetings of political leaders. I did not attend them. I took
16 part in certain missions, so I did not know who I could meet in some of these
17 meetings. Because sometimes they were filmed and I also did not have much time
18 for television, so I cannot tell you whether this was the only time or whether there
19 were many calls.

20 Q. [12:08:12] Very well.

21 MR DEMIRDJIAN: [12:08:16] Your Honours, could we please move into private
22 session as my next questions may have the potential of incriminating the witness.

23 PRESIDING JUDGE TARFUSSER: [12:08:26] Let's move into private session,
24 please.

25 (Private session at 12.08 p.m.)

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- 19 (Open session at 12.30 p.m.)
- 20 THE COURT OFFICER: [12:30:57] We are back in open session, Mr President.
- 21 PRESIDING JUDGE TARFUSSER: [12:31:00] Mr Prosecutor.
- 22 MR DEMIRDJIAN: [12:31:02] Thank you, Mr President.
- 23 Q. [12:31:11] (Interpretation) Mr Witness, are you aware of an operation that
- 24 was led by Maguy le Tocard in Port Bouët II?
- 25 A. [12:31:22] Yes.

1 Q. [12:31:27] Can you tell us what this operation was and when it occurred?

2 A. [12:31:51] The operation -- well, in the Port Bouët II area, Maguy brought a
3 number -- or, he undertook a number of operations there because the -- the most
4 notable operation that took place was when there were RPG -- there was RPG gunfire
5 in the neighbourhood. And this was in February, March 2011 because that was
6 really when there were a lot of dead people because there was RPG gunfire or
7 machine gunfire and there were many people who died. So that was really the most
8 notable event.

9 THE INTERPRETER: [12:32:39] Message from the English interpreter: Could the
10 witness please enunciate. He is starting to mumble yet again.

11 MR DEMIRDJIAN: [12:32:51] (Interpretation)

12 Q. [12:32:51] This incident when there was RPG gunfire, RPG gunfire, Maguy le
13 Tocard, was he in operation alone or was he accompanied by other units?

14 A. [12:32:59] That unit was headed up jointly by the elements of the BAE.

15 Q. [12:33:07] And how do you know that?

16 A. [12:33:17] I contacted Maguy, and when the operations were underway to the
17 extent possible, if -- even if I was not informed -- either I was informed or Bouazo was
18 informed and there was a communication network over which we could transmit
19 certain information, and Maguy explained to me that they had gone with elements of
20 Commander Loba to the Port Bouët II neighbourhood.

21 Q. [12:33:54] You said that many people had died. And firstly you said that
22 there was RPG gunfire. And upon whom were they firing, did you come to hear of
23 that?

24 A. [12:34:06] Well, first of all, there was -- there was the population of that
25 neighbourhood that was, for the majority, inhabited by either people from Mali or

1 Burkina Faso or people from the north. Whatever the case, this was a
2 neighbourhood of Yopougon or Port Bouët II and other neighbourhoods that had
3 already been targeted as neighbourhoods that were inhabited for the most part by
4 supporters of the RHDP. So these were on our lists as sensitive points.
5 And Port Bouët II neighbourhood, when they arrived there, firstly, there was a riot
6 because the riot squad -- whenever the population would rise up, for example, the
7 BAE would intervene. And the civilians there had started to make claims, they were
8 gathering, they were setting up roadblocks in order to stop access to the
9 neighbourhood and they were shouting out names and such things. And it was after
10 that that Maguy and the elements of Colonel Loba went there, and there was a certain
11 resistance put up by the population, and we wanted to stop them from going into the
12 neighbourhoods, so that is when they utilised weapons. And we should say that
13 according to the conversation that I had with Maguy, and even before that, there were
14 some operations in Abobo with the same elements of the BAE because in Abobo there
15 was a BAE vehicle that had been burnt in the month of December 2010. So there
16 were elements from the BAE who -- well, we were already talking about the RHDP
17 march and they were already in a certain mindset, and we had requested a very
18 violent repression, especially when there were demonstrations.

19 Q. [12:37:06] Now, I want to be crystal clear here because you talked or
20 mentioned the fact that the population in Port Bouët had gathered and you said that
21 Maguy and his elements, or the elements of Colonel Loba wanted to enter but they
22 had been stopped. And you said that subsequent to that, they utilised weapons.
23 They utilised weapons on whom or against whom? I want to be clear.

24 A. [12:37:37] On the demonstrators.

25 Q. [12:37:41] And did you come to learn of how many people died?

1 A. [12:37:45] No.

2 Q. [12:37:53] Very well. Mr Witness, during the operations at the end of the
3 month of March, beginning of the month of April, and in the weeks coming up to the
4 arrest of President Gbagbo, can you tell us with which officer within the FDS you
5 were in contact, officer or officers?

6 A. [12:38:17] Officers within the FDS I was in contact? Well, I already told you
7 about Colonel -- Commander Kipré; there was Colonel Mody; there was
8 Commissioner José Logué from the 1st arrondissement; there was Captain Zoh Loua;
9 and there was the Commander Bemo (phon) from the CECOS; Commander Willy;
10 and there was Commissioner Kabila; and there was commissioner of the 11th
11 arrondissement, which was in the Williamsville. And the commissioner, before
12 being sent to the 11th arrondissement, had been at the 7th arrondissement, so that
13 was close to Adjamé base and he knew those elements, so when the elements were
14 able to make secure that area, then he started work again and we entered into contact
15 with him.

16 Q. [12:39:35] And during that period, did you take part in operations with a Séka
17 commander?

18 A. [12:39:51] Yes, we called the Commander Séka. There was an armed combat
19 around the 22nd arrondissement in the beginning of April 2011.

