

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 Thursday, 27 October 2016
10 (The hearing starts in open session at 9.35 a.m.)
11 THE COURT USHER: [9:36:16] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:36:39] Good morning. Good morning to
15 everybody.
16 Good morning, Mr Witness.
17 WITNESS: CIV-OTP-P-0435 (On former oath)
18 (The witness speaks French)
19 THE WITNESS: [9:36:53] (Interpretation) Oui, Mr President.
20 PRESIDING JUDGE TARFUSSER: [9:36:55] Do you feel okay this morning?
21 THE WITNESS: [9:36:59] (Interpretation) Yes, Mr President.
22 PRESIDING JUDGE TARFUSSER: [9:37:00] So now we are here to continue with
23 the questioning by the Defence for Mr Blé Goudé. And therefore I give the floor, I
24 guess, to Maître Gbougnon. MR GBOUGNON: [9:37:23] (Interpretation) Good
25 morning, Mr President. Good morning to all in the courtroom. And I wanted to

1 specify this time because Maître N'Dry pointed out to me that I always said "Good
2 morning, Mr President" without greeting the others in the courtroom. It is for that
3 reason that I greet everyone else in the courtroom, and I'm sorry if I haven't greeted
4 you before.

5 QUESTIONED BY MR GBOUGNON: (Continuing)

6 Q. [9:37:57] Good morning, Mr Witness.

7 A. [9:37:58] Good morning, Counsel.

8 Q. [9:38:01] I will start by giving you the same advise as before. I note that your
9 microphone is switched off, and we're going to proceed in that manner in order to
10 spare the lives of our interpreters, so to speak. And so I suggest that you switch off
11 your microphone when I have the floor and you hold on a little bit for the interpreters
12 to finish interpreting before you answer my question.

13 Now, Mr Witness, let us hop back to the march of 16 December 2010. In the
14 transcript of 20 October, official transcript 20 October 2016 page 65, from line 2, you
15 say the following:

16 "When the decision to organise the march was taken by Mr Guillaume Soro, when the
17 information was disseminated that he had programmed the RHDP march towards
18 the RTI and that then to the Prime Minister's office, then there was a meeting between
19 Mr Désiré Tagro, the former prime minister, and some officials of the self-defence
20 movements, including the GPP."

21 That was your testimony to this court on 20 October 2010; is that your -- can you
22 confirm that testimony?

23 A. [9:40:12] Yes.

24 Q. [9:40:15] That meeting, well, you say that later on when it was found out that
25 the RHDP would march after Guillaume Soro's call, now, at what point in time do

1 you place that meeting?

2 A. [9:40:38] It held before the march.

3 Q. [9:41:04] On what day before the march, which day?

4 A. [9:41:19] Two days, two days before the march, I think, before the march.

5 And the meeting took place after Mr Guillaume Soro had talked about the
6 organisation of such a march on the RTI.

7 Q. [9:41:51] Mr Witness, this morning, please, I would like us to be very specific
8 and to be clear and concise; precise, specific, clear and concise. Mr Guillaume Soro's
9 call, when was it issued or made?

10 A. [9:42:20] I think it was three days before the march.

11 Q. [9:42:37] The march took place on 16 December 2010, so when you say three
12 days before Mr Guillaume Soro's call, that puts us at 13 December 2010; is that
13 correct?

14 A. [9:42:55] Yes.

15 Q. [9:42:58] And the meeting with Mr Tagro, when did it take place?

16 A. [9:43:14] I would say on the 14th.

17 Q. [9:43:21] At that time what was Mr Tagro's role, or at least his function?

18 A. [9:43:42] Mr Tagro was the then secretary general at the presidency.

19 Q. [9:43:52] He therefore was not the minister of the interior, he was not the
20 minister for security. Why was the meeting then held with him in relation to the
21 march, the opposition's march?

22 A. [9:44:17] I really am not in a position to tell you why.

23 Q. [9:44:27] Thank you. I put the question to you because throughout your
24 statement to the OTP on this specific issue you did not refer to that meeting in any
25 manner whatsoever, is that correct, or do you remember this?

1 A. [9:45:11] It's possible that I did not refer to the meeting.

2 Q. [9:45:22] Let me jog your memory by reading document CIV-OTP-0063-1765 at
3 page 1775 from line 360. I'll start by quoting the investigator's question at line 360,
4 where the investigator put the following question to you, and I quote:

5 "Very well. So who gave you the order or instruction to -- in relation to that march?"

6 Your answer from lines 362, and I quote:

7 "Well, that I am not able to know. However, what I know is that Bouazo sent the
8 armbands and the cords, the FDS armbands and the cords, and the armbands were to
9 be worn so that the FDS would know that we were together." End of quote.

10 That was your statement to the investigators of the Prosecutor's Office in relation to
11 the origin of your instructions or the source of your instructions.

12 So you say that you do not know where Bouazo got his instructions from and, when
13 the same question has been put to you here, your answer has been that he got the
14 instructions from a meeting or at a meeting with Minister Tagro. What's your
15 reaction to all that?

16 A. [9:47:35] Thank you, Counsel. I think that the question put to me by the
17 investigator was in relation to the day of the march and to the ropes. The question
18 sought to find out where we got the ropes from and I did not know about the
19 instructions. I was with Bouazo when he received the phone call. Even though I
20 knew who had called him, I didn't put a question to him so I was not able to provide
21 an answer to the contrary. I did not ask him who had called him, although I was
22 with him and I saw the number that was displayed and I saw -- I was there, rather,
23 when he finished the conversation and then he left.

24 But I did not go out with him to collect the ropes and I saw -- I couldn't say that this is
25 the person from whom he got the ropes. I wasn't asked at the time whether he had

1 received that information from some other authority. My answer was in relation to
2 the details about how we came into possession of the ropes with -- through Bouazo.
3 And then I referred to a meeting that I had before in relation to the RHDP troops and
4 pertaining to the meeting -- the march, rather, which was likely to be cancelled
5 because it had been prohibited by the government. However, it was maintained and
6 Bouazo was called then to provide additional armbands.

7 Q. [9:49:35] Mr Witness, let me return to the document. At the time of the
8 interview when the investigator put the question to you, that was at the very
9 beginning of your statement in relation to the events at the RTI. At the very
10 beginning he doesn't refer to the ropes in any manner whatsoever.

11 So let me go back to page 1775 and read the beginning of your conversation before
12 you provided this answer. So let me do that now. Page 1775 from line 349, and I
13 quote:

14 "Therefore on that day, on the 4th, on that 4th, that day when we -- well, I myself took
15 part in the fighting at the RTI and then I returned to the palace on the 5th.

16 Question: Very well, but let us go back in time. Now, so when the GPP troops
17 came to the RTI for the first time, what month was it?"

18 Your answer, and I quote: "It was in February, February."

19 Question: "But then you also talked about a demonstration, an additional
20 demonstration."

21 Your answer: "That was in December 2010."

22 Question: "In December 2010?"

23 Your answer: "Yes, because there was a march."

24 Question: "Very well."

25 And your answer: "Of RHDP supporters, a march on the RTI."

1 So it is after this point that the investigators put the specific question which I have
2 already read out to you, namely: "Very well. So who gave you the order or the
3 instructions to -- in relation to that march?"

4 There is no mention of ropes here whatsoever. It is at the very beginning of your
5 conversation on the march on the RTI. There is no mention to the ropes or
6 cordelettes. I will get to that later on but not here, it's not mentioned here. So here
7 you do not mention anything, contrary to what you have said here. You do not say
8 that the instructions or the orders, the two words used here are "instructions" and
9 "orders." You do not refer to the meeting with any minister whatsoever. And this
10 is your answer.

11 PRESIDING JUDGE TARFUSSER: [9:52:33] And what is the question? This was a
12 comment on supposed contradictions, but what is the question?

13 MR GBOUGNON: [9:52:46] (Interpretation)

14 Q. My question is the same as before: Why, whereas in your conversation with
15 the members of the OTP you do not at any time whatsoever refer to a meeting with
16 Minister Tagro in relation to the instructions pertaining to the march, why do you
17 raise that meeting here before the Court? That's my question.

18 A. [9:53:26] That is what I already explained to you. I told you that I was
19 referring on that day to the D day of the march. I was talking about how we ended
20 up at the site of the operations. That's what I was referring to. But here I did not
21 mention the ropes or cordelettes because I didn't deal or delve into those details, but it
22 doesn't however mean that those things did not happen.

23 Q. [9:54:07] Thank you. On that day, on 16 December, on that 16 December 2010
24 I know you were not in Cocody. Your men were there. Apart from you, that is
25 apart from your troops, were there any other groups there?

1 A. [9:55:24] Other groups? Other groups, civilian groups or military groups?

2 Q. [9:55:44] I'm not talking about policemen or soldiers, but I'm referring to other
3 groups like the GPP, groups of that nature.

4 A. [9:56:07] Yes.

5 Q. [9:56:13] However, at page 1787 of document CIV-OTP-0063-1765 you say the
6 following. At page 1787, line 789, that is the question of the Prosecutor which I
7 raised with you a short while ago, namely: "Do you know whether there were any
8 other militia or groups there?"

9 This was the question put to you by the Prosecutor. And your answer was in a
10 single sentence at line 790:

11 "No, we did not have those details."

12 That's what you said to the Prosecutor. Why is it then that today you have said that
13 there were other groups?

14 A. [9:57:19] When that meeting took place, the GPP and officials of other groups
15 participated in it. I was not the one who gave the instructions on that D day. We
16 all received the same instructions and they too were participating. Apart from the
17 GPP, I also explained that at Cocody, apart from the GPP, there were students as well,
18 FESCI was also present and participating and they weren't empty-handed. They
19 also beat up the -- those who were marching.

20 Q. [9:58:18] Well, I've asked you to be specific in your answers. I'm not talking
21 about your meeting with anyone whosoever. My question is the following. I know
22 what you said later on. I know your statement to my fingertips, please be assured of
23 that. My question is following, and I'm putting the same question to you now which
24 the Prosecutor put to you during the interview. Now, to that question, your answer
25 was very specific, namely, that there were no other groups apart from the GPP.

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1 How then is it that today you testify that there were other groups? That's the
2 question. It's -- why is there that discrepancy or contradiction? That's what I don't
3 understand. Can you explain that to the Chamber.

4 I'm not talking about the meetings that you may have had with other groups. I'm
5 talking about that specific day. In your first answer to the investigators, to the
6 investigators of the OTP, you say there were no other groups, but here why is it that
7 you say that there were other groups?

8 MR GBOUGNON: (Interpretation)

9 Now, Mr Prosecutor, if you are going to talk about what he mentions later on,
10 I would rather have the witness out of the courtroom so that we can have the
11 discussion before the Judges and then return to my questioning.

12 PRESIDING JUDGE TARFUSSER: [9:59:52] Mr Prosecutor?

13 MR DEMIRDJIAN: [9:59:53] Yes, Mr President. Good morning.

14 PRESIDING JUDGE TARFUSSER: [9:59:54] Good morning.

15 MR DEMIRDJIAN: [9:59:56] I'm looking at the transcript that my learned friend is
16 referring to, and he's telling the witness that in the interview the witness says there
17 were no groups.

18 MR GBOUGNON: [10:00:10] Monsieur le Président.

19 MR DEMIRDJIAN: [10:00:12] No, no, no, because it is referring to what your
20 quote --

21 MR GBOUGNON: [10:00:14] (Interpretation) Mr President, can the witness be
22 taken out of the courtroom?

23 MR DEMIRDJIAN: [10:00:19] You just read to us what was in interview, "On n'a
24 pas de précision." That's not the same thing. So you're saying that in the interview,
25 he said, "We have no precision," "On n'a pas de précision." And now you're telling

1 the witness, "You said in the interview there were no groups." That's not what the
2 witness said, so I would ask my learned friend to rephrase his question.

3 PRESIDING JUDGE TARFUSSER: [10:00:46] The Prosecutor is saying that you
4 were not accurate in quoting the -- what the witness said before.

5 MR GBOUGNON: [10:00:58] (Interpretation) I really don't know quite what to
6 say -- well, this is my concern.

7 MR N'DRY: [10:01:20] (Interpretation) Before we continue with the examination,
8 I'd like to raise a point that was initially touched upon by Mr O'Shea on Wednesday,
9 namely, the frequent consultations between the witness and his counsel. I think this
10 is somewhat bothersome, particularly since at this particular stage where we find
11 ourselves -- if it's a matter of self-incrimination, very well, but I think you'll agree
12 with me, your Honour, that this response that the witness is providing
13 apparently -- well, has nothing, has in no way connection to a matter of
14 self-incrimination, and I think that the proceedings should not depart from this
15 framework that has been set.

16 PRESIDING JUDGE TARFUSSER: [10:02:18] I think, first of all, there should be a
17 little bit more trust among parties and colleagues. That's what I think. I do not
18 trust that the lawyer of the witness is so proficient in the case that he can tell him
19 what to say and what not to say. I think, really, we should trust each other a little bit
20 more. This is what I think. But, therefore, I leave it by that. I think
21 Mr Wagemakers knows exactly what he is here for and what he has and he has not to
22 do.

23 Maître Gbougnon, please go ahead. But it's not about that you should try to achieve
24 the response you want. Once you have raised or put into the record a contradiction,
25 that's it. I don't understand why you ask "Why do you contradict yourself" if it's a

1 contradiction. So, it's there. You will argue on this at a later stage. That's what
2 I -- what I think because one should not continue to remain on the same place. We're
3 going around always on the same, on the same place.

4 So please go ahead.

5 MR GBOUGNON: [10:03:55] (Interpretation) Thank you, your Honour. In
6 relation to the objection or, rather, the observation made by my learned friend, I'd
7 wish to say that at page 8 of the French transcript, line 11, line 11, he said
8 "Mr Gbougnon: And yet, yet," and at page 1787 of document
9 CIV-OTP-0063-1765 -- 1765, I'm quoting exactly what the witness said on that
10 particular page. And I think now you found your spot. Thank you.

11 Q. [10:04:55] I shall continue, Witness.

12 Now, at this same page on the transcript of 20 October 2011, line 23 you said this:
13 "And the elements as well of the GPP of the commune of Cocody, they too were on
14 alert because the march was supposed to be held in their commune. That is the fact
15 that I wanted to --" end of the interjection.