20 Q. [12:40:06] And the Séka commander, who was that, to your knowledge?

21 A. [12:40:12] The Séka commander was the aide-de-camp of Simone Gbagbo.

22 Q. [12:40:20] And what is his full name?

23 A. [12:40:27] It is Séka Yapo Anselme.

24 Q. [12:40:32] And as aide-de-camp of the first lady, Madam Simone Gbagbo, did
25 he have any elements at his disposal?

1 A. [12:40:41] He did have elements at his disposal.

2 Q. [12:40:49] And did those elements bear a name?

3 A. [12:40:58] The Séka commander was a gendarme. He was a high-ranking
4 officer within the gendarmerie and, as such, he had elements, his elements, that were
5 gendarmes. Now, I don't quite know with this question.

6 Q. [12:41:19] So those elements, were they part of a unit that had -- bore a specific
7 number or a specific name?

8 A. [12:41:32] There is no name as such, but unofficially I know that he
9 commanded certain operations such as abductions and physical elimination of
10 individuals, assassinations, but in the press when people talked about these people,
11 these kind of abductions or assassinations, they would say that things -- there
12 were -- there are armed individuals or people in fatigues who came to take people
13 from their houses and abduct them from their houses and that they were either found
14 dead or that their bodies were never found. And the press, after such an operation,
15 called them "the death squad."

16 Q. [12:42:41] With the exception of the press, you personally, are you aware of
17 any operations such as that you have just mentioned to us, you know, physical
18 elimination, et cetera, implicating or involving officers under Commander Séka,
19 under the Séka commander?

20 A. [12:43:05] Those units started to operate from 2002, before I went into the GPP.
21 They started to operate even when there was the coup d'état. So these were either
22 well-known personalities or unknown individuals, but if something was held against
23 them and they were deemed to be enemies of the republic, they represented a danger
24 for national security and, as such, those people were the type of people to be
25 assassinated.

1 Q. [12:44:03] So you're talking about operations that started from 2002, but what
2 about the post-election crisis?

3 A. [12:44:11] During the post-election crisis period there were abductions within
4 Abobo. Now, with regard to the operations that we conducted at Yopougon-Sable
5 or Abobo, or even in Adjamé, as I said, these are the same kind of operations, you
6 know, where we arrive with a balaclava on and we take people away. And then
7 when we've finished we go away and we don't talk about it and no one knows what
8 happened, and then some relative will say that they lost a relative in such-and-such a
9 circumstance, but when the press took it up they would say that it was the death
10 squad. And as I said, we had our combined missions.

11 Q. [12:45:21] So apart from the press, in your network, were those -- was that
12 information confirmed?

13 A. [12:45:29] Yes, because often we -- we --

14 THE INTERPRETER: [12:45:39] Unintelligible.

15 THE WITNESS: [12:45:42] (Interpretation) -- so it was confirmed.

16 PRESIDING JUDGE TARFUSSER: [12:45:44] The interpreter didn't understand.

17 MR DEMIRDJIAN: [12:45:48]

18 Q. [12:45:51] (No interpretation)

19 THE WITNESS: [12:45:51] (Interpretation) I said that, yes, because I often took
20 part in that kind of operation, so I could say that it was confirmed because I, for
21 example, took part in an operation. I might hear other elements talking about it, but
22 if they did not know which operation it was they might say, well, such-and-such
23 happened and they might say that that was the death squad that did this or did that.
24 But I would go about it saying -- as if nothing had happened. But if other people led
25 that kind of operation, then the information would circulate in -- within the GPP, then

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1 there were some of our elements that also took part. And often we knew who
2 had -- did it, and even if we didn't know who did it, we knew how to organise
3 ourselves and we knew how the orders had come to be and how missions were to be
4 conducted.

5 MR DEMIRDJIAN: [12:47:01] (Interpretation)

6 Q. [12:47:01] I do apologise, we're asking you to spell out the name of Osée Logué.

7 Is that the commissioner? Commissioner Osée Logué. Can you spell it, please?

8 A. [12:47:13] Osée is O-S-É-E, L-O-G-U-É.

9 MR WAGEMAKERS: [12:47:29] Can I have two seconds with my client, please?

10 PRESIDING JUDGE TARFUSSER: [12:47:34] Yes, please.

11 (Counsel confers)

12 PRESIDING JUDGE TARFUSSER: [12:47:54] Mr Prosecutor.

13 MR DEMIRDJIAN: [12:48:00] (Interpretation)

14 Q. [12:48:00] Mr Witness, during the period of December 2010 to April 2011, did
15 you also have any contact with General Dogbo Blé?

16 A. [12:48:23] The general, we did have contact with a general. It was not a
17 meeting. It was not a meeting. And I don't know whether I explained this, but
18 when apart from the four -- three GPPs we have military cards, and when conducting
19 certain operations in civilian attire we would receive weapons, of course, and we
20 were in plain cars, unmarked cars and when we got to a security check we would
21 present this military card. And personally, my card was the A4 unit and that was
22 the Republican Guard, and if the need arose for verification we would call either
23 Commander Kipré or the general who was the commanding officer and he would
24 confirm that indeed it was an element of the Republican Guard.

25 Q. [12:49:36] And do you know how long he remained in his position?

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1 A. [12:49:48] Well, the general was in his position until the end of the crisis.

2 Q. [12:49:59] Very well. Can you please tell us, Mr Witness, if you know until
3 when Mr Charles Blé Goudé remained in Abidjan during that period after the
4 elections?

5 A. [12:50:13] Charles Blé Goudé left Abidjan the day after the arrest of
6 President Laurent Gbagbo. That was 2 April.

7 Q. [12:50:26] Can you tell us if you know where he went and how, briefly?

8 A. [12:50:35] We were -- well, he initially sought refuge in Riviera 2 -- Riviera
9 Attoban, I'm sorry, that is a residence. And from there he organised his exist and he
10 went via Bingerville in order to get around Port Bouët and get into Ghana.

11 THE INTERPRETER: [12:51:11] Correction from the booth: It was 12 April not
12 the 2nd.

13 MR DEMIRDJIAN: [12:51:16] (Interpretation)

14 Q. [12:51:16] And how do you know that?

15 A. [12:51:18] Well, before he left he had come by the residence of the president of
16 the republic, and from there we escorted him to the M'Maya residence in Attoban.

17 Q. [12:51:34] And who is "we"?

18 A. [12:51:36] He was with his guard and we were also in our vehicles with some
19 elements who had been seconded, there was Benito, there was Jean-Claude, there was
20 Acité (phon) --

21 PRESIDING JUDGE TARFUSSER: And yourself?

22 THE WITNESS: (Interpretation) And we escorted him to the M'Maya residence.

23 PRESIDING JUDGE TARFUSSER: [12:52:00] And yourself, or not?

24 THE WITNESS: [12:52:02] (Interpretation) Yes. I said yes. I said yes, we
25 escorted him.

1 MR DEMIRDJIAN: [12:52:12] (Interpretation)

2 Q. [12:52:12] Okay. And do you know how he got into Ghana?

3 A. [12:52:25] Well, from the M'Maya residence he went via Bingerville, he went
4 over the water in order to get into Moosou and I -- well, we received information to
5 the effect that he had received help from the former president of the Ivorian football
6 association. What's the name of that gentleman? His name escapes me.

7 Q. [12:53:07] Mr Witness, just a moment. You, your elements of the GPP, up to
8 where did you accompany him? How far?

9 A. [12:53:16] I was in the convoy when he was sent to the M'Maya residence.
10 When he came out I was not present, when he was due to come out. And Stéphane
11 A52 was already in the zone there at the Riviera and he took part. And he explained
12 to me how they escorted him from there to Bingerville from where he went to
13 Moossou to go to Ghana.

14 Q. [12:53:57] Did your -- or, elements receive any payment for that operation?

15 A. [12:54:06] I wouldn't say they were paid, but there was a gesture on the part of
16 the bodyguards of Mr Charles Blé Goudé. They gave some money to A52.

17 Q. [12:54:36] Very well. Just a little point of clarification to what you said earlier.
18 You said that General Dogbo Blé had been in his position until the end of the crisis.
19 Now, my question was as to whether you had had any contact with him, any
20 discussion, to which you answered that sometimes you would call the Republican
21 Guard in order to verify the identity of an individual. Did you have any exchange
22 with him?

23 A. I did not say that I called to verify the identity of an individual. I said that
24 when we conducted operations with the Defence and Security Forces, clandestine
25 operations, for example, we would move around in unmarked vehicles in civilian

1 attire, because the information was not to be, you know, if we had military uniforms,
2 whether it be our stripes or our beret, they would know which unit of the forces,
3 defence and security, had led it and the information could go up. So we then went
4 in civilian attire, whether we be in the GPP or not. When people were arrested and
5 they wanted to ascertain their identity, then they would talk to the commanding
6 officer. And I also had the military card, and upon that it was written that I was in
7 the Republican Guard.

8 So if at a roadblock the elements or the commanding officer wants to verify, then he
9 would make the call and he would confirm that that element was indeed an element
10 from the Republican Guard and we would go on our way.

11 Q. [12:56:42] And the two occasions upon which you went to the residence, did
12 you see him there?

13 A. [12:56:48] No, I did not see him personally.

14 Q. [12:56:54] You mentioned the former president of the Ivorian football
15 federation?

16 A. [12:57:22] I think it's Jacques Anouma.

17 Q. [12:57:32] Have you heard of the name Thierry Legré?

18 A. [12:57:41] Yes.

19 Q. [12:57:41] And who is that?

20 A. [12:57:55] Thierry Legré -- well, I don't know -- I don't know which Thierry. I
21 heard about de Legré. I don't know which Thierry we're talking about here because
22 there's -- I heard of a de Legré, Thierry de Legré. There was a Legré who was in the
23 Galaxie Patriotique, but there was also a Legré who had been mentioned in a story of
24 abduction and assassination. I don't know which one we're talking about here.

25 MR DEMIRDJIAN: [12:58:39] (Overlapping speakers) Your Honours, I see the time.

1 Just to give you a heads up, I might have no more than five minutes after the break to
2 complete everything.

3 PRESIDING JUDGE TARFUSSER: [12:58:48] Well, I mean if it's five minutes, if it's
4 five minutes, I think we should also continue if it's five minutes.

5 MR DEMIRDJIAN: [12:59:00] Your Honours, I would rather take the break to
6 make sure that I'm not being duplicative in the questions.

7 PRESIDING JUDGE TARFUSSER: [12:59:05] But it's not 10 minutes. Okay, that's
8 what I thought. Just know that it's 11 hours and 15 minutes that we are going, so the
9 time management is not say the best.

10 Maître Gbougnon.

11 MR GBOUGNON: [12:59:27] (Interpretation) Yes, in fact, if the Prosecution
12 continues a little bit after the break I would suggest to you that we adjourn because I
13 won't be able to commence after stopping for 30 to 45 minutes. You know, it's going
14 to be counterproductive what I'm going to be doing. Either it's truly five minutes,
15 then we would be able to start, but if it goes on after half an hour, because we all
16 know what five minutes means here, so if we go beyond half an hour, then we will
17 have to adjourn for me to be able to commence.