16 THE INTERPRETER: [10:05:38] Inaudible.

17 MR GBOUGNON: [10:05:41] (Interpretation)

18 Q. [10:05:43] Do you remember saying that?

19 A. [10:05:44] Yes.

20 Q. [10:05:55] Now, in your statement to the OTP, once again, CIV-OTP-0063-1765
21 at page 1790, page 1790 I will read out to you what you said on that occasion about
22 the GPP.

23 I said page 1790. Let us begin with the question put by the investigator, line 902:

24 "Do you know whether other members of the GPP were active on that day other than
25 your own men?"

1 And then your answer, line 904, and I quote:

2 "Other than our men, well, I didn't ask, but I did not have that information either."

3 So why is it that before the Chamber you have said that GPP members from Cocody

4 were there in addition to your own people from Adjamé, whereas in the past you had

5 said that to your knowledge, other than your own men there were no other GPP

6 members there?

7 A. [10:08:00] I said that our members weren't -- but I didn't ask the question, you

8 see. I explained how the GPP was organised. In each commune of Abidjan there

9 were members and when an order was issued, each commander within the commune

10 or area would organise, if an order was given, for example, in Cocody, or if there was

11 an operation in that area, we would have to -- we would -- we would take, at least in

12 Adjamé -- well, you shouldn't speak of the Adjamé men, rather the camp members. I

13 didn't -- I wasn't asked about, but I do know that such an event could not occur in

14 Cocody without the elements from Cocody taking part. That would have been

15 impossible. But I didn't ask the question to find out whether their elements were

16 taking -- were taking part or not. I didn't get a yes or a no.

17 Q. [10:09:44] Thank you, Witness. Now, I believe you said something about

18 yourself, personal, a personal point?

19 A. [10:10:07] Yes.

20 Q. [10:10:07] I'm talking about 2010. In 2010 you had a personal bodyguard

21 with how many men? Your own personal bodyguard or security detail, how many

22 people?

23 A. [10:10:27] Three, three men. How should I put it? Three men who were

24 always with me. They were part of my team, yes.

25 Q. [10:10:44] Now, these personal guards were made up of three men; is that

1 what you're telling us, there were three of them?

2 A. [10:10:58] I said three permanent elements. If I needed -- let's say if I was
3 going somewhere, I might have additional people with me, but there were always
4 three.

5 Q. [10:11:18] Now, when you say -- and once again the same document,
6 CIV-OTP-0063-1765 at page 1776, 1776, from line 374, and I quote:

7 "But I, I stopped at that level with myself and -- but me, I closed that off with myself,
8 my personal guard, I closed off around the offices of the BNETD. Around rue Lepic,
9 the technical lycée, the BNETD: The national office for technical and development
10 studies."

11 Now, tell us more.

12 A. [10:12:35] I said that with the men we established a security perimeter of 220
13 on boulevard des Martyrs to see -- well, to intercept the marchers of Cocody. I was
14 there and my personal guard at the BNETD, B-N-E-T-D. And this you see is a road
15 that -- well, the boulevard des Martyrs that goes toward the BNETD. And myself,
16 I was there and my personal security detail, my men. That is what I explained.

17 Q. [10:13:38] So you and the three men with you, your personal security detail,
18 made up of three men, you were there in Cocody around the BNETD, is that what
19 you are telling us? Because I read out to you what you said and you said that you
20 were there with yourself and with your personal security detail, that is why I asked
21 you how many people you had on your security detail, so you see, I didn't
22 understand. That is why I'm asking you for explanations. What do you mean?
23 What did you do at the BNETD?

24 A. [10:14:26] We weren't in front of the BNETD. I don't know exactly how to
25 explain our position. The BNETD in Cocody, you have the boulevard des Martyrs,

1 and that's between Cocody and Adjamé. And from, from the boulevard des Martyrs
2 you cross over and there is one lane, a lane that branches off, an off-ramp that heads
3 towards Cocody and it goes by the technical lycée and, you see, the marchers were
4 around there or they would have to go by this school, by the BNETD. And so they
5 were going that way and they had to cross the boulevard, and that is where I was.

6 Now, I don't know whether it was on the Adjamé side or the Cocody side exactly, but
7 50 metres, 50 metres from the BNETD. I think that -- well, I don't know if the
8 Chamber can see the location, but this is -- I'm explaining the location to you.

9 Q. [10:15:50] My question is this: You were in Adjamé, or were you in Cocody?
10 And where were your security men? This is what I'm trying -- first of all, where
11 were you, Adjamé or Cocody, you yourself?

12 A. [10:16:14] Counsel, I've explained to you. We're talking about intercepting
13 the marchers and I gave you the position where we had set up our security perimeter.
14 In the 220, in the 220, that's already towards the district already at -- well, there's a
15 green space between the buildings, we were already on alert and we set up a security
16 perimeter at the boulevard des Martyrs so that the -- you see, the people who would
17 go by way of Washington neighbourhood or the other place I mentioned would be
18 intercepted.

19 I was -- now, I don't know if you can see, but Cocody, Adjamé, it is the off-ramp that
20 goes up towards the carrefour de l'Indénié. There is a road that goes up that way
21 and you have to go by the technical lycée. And just before that, there is a gate that is
22 used as sort of a fence to -- to the area where the BNETD is. Some marchers were
23 going either by way of that gate and other people at that level to get to -- to go by way
24 of Adjamé at the boulevard des Martyrs. I was there, that is where I was positioned.

25 Q. [10:18:17] Thank you. Now, you have given us a description of where you

1 were and where the others were within the area close to the technical lycée. Could
2 you tell me exactly, exactly what security arrangements had been put in place, what
3 security people were present at these various locations that you have just told us
4 about?

5 A. [10:18:58] The security arrangements and the staff you mean?

6 Q. [10:19:03] Let me be more specific. What people from the various law
7 enforcement forces who were there, military, policemen, who were there? If there
8 weren't any, tell us that there weren't any. But if there were some, how many were
9 there? Where were they?

10 A. [10:19:40] Already at l'Indénié there was a CECOS vehicle. At the
11 intersection there was also a CECOS vehicle and when -- well, you see when we
12 intercepted the marchers, they were coming to go back, and the men took them to our
13 base and they were taken back to our base.

14 Q. [10:20:27] We'll get to your base later, but you just mentioned Djeni Kobenan
15 intersection; is that correct?

16 A. [10:20:39] Yes, the intersection named --

17 THE INTERPRETER: [10:20:41] Message from the interpreter: Could the witness
18 be asked to give the name of the intersection.

19 MR GBOUGNON: [10:20:50] (Interpretation) I'm being told that I'm speaking too
20 fast.

21 PRESIDING JUDGE TARFUSSER: [10:20:55] Yes, and the witness should give the
22 name of the intersection again because it was not captured by the interpreters. The
23 name of the intersection.

24 THE WITNESS: [10:21:14] (Interpretation) Djeni Kobenan, D-J-E-N, I think, Djeni.
25 I don't know if it's an "I" or a "Y" at the end, then K-O-B-E-N-A-N, intersection.

1 MR GBOUGNON: [10:21:41] (Interpretation)

2 Q. [10:21:42] Thank you, Mr Witness. Well, you see, the problem is you have
3 just said -- but in any event, we can deal with that, but you just said that you
4 were -- you and your men were at the technical lycée, but you were a bit further
5 down towards the area known as the 220 Adjamé. So how could you know exactly
6 what security staff had been staffed -- had been placed, rather, at that intersection?

7 A. [10:22:34] I didn't say that my men were at the technical lycée. When I just
8 spoke, I did not say that, that they were at the technical lycée. I mentioned the place
9 where we were. I mentioned the technical lycée and I mentioned that if you go
10 along that way, along that road, you pass by the technical lycée and that the marchers,
11 well, that was the road that the marchers were taking to cross over to Adjamé, either
12 by the BNETD or by the technical lycée. They were trying to leave Cocody and they
13 were trying to get to Adjamé. And along the boulevard -- it is not possible to cross
14 over along the boulevard. There's the -- if you go down by the place Nestlé, all those
15 places. There was no one specific spot where you could cross. I'm mentioning
16 Cocody.

17 In Adjamé, well, there was one spot that was the closest to get out of that area, the
18 Cocody area. How do I know? Well, that -- well, I knew the position of the CECOS
19 men who were there and I explained first that, when we intercepted the marchers,
20 either they would come and get them, or if while we were intercepting them they
21 weren't there, we would take them to our base and we would call them and tell them
22 that we had some people in detention in our premises. And they would come and
23 we would say, well, we already had some there with us, and either -- they would
24 come and go from time to time to make sure that our security people were clear.

25 PRESIDING JUDGE TARFUSSER: [10:25:22] Could we not use a map?

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1 Otherwise, this will be very difficult to understand and to read. I would use the grid
2 map and mark the positions. This is to help the Chamber. You're always very
3 keen to help the Chamber. I think this is the moment we should help the Chamber.

4 MR DEMIRDJIAN: [10:25:47] Your Honours, if it could help your Honours, the
5 witness has already drawn a very detailed map during his interview of all the
6 locations, if it could save time. It's one of the annexes of his interview.

7 MR GBOUGNON: [10:26:04] (Interpretation) I disagree, your Honour, with such a
8 comment. This file is extremely -- I've read over this a million times. The comment
9 by the Prosecution, I know all the annexes, all the documents annexed to this
10 statement. I know this statement inside and out. I know how to conduct my
11 examination. We can come back to this matter of the map later, if it is necessary.

12 MR MACDONALD: [10:26:45] Then if it's what my colleague is saying, I think it
13 would be fair to have the witness draw the map or indicate where it is. Because if
14 we want to start contradicting the witness --

15 PRESIDING JUDGE TARFUSSER: [10:26:56] No, that's what the Chamber said and
16 requested, to have a map and to show on the map what's -- what we are talking about
17 in words because I think it would help the Chamber to understand.

18 MR GBOUGNON: [10:27:27] (Interpretation) Your Honour, I will continue with
19 other questions and later we will come back to the map.

20 Q. [10:28:17] Mr Witness, now, getting back to your testimony on

21 20 October 2010 - I beg your pardon, 2016 - page 67, line 26, Prosecution question:

22 "Were they armed?"

23 And they were speaking of the GPP elements.

24 And your answer at line 27: "Some of them, some of them."

25 Can you confirm that this is what you said?

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1 A. [10:28:58] Yes.

2 Q. [10:29:06] And do you remember what you said to the OTP investigators in
3 this regard?

4 A. [10:29:16] Yes.

5 Q. [10:29:18] Very well. Now, in front of the investigators from the OTP you
6 said, at least seven times - at least seven times - you said that there were no weapons,
7 and I am going to quote from the various parts of your statement in which you said
8 that there were no weapons.

9 Once again, CIV-OTP-0063-1765, and the first excerpt is at page 1776. Page 1776, line
10 405 and on, and I quote:

11 "No, there were no deaths. Some people were injured. In any event, there were
12 injuries. Other than that, there were no deaths. There were no deaths because
13 there were no firearms that were used. And we didn't do it to kill, it was to disperse
14 them. And as I told you, there were no deaths."

15 That's the first passage.

16 If we could now move on --

17 MR MACDONALD: [10:31:03] The Prosecution objects here, on the process that
18 we've raised before. The witness needs to be asked if he remembers saying that and if
19 he has an explanation to provide. We're not going to go -- I submit your Honour
20 that we should not be going to the seven allegedly contradiction on this topic and
21 then ask him to explain because we'll have to come back to the first, go to the second.
22 He's quoting -- for seven times now he wants to quote. So, to be fair to the witness,
23 it's a question of fairness, for the record to be clear, and I'm not even sure anyway that
24 this first one hits the spot, to put it that way. But in any event, if we're going to go
25 through seven things, then the Prosecution will have to come back on re-exam and

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1 ask for each single one of them.

2 So this is what we were raising the first day of the cross-examination about the
3 process, your Honour.

4 PRESIDING JUDGE TARFUSSER: [10:32:10] Now, the first thing I would like to
5 know, when you start this line of questioning and you spoke about were they armed,
6 about -- when you refer to "they," to whom are you referring? Because it doesn't
7 come out properly, if you refer to the one making the march or the GPP elements.
8 This would be my first -- and then the contradiction is, who is referring the witness to
9 in the alleged contradictions, because we must compare the same things.

10 MR GBOUGNON: [10:33:04] (Interpretation) Thank you, your Honour. I
11 apologise. Just so that we can move quickly. Page 67 of the transcript of
12 20 October 2016. First question from the Prosecution, line 22:
13 "The elements who -- from the GPP who took part in the repression of the march were
14 dressed in what manner on that day?"

15 And the witness answered, line 24.

16 And then the Prosecution went on to ask: "Were they armed?"

17 And the witness answered saying: "Some of them, some of them."

18 So you see, your Honour, this is --

19 PRESIDING JUDGE TARFUSSER: [10:33:56] So we're referring to the GPP people,
20 the armed -- the GPP people? Okay. This is established. Please go ahead. And
21 I think, I think in making this confrontation, in confronting the witness with his
22 former statements, I just think that you have always to quote the part and to say
23 where it is extracted from. That's it.

24 Please go ahead.

25 MR GBOUGNON: [10:34:28] (Interpretation) This is what I am doing, your

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1 Honour. I quoted the excerpt from the -- the excerpt that -- well, what he said before
2 the OTP investigators.

3 Q. [10:34:45] Now, Mr Witness, this is from your first statement regarding the
4 weapons. Do you remember telling the OTP investigators this?

5 A. [10:35:01] Yes.

6 Q. [10:35:02] Now, there are several excerpts. I don't know whether I'll quote all
7 of them, but why, why did you say that? Because you told the investigators that you
8 were not armed. You say here in front of the Chamber --

9 MR DEMIRDJIAN: [10:35:28] (Interpretation) I think we need specific quotations,
10 not paraphrases. The witness should be confronted.

11 MR GBOUGNON: [10:35:38] (Interpretation) I will quote again, your Honour.

12 Page 1776: "No, there were no deaths. There were injuries. In any event, some
13 people were injured. Otherwise, well, there were no deaths. There were no deaths
14 because there were no firearms that were used. Then we weren't doing that to kill
15 them." That is what the witness said.

16 Q. [10:36:16] Isn't that what you said, Mr Witness?

17 A. [10:36:20] Yes, that was my statement.

18 Q. [10:36:26] Why then is it that before this Court your testimony is to the effect
19 that some people were armed, whereas previously you said that you were not bearing
20 any weapons, any firearms?