18 PRESIDING JUDGE TARFUSSER: [13:00:06] You wouldn't believe it, but I have
19 nearly foreseen this.

20 So we adjourn now, come back at 2.30, then you'll have a few minutes, and then if it's
21 a few minutes, we continue with the Defence starting the questioning. Thank you.

22 The hearing is adjourned.

23 THE COURT USHER: [13:00:30] All rise.

24 (Recess taken at 1.00 p.m.)

25 (Upon resuming in open session at 2.40 p.m.)

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1 THE COURT USHER: [14:40:30] All rise.

2 Please be seated.

3 PRESIDING JUDGE TARFUSSER: [14:41:05] Good afternoon. Good afternoon,

4 Mr Witness. We were, the Chamber was informed that you were not very, very well.

5 Do you feel better now?

6 THE WITNESS: [14:41:21] (Interpretation) It is better now, your Honour.

7 PRESIDING JUDGE TARFUSSER: [14:41:25] Okay, if you have some problems just

8 tell me, okay.

9 THE WITNESS: [14:41:31] (Interpretation) Yes, very well.

10 PRESIDING JUDGE TARFUSSER: [14:41:32] So I give the floor to the

11 Office of the Prosecutor for the continuing and finishing of his questioning.

12 MR DEMIRDJIAN: [14:41:40] Thank you, Mr President.

13 Q. [14:41:44] (Interpretation) Mr Witness, I have a few questions to put to you

14 about the date of the -- the day of the arrest of Mr Gbagbo. Give us precise answers,

15 but if I want you to elaborate I will ask you. Now, on the day of the arrest of

16 Mr Laurent Gbagbo, where were you?

17 A. [14:42:10] I was at the presidential palace.

18 Q. [14:42:14] And did you stay there for a while or up till when?

19 A. [14:42:22] I stayed there till the following day at about 2 p.m. We were afraid

20 to go out. I know that it is 2 p.m. in the statement. The French army, and the FLCI,

21 they had already taken over a large part of the Plateau, so even if we left the palace

22 we would not know how to retreat because we do not know whether there were any

23 corridors through which we could retreat. So we stayed put right up until the 12th.

24 And then we were told that there would be some external assistance and that is when

25 we left.

1 Q. [14:43:39] So on that day, the 12th, where did you go?

2 A. [14:43:44] On the 12th we went to the naval base, the navy base, which is at the
3 Attécoubé -- in the Attécoubé commune.

4 Q. [14:44:03] Very well, and who did you meet there at the Locodjoro navy base?

5 A. [14:44:14] The Liberian warlords were already there. There were other GPP
6 commanders, including Maguy le Tocard, who were already there. Commander
7 Konan, he had already taken the majority of men who were at the armoury of the
8 navy base. So when we arrived there, there were other people who were also in the
9 marine.

10 Q. [14:45:05] Can you tell me which elements of the FDS were there on that day?

11 A. [14:45:10] There were marines and also soldiers. There were even GPP
12 combatants in military uniform, so it was not easy to distinguish between them, but
13 some of the FDS officers who had been at the Plateau and in Cocody had also gone to
14 the naval base.

15 Q. [14:45:44] Who was in control of Yopougon at that time?

16 A. [14:45:49] We were the ones in control of Yopougon at that time.

17 Q. [14:45:55] Commander Konan, can you give us his full name?

18 A. [14:46:04] Konan Boniface. Konan Boniface.

19 Q. [14:46:15] And for how long did you keep on controlling Yopougon after the
20 arrest of President Gbagbo?

21 A. [14:46:24] Right up to the following Monday, that is the following Monday,
22 because the republican forces and the French army succeeded in dislodging all the
23 combatants that had been in Yopougon.

24 Q. [14:46:56] Did you leave Abidjan at any point?

25 A. [14:46:58] Yes. I left Abidjan on the 17th. I left Abidjan on the 17th, that is the

- 1 following Sunday, because there was a ceasefire in, in Yopougon.
- 2 MR DEMIRDJIAN: [14:47:33] There seems to be a problem here.
- 3 PRESIDING JUDGE TARFUSSER: [14:47:39] Where is the problem?
- 4 MR DEMIRDJIAN: [14:47:41] We can't hear anything in the headphones.
- 5 PRESIDING JUDGE TARFUSSER: [14:47:46] What do you mean by anything,
- 6 because I hear perfectly?
- 7 MR MACDONALD: [14:47:52] The whole section is not working, your Honour.
- 8 PRESIDING JUDGE TARFUSSER: [14:47:56] Oh, that's good.
- 9 MR DEMIRDJIAN: [14:47:57] I don't know if my colleagues can hear.
- 10 PRESIDING JUDGE TARFUSSER: Can you hear?
- 11 MR O'SHEA: [14:48:00] I was cut off for a second and I'm back again.
- 12 PRESIDING JUDGE TARFUSSER: [14:48:07] Wait, but the Prosecution is not back
- 13 again, as I think.
- 14 MR MACDONALD: [14:48:12] Can we, your Honour, ask a technician to come to try
- 15 to resolve this before we continue because we can't hear anything.
- 16 PRESIDING JUDGE TARFUSSER: [14:48:21] Yes.
- 17 THE COURT OFFICER: [14:48:25] The technician is already in the courtroom.
- 18 PRESIDING JUDGE TARFUSSER: [14:48:36] We don't see him, but he is here. But
- 19 the technician is working on the wrong side, I think.
- 20 (Pause in proceedings)
- 21 THE COURT OFFICER: [14:50:12] Can you hear me now?
- 22 MR MACDONALD: [14:50:17] It's coming out from the box itself, the speaker of the
- 23 box. I can hear myself.
- 24 MR O'SHEA: [14:50:25] Now my sound has gone again.
- 25 PRESIDING JUDGE TARFUSSER: [14:50:37] We are giving a very bad example to

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- 1 the public.
- 2 I was assured in a few seconds it should work.
- 3 MR MACDONALD: [14:51:02] They are probably hearing us in courtroom number 2
- 4 or 3.
- 5 PRESIDING JUDGE TARFUSSER: [14:51:07] Probably.
- 6 (Pause in proceedings)
- 7 MR DEMIRDJIAN: [14:51:37] I think we're back on. Can everybody hear me?
- 8 PRESIDING JUDGE TARFUSSER: [14:51:46] Mr O'Shea, the Defence?
- 9 MR O'SHEA: [14:51:50] Yes, but I'm getting a very strong echo.
- 10 PRESIDING JUDGE TARFUSSER: [14:51:53] Me too. I'm hearing myself as well.
- 11 I have my own echo in the ears.
- 12 Yes, I was advised to turn down a little bit the volume and maybe then it works again.
- 13 But I'm not sure.
- 14 MR O'SHEA: [14:52:30] I'm just trying. Yes, that's fine.
- 15 PRESIDING JUDGE TARFUSSER: [14:52:36] Yes. That's fine, yes.
- 16 MR DEMIRDJIAN: [14:52:38] Are we back in business?
- 17 PRESIDING JUDGE TARFUSSER: [14:52:41] We are back in business.
- 18 MR DEMIRDJIAN: Okay.
- 19 PRESIDING JUDGE TARFUSSER: You're not?
- 20 MR GBOUGNON: [14:52:48] (Interpretation) We can hear ourselves.
- 21 PRESIDING JUDGE TARFUSSER: [14:52:51] But I can hear perfectly. Can you
- 22 speak?
- 23 MR GBOUGNON: [14:52:55] (Interpretation) Yes, Mr President, when I speak I can
- 24 hear it from the loudspeaker in front of me.
- 25 MR N'DRY: [14:53:06] (Interpretation) I will propose something. I will ask

- 1 Mr Gbougnon to switch places with me, but apparently I have the same problem now.
2 Hello, hello.
3 PRESIDING JUDGE TARFUSSER: [14:53:18] Yes.
4 But if I speak, can you hear me through the -- no? But if you say no, you can hear me
5 otherwise you wouldn't -- I would say.
6 MR GBOUGNON: [14:53:39] (Interpretation) Since your voice carries quite a while,
7 I can hear you directly.
8 PRESIDING JUDGE TARFUSSER: [14:54:00] The technician is on his way again. So
9 it would be now only a problem for the Gbagbo defence, right?
10 MR O'SHEA: [14:54:17] You mean Blé Goudé defence?
11 PRESIDING JUDGE TARFUSSER: [14:54:20] Sorry, for the Blé Goudé defence, sorry.
12 (Pause in proceedings)
13 PRESIDING JUDGE TARFUSSER: [14:55:48] Too much technology I think we have
14 here. Now is it working? Is it working? It's working.
15 MR DEMIRDJIAN: [14:56:10] Now we have lost it.
16 PRESIDING JUDGE TARFUSSER: [14:56:11] You have lost it.
17 THE COURT OFFICER: [14:56:15] I'm supposed to test the audio from this
18 microphone. Could I get a feedback from you?
19 MR MACDONALD: [14:56:26] Can I recommend a short suspension, your Honour,
20 so that the technician doesn't feel too stressed out while the public is looking at the
21 technical problems. It's a recommendation, your Honour.
22 PRESIDING JUDGE TARFUSSER: [14:56:43] I have understood it as such. So let's
23 take a break of a few minutes. Tell me when we are ready and then we come back.
24 Okay, thank you very much.
25 THE COURT USHER: [14:56:54] All rise.

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1 (Recess taken at 2.56 p.m.)

2 (Upon resuming in open session at 3.03 p.m.)

3 THE COURT USHER: [15:03:28] All rise.

4 Please be seated.

5 PRESIDING JUDGE TARFUSSER: [15:03:53] So let's try again, cross fingers. I give
6 immediately the floor to the Office of the Prosecutor for the continuing of the
7 questioning of the witness. Yours the floor.

8 MR DEMIRDJIAN: [15:04:07] Thank you, Mr President.

9 Q. [15:04:10] (Interpretation) Mr Witness, just to clarify, you told us that you left on
10 17 March, a Sunday. Can you hear me?

11 A. [15:04:21] Yes.

12 Q. [15:04:22] You say that you left on 17 March --

13 THE INTERPRETER: [15:04:30] Correction, April.

14 THE WITNESS: [15:04:33] (Interpretation) Yes.

15 MR DEMIRDJIAN: (Interpretation)

16 Q. [15:04:33] So one day before they entered Yopougon; is that correct?

17 A. [15:04:38] Correct.

18 Q. [15:04:38] Very well. Between 12 and 17 April, when you were there, what
19 activities were being conducted by the GPP men and the Liberian mercenaries?

20 A. [15:04:54] We were taking part, we were engaged in fighting. The areas -- the
21 areas of combat were more the points of entrance to Yopougon, the places where one
22 could enter Yopougon, through the neighbourhood called Sable, which I mentioned
23 earlier, and also at the Gesco as well, and by Yamoussoukro as well. And often there
24 were incursions towards a new neighbourhood, for example, the Morocco
25 neighbourhood.