21 MR MACDONALD: [10:36:44] Your Honours, there's a distinction being drawn
22 here.

23 I'll ask the witness to step out because this is -- we need to ask the witness to step out
24 on this, your Honour. I'm sorry.

25 PRESIDING JUDGE TARFUSSER: [10:36:55] Yes, Mr Witness, can you please leave

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1 the court. Thank you.

2 (The witness stands down)

3 PRESIDING JUDGE TARFUSSER: [10:37:11] I would just like to say before that I
4 see a difference between being armed and using arms.

5 MR MACDONALD: [10:37:16] Exactly.

6 PRESIDING JUDGE TARFUSSER: [10:37:18] Yes.

7 MR MACDONALD: [10:37:19] Exactly.

8 PRESIDING JUDGE TARFUSSER: [10:37:20] As you can see, not always it's
9 needed. But being armed and using arms are two different things, and there
10 shouldn't be a big contradiction on that.

11 MR MACDONALD: [10:37:30] But, your Honour, the point I'm making is that my
12 colleague by doing what he's doing, not quoting -- he never asked foundation, "Were
13 you in possession of firearms?" If the answer is "No," then he's got all the right in the
14 world to go further. But here --

15 PRESIDING JUDGE TARFUSSER: [10:37:50] No. But he --

16 MR MACDONALD: [10:37:52] -- I feel it's being misleading the witness and the
17 Court at the same time.

18 PRESIDING JUDGE TARFUSSER: [10:37:56] The Court, as you see --

19 MR MACDONALD: [10:37:58] Well, I know, but, your Honour --

20 MR GBOUGNON: [10:38:04] (Interpretation) Mr President.

21 PRESIDING JUDGE TARFUSSER: Maître Gbougnon.

22 MR GBOUGNON: [10:38:06] Yes, Mr President, in this statement or this sentence
23 by the witness he says, first of all, because there were no weapons, that's the
24 beginning, there were no firearms before he talks about the use.

25 Now, with your leave, Mr President, I concede, I concede because I said that he said

1 this about seven times. I can quote all the seven times when he says that there were
2 no firearms. But I will not ask and I will not ask the witness whether he had
3 firearms or not.

4 I am questioning him based on what he said to the OTP. He said seven times. And
5 at some point, I will say it when he will be in court, he said that on that day they
6 didn't even have the right to carry any weapons, and if one were found to be bearing
7 weapons, they would be arrested. I will quote that part, Mr President. I am not
8 worried about this at all, Mr President.

9 PRESIDING JUDGE TARFUSSER: [10:39:15] Can the witness be called in again.

10 (Pause in proceedings)

11 (The witness enters the courtroom)

12 PRESIDING JUDGE TARFUSSER: [10:42:49] Maître Gbougnon.

13 MR GBOUGNON: [10:42:54] (Interpretation)

14 Q. [10:42:59] Mr Witness, let us continue looking at this very document,
15 CIV-OTP-0063-1765 at page 1778, and to be specific I will go to the beginning of the
16 page at line 447, where you state the following:

17 "Which was to disperse the grounds with the ropes"

18 Now the investigator: "Mm-hmm. And where did you --"

19 And then at line 405 you answered: "There were no weapons. We had no
20 weapons."

21 That was your answer. So why is it that here you are saying that some people were
22 armed?

23 A. [10:44:22] First of all, you have quoted from three different places, haven't
24 you?

25 Q. [10:44:33] Please?

1 A. [10:44:33] Do you want me to -- I want to understand your question. I just
2 want to be able to understand your question. That's why I'm asking for this
3 clarification. Are you asking me to explain the three quotations or should I speak
4 only to the last one that you have referred to?

5 Q. [10:44:52] Please answer the question that I have just put to you. "We did not
6 have any weapons. We did not have any weapons."

7 A. [10:45:10] In reference to the last quotation, it was about firearms, and then
8 you talked about three statements, three quotations. The question to me was
9 whether there were weapons. Well, you know, when you talk about weapons, you
10 can have bladed weapons and you can have firearms. Now, ropes are also weapons
11 that can be classified as blunt weapons.

12 So I explained that we had those ropes, and then I was asked whether we had any
13 weapons of that type and I said no, we did not have any such weapons. So we did
14 not have the authorisation to carry firearms. We had no authorisation to take our
15 firearms with us in Adjamé. However, the rope and the dagger or knife is also a
16 weapon.

17 Then there was a question whether there were any deaths, and I said, no, there were
18 no deaths because we did not use any firearms. There were no deaths because we
19 didn't use firearms.

20 Well, the ropes are a weapon. You can kill someone with a rope applying it only
21 once. But with a firearm, somebody can die on the spot for lack of treatment.

22 So what I'm saying is that we're looking here at three different contexts. Yes, there
23 were weapons, some types of weapons, because those who were there on that day,
24 some of them had ropes, not all of them, not all of them.

25 And then there was a question about deaths, and I said there were no deaths because

1 no firearms were used. There were no deaths. And I'm talking about the ropes. I
2 used the ropes to explain the types of weapons that we had. And then the
3 investigator clarified that they were referring to firearms, and that's why I said that
4 that day we had no permission to carry firearms. We were forbidden for the
5 purpose of that mission to bear any firearms.

6 Now, if there were any marchers who appeared to have weapons, then they may have
7 shot at us, and in those cases we would have requested that firearms be taken out.

8 We had firearms, but on that day in Adjamé we did not have the right to use them.

9 And that is the explanation I provided as well. So that's the explanation I can
10 provide, Counsel.

11 Q. [10:48:22] Mr Witness, I read the French transcript, page 26, "The rope or small
12 rope," page 26, line 15, "The rope is also a weapon and with the rope one can kill." Is
13 that what you just said?

14 Now, if we look at the issue of the rope, this is what you said to the Prosecutor, the
15 investigators of the OTP in document CIV-OTP-0063-1765 at page 1792 at line 976, the
16 following:

17 "As far as I know, those ropes cannot be used to kill. Ropes do not kill." This is
18 what you told the investigators of the OTP: "As far as I know ropes cannot kill."

19 Why then are you stating today that ropes can be used to kill?

20 A. [10:49:50] I provided that answer because the question to me from the
21 investigators was the following: Were there any deaths? Well, they were
22 investigating facts, they were not investigating me.

23 Now, if the investigators found out that we had killed people on that day or not, well,
24 what I know is that, as far as I know, ropes do not kill. Because if we had had the
25 intention to kill, we would not have used the ropes, we would have used weapons.

1 We had Kalashnikovs and if we had the intention to kill, we would have gone out
2 with those weapons rather than the ropes.

3 So I don't know whether people were killed on that day in Adjamé and I don't know
4 whether, if somebody intended to kill, they would go on a mission with the ropes.

5 Q. [10:51:00] Thank you, Mr Witness. I think we'll move on.

6 You also assert something which you have repeated here, and I mentioned that we
7 will revisit it earlier. Now, you say this thing for the first time at page -- or you said
8 it again at page 72 of the transcript of 20 October 2016, from line 4 onwards, and I
9 read: "If we realised it, we would beat them up and keep them in our premises until
10 the military authorities with whom we worked would send men to come and take
11 them away." End of quote.

12 Do you remember making that statement or do you remember that being part of your
13 testimony?

14 A. [10:51:57] Yes.

15 Q. [10:52:02] Now, let me read out to you what you said in your statement to the
16 investigators of the OTP in relation to the issue of arrests. And I'm reading in order
17 to avoid any rage from my learned colleague opposite. And I'm still referring to
18 document CIV-OTP-0663-1765, at page 1790, from line 891, and I quote: "The FDS
19 were there. The CRS men were the ones who took them to the police because it was
20 the police, the CRS necessarily, it is the police that must send troops to the police.
21 The gendarmes cannot arrest people and send them directly to the police like that."
22 Line 895, Investigator: "Mm-hmm. Were there any GPP men at the préfecture?"
23 Line 896, your answer: "No, no. We had no right to arrest. I have clearly stated
24 the two missions we had, to disperse those within the perimeter and prevent others
25 from accessing the perimeter. We had no order to arrest. We didn't have the

1 capacity to arrest there."

2 And then at line 900, you state finally that: "That is why those who came into
3 Adjamé were dispersed. They were not sent the police precinct nor anything else.
4 They were simply dispersed. That is what I told you."

5 Do you recall this as part of your statement?

6 A. [10:54:36] Yes.

7 Q. [10:54:37] Why then is it that before this Court you are asserting that you
8 arrested people and you held them in your premises whereas, before the investigators
9 of the OTP, you state clearly that you did not arrest anyone because that was not your
10 role?

11 A. [10:55:02] I think on this topic I have already provided an answer to the
12 investigators. The question that was put to me was the following: Did the
13 gendarmerie send people to the police? The answer was no, if the gendarmes arrest
14 anybody, they will not send them to the police. It is the police who arrest people
15 and take them to the police office.

16 Well, the gendarmes, if they arrest anyone, can send such a person to the gendarmerie
17 brigade. So the question was whether the gendarmes could send people to the
18 police office, and I said our role was not to send people to the police office. As I've
19 already explained, we had some clashes with the police station already in this matter
20 and that is why we had to take a look at the people who were detained in our own
21 premises. And we actually really had a -- a very, very heated discussion on this
22 matter. You see, Bouazo himself had to intervene and have discussions with the
23 police commissioner on this matter.

24 Our role was to disperse the marchers. The idea was that people of the FDS would
25 pick up those people in their vehicles and take them away and they would shuttle

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1 now and then to take people away. If we blocked some people, they would be taken
2 away, but if the FDS didn't come in time, then we would send people to our base.

3 MR MACDONALD: [10:57:02] Now, your Honours -- well, we're two to stand up.
4 Sorry.

5 Again, it's a question of fairness, your Honour. And I see the hour. Maybe the
6 witness can leave and we can deal with this topic without the presence of the witness.

7 PRESIDING JUDGE TARFUSSER: [10:57:15] The witness can leave. We take the
8 break, and we come back after the break and we'll deal with this. Thank you very
9 much.

10 The hearing is adjourned.

11 THE COURT USHER: [10:57:30] All rise.

12 (Recess taken at 10.57 a.m.)

13 (Upon resuming in open session at 11.33 a.m.)

14 THE COURT USHER: [11:33:29] All rise. Please be seated.

15 PRESIDING JUDGE TARFUSSER: [11:33:54] Good morning again. I think we left
16 with -- the floor to the Prosecutor for his intervention on the way of questioning or
17 confronting the witness. Please, so the witness is out and therefore yours the floor.

18 MR DEMIRDJIAN: [11:34:19] Thank you, Mr President. Our objection is on the fact
19 that we are seeing here a selective cross-examination in the sense that counsel is
20 putting a portion of the interview and is ignoring another portion of the interview
21 and then presenting it to the witness as a contradiction.

22 With respect to the issue of arrests, my learned friend this morning told you he is very
23 familiar with this interview, he knows it on the tip of his fingers. There is a portion
24 of the interview where the witness says exactly what he said in the courtroom. So
25 the objection is that counsel cannot put just one portion of the interview and say,

1 "Here you don't talk about arrests," where he knows very well that elsewhere there is
2 an element that coincides with his answer in the courtroom. So it's on the selectivity.
3 There cannot be any cherry picking.

4 PRESIDING JUDGE TARFUSSER: [11:35:17] Maître Gbougnon.

5 MR GBOUGNON: [11:35:18] (Interpretation) Your Honour, I expected my learned
6 friend to show me an excerpt and, in any event, the witness has already replied, so I
7 really don't know what we are talking about now. I showed the witness a particular
8 excerpt from his statement in which he said explicitly that on that day,
9 16 December 2010, at no time did they arrest any people. He said that; he was clear
10 cut. He said their mission that day was not to arrest people. And I don't know
11 what I have done wrong. I have read his interview. That is what he has said.
12 Frankly, I really don't see what the problem is. I just don't understand.

13 PRESIDING JUDGE TARFUSSER: [11:36:17] Maître Altit.

14 MR ALTIT: [11:36:20] (Interpretation) Thank you, your Honour.

15 Your Honours, the Gbagbo defence really doesn't understand the objection that is
16 being made at this juncture, since the Blé Goudé defence is proceeding in exactly the
17 manner that was called for in paragraph 41 on the decision regarding the conduct of
18 proceedings.

19 They have quoted the earlier statements made by the witness verbatim and they have
20 asked him to provide explanations for differences and discrepancies. They have
21 quoted the various accounts that the witness has provided of the same event or
22 incident and then they have asked him to explain, and that is their duty. That is my
23 first point.

24 Now secondly, it is not for the Prosecution to tell the Defence teams how to
25 cross-examine a witness. In actual fact, in actual fact, an objection of this

1 nature - and I would point out that this is not the first time that the Prosecution has
2 raised such an objection - seems to be more characteristic of an attempt to block the
3 proceedings than to truly raise an objection. That is unacceptable. No, no, if you
4 don't mind.

5 And I thought, I believed, that such an objection would occur when the Blé Goudé
6 team confronted the witness with his discrepancies, and that is the very heart of
7 examination conducted by the non-calling party.

8 Now, these objections are disturbing the examination conducting by the non-calling
9 party. Of course, yes, the words have to be quoted exactly, specifically, and that is
10 what the Blé Goudé team has been doing.

11 Another point: This discussion really has already been held on Monday and
12 the Chamber has already ruled, allowing the Blé Goudé team to continue his
13 examination, and I quote from the transcript of 24 October, page 40, line 14.

14 And finally, your Honours, with your leave, one last point, the Prosecution has
15 suggested that they could return to these issues during re-examination and, of course,
16 that would be utterly inappropriate. Why? Because, because they have questioned
17 the witness on these issues and they knowingly, knowingly decided to do so, even
18 though the witness was contradicting himself, and they knowingly decided not to
19 raise these discrepancies before the Chamber. That is their choice. After deciding
20 to follow one particular line of questioning and to put certain questions to a witness,
21 they cannot then decide to return to the various matters. And I mean this would be,
22 how shall I put it, not a hijacking but they would be a breach of the proceedings.

23 MR DEMIRDJIAN: Your Honours, it appears -- I understand, your Honours --

24 PRESIDING JUDGE TARFUSSER: [11:40:32] We cannot continue like this, with this
25 ping-pong.

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1 MR DEMIRDJIAN: [11:40:37] But I understand, your Honours, but I assume that
2 counsel knew what I was talking about, but he is not answering to the question,
3 which is he's cherry picking --

4 PRESIDING JUDGE TARFUSSER: [11:40:47] No, I think the intervention of Mr Altit
5 went far beyond what we are discussing here. Also because the contradictions or
6 not contradictions is not always a fact, it is very much often an opinion if there is
7 contradiction or not. But never mind. Please.

8 MR DEMIRDJIAN: [11:41:01] Mr President, just for the record, it is in the second
9 interview, just for the counsel to know it's in the second interview where the witness
10 says that they did arrest people.

11 PRESIDING JUDGE TARFUSSER: I know.

12 MR DEMIRDJIAN: That is what I am referring to, and if he doesn't know, I can give
13 him the reference. Thank you.

14 PRESIDING JUDGE TARFUSSER: [11:41:16] All of you started saying we don't
15 know what we are talking about. I think we know exactly what we are talking about.
16 What the Prosecution has called selective examination, the problem is that the witness
17 must be confronted with what is considered to be a contradiction in a way -- in
18 a correct way, without being misled by comments on this, but with confronting the
19 witness with what he said, quotation, under quotation. That's it.

20 As far as the blocking of the proceedings is concerned, I think this is mutual. I mean,
21 everybody tries to do his job and I think that's why also the Chamber is here, to avoid
22 any blocking of the proceedings.

23 The interventions can be obviously disturbing, but they are allowed when they are
24 allowed by the Presiding Judge. So I think we should continue, but the
25 recommendation is confrontation with the -- to confront the witness with previous

1 statements in quoting and without commenting on, so much on the discrepancy, but
2 let the witness comment on the hypothetical discrepancies. Thank you.

3 MR GBOUGNON: [11:42:52] (Interpretation) Mr President, no, no --

4 PRESIDING JUDGE TARFUSSER: [11:42:53] No, that's it. I don't want now that we
5 continue this discussion.

6 MR GBOUGNON: [11:43:00] (Interpretation) Mr President, it's not that I want to
7 continue this discussion or not, but this morning you told me two things. First of all,
8 you said that -- you told me, and I repeat, that when I confront the witness with
9 a contradiction, you see the contradiction and then we move ahead. That is the first
10 point.

11 Secondly, the statement made by the witness, earlier, I read out the -- well, I wanted
12 to read the seven excerpts in which he made a number of statements and I was
13 criticised for that and I only read two or three excerpts out and --

14 PRESIDING JUDGE TARFUSSER: [11:43:45] By whom were you criticised?

15 MR GBOUGNON: [11:43:55] Mes adversaires.

16 PRESIDING JUDGE TARFUSSER: [11:43:58] Yes, but I -- of course, but I said do it,
17 you may do it. You didn't, you decided then not to do it. Please, I don't want
18 it -- that's it, I don't want to get into further discussions.

19 I would like that the questioning, the questioning from both, all parties, be correct,
20 clear and correct with the witness. Please let the witness come in.

21 (The witness enters the courtroom)

22 PRESIDING JUDGE TARFUSSER: [11:45:03] Good morning again, Mr Witness.

23 We continue with the questioning by the Defence for Mr Blé Goudé, and I give the
24 floor to Maître Gbougnon.

25 MR GBOUGNON: [11:45:19] (Interpretation)

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1 Q. [11:45:21] Good morning once again, Mr Witness.

2 MR GBOUGNON: (Interpretation)

3 Your Honour, we wanted to show a map to the witness, but I believe the map is not
4 very good quality and perhaps after the lunch break we will be in a position to
5 provide a better map so that the witness can explain to the Chamber where the
6 various elements were during the events. Just after the lunch break we could
7 provide a better map to deal with the question of localities.

8 PRESIDING JUDGE TARFUSSER: [11:46:07] But isn't it true that we have an agreed
9 map on which we are doing these things? This is what I understood.

10 MR GBOUGNON: [11:46:30] (Interpretation) I'm not very good in technical matters.
11 But the pdf version is not good, you see nothing. And in order to avoid wasting
12 the Chamber's time, I think it would be better if we could provide a better quality
13 map, and that would be in the interest of the Chamber. So I do hope that this can be
14 done between now and the end of the day.

15 PRESIDING JUDGE TARFUSSER: [11:46:56] I have no problem, but then I don't
16 understand the whole exercise we did, a long exercise we did in trying to find an
17 agreed map. But that was quite a useless discussion then, okay.
18 Please go ahead.

19 MR GBOUGNON: [11:47:18] (Interpretation) Thank you, your Honour.

20 Q. [11:47:35] Witness, you stated on a number of occasions that on that day,
21 16 November -- correction, December 2010, your men were along -- correction, were
22 wearing white armbands; is that correct?

23 A. [11:48:01] Yes, that is correct.

24 Q. [11:48:06] And you also said that the armbands used were also being worn by
25 the FDS; is that correct?

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1 A. [11:48:22] Yes, that is correct.

2 Q. [11:48:26] Now, the armbands, these white armbands, are they usually worn by
3 the FDS or was it just on that day that they were supposed to wear the white
4 armbands? Well, excuse me, were the white armbands the armbands that the FDS
5 usually wore?

6 A. [11:49:00] Yes.

7 Q. [11:49:05] You're sure of that?

8 A. [11:49:10] Before the election they had orange armbands. Before the election the
9 armbands were orange. But they were also used by the members of the
10 Forces Nouvelles, who had come to ensure the security of the election during -- in the
11 government zone. So after the election, different arms were used, the same type, but
12 they were white in colour.

13 Q. [11:49:45] And which FDS units would wear these armbands?

14 A. [11:49:58] By the militaire.

15 Q. [11:50:07] That's all?

16 A. [11:50:09] Those armbands were worn by the army, other than the police -- well,
17 perhaps the gendarmerie, but all the military people had -- well, you see the specific
18 unit's name wasn't on the armband, it just -- the armbands only said "FDS," they
19 didn't specify the actual unit in question.

20 Q. [11:50:47] So all the units, if I have understood you correctly, not all -- well, all
21 the FDS people were wearing these armbands, is that what you are telling us?

22 A. [11:51:03] Yes.

23 Q. [11:51:06] I'd like to go back to one detail. Now, on the day of
24 16 December 2010, and within the security arrangements or the security staff that you
25 had seen, the detail you had seen, did you see the GEB, G-E-B, did you see the GEB

1 taking part in these efforts to secure the area in Adjamé during the demonstration that
2 day?

3 A. [11:52:06] In Cocody or where we were in Adjamé?

4 Q. [11:52:27] You said that your men were present in Cocody, and you said
5 that -- well, you mentioned some locations where they were, and I believe you
6 yourself were in Adjamé. So that is why I am asking you, on the day of the march,
7 in Cocody or elsewhere, might you have seen or might your men have seen members
8 of the GEB?

9 A. [11:52:58] The GEB elements, they had their own security detail around the base,
10 the GEB, that's in Agban.

11 Q. [11:53:20] I think that we'll have to wait for the map so that we can determine
12 these specific locations. We will now move on to something else.

13 Now you said that you met up with a group of young runners -- well, you joined,
14 rather, the group of young runners in 2002; is that correct?

15 A. [11:54:01] Yes.

16 Q. [11:54:08] And you have also told the court that Mr -- well, at that time in 2002,
17 Mr Blé Goudé apparently came and greeted you during your training; is that correct?

18 A. [11:54:29] Yes.

19 Q. [11:54:32] Now at that time -- well, first of all, do you remember, because
20 November 2002, do you remember him coming? Because this has been a long time
21 ago. Do you remember him coming in November, December, January, if you
22 remember? Do you remember when he came?

23 A. [11:55:26] It was late, late 2002.

24 Q. [11:55:36] Very well. So you are sure it is not in 2003, we can agree on that?

25 A. [11:55:42] Yes.

1 Q. [11:55:47] So in 2002, when Mr Charles Blé Goudé came to see you, what was
2 the role he was playing or in what capacity did he come and see you?

3 A. [11:56:14] He was the leader of Ivorian youth at the time. He had
4 a commitment to the young people of Côte d'Ivoire at the time.

5 Q. [11:56:30] Now at that time was he already the leader of a particular
6 organisation?

7 A. [11:57:04] I don't know if he was heading up an organisation. He was the
8 director -- well, he was part of a group of patriots, the Galaxie Patriotique.

9 Q. [11:57:22] And so to your mind, late in 2002, this was a group of people that
10 were commonly referred to as the Galaxie Patriotique, so this group already existed at
11 that time; is this what you are telling us?

12 A. [11:57:46] I didn't say that the name, the specific name, it's not that -- I can't
13 really put a date on that name. But he was the leader, as I said, of what was
14 commonly referred to as the Galaxie Patriotique. Now at the time I don't know if the
15 name had already come into common use. I really can't confirm that point or
16 invalidate it either. But the members, the members have not changed.

17 Q. [11:59:22] So at that time you didn't know whether, you didn't know exactly
18 whether or not the expression "Galaxie Patriotique" existed. But why is it that you
19 described him as the leader of the Galaxie Patriotique, and yet you say you don't
20 know whether that term was in use at that time?

21 A. [12:00:03] Well, first of all, this expression, the Patriotic Galaxy, legally it had not
22 been made official. It wasn't like the name of a political party or something like that.
23 But that is what was used to refer to the group of youth leaders who were working
24 with Mr Charles Blé Goudé.

25 So, so -- well, how were they referred to? Well, they were referred to as a group,

1 well, a group of people with Charles Blé Goudé. Well, the term or expression used
2 in Côte d'Ivoire was the patriotics -- Galaxie Patriotique.

3 That was the name that everyone remembered of that particular group of young
4 youth leaders who were close to the government.

5 Q. [12:01:18] My question is specific. At that moment in time at the end of 2002,
6 the term or title "Galaxie Patriotique" was already in existence. Was it already
7 known, as such?

8 A. [12:01:36] That's not what I said. I said that I cannot confirm or deny the fact.
9 But in my statement, if you look at my statement, I said that Charles Blé Goudé was
10 the leader of the Galaxie Patriotique. Whether it be at that moment in time that the
11 title itself was known or not, I do not have any recollection of that. But it was those
12 very same young people and I don't know what period specifically that organisation
13 became called such, but those members did not change. These are one and the same
14 people, the same youths who were part of that.

15 Q. [12:02:34] And so that association or this Galaxie Patriotique, I am using your
16 term here, what precisely is it? Is it an association with a president? What exactly
17 does it encompass?

18 A. [12:03:09] The Galaxie Patriotique was a group of young opinion leaders within
19 the youth who supported the authorities and who supported the action of the
20 government, the government that was in place at the time. So that is the definition
21 that I can provide you with.

22 Q. [12:03:50] We'll get there.

23 It is a uniform organisation or -- you know, I want you to understand -- I want to
24 understand you. I want you to explain to the Chamber. You're talking here about
25 young leaders. Was it a -- was it an organisation that was thrown together? Was it

1 homogenous? You know, can you present it to us? How can you introduce it to us?

2 Was it an umbrella organisation of a number of different organisations?

3 A. [12:04:30] It was an organisation that encompassed a number of different
4 organisations, because within it there were leaders from the FPI youth movement,
5 there were youth members who might not have been affiliated to any specific
6 organisation but who, however, did have a certain degree of influence within the
7 youth.

8 So they were grouped together with a view to leading support activities. I don't
9 know whether I can refer to it as heterogeneous organisation, but they had -- the aim
10 was to defend the politics and the ideals of the FPI.

11 Q. [12:05:38] For the time being, I am not talking about their aims, I am not talking
12 about their -- the objectives of this organisation. My question, the question that I am
13 putting to you is simple in nature. I don't want to suggest anything to you. My
14 question is simple: The Galaxie Patriotique, is it a large organisation? Because you
15 talk about the young leaders. Are these young leaders just members of the "Galaxie,"
16 in inverted commas, or did they come along with their various organisations? That's
17 what I am asking you.

18 A. [12:06:24] Well, they come along with their various organisations, associations.

19 Q. [12:06:33] Could you name a few of those organisations or associations that are
20 part of this at the end of 2002 when Mr Charles Blé Goudé came to see you. Could
21 you please provide us with the names of a few of those organisations that were part
22 of said Galaxie Patriotique?

23 A. [12:07:08] Well, there was the youth movement of the FPI, there was the
24 supporters of FESCI, there was the Jeunes Coureurs, were young -- were members of
25 the Galaxie Patriotique as well.

1 Q. [12:07:36] Are those all the associations that you knew of at the time?

2 A. [12:07:45] Well, there was the Agora and the Parliaments. Those are the
3 associations that I am familiar with.

4 Q. [12:08:07] Now the names that you have just provided me with are those of the
5 associations that you are familiar with. Now when you say the Jeunes Coureurs, the
6 young runners, the Jeunes Coureurs in 2002 you say that it had not yet been formally
7 created. So in what capacity were they members? In view of the fact that it had not
8 yet been set up, in what capacity were they members of the Galaxie Patriotique?

9 A. [12:08:59] I said that at that time we are called the Jeunes Coureurs because
10 there was no official name that had been given to that group at the time. However, it
11 is true that the initiative of setting up this organisation of the Jeunes Coureurs, the
12 young runners, was implemented, even if there was no title as such. The youth
13 members did receive official trainings, they did not have an official name, they were
14 called the Jeunes Coureurs because we used to go running in the Yopougon
15 commune and we would go through the various neighbourhoods, so the young
16 people would be seen in the green T-shirts and shorts singing military songs and
17 that's why they were called the Jeunes Coureurs, the young runners, because they
18 were often out and about doing their running in the various neighbourhoods. So
19 even if we did not have the name of the GPP at the time, this was an initiative
20 upon -- from which that movement commenced.

21 Q. [12:10:37] And you have said this here and before the investigators of the OTP,
22 you talked about conclaves, a conclave notably of 23 March 2003 which was allegedly
23 the date at which the GPP was set up. Firstly, can you tell me where and when that
24 conclave took place?

25 A. [12:11:21] I do not have information as to the location where that conclave

1 occurred or took place, but I did give the date. I remember the date because it was
2 the date at which the name was coined, if you like.

3 As for the location, the location, I do not have any information in that regard.

4 Q. [12:11:57] And where was that date written down? Where did you see it?

5 A. [12:12:03] In the GPP archives the date at which it was created, 23 March, is
6 noted down. At the time of the disarmament of the former combatants the question
7 was put to us and that was the date also that we provided unanimously, all the GPP
8 commanders remembered that date, the official date at which the GPP was created.