1 THE INTERPRETER: Quartier Moroc in French.

2 THE WITNESS: (Interpretation) Often there were times when they might try to
3 enter by way of Yopougon-Koweït, which is not far from the naval base.

4 MR DEMIRDJIAN: (Interpretation)

5 Q. [15:06:14] During those operations, would it ever happen that the GPP or the
6 Liberian forces would stop people suspected of collaborating with the
7 Forces Nouvelles?

8 A. [15:06:30] Yes. Some people were denounced by the population in some
9 neighbourhoods. For example, people would report, oh, that one, so-and-so. So
10 there would be -- they had tipped off the other side as to your positions, or they
11 provided information about our positions, that sort of thing, how we had arranged
12 our forces.

13 Q. [15:07:06] And once you caught such a person who had been in touch with the
14 FRCI, what would happen to that person?

15 A. [15:07:21] They were shot because we were not stopping people and putting
16 them in prison at that time.

17 Q. [15:07:27] How do you know that, that they were shot dead?

18 A. [15:07:32] During that period of time it was somewhat frequent. The people
19 also -- were also settling their scores, you see, some people from the GPP, the
20 Liberians. What is more, in addition to those two groups, the people were settling
21 their own scores as well.

22 So people -- most of the people that the GPP men stopped were beaten up or executed,
23 these were people who had been denounced, reported on. The general population
24 had squealed on them or, if there were clashes, and if the elements were not able to
25 handle, well there was a contingent, for example, once a unit was isolated during

1 fighting and what's more, there were also some cases in private homes, Dioula people,
2 or people who were members of the RHDP and known to be members of the RHDP
3 in the neighbourhood. So you see, people were settling various scores. There were
4 also cases of intimidation.

5 Q. [15:09:21] So in relation to these people, the population that you mentioned, you
6 said there were also cases of looting and people settling scores. Did you see anyone
7 settling scores with others?

8 A. [15:09:40] The Liberians, for instance, they, since -- since they couldn't speak
9 French for the most part, they would ask, they would say something like, "Any
10 Gbagbo supports here in this house?" Or they would show the logo of the party.
11 So if someone was from -- well, you see, for example, some people might be
12 a supporter of Mr Gbagbo and if the person didn't understand and, you see, the
13 people wouldn't -- they wouldn't understand, they wouldn't reply and then they
14 would be shot. Often that's how things occurred. There were altercations quite
15 often like that. Or they would see that -- well, they would try to loot to get some
16 money and then they would go back.

17 Q. [15:11:06] Just to be clear, so it was the Dioula people or members of the RHDP;
18 is that right?

19 A. [15:11:16] Mm-hmm.

20 Q. [15:11:17] You told us that they would shoot. You were talking about the
21 militiamen and that they were shooting at him, did you see that for yourself?

22 A. [15:11:26] Yes. During that time, those people, those people -- that sort of thing
23 was frequent. During that period, well, you couldn't distinguish really who was
24 whom. It was very difficult to identify who was who. Everyone -- well, there was
25 the FDS, there were our elements, a lot -- most people were wearing civilian clothing.

1 It was easier to distinguish who -- you could distinguish the Liberians, but other than
2 that it was difficult to tell people apart. You could only go by the verbal cues that
3 they gave, answering in a certain way, for example.

4 Q. [15:12:28] Just to flesh out this part of your testimony, when you say that they --

5 A. [15:12:37] When they said that they shot at, I meant the Liberians and also the
6 elements. It was -- it would depend on the judgment of the person. If everyone --

7 Q. [15:12:59] I'm sorry, that wasn't my question, Mr Witness. My question was:
8 When they shot, what was the outcome, just to finish off?

9 A. [15:13:11] When they shot, they would -- sometimes the person would die
10 immediately. When you shoot someone, a person doesn't die necessarily right away,
11 it also depends where they are shot and whether the person gets care in time. And
12 the fact was, in some cases, people were killed immediately.

13 Q. [15:13:35] Very well. Before we conclude, I would like to ask you for two
14 clarifications. This morning I had asked you -- well, I asked you some questions
15 about the official call issued by Minister Blé Goudé and you told us about this call and
16 you said that it actually was on the television but you weren't present. So my first
17 question is this: When you said it was televised, did you see it for yourself?

18 A. [15:14:10] No, I didn't see it for myself, but the soldiers talked about it. It was
19 at a rally so the soldiers did talk about it, but me myself, I didn't attend.

20 Q. [15:14:33] And when your men told you about this, what was the exact message
21 of this call?

22 PRESIDING JUDGE TARFUSSER: [15:14:43] Maître Gbougnon.

23 MR GBOUGNON: [15:14:45] (Interpretation) Your Honour, it is true that we are
24 trying to move quickly and I have not been objecting. I could have objected on
25 several occasions. But I think the witness has answered that question in great detail

1 and has given great details, a great amount of detail. He even provided the location
2 of the statement. So I think this is repetitive and not particularly useful.

3 MR DEMIRDJIAN: [15:15:23] We actually didn't get those details, your Honours.
4 That's why I am going back on the question. I have the quote right in front of me so
5 I'm going to get specific clarification.

6 PRESIDING JUDGE TARFUSSER: [15:15:31] Yes, please go ahead.

7 MR O'SHEA: [15:15:33] There is another difficulty, of course, which is that if the
8 witness says that these things were reported to him, it was a televised message, he
9 didn't hear it himself, it is a bit difficult to ask him, "Well, what were the exact words
10 used by Blé Goudé?"