9 Q. [12:12:58] My problem here is you are providing me with a date. You do not
10 provide me with a source of said date. You say that this is what the members of the
11 GPP know, but this is not a source. You talk about a conclave, you provide us with
12 the name of that meeting, you talk about a conclave. If you're talking about
13 a conclave, I believe that at least you know what it means and you must know, if
14 you're using this term "conclave." That's why I'm asking you where it took place or
15 at least if you're talking about a document, which document precisely are you talking
16 about as to your source of this term "conclave"?

17 MR DEMIRDJIAN: [12:13:52] Your Honours, this last question is a bit convoluted,
18 particularly the witness was asked during my examination if he knew when this
19 meeting took place and he gave an answer and he just gave the same answer earlier,
20 he doesn't know exactly when. So could I ask my learned friend to be very precise in
21 the question that he is asking. We have two or three questions in the last
22 intervention and perhaps the question is about a document, but then he should be
23 very precise about what he means.

24 So first of all it's asked and answered. He doesn't know where it took place. And
25 we have had that answer twice on the record already. And third, counsel should be

1 precise and perhaps ask one question at a time.

2 PRESIDING JUDGE TARFUSSER: [12:14:40] Just try to reformulate the question,
3 because effectively while you were speaking I thought it's a long question, but this is
4 a bit here in this trial all are making long questions. If we make a short question,
5 requesting a short answer, it would be better and more intelligible.

6 MR GBOUGNON: [12:15:13] (Interpretation) Yes, Mr President, I do understand
7 you. In fact, the OTP is telling me that they were happy with the response provided
8 by the witness. And I am continuing to put questions to him because I am not
9 content with it. The witness is using the term "conclave." He's not talking about
10 meeting, he's talking about conclave. We know that what means, and in order to use
11 this term he must know what he's talking about, that's all.

12 PRESIDING JUDGE TARFUSSER: [12:15:45] What do you mean by "conclave"?

13 THE WITNESS: [12:15:54] (Interpretation) Mr President, I could have used the term
14 "meeting," I could have used the term "encounter." I used the term "conclave."
15 Well, I was not there, but I understand by "conclave" to be a meeting of a number of
16 people who take a decision, who discuss a matter. I might have used the word
17 "meeting," I could have done. I don't know.

18 But I do believe that there is a difference between "conclave" -- I don't know what it
19 is -- but I could have used the word "meeting" as well. What I meant was that it was
20 an encounter, a gathering of a number of people to discuss something and to take
21 a decision.

22 PRESIDING JUDGE TARFUSSER: [12:16:46] So you used the term "conclave" as
23 a synonym to the word "meeting"?

24 THE WITNESS: [12:16:53] (Interpretation) Yes, indeed, Mr President.

25 PRESIDING JUDGE TARFUSSER: [12:16:56] You were not part of this conclave or

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1 meeting? You have to spell out.

2 THE WITNESS: [12:17:05] (Interpretation) I believe that I said that I did not take part.

3 I was not in attendance, I said so.

4 PRESIDING JUDGE TARFUSSER: [12:17:13] Yes, you said so. And do you

5 remember when it took place, this meeting or this conclave?

6 THE WITNESS: [12:17:36] (Interpretation) Well, Mr President, as I said, I would not

7 have retained that date, but in view of the fact that it was written down as we -- it was

8 the birthday, the official birthday, if you like, of the birth of the GPP, so that was why

9 I was not going to forget that date, 23 March 2003.

10 PRESIDING JUDGE TARFUSSER: [12:18:09] And that's it. Maître Gbougnon.

11 MR GBOUGNON: [12:18:20] (Interpretation) Thank you, Mr President.

12 Q. [12:19:00] Mr Witness, in the year 2002 when you joined the Jeunes Coureurs, it

13 was Mr Groguhet Charles who was president of the GPP, was it not?

14 A. [12:19:25] Yes.

15 Q. [12:19:25] And what were your relations with him, if there were any?

16 A. [12:19:40] I did not have any particular relations with him.

17 Q. [12:19:45] And at that moment in time was there a chief of general staff in 2002

18 when you joined under Charles Groguhet?

19 A. [12:19:59] In the year 2002 I can't say that I was there in a capacity of chief of

20 general staff -- he was there in the chief of general staff, but he was --

21 Q. [12:20:19] Well, he was a chief d'état-major, he was a chief of general staff, was

22 he not?

23 A. Yes.

24 Q. [12:20:21] At that moment in time, I believe that we are still here at the

25 beginning or the outset of the existence of the Jeunes Coureurs, what were your

1 relations at the beginning with Mr Zagbayou?

2 A. [12:20:47] Zagbayou was our trainer.

3 Q. [12:20:54] And how many elements were you at the time, approximately?

4 A. [12:21:01] I think approximately 300 elements.

5 Q. [12:21:11] And so you were one element amongst 300 elements, and that's why

6 I am asking what your relations were with Zagbayou. Does he know you in

7 particular? Is he your friend? Did he have any particular relations with you as one

8 of those 300?

9 A. [12:21:30] He was not my friend. He was my superior, as he was the superior
10 for all the others. He was not my friend.

11 Q. [12:21:50] And so you confirm that at that moment in time you did not entertain
12 any specific relations with President Charles Groguehet, you did not have or entertain
13 any particular relations with Zagbayou, he who was serving as chief of general staff;
14 is that correct?

15 A. [12:22:12] Yes.

16 Q. [12:22:13] So at that moment in time you were a mere rank and file soldier in the
17 midst of 300 other such soldiers, 300 other such soldiers; is that correct?

18 A. [12:22:27] Yes.

19 Q. [12:22:37] Now, after Mr Charles Groguehet, in what year did Mr Touré Moussa
20 Zéguen take over the presidency of the GPP?

21 A. [12:23:05] Zéguen became president of the GPP in 2003, during the year 2003.

22 Q. [12:23:22] And do you know approximately, if you recall, during what period of
23 the year 2003 he took the driving seat at the GPP?

24 A. [12:23:57] I would say it was the month of June 2003, only in June 2003.

25 Q. [12:24:14] What were your relations with Mr Touré Zéguen? Does he know you

1 specifically? I am putting the same question to you again here. Did you entertain
2 any specific relations with him as a member or an element of the GPP at that moment
3 in time?

4 A. [12:24:43] We did not entertain any particular relations.

5 Q. [12:24:49] So could I say that in June 2003, or at least in that period, that
6 Mr Touré Zéguen took the reins at the GPP and you were still at that moment an
7 element amongst approximately 300 other such elements?

8 A. [12:25:17] That is correct.

9 Q. [12:25:24] At what moment in time did he appoint his chief of general staff?
10 And could you please provide his name.

11 A. [12:25:38] General Jeff Fada was appointed chief of general staff from the month
12 of March 2003.

13 Q. [12:25:57] March 2003, so that means a long time before Touré Zéguen became
14 president of the GPP; is that correct?

15 A. [12:26:07] Yes.

16 Q. [12:26:09] And who appointed Mr Jean-François Kouassi as chief of general
17 staff?

18 A. [12:26:32] At that moment in time the GPP base was located at the
19 Marie-Thérèse institute in Adjamé, and that institute was requisitioned by the BCL,
20 which was under the command, the unit that was under the command of General
21 Jeff Fada, and that was the main base of the GPP.

22 And it was at that time that the elements went -- were at the Adjamé base. And it
23 was Jeff Fada, it was thanks to Jeff Fada that Zéguen was officially accepted as
24 president by the elements, because Groguhet was supposed to maintain that position
25 or Zéguen was to replace him, because it was directly under the military authority of

1 Jeff, our base, and it was Jeff who was chief of general staff; and Jeff supported
2 Zéguen in the decision that was to be taken as to who was to assume the role of the
3 new president. Jeff supported Zéguen.

4 And as things unfolded, I cannot give you any more information, because I was not
5 close up and I could not see all that was going on, but that is how Zéguen became
6 president.

7 Q. [12:28:55] And so if I understand you correctly, Zéguen -- or, rather, apologies,
8 Jeff Fada, Jeff is J-E-F-F, Fada is F-A-D-A, he became chief of general staff because of
9 the situation before Zéguen Touré Moussa became president; is that correct?

10 A. [12:29:26] Yes, yes.

11 Q. [12:29:31] We are still in the year 2003. What are your relations with the new
12 chief of state -- chief of staff, not when Touré Zéguen became president, because he
13 became chief of general staff before Touré before president, but before that, as the
14 elements that you were, did you have any particular relations with the new chief of
15 general staff, Mr Jeff Fada?

16 A. [12:30:11] Well, when I was at the camp, well, that was in -- it was my squadron
17 commander who was in charge of his security. And he was at the camp, he was one
18 of the elements at the camp who was supposed to be placed at his disposal.

19 Q. [12:30:52] I think I have misunderstood. Now, amongst all the various
20 elements, did you have any particular dealings or relationship unlike the other
21 members of the GPP at the time? Did you, at that time, did you have any particular
22 dealings or relationship? Have I not made myself clear? Should I -- did you have
23 any special dealings, anything beyond the usual relationship between a soldier and
24 a superior, did you have any special dealings with him?

25 A. [12:31:40] I think the answer I have given -- well, I -- my squadron was special,

1 because you see we handled the security of the general and of the president. So it
2 was members of my squadron who did that and thus we were somewhat special.
3 There were elements who -- well, he would receive some people and sometimes his
4 aide-de-camp would be from my squadron, and when the on duty officer -- well, he
5 would be there always representing the general and he would preside over matters as
6 his representative. And when the general would arrive, we would be made
7 available to him and to his aide-de-camp. So he was more in contact than us, in
8 comparison to other elements.

9 Q. [12:32:57] Now at that time in the year 2003, at that time were your dealings
10 such that the chief of general staff, at his rank, would he make certain information
11 available to you? Would he tell you things about the GPP, its operations? Would
12 he provide certain information to you?

13 A. [12:33:35] Well, we were not friends. We were not friends. It was not
14 a friendship. We were somewhat special in comparison so the other elements, but it
15 was not a relationship of friendship.

16 We weren't in a position to always be with him or chat with him. There was the
17 hierarchy all the same. There was the hierarchy, so that kind of thing was not
18 possible.

19 Q. [12:34:23] So if I have understood you correctly, at that time your rank
20 was -- well, you have explained the chief of staff and the president were not your
21 friends, and some things you were not privy to; is that correct?

22 A. [12:34:45] Yes.

23 Q. [12:34:45] Thank you. In the year 2003 you went to the front; is that not true?

24 A. [12:35:02] Yes.

25 Q. [12:35:04] And when, when did that happen?

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- 1 A. [12:35:12] In February.
- 2 Q. [12:35:18] Where did you go and for how long?
- 3 A. [12:35:23] We went to M'bahiakro, and then after that to the west, to Guiglo.
- 4 Q. [12:35:46] M'bahiakro was your first mission, is that what you are telling us?
- 5 A. [12:35:54] Yes.
- 6 Q. [12:35:54] How long?
- 7 A. [12:35:57] Two weeks at the most.
- 8 Q. [12:36:19] And what period of time was it approximately?
- 9 A. [12:36:22] In February, February 2003.
- 10 Q. That was M'bahiakro, I suppose. And what about Guiglo?
- 11 A. [12:36:47] After M'bahiakro, we went to Guiglo.
- 12 Q. [12:36:51] Immediately after?
- 13 A. [12:36:54] We went back to Abidjan. We went back to Abidjan first.
- 14 Q. [12:37:09] M'bahiakro is spelled -- I beg your pardon, once again,
- 15 M-'B-A-H-I-A-K-R-O.
- 16 Now, when the Prosecution put the same question to you, you said "and me" and the
- 17 mission to M'bahiakro.
- 18 A. [12:38:16] We were there for two weeks in M'bahiakro.
- 19 Q. [12:38:32] In the year 2004, you were at which rank or level within the
- 20 organisation?
- 21 A. [12:38:50] In 2004, I was a chief sergeant, staff sergeant.
- 22 Q. [12:39:08] And the year 2005?
- 23 A. [12:39:22] I was in the company by 2005.
- 24 THE INTERPRETER: [12:39:42] Interpreter correction: Warrant officer in 2005.
- 25 MR GBOUGNON: [12:39:49] (Interpretation)

1 Q. [12:39:51] And what are the attributions or functions of the chief of staff, if I take
2 into account Mr Jeff Fada who became chief of staff? What was his role, what were
3 his duties at the time when he was chief of general staff?

4 A. [12:40:13] His task was to handle everything having to do with military matters
5 and, as well, he was the interface between the men and the headquarters of the
6 Côte d'Ivoire armed forces.

7 Q. [12:40:46] And these duties that you have mentioned, did they remain the same
8 once Mr Bouazo took up the reins of the GPP?

9 A. [12:41:11] The duties were the same. But there was one difference. When
10 Bouazo came to the GPP, our existence was not official, it was unofficial. So you see,
11 there were certain limits, boundaries. Officially, officially the GPP did not exist. It
12 existed unofficially. And we were dismantled in Akouédo in 2007.

13 Q. [12:41:59] And Bouazo came to the GPP as the leader in which year?

14 A. [12:42:08] Early in 2007 there was dissidence already, and Bouazo was officially
15 recognised as the president of the GPP.

16 Q. [12:42:21] So it was in 2009, you say. Was it up until 2009, were the duties
17 entrusted to Mr Jeff at the time, were they the same duties as the man who became,
18 after the dissent, the man who became the chief of general staff of the GPP?

19 A. [12:42:59] Could you repeat, I haven't understood.

20 Q. [12:43:02] You have just told us, you have just said that Bouazo took up the reins
21 of the go in 2007, but it wasn't official. It wasn't official because there was -- the GPP
22 did not exist officially; is that correct?

23 A. [12:43:28] It was only in 2009 he became the official leader, because you see
24 there was dissent within the GPP, and later, in 2007, the combatants were disarmed.

25 Q. [12:43:54] My question to you is this: Now, did Bouazo appoint the chief of

1 staff? That's what he did, didn't he? Did he appoint a chief of staff?

2 A. [12:44:04] Yes.

3 Q. [12:44:05] Now, did this chief of staff designated by Bouazo have the same
4 duties as the chief of general staff before him, Jeff Fada?

5 A. [12:44:33] I wouldn't say that the duties were the same, because the status of the
6 GPP under the presidency of Zéguen and under Bouazo, the status of the organisation
7 was not the same. So the duties and tasks of the chief of staff were not the same
8 because -- why were they different? Because it was the unofficial status of the GPP
9 after the disarmament and before it was official. So there were some -- everything
10 was done more discreetly, in a more low key fashion, but all in all it was the same
11 duties, to deal with all the military matters within the GPP.

12 Q. [12:45:39] Now let us be very careful. Are you telling us that under Bouazo,
13 officially -- please turn off your microphone. Are you telling me that under Bouazo,
14 officially the GPP did not exist? Please put it to us in simple terms.

15 A. [12:45:58] Officially, it did not exist.

16 Q. [12:46:02] Thank you. I wasn't quite able to follow what you were saying to us.
17 Now, Bouazo appointed you as soon as he became the leader. When did he
18 designate you as chief of general staff?

19 A. [12:46:29] March 2009. I have to explain something to you first. You see,
20 Bouazo, unlike Zéguen, Zéguen was just the president of the GPP. And he did not
21 deal with any military matters, because he really wasn't handling military matters.
22 He was the president. In contrast, Bouazo was the general within the GPP.
23 And in March, before, before Bouazo officially became the leader, he was there as the
24 chief of operations. And in March I was his deputy, I was his deputy. I was
25 a warrant officer and his deputy at the time, but I was the one who handled all the

1 military matters within the various commands of the GPP.

2 And Bouazo was the president.

3 Have you understood me?

4 Q. [12:48:06] I will try to -- now, so before being appointed chief of general staff
5 you were in charge of various commands; is that correct?

6 A. [12:48:26] I said that I was chief of operations. And in March 2009, when
7 Bouazo was confirmed, in March 2009, I was his deputy because Bouazo had the
8 status of general within the GPP and thus he had the capacity and he had the rank, he
9 was higher ranked than I was. And he served as general, president of the GPP, and
10 head of general staff. So he had two titles and I was his deputy, I was deputy chief
11 of staff. Before that, I was chief of operations. And then when I was appointed in
12 March, it is true that other -- he handled chief of operations, but I actually was
13 running -- I was the interface between the various commands.

14 It's difficult to explain, but for a minister who is responsible for a gendarmerie, that
15 person might have a deputy and I was playing the role of chief of general staff.

16 Q. [12:50:14] You mentioned that at the time --

17 (Counsel confers)

18 MR GBOUGNON: (Interpretation)

19 Q. You have mentioned several meetings. Now let's start at 2009. You, as the
20 deputy of the general, of Mr Bouazo, you met on a number -- how many times, if
21 there was a meeting --

22 A. [12:51:30] Several times. Since we were -- we were always working together
23 with the authorities, so we would be in contact with the military authorities.

24 Q. [12:51:58] I asked you a specific question: Who did you meet and when?

25 Who, where and when?

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1 A. [12:52:19] As of 2009 I met who as military authority? I am trying to -- I want
2 to know --

3 Q. [12:52:38] You just said that you were cooperating at all times and you had this
4 title, you were meeting with people from the army, so I'm asking you where and
5 when and with whom?

6 A. [12:53:18] Well, first of all, there were several meetings, several meetings, since
7 there was this cooperation. In terms of intelligence, they needed us for missions,
8 special missions, so we would meet with several authorities, be it from the military
9 intelligence, from the gendarmerie, and me -- well, the dates -- I can't remember the
10 dates of each -- of each meeting.

11 Q. [12:54:13] Now here you mentioned a particular meeting with the minister
12 Amani N'Guessan, that was one of the meetings that you were telling us about?

13 A. [12:54:33] I met him in February 2009.

14 Q. [12:54:48] Now I don't know, I don't -- I just don't know. I'm putting questions
15 to you. Now I'm saying, now you mentioned a meeting with Minister Amani
16 N'Guessan. Was that one of the meetings that you were talking?

17 MR DEMIRDJIAN: [12:55:10] Mr President.

18 PRESIDING JUDGE TARFUSSER: [12:55:11] Mr Prosecutor.

19 MR DEMIRDJIAN: [12:55:12] I think the witness very clearly asked him to specify
20 which meeting he is talking about. My learned friend seems to have the reference,
21 but he is leaving the question very vague and hoping, I don't know, to achieve what
22 exactly, but he should say, if you met this minister on this date. He seems to have
23 a reference, he is not giving it to the witness, the witness is asking for clarity.

24 PRESIDING JUDGE TARFUSSER: [12:55:39] Mr Gbougnon.

25 MR GBOUGNON: [12:55:41] (Interpretation) I think that, well, it's already 11, and I

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1 would suggest that we have the witness leave the courtroom. I will provide
2 explanations and then we can have our lunch break. I do not wish to give
3 explanations in front of the witness.

4 PRESIDING JUDGE TARFUSSER: [12:56:01] Then we have the break now and we
5 have your explanations when we come back. So we have the break now for the
6 lunch and we resume at 2.30 with your explanations before bringing in the witness.
7 Thank you. The hearing is adjourned.

8 THE COURT USHER: [12:56:26] All rise.

9 (Recess taken at 12.56 p.m.)

10 (Upon resuming in open session at 2.33 p.m.)

11 THE COURT USHER: [14:34:03] All rise.

12 Please be seated.

13 PRESIDING JUDGE TARFUSSER: [14:34:29] The floor is to Maître Gbougnon to
14 respond to the Prosecution, who oppose somehow the way of questioning the witness.
15 Yes, don't you remember? Can you not recall, Maître Gbougnon?

16 MR GBOUGNON: [14:34:57] (Interpretation) I do not remember. Please, could
17 the OTP raise their objection again. I can't recall.

18 PRESIDING JUDGE TARFUSSER: [14:35:08] That means that you don't want to
19 reply. No.

20 The issue was -- no, no. The issue was that Mr Demirdjian said:

21 "I think the witness very clearly asked him to specify which meeting he's talking
22 about. My learned friend seems to have the reference, but he is leaving the question
23 very vague and hoping, I don't know, to achieve what exactly, but he should say, if
24 you met this minister on this date. He seems to have a reference. He's not giving it
25 to the witness. The witness is asking for clarity."

1 Then you said that you wanted to, without the witness being present, to explain the
2 line of questioning. And then I suspended for the lunch.

3 And now I give you the floor in order for you to explain the line of questioning. I
4 think, I hope I was clear.

5 MR GBOUGNON: [14:36:21] (Interpretation) Yes, thank you, Mr President.

6 You've been crystal clear. My intention was never to sidestep the issue.

7 My line of questioning was as follows: I started asking the witness whether in his
8 capacity as deputy chief of staff, because he says that in that very same capacity his
9 predecessor would meet with a certain number of figures of authority or personalities.
10 And in that capacity, who would have been those people that he met.

11 And in view of the fact that he didn't answer that question, he said that he met a few
12 people on a number of occasions, I asked him again where and when and he said he
13 can't say specifically. And that is why I asked him whether the meeting with
14 Minister Amani N'Guessan was one of the meetings he was mentioning. That was
15 the question that I put and that was the line of questioning that I was following.

16 PRESIDING JUDGE TARFUSSER: [14:37:35] Yes. And here the Prosecutor stepped
17 in and said if you have a reference you want to confront him with, do it.

18 MR GBOUGNON: [14:37:48] (Interpretation) Mr President, you know what I find
19 bothersome, it is that the Prosecutor would like me to put questions in the manner
20 that he wants and the questions that he wants me to put.

21 Now, Mr President, I'm asking a witness who is supposed to have in 2009-2010 been
22 the deputy chief of staff, who says that in that capacity his predecessor would meet
23 people, and in that capacity, did he also meet certain individuals? And it's not up to
24 me to say: You met such and such an individual. It's not up to me. I wasn't
25 present at those meetings with him, even if those meetings with exist.

1 The witness must be able to tell me that: In such and such a period, I met with such
2 and such a figure of authority. I met with such and such a person from the Defence,
3 et cetera, et cetera.

4 PRESIDING JUDGE TARFUSSER: [14:38:55] I am absolutely with you, but if then
5 the witness doesn't recall, says something else and you have a reference on that, you
6 have to confront him with the reference. This is the only issue here.

7 MR GBOUGNON: [14:39:14] (Interpretation) Mr President, I can't have a reference
8 if those meetings didn't exist. It was just to see whether those meetings did exist or
9 not. And if they did not exist, I can't be in possession of any references, can I?
10 Thank you, Mr President.

11 PRESIDING JUDGE TARFUSSER: [14:39:32] No, thank you. I don't know if you
12 have a reference or not, but that was the OTP asking you to come up with if you have
13 a reference, because you can also ask 10 times the same question. If 10 times the
14 witness says something what you do not expect, then at a certain point in time it has
15 to finish or you have something to confront him with, or otherwise we have to go on.
16 But I think we should not make this a dialogue between me and you, but to ask the
17 witness.

18 I therefore ask the court usher to bring the witness in. Thank you.

19 (The witness enters the courtroom)

20 PRESIDING JUDGE TARFUSSER: [14:40:51] Good afternoon, Mr Witness. We
21 have another session of questioning by the Defence for Mr Blé Goudé. I would ask
22 you to respond the questions and not argue the questions, but to respond to them.
23 Therefore I give the floor to Maître Gbougnon.

24 MR GBOUGNON: [14:41:23] (Interpretation)

25 Q. [14:41:27] Good afternoon, Mr Witness.

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1 Mr President, we're going to come back to, well, we do have the map available now,
2 and I think we shall come back to the map.

3 I'm going to ask the court officer to bring up CIV-OTP-0092-0406.

4 PRESIDING JUDGE TARFUSSER: [14:42:05] Is this the agreed map?

5 MR GBOUGNON: [14:42:08] (Interpretation) Yes, it is, Mr President.

6 PRESIDING JUDGE TARFUSSER: [14:42:12] Okay. Thank you.

7 MR GBOUGNON: [14:42:23] (Interpretation)

8 Q. [14:42:30] Mr Witness, can you see the map before you?

9 A. [14:42:33] Yes.

10 Q. [14:42:34] And using this map, we'll go step by step, could you firstly indicate
11 the location where your elements were located?

12 A. [14:42:57] No.

13 Q. [14:43:00] Is it because you can't see things properly or do you want us to zoom
14 in?

15 A. [14:43:05] I can see the map, but I don't even know where Cocody is. I can see
16 a map of Adjamé, Attecoubé and Cocody.

17 Q. [14:43:21] That's why I'm saying -- well, could we please zoom in on it and then
18 you might find where things are.

19 PRESIDING JUDGE TARFUSSER: [14:43:57] Well, I wouldn't be able to see anything
20 with this. We have to -- have you the full screen in front of you, Mr Witness? Have
21 you the full screen, the map of the full screen? So I think we should zoom out a little
22 bit. And then on the basis of the indications of the witness, to zoom in. Can we
23 bring the map a little bit up so that the south is visible?

24 MR GBOUGNON: [14:45:30] (Interpretation)

25 Q. Please turn your microphone on.

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- 1 MR GBOUGNON: (Interpretation)
- 2 The witness says it's fine for us to stop things here.
- 3 PRESIDING JUDGE TARFUSSER: [14:46:19] Do you recognize where we are?
- 4 THE WITNESS: [14:46:23] (Interpretation) I'm just starting to find my bearings, Mr
- 5 President.
- 6 PRESIDING JUDGE TARFUSSER: [14:46:33] Okay.
- 7 May I know who is maneuvering? Who is? The witness himself? Okay.
- 8 We're all waiting for you.
- 9 We must make a screenshot, I think, at this point.
- 10 The image has now been saved and now you can continue.
- 11 We have to do another screenshot.
- 12 How many positions are you going to indicate about? Just in order to have an idea.
- 13 THE WITNESS: [14:58:34] (Interpretation) I was indicating the position that we
- 14 had at the boulevard de Martyrs as I explained.
- 15 PRESIDING JUDGE TARFUSSER: [14:58:44] But now you have indicated two
- 16 positions.
- 17 THE WITNESS: [14:58:47] Yes.
- 18 PRESIDING JUDGE TARFUSSER: [14:58:48] How many others will you indicate?
- 19 THE WITNESS: [14:58:52] (Interpretation) There is one more missing.
- 20 PRESIDING JUDGE TARFUSSER: [14:59:05] Now you can go ahead.
- 21 That's it? Okay.
- 22 So a screenshot, then we'll give the three screenshots a number, please, court officer.
- 23 THE COURT OFFICER: [15:02:27] The map annotated by the witness will have the
- 24 following numbers, the screenshot as follows, CIV-REG-0001-0020, 0021, and 0022.
- 25 PRESIDING JUDGE TARFUSSER: [15:02:49] Thank you very much.

1 Maître Gbougnon.

2 MR GBOUGNON: [15:02:57] (Interpretation) Mr President, I wanted to ask for the
3 position of the FDS, but I think it will take us a lot more time. I don't know whether
4 I should even attempt to ask him to situate the various positions of the FDS because it
5 will take us -- we have spent almost half an hour on this already, and so I don't really
6 want to dare ask him to locate the FDS on the map.

7 PRESIDING JUDGE TARFUSSER: [15:03:35] I think it's a good idea.

8 MR GBOUGNON: [15:03:43] (Interpretation) Thank you, Mr President.

9 Q. [15:03:50] Mr Witness, we shall move on to an entirely different line of
10 questioning.

11 In 2002 and 2003, specifically in 2002, when you were at the lowest ranks of the GPP,
12 you indicate that the first president's, Groguhet Charles, bodyguards allegedly told
13 you that Mr Charles Blé Goudé had given money to Mr Groguhet; is this correct?

14 A. [15:04:47] Yes.

15 Q. [15:04:48] At that time you were a new man on the block. Why did they have
16 to tell you that and in what capacity?

17 A. [15:05:12] I explained that those men whom I have mentioned, I had friendly
18 relations with them.

19 Q. [15:05:44] So you're telling the Court that it is within the context of those
20 friendly relations with those people that those guards told you what the president at
21 the time had done; is that correct?

22 A. [15:06:08] How can I explain this to you? It often happened that there was
23 discontent within the ranks, within the troops. And I had friendly relations with
24 them and they would tell me these things. I would ask them some questions in
25 relation to what was happening and why they were angry and unhappy. Then they

1 would say things like "Oh, the chief receives money that is meant for us but we are
2 poorly being managed" and so on and so forth. So people would say those types of
3 things.

4 And when they went out from time to time with the president, in any event the
5 president often went to see Mr Blé Goudé to discuss or deal with money issues.