11 MR DEMIRDJIAN: [15:15:59] Very well.

12 PRESIDING JUDGE TARFUSSER: [15:16:00] Mr Demirdjian, please go ahead but we
13 don't let the witness speculate and go the hearsay of the hearsay. So just try to elicit
14 direct facts.

15 MR DEMIRDJIAN: [15:16:17] (Interpretation) Very well.

16 Q. [15:16:20] In that case, Mr Witness, perhaps the best question would be this:
17 When your elements told you this, what was the reaction in light of the information
18 you received in the field after that call? What were you able to see?

19 A. [15:16:36] Well, we had already received the same instructions about blocking
20 the ONUCI tanks, and it was another part of the population that also began to carry
21 out these actions. As far as we were concerned, we had been setting up roadblocks
22 for a long time by then, so that information really didn't come our way. So, you see,
23 we didn't really attach a great deal of importance to it.

24 Q. [15:17:33] Very well. One last clarification. Now, this morning, Mr Witness, I
25 asked you whether you had seen General Dogbo Blé at the residence and you said no.

1 Did you see him at the presidential palace?

2 A. [15:17:51] Yes.

3 Q. [15:17:52] Did you speak to him?

4 A. [15:17:56] He spoke to us. I wouldn't say I spoke to him. He was speaking to
5 the soldiers at the palace, the elements at the palace. I wasn't speaking to him.

6 Q. [15:18:13] When was that?

7 A. [15:18:18] Late March 2011.

8 Q. [15:18:26] And what did he tell you?

9 A. [15:18:30] The message, well, the message was about our integrating the forces.
10 There was supposed to be a ceasefire that was being negotiated, you see, and at one
11 point, if there was to be a ceasefire, if it became effective, we were to move the
12 weapons from the DMIR base in Cocody.

13 We were -- they were to be taken to the residence.

14 Q. [15:19:26] Very well. Did he say something specific about your work within
15 the GPP?

16 A. [15:19:33] He congratulated us. He congratulated us, since the decision to
17 integrate us, he was happy with the work we had done alongside them.

18 Q. [15:19:56] And did he inform you of this decision? Well, he informed you of
19 this decision to integrate you, and where did the decision come from?

20 A. [15:20:08] The decision came from the President of the Republic.

21 Q. [15:20:23] You mentioned the DMIR, D-M-I-R; what's that?

22 A. [15:20:33] DMIR, it was a unit, a special unit of -- that was led by Commander
23 Konan Boniface. It was part of the navy.

24 Q. [15:20:51] Just let me wait.

25 A. [15:20:56] DMIR. Marine division for rapid intervention, something like that.

1 Q. [15:21:03] I thank you, Witness, for your patience, that's all for questioning.

2 MR DEMIRDJIAN: That completes my examination. Thank you.

3 PRESIDING JUDGE TARFUSSER: [15:21:13] Thank you very much, Mr Prosecutor.

4 I have just a question, a clarification question. At page 79, line 5 of the English
5 transcript, on the question by the Prosecutor, you say, "During that period" -- well,
6 you couldn't distinguish really who was whom. "I was very -- it was very difficult to
7 identify who was who." Later you tried to explain, but it didn't come out, to my
8 understanding, so clearly. What do you mean by "it was very difficult to identify
9 who was who"? And what are the consequences of this difficulty of identification of
10 who was who?

11 THE WITNESS: [15:22:20] (Interpretation) Thank you, your Honour. When I said
12 that it was difficult to know who was who, it meant that it was difficult to -- well, just
13 by looking at someone, to determine what unit or what organisation an individual, an
14 armed individual, belonged to at that time. It might have been a GPP person or
15 someone from the FDS. In any event, for the most part, we were wearing civilian
16 clothes. Even at the presidential palace, before we were moved to Yopougon early in
17 April, we received an instruction from Colonel Mody to wear civilian clothing and we
18 just had some vests that were sort of camouflage print that we put over our clothes so
19 that we could recognize one another.

20 When we drove out the FESCI at the headquarters, they had taken -- they had taken
21 the uniforms that were at the garrison, so they had uniforms belonging to various
22 FDS units that they had taken with them. So we could not wear those same
23 uniforms. We would have had problems, it would have been difficult to distinguish
24 them during fighting. So we were wearing civilian clothing, and I am speaking
25 about the elements of the GPP and the FDS who were taking part in the fighting. I'm

1 not talking about officers who were at the transmission room. The ones who were
2 part of the security detail at the palace, all the way to Yopougon, the FDS had taken
3 off their uniforms and they were wearing civilian clothing. So there were only codes,
4 verbal cues, so to speak that we could recognize one another.

5 PRESIDING JUDGE TARFUSSER: [15:24:48] Yes, but which consequences had this
6 not recognizing or difficulty to recognize who was who? Was there a problem also
7 of friendly fire or things like this?

8 THE WITNESS: [15:25:08] (Interpretation) Yes. I could say that everyone was
9 doing whatever he wanted to do. The elements, the commanders who were in some
10 neighbourhoods, they were leading, or they were doing -- it was a free-for-all. If
11 they wanted to loot, they looted. Other than the gatherings in the morning, at the
12 naval base, well, the elements might -- might misbehave and we really had no control
13 over that.

14 PRESIDING JUDGE TARFUSSER: [15:26:03] And what about who is who among
15 opposing parties? Because you are now talking about inside one side of the
16 combatants, say so. What about the opposing parties?

17 THE WITNESS: [15:26:27] (Interpretation) The other side, in particular, the members
18 of the Commander Chérif Ousmane who was trying -- and the French units who were
19 trying to force us out of Yopougon.

20 PRESIDING JUDGE TARFUSSER: [15:26:49] But I am referring to the difficulty to
21 identify, to the identification difficulties you have mentioned.

22 THE WITNESS: [15:27:05] (Interpretation) I said it was difficult to identify people,
23 but we had, we had codes so that we could manage to identify ourselves. And it
24 would depend on the neighbourhood. We would know who was running
25 a particular neighbourhood, so when we got to one particular position, we would

1 make ourselves known. Whence we got to a roadblock, we would slow down and
2 give the code and they would answer. They were also fighters from the same side as
3 us and we would go ahead. So, you see, that's how we would check.

4 PRESIDING JUDGE TARFUSSER: [15:27:56] Thank you very much. This
5 concludes the -- why are you standing up?

6 MR DEMIRDJIAN: [15:28:02] Your Honours, based on your questions now, is it
7 better for me to ask my questions in further re-examination after the Defence or
8 should I put my questions now?

9 PRESIDING JUDGE TARFUSSER: [15:28:14] Well, questions or a question? Well,
10 just go ahead so we gain time, because obviously I will not start with the Defence, so
11 we have a little bit of time. So we give you another few minutes.

12 MR DEMIRDJIAN: [15:28:32] Thank you, Mr President.

13 QUESTIONED BY MR DEMIRDJIAN:

14 Q. [15:28:35] (Interpretation) Witness, in response to the questions from the
15 Presiding Judge, you said that there were some problems identifying people.

16 A question I have for you is this: As part of the incidents that you explained to us,
17 the various settling of scores by Liberian militiamen, in such situations were there any
18 problems identifying who was who or was it clear who the victims were?

19 A. [15:29:14] Difficulties identifying whom, the victims? As I said, during that
20 period it was -- well, there was our side, we were in control of Yopougon. And
21 when there were episodes of violence against people who were close to the RHDP, for
22 example, as I mentioned.

23 Q. [15:29:48] When you mentioned the population, people close to the RHDP, are
24 you talking about civilians?

25 A. [15:29:55] Civilians.

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1 Q. [15:30:05] Under those circumstances, was it a problem to identify the people?

2 A. [15:30:12] As I said, most often they were acts of violence against people in the
3 neighbourhood and people in the neighbourhoods knew who was whom, who lived
4 where. So sometimes people living in a neighbourhood would say "That house over
5 there, there are people from the RHDP there. They're giving information." Or, "I
6 saw such-and-such a person talking to someone about your position," or something
7 like that, so the civilian people themselves would tell us who. Or if there were any
8 tip offs, we would intervene.

9 MR DEMIRDJIAN: [15:31:08] Thank you, your Honours.

10 PRESIDING JUDGE TARFUSSER: [15:31:10] Thank you very much.

11 This concludes the examination by the Office of the Prosecutor. As I said before, I
12 will not give the floor now to the Defence teams because we will start on Monday.

13 Maître N'Dry, do you want to say something? Maître N'Dry, yours the floor.

14 MR N'DRY: [15:31:29] (Interpretation) Yes, Mr President.

15 I would like to ask a question in the presence of the OTP, but without the witness, it
16 shouldn't take more than two minutes.

17 PRESIDING JUDGE TARFUSSER: [15:31:47] Yes, but I was going to ask the court
18 usher to bring out the witness. Then I have to give the floor also to the

19 Office of the Prosecutor for another issue. We have time to discuss these issues. I
20 know the one the Office of the Prosecutor wants to address the Chamber and the
21 parties with. The only thing I didn't understand is why in private session.

22 Because --

23 (The witness stands down)

24 MR MACDONALD: [15:32:26] I can do it in public without referring to who is the
25 next witness.

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- 1 PRESIDING JUDGE TARFUSSER: [15:32:29] Yes, well that's it.
- 2 MR MACDONALD: [15:32:34] Thank you.
- 3 PRESIDING JUDGE TARFUSSER: [15:32:35] And if this is related to this, somehow
- 4 to this witness or not, your issue you want to raise?
- 5 MR N'DRY: [15:32:45] (Interpretation) Yes, Mr President.
- 6 PRESIDING JUDGE TARFUSSER: [15:32:48] So I give you the precedence, please.
- 7 MR N'DRY: [15:32:57] (Interpretation) Yes, Mr President.
- 8 I would like to ask for a private session, please.
- 9 PRESIDING JUDGE TARFUSSER: [15:33:15] So let's go in private session.
- 10 (Private session at 3.33 p.m.)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Redacted)
- 16 (Redacted)
- 17 (Redacted)
- 18 (Redacted)
- 19 (Redacted)
- 20 (Redacted)
- 21 (Redacted)
- 22 (Redacted)
- 23 (Redacted)
- 24 (Redacted)
- 25 (Redacted)

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- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (Redacted)
- 5 (Redacted)
- 6 (Redacted)
- 7 (Redacted)
- 8 (Redacted)
- 9 (Redacted)
- 10 (Redacted)
- 11 (Redacted)
- 12 (Redacted)
- 13 (Redacted)
- 14 (Redacted)
- 15 (Open session at 3.36 p.m.)
- 16 THE COURT OFFICER: [15:36:18] We are back in open session, Mr President.
- 17 PRESIDING JUDGE TARFUSSER: [15:36:22] We are in open session just for the
- 18 purpose to wish everybody a good weekend and to adjourn the hearing to Monday at
- 19 9.30 for the continuing of the questioning of this witness by the Defence teams, I think
- 20 starting with the Defence for Mr Blé Goudé.
- 21 Thank you very much, the hearing is adjourned.
- 22 THE COURT USHER: [15:36:46] All rise.
- 23 (The hearing ends in open session at 3.36 p.m.)