6 Q. [15:07:22] Maybe I am the one who is not clear in my question. We are in the
7 year 2002, and I don't think that you had mentioned anything about any discontent in
8 2002. So we are looking at 2002 and at that time I don't think that you mentioned
9 any discontent. But are you saying that there was already discontent within the
10 ranks in 2002; is that what you are telling the Court now?

11 A. [15:07:58] Well, Counsel, when we talk about discontent, it is not only in time of
12 violence when the chief can be struck or anything of that nature. One of those whom
13 I mentioned was of the same batch as myself, and already we had a good camaraderie
14 between ourselves and, in the course of several conversations, we would discuss these
15 types of things. It's in the course of those conversations that I was told these things.
16 So it is not as if they were reporting to me regularly. It was just conversations
17 between troops, between friends.

18 Now, when it comes to the discontent, well, you know that whenever people come
19 together, there would always be misunderstanding. So this is what happened.

20 PRESIDING JUDGE TARFUSSER: [15:09:12] Excuse me. We are talking here, two,
21 three times we talked about "the president." Sometimes we should also put the
22 name. Otherwise, you know, it could raise some confusion in the future, if you
23 know what I mean.

24 MR GBOUGNON: [15:09:32] (Interpretation) Yes, Mr President. It was President
25 Charles Groguhet. That's the person being referred to in 2002 I believe.

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1 Q. [15:09:47] Mr Witness, the last question on this point and then we'll move on.
2 What I would like to understand from your explanation to the Chamber is the
3 following: In 2002, you personally went back or you were part of the GPP or the
4 young runners, the Jeunes Coureurs. Was that a voluntary decision?

5 A. [15:10:17] Yes.

6 Q. [15:10:17] Did you even once during that period, along with your leaders or
7 your chiefs, did you have any discussions about remuneration?

8 A. [15:10:34] That was not on the agenda.

9 Q. [15:10:42] For the Chamber to understand your answer, does that mean no?

10 A. [15:10:47] Yes, it means no.

11 Q. [15:10:49] Therefore, your leaders never promised you any manner of
12 remuneration whatsoever; is that correct?

13 A. [15:11:06] We did not have any promises of remuneration, but we had promises
14 of integration into the regular army.

15 Q. [15:11:21] Thank you.

16 MR DEMIRDJIAN: [15:11:23] Your Honours, I don't wish to interrupt my colleague,
17 but there is at least six or seven inaudibles -- sorry.

18 PRESIDING JUDGE TARFUSSER: [15:11:31] And inaudible because overlapping
19 with the interpreter was also yours.

20 MR DEMIRDJIAN: [15:11:36] As I just did, yes. There is at least six or seven
21 inaudibles starting at page 67 in the French, if my learned friend would just clarify
22 them. The sentences are not intelligible otherwise.

23 (Interpretation) I'm just seeking clarification, Maître Gbougnon, for the inaudibles.

24 PRESIDING JUDGE TARFUSSER: [15:11:55] It's very strange, because in English
25 there are no inaudibles now.

1 MR GBOUGNON: [15:12:13] (Interpretation) Page 67, line 12, I see: "There was,
2 as I tried to explain, there was always -- there was often," then there is "inaudible."

3 Q. [15:12:38] Let me reread your excerpt so that you can clarify. My question
4 was the following: So are you telling the Court that it was within the context of your
5 friendly relations that troops of the guard informed you about what the president at
6 the time was doing; is that correct?

7 Can you repeat your question -- rather, your answer, so that we can slowly capture it.

8 A. [15:13:11] Yes, yes.

9 MR ALTIT: [15:13:38] (Interpretation) Mr President.

10 PRESIDING JUDGE TARFUSSER: [15:13:42] Maître Altit.

11 MR ALTIT: [15:13:44] (Interpretation) Thank you, Mr President. I'm sorry to
12 interrupt my learned colleague. I would like to say, along the same lines, that it's
13 important to underscore at page 69, in answer to the question, yes, 69, line 6, question
14 from my learned colleague Gbougnon: "So at no point in time did your chiefs
15 promise you any manner of remuneration whatsoever; is that correct?"

16 Answer, as it appears in the French transcript at line 8: "I talked about promises of
17 remuneration, but promises of integration into the regular army" which is not very
18 intelligible, and which is quite at variance with what the witness said, because off the
19 cuff, what I remember is the witness saying that "I did not talk about promises of
20 remuneration, but promises of integration into the regular army." That seems to be
21 more meaningful, Mr President, because what is on record changes the meaning
22 entirely.

23 PRESIDING JUDGE TARFUSSER: [15:14:59] And that is exactly what appears in the
24 English transcript. In the English transcript it's, "We did not have any promises of
25 remuneration, but we had promises of integration into the regular army."

1 So the English translation is good.

2 MR ALTIT: [15:15:18] (Interpretation) Yes, Mr President. But it should be
3 corrected in the French version.

4 PRESIDING JUDGE TARFUSSER: [15:15:31] Please go ahead.

5 MR GBOUGNON: [15:15:38] (Interpretation) Thank you, Mr President.

6 Q. [15:15:40] Mr Witness, you made mention here to training that you allegedly
7 provided for some persons, and I'm referring here to the transcript of 18 October from
8 page 47, which I will read out in extenso for purposes of clarity, page 47, transcript 18
9 October, question from the Prosecutor at line 21 of page 47:

10 "Now for the training, was there need for financial resources?"

11 Your answer, I quote: "Yes. First of all in relation to -- well, the national services
12 for the reason, for that purpose, there was need for medical records requiring 20,000
13 francs per troop or per man, and we collected 30,000, 10,000 being used for feeding
14 them at the location and the other needs, other necessary or basic needs were met."
15 End of quote.

16 Now, at the end of page 47, the Prosecutor puts another question to you as follows:

17 "And the 30,000 francs, where did they come from or who did they come from?"

18 At line 48 you answer as follows: "The 30,000 were for each man, each person, each
19 recruit who it was each of those people who brought that amount. And 20,000 francs
20 was for us and 10,000 went to the national service for the armies."

21 Now, do you remember stating thus, Mr Witness?

22 A. [15:17:55] Yes.

23 Q. [15:17:55] First question: On several occasions you said they were asked or
24 they were asked to collect 20,000 francs per troop. When you say, "they," they, or
25 "we," who are you referring to?

1 A. [15:18:15] When I say "on" in French, which could be they or we, I'm referring to
2 the decision about the 20,000 francs. It was not our decision. It was from the
3 national service. There was 20,000 francs required for medical tests and what have
4 you, which were to be provided by the troops before going on training. When I say
5 "they" or "on" in French, I'm referring to, well, some of the money went directly to the
6 general staff, but we are the ones who collected it at our level.

7 So we took the 30,000 from which we collected 20,000 for ourselves and then -- 10,000
8 for ourselves and then 20,000 would be set aside so that it could be forwarded to the
9 national service along with the lists of those who had met the requirements in terms
10 of age and qualification. So those who were shortlisted would then be forwarded
11 along with the 20,000.

12 So when I say "on," it is us, it is us at the level of the GPP I am referring to.

13 Q. [15:19:54] You have just referred to the national service. Now, I want to know
14 from you specifically from you at that time who within the national service asked you,
15 first of all, to collect this money? Who asked you to collect the money and how was
16 that request made? That's my first question.

17 A. [15:20:20] I have already explained where the decision came from. After the
18 march, when Mr Stallone came to visit us, he explained that some troops had to be
19 trained for subsequent integration. Now, at the level of the national service, there
20 was one warrant officer, Croco, whom I had mentioned. Well, he was in the infantry
21 before and at the BCS general staff, but at the time he was the one who directly
22 received those monies.

23 Q. [15:21:32] I hope that you can repeat that name. You have mentioned a name
24 for the first time. Can you please state it out slowly and spell it for the benefit of the
25 interpreters.

1 A. [15:21:41] That's not the first time I mentioned that name. It's not the first time
2 I talk about him. Anyway, Croco is spelled C-R-O-C-O. I don't know what his real
3 name is. That's his nickname. But whether it was in the infantry or the general
4 staff, everybody referred to him as Croco. That was his name.

5 Q. [15:22:12] There might be a problem with the transcript, page 73 from line 1. I
6 see "that decision came after our march when we had the "l'avis cet zip" in French. I
7 don't know what that means. Can you please -- the "cet zip de Mr Stallone who
8 explained" and so on and so forth, can you please repeat that part of your answer for
9 the benefit of the record?

10 A. [15:22:41] I explained that before -- or after the march, after the march when
11 Stallone came to visit, we were informed that our grievances will be addressed, our
12 grievances will be addressed in relation to that march. So those grievances had been
13 heard and would be addressed. And we were to be ready because there would be
14 an official call. But before that, officiously we were to provide initial training to
15 some young people. How do I put it? Well, within our group, the youth within
16 our group and then other youth who would come from other organisations which
17 were close to the government, and those people would come and receive training for
18 subsequent integration into the various corps of the army.
19 So when the decision was implemented, we started training for these troops and at
20 the time received instructions to collect 20,000 francs because that is what was
21 required by the national service for medical examinations prior to the training. So
22 that was not to be done at our level. The medical examinations were to be done at
23 two locations which I mentioned, namely, the military hospital in Abidjan and the
24 land forces command office in Akouédo, in Akouédo.
25 So those who collected the money knew what they would do with it because the

1 doctors needed that money. However, when we forwarded the lists, those who had
2 to go for the medical tests, we gave their 20,000 francs to Mr Croco, who was in
3 charge of managing that money, that money. We were not the ones responsible for
4 dealing with that money. He was the officer in charge of the money.

5 Q. [15:26:03] Mr Witness, the question was and is still the following: The decision,
6 the decision to collect, to receive money from those youth, who made that decision
7 and in what manner was it conveyed? What was the authority issuing that decision,
8 the decision whereby you then collected money from those young persons, that
9 decision, if it was issued, was it from a civilian authority or a military authority?

10 You have referred to the national service and what have you, but that decision, who is
11 the source of that decision and what is the nature of that decision?

12 A. [15:26:57] I know -- I can understand when you say who was the source, but
13 what do you mean by the nature of the decision?

14 Q. [15:27:09] Was it a decree? Was it an order? Was it by mail? That's what I
15 mean by the nature of the decision.

16 A. [15:27:15] It was not a decree. It was not a mail that conveyed the decision.
17 What I know is that whether it be General Philippe Mangou, chief of general staff, or
18 the minister of defence at the time, they were both well informed. The call was not
19 made in the media nor on TV. But it was effective, it was effective. He explained
20 that in Adjamé village itself, the chief of general staff, General Philippe Mangou,
21 recommended some 30 youth for training who came for that training. And he had
22 asked for those young people's names to be included on the list. These were
23 officious things, but the competent authorities were aware of it.

24 Q. [15:28:34] Mr Witness, what you are telling me now is that there was no official
25 document in relation to that practice; is that correct? Was there no official document

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1 relating to that practice?

2 A. [15:28:57] As far as I know, I did not see any document. I did not see any
3 document. I did not see any document about that, but the list which was drawn up
4 was forwarded to the national service of the armies. I don't know whether that's the
5 kind of document you are talking about.

6 Q. [15:29:26] You say that the chief of general staff at the time, General Philippe
7 Mangou, was informed of it. How do you know about that?

8 A. [15:29:36] I have just explained that some 30 youth from Adjamé village were
9 recommended. They were the protégés of the general. When they came in, they
10 came along with somebody from the traditional ruler's office of Adjamé. And they
11 were brought in as the protégés of the general. So their names were included on the
12 list of the first batch of trainees.

13 Q. [15:30:24] You're saying, telling this Court that in 2010 General Philippe Mangou,
14 chief of general staff of the army of Côte d'Ivoire, sent to the GPP, sent to the GPP
15 some persons for training; is that correct?

16 A. [15:30:44] Yes, that's correct.

17 Q. [15:30:56] Mr Witness, let me show you a document, CIV-OTP-0018-0059.

18 PRESIDING JUDGE TARFUSSER: [15:31:29] Public?

19 MR GBOUGNON: [15:31:37] (Interpretation) It is confidential, please.

20 Q. [15:32:04] Can you see the document?

21 A. [15:32:06] Yes, I can see the document.

22 Q. [15:32:19] This is the document from the ANS -- ANCI. I am going to read this
23 document to you:

24 "A/S: The recruitment of young people for military training in Aboisso for the
25 payment -- in return for the repayment of 40,000 CFA to the recruiters.

1 Context

2 Since the announcement of the results of the second round of the presidential
3 elections that gave rise to a persistent post-election crisis and in the face of mounting
4 violence in a number of localities, initiatives for the defence of the territory, national
5 territory, have been multiplying.

6 And it is in such a context that a well-introduced source reports that upon the
7 initiative of a certain 'Commander Froufrou' a recruitment of young people is
8 underway in the department of Daloa for military training in Aboisso.

9 The costs to be paid for each element on a voluntary basis is for the amount of 40,000
10 CFA francs for training."

11 End of quote.

12 Is it true that this document is not addressed to anybody?

13 MR MACDONALD: [15:34:04] Sorry, your Honour, the witness's first question has
14 to be asked if he ever saw this document.

15 PRESIDING JUDGE TARFUSSER: [15:34:07] Yes.

16 MR MACDONALD: [15:34:08] Or is aware of its content somehow. And
17 depending on his answers we'll see, but --

18 PRESIDING JUDGE TARFUSSER: [15:34:20] Yes. If he has ever seen this
19 document, if he knows what it is.

20 MR GBOUGNON: [15:34:33] (Interpretation) Mr President, it is obvious that the
21 witness has not seen this document. We are in a specific context. It is the relevance
22 of the document. We have a context.

23 I'd like to have the witness brought out of the courtroom please.

24 PRESIDING JUDGE TARFUSSER: [15:34:56] No, but just go ahead. I just thought
25 that it might be the first question: Have you ever seen this? Do you know what the

1 Agence Nationale de la Strategie is? And then you can go ahead.

2 MR MACDONALD: [15:35:13] Your Honours, just -- and the witness can stay. I'm
3 not going to -- the point is, is that depending on the answers, independently of that,
4 my colleague can put questions to the witness without using this document,
5 depending on the answer of the witness.

6 PRESIDING JUDGE TARFUSSER: [15:35:41] It doesn't matter. Your colleague can
7 put questions on the basis of this document. But I just would like to know if he has
8 ever seen it before. Then he can put the questions on this document to the witness.

9 MR GBOUGNON: [15:35:54] (Interpretation) Thank you, Mr President.

10 Q. [15:36:01] Do you know the National Agency for Strategy and Intelligence?

11 A. [15:36:08] Yes.

12 Q. [15:36:18] And what is their main activity?

13 A. [15:36:21] It is the agency that coordinates the various intelligence services in
14 Côte d'Ivoire.

15 Q. [15:36:36] So this means that it gathers a certain amount of information
16 throughout the country; is that correct?

17 A. [15:36:49] That is correct.

18 Q. [15:36:50] And what I have just read to you, could that appear as an item of
19 intelligence that was rustled up by the ANSI?

20 PRESIDING JUDGE TARFUSSER: [15:37:13] My question is: Have you ever seen
21 this document before or do you know the content of it?

22 THE WITNESS: [15:37:28] (Interpretation) I have just familiarised myself with the
23 contents of said document. But as to whether I was familiar with this document, I
24 can see that the word "confidential" is written on it, and it was addressed to His
25 Excellency the president of the republic. So I really don't see how I could have been

1 familiar with such a document.

2 PRESIDING JUDGE TARFUSSER: [15:37:52] Please go ahead, but without asking
3 opinions on this document, but facts. He can know from his position, but not
4 opinions.

5 Please, go ahead.

6 MR GBOUGNON: [15:38:09] (Interpretation) Mr President, I never asked him his
7 opinion. I hadn't even put the question to him when the OTP reacted. I did not ask
8 the witness for his opinion.

9 MR MACDONALD: [15:38:22] The --

10 PRESIDING JUDGE TARFUSSER: [15:38:26] You asked: "And what I have just
11 read to you, could that appear as an item of intelligence that was rustled up by the
12 ANSI?" Could it be?

13 MR MACDONALD: [15:38:40] And --

14 PRESIDING JUDGE TARFUSSER: [15:38:42] This is how it comes up.

15 MR MACDONALD: [15:38:43] And further, your Honour, the witness cannot
16 comment on a document he hasn't seen. And even less so its reliability, he cannot
17 comment on the reliability of information contained in a document he's never seen
18 and for an agency he's not working for.

19 PRESIDING JUDGE TARFUSSER: [15:38:58] Here it's not a matter of reliability of
20 the document. It's a matter of asking questions on the content of this document and
21 what he could know from his position as in the GPP. No. But that's it.

22 Please, please go ahead, Maître Gbougnon.

23 MR GBOUGNON: [15:39:21] (Interpretation) Thank you, Mr President.

24 Q. [15:39:25] In 2010, with regard to the rank that you held at the time, do you
25 know that receiving money for elements, for the training of elements was forbidden?

1 A. [15:40:06] Counsel, you're speaking to me of certain acts with regard to the law,
2 in the face of the law. I'm telling you what actually happened.

3 As to whether this had anything to do with the recruitment, I can see here a sum of
4 40,000 francs, maybe you could have 10,000 for us or --

5 THE INTERPRETER: [15:40:51] Incomprehensible.

6 THE WITNESS: [15:40:53] (Interpretation) But I did explain that the official call
7 that was made by Mr Charles Blé Goudé was in February. There was the first wave.
8 And then there was supposed to be other waves that followed.

9 Now, at his level he started to recycle elements because the priority was being given
10 to the GPP, and we would draft the lists and give them over to the national service.

11 Now, as to why we were requested, our training is not the same as a basic military
12 training, but those civilians who have no knowledge whatsoever in the field spend a
13 little bit of time being trained by us, and then at least they know 60 per cent or 70 per
14 cent of what they were going to be taught in a common military training.

15 So for reasons of discretion, the training was not going to extend over the normal
16 period of 45 days, so they were going to come through us and in two weeks they
17 already had their practical training, without drawing too much attention to the fact.
18 That's what I've already explained to you.

19 Now, what I know is that we trained young people, and even the police station next
20 door complained, and at the camp there were patrols who were not in the know and
21 sometimes they would hear people firing into the air in their euphoria and then
22 patrols would come by and ask what was going on. And we would just say that we
23 were recycling troops.

24 So whether it be reprehensible in the face of the law, well, it's just that we organised it.

25 And in 2014 I had, after my arrest, well, I was never arrested before. This was never

1 an act that was punished. It was --

2 PRESIDING JUDGE TARFUSSER: [15:43:23] It was never punished. It was? The
3 translation was not finished. "This was never an act that was punished. It was --"

4 THE INTERPRETER: [15:43:38] Message from the English interpreter, apologies for
5 not finishing my sentence: It was cautioned.

6 PRESIDING JUDGE TARFUSSER: [15:43:48] Okay. Thank you.

7 MR GBOUGNON: [15:43:53] (Interpretation)

8 Q. [15:43:55] Mr Witness, at an earlier stage you talked about Ahoua Stallone.

9 Now, at that moment in time, how many times in that very same period did you see
10 Mr Ahoua Stallone between September, in September 2010? Let me explain myself.
11 You say that he came to talk to Mr Bouazo. And apart from that, did he come on any
12 other occasions in the period of September?

13 THE INTERPRETER: [15:44:39] Message from the English interpreter: It was
14 condoned or endorsed.

15 THE WITNESS: [15:44:44] (Interpretation) In October, well, in October I had come
16 to facilitate a meeting at the 220 logements university residence.

17 PRESIDING JUDGE TARFUSSER: [15:45:05] Mr Demirdjian.

18 MR DEMIRDJIAN: [15:45:06] It's not an objection. It's on your question to the
19 interpreters, your Honours. I would ask them to review that because "cautionner" in
20 French does not mean "cautioned" in English. That's not our understanding at all.
21 It's a very different verb. Thank you.

22 THE INTERPRETER: [15:45:19] Message from the English interpreter: The English
23 interpreter just corrected herself. She would invite him to read the transcript.

24 MR DEMIRDJIAN: [15:45:29] Our understanding is it means "approved."

25 THE INTERPRETER: [15:45:34] The English interpreter corrected herself; she said,

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1 "endorsed or condoned."

2 PRESIDING JUDGE TARFUSSER: [15:45:44] Thank you. Please go ahead.

3 MR GBOUGNON: [15:45:49] (Interpretation)

4 Q. [15:45:50] And so you say that he came to a meeting at the university residence,
5 is that correct?

6 A. [15:45:54] Yes.

7 Q. [15:46:04] And you chanced upon him at that moment in time, did you, when he
8 came for that meeting?

9 A. [15:46:09] At the first meeting and then --

10 THE INTERPRETER: [15:46:19] Unintelligible. The witness is mumbling.

11 MR GBOUGNON:

12 Q. [15:46:23] To your knowledge --

13 PRESIDING JUDGE TARFUSSER: [15:46:25] Witness, you have been mumbling and
14 we didn't understand -- well, the interpreters didn't understand at the first meeting,
15 and then we didn't -- we couldn't get the rest at the first meeting.

16 THE WITNESS: [15:46:38] (Interpretation) I did not discuss anything with him
17 when he came to attend that meeting.

18 MR GBOUGNON: [15:46:56] (Interpretation)

19 Q. [15:46:59] Could you explain for the translation - I don't think that this
20 translation is correct - what do you mean by meeting rally? What do you mean by
21 meeting? It's so that we have what you mean by that. What do you mean by that
22 term?

23 A. [15:47:25] Well, he was in the company of the young students from the FESCI.
24 He was in the parking lot. And they were all gathered together him, all gathered
25 around him. He was in their midst and he was sort of holding a mini meeting and

1 he was talking to them. He was in their midst, in the midst of this gathering. That's
2 what I referred to as a rally, in French, a "meeting."

3 Q. [15:48:21] Now, in the official transcript dated 18 October, you say that Mr
4 Ahoua Stallone allegedly came and saw Mr Bouazo. You were not present, but that
5 he came to transmit a message from Mr Charles Blé Goudé. Is that correct?

6 A. [15:48:48] Yes.

7 Q. [15:48:52] And in your statement to the Office of the Prosecutor, you made
8 mention of this, but with an entirely different version of events, and I quote
9 CIV-OTP-0063-1833 at page 1838. At page 1838, you say -- and here the investigator
10 is talking about the march, and he says at line 180:

11 "And what was the date of that march again?"

12 To which you answered, "It was the 21st of September, I believe.

13 The investigator then says, "Okay."

14 So that took place after the march, because you made mention of -- well, I'll finish off
15 reading first. 1839 was the page now, quote, "It was not going to be well perceived.

16 It was not a good thing for... thing ... for the image of those in power.

17 At line 189, I quote, "So he left instructions for those amongst us who were aged
18 between 18 and 21 ..." and then you continue on line 201. "... be integrated into the
19 army because our grievances, well, we wanted those who had been there from the
20 beginning because they had promised for a long time that we would be reintegrated
21 into the army." End of quote.

22 In fact, you're talking about the same story but without at any moment in time
23 mentioning Mr Ahoua Stallone.

24 You're talking, at the same time, you're talking about the same story in the transcript,
25 you say that it was after the march that you say that Mr Ahoua Stallone allegedly

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1 came to see you.

2 When I seek this out in the statement, after the same march, you had a message, a
3 message that you do not mention -- in which you do not mention Mr Ahoua Stallone,
4 nor do you mention the fact that he was sent by anybody whomsoever. So that was
5 a discrepancy that I do not understand.

6 MR DEMIRDJIAN: [15:52:32] That's, your Honours, that's a very partial reading.
7 There is actually the name of the person.

8 PRESIDING JUDGE TARFUSSER: [15:52:40] Let the witness explain, please. Let
9 the witness explain.

10 MR DEMIRDJIAN: [15:52:43] But it's unfair to him.

11 PRESIDING JUDGE TARFUSSER: [15:52:44] No, it's not unfair. I mean, the
12 witness is able enough to put the -- if there is something to put in the right position.

13 MR DEMIRDJIAN: [15:52:51] I agree with you, your Honours, but --

14 PRESIDING JUDGE TARFUSSER: [15:52:54] Yes.

15 MR DEMIRDJIAN: [15:52:54] -- when we're reading transcripts and we don't say
16 who was mentioned in the interview, we're having a selective reading. It's really
17 unfair to the witness to be told you are not mentioning who told you, whereas in the
18 transcripts of the interview there is a mention of the person who mentioned it to him.
19 So why is my learned friend not even mentioning that name? I think it's a very -- it's
20 very unfair to the witness.

21 PRESIDING JUDGE TARFUSSER: [15:53:23] Maître Gbougnon.

22 MR GBOUGNON: [15:53:25] (Interpretation) Mr President, I do apologise, I was
23 talking with my colleague, so I didn't really grasp the end of what my learned
24 colleague just said.

25 MR DEMIRDJIAN: [15:53:35] Your Honours, that's fine. If it's on the screen and

1 the witness can see it, then that's fine.

2 PRESIDING JUDGE TARFUSSER: [15:53:43] It is on the screen.

3 MR GBOUGNON: [15:54:02] (Interpretation)

4 Q. [15:54:06] Did you understand or did you want me to repeat myself?

5 A. [15:54:10] Could you repeat to see whether this was really -- well, I'm going to
6 repeat to you. You said that first and foremost I said that Mr Ahoua Stallone had
7 transmitted a message from Mr Charles Blé Goudé with regard to the integration of
8 the -- the unofficial integration of the elements into the army and that I didn't mention
9 when I talked about this either Ahoua Stallone or the minister, Charles Blé Goudé. Is
10 that the question that you put to me, Maître Gbougnon?

11 Q. [15:54:47] Yes, it's more or less that. So with regard to one and the same event,
12 I believe that that encounter was linked to the GPP march, and when you dwelled on
13 this in the Chamber, you talked about Ahoua Stallone, whereas when you are talking
14 about the same thing in the statement to the OTP, there was no mention made of Mr
15 Ahoua Stallone.

16 A. [15:55:17] I do apologise for having forgotten that. But it happened to me on a
17 number of occasions that you or the Presiding Judge asked me that I say who I was
18 talking about when I say "they" or "he" or "she." It's just a habit of mine.
19 I talked about these events before. So whenever you put the question to me, having
20 already provided certain details and certain names, I'm not going to come back to it
21 again because we all know what we're talking about, the events we're talking about.
22 So I'm sorry if that was bothersome to you, because I've already talked about this
23 beforehand when I was questioned and those events were aired.

24 PRESIDING JUDGE TARFUSSER: [15:56:35] So I would just suggest that if you have
25 to close on this argument, if you have any questions, further questions on this

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1 argument, we do it, otherwise we stop here. It depends on you.

2 MR GBOUGNON: [15:56:52] (Interpretation) Mr President, I do think we are going
3 to stop here.

4 PRESIDING JUDGE TARFUSSER: [15:56:58] Okay. So I thank you, Mr Witness.

5 Tomorrow there is no hearing, as you know, so we will resume on Monday.

6 Therefore, you will have a longer weekend.

7 I ask now the court usher to bring the witness out for the last recommendations to the
8 parties.

9 (The witness stands down)

10 PRESIDING JUDGE TARFUSSER: [15:57:44] Before adjourning the hearing to
11 Monday at 9.30, I would just summarise that now the questioning of this witness by
12 the Defence lasts since 9 hours. We will have next week three full days, no more,
13 because on 1 November, Mr Wagemakers is not available. So we have Monday,
14 Wednesday and Thursday and Friday -- no. Monday, Wednesday and Thursday,
15 three full days. But by then, meaning another 14 and a half hours if I'm not mistaken,
16 13 and a half hours, and therefore we should finish the witness by next Thursday at
17 4 o'clock.

18 So the hearing is adjourned to Monday morning. You're looking so -- 9 hours
19 is -- yes.

20 MR GBOUGNON: [15:58:52] (Interpretation) I'm really rather surprised at this
21 calculation, but 9 hours is really a lot. I thought I would have done it in a lot less
22 than that.

23 PRESIDING JUDGE TARFUSSER: [15:59:04] Yes. So that's why I said it, 9 hours,
24 because I have -- my notes are in front of me. So it's not my calculation, but it's an
25 official one.

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- 1 So I saw with the edge of my eyes Mr MacDonald. No? Raising? No.
- 2 MR MACDONALD: [15:59:23] I thought you were leaving the courtroom.
- 3 PRESIDING JUDGE TARFUSSER: [15:59:26] No. No. Okay. I'm happy that
- 4 there is nothing to deal with.
- 5 So we adjourn the hearing to Monday at 9.30. Thank you.
- 6 THE COURT USHER: [15:59:34] All rise.
- 7 (The hearing ends in open session at 3.59 p.m.)