

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
5 Goudé - ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera Carbuccion and
7 Judge Geoffrey Henderson
8 Trial Hearing - Courtroom 1
9 Friday, 5 May 2017
10 (The hearing starts in open session at 10.35 a.m.)
11 THE COURT USHER: [10:35:43] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [10:35:56] Good morning.
15 Just before giving the floor to the Defence for the questioning, I would like to say, and
16 this is also an organisational matter, because we have to organise also the trial, that
17 we will now have two sessions for the Defence teams. So I ask you to share the time
18 among you, but we will have to finish with this witness after the second session
19 today.
20 And when we have finished the second session today, you'll have had more than the
21 double of the time envisaged and which was given to the Prosecutor, okay. We have
22 to finish today this witness. So please share among them, first, because we have to
23 start with the next witness today.
24 We have to finish the next witness, which is 459, on Monday and then we have four
25 days to make the other two witnesses, because for next week we want to exhaust also

1 Witness 109 and 440. This just to be crystal clear.

2 Then I would like to say something to Mr O'Shea, who yesterday twice made a
3 reference to me saying that I am preventing him to doing his job. I'm not preventing
4 you to do your job, and I think that in one hour -- one year and a half I've given
5 enough evidence on that.

6 Sometimes, but this is normal, I have to take decisions you might not like. But some
7 other times I make decisions for other people they might not like. This is normal.
8 This is what the trial is about. But I expect from you, so as from anybody else, the
9 courtesy of complying with the rulings without making unnecessary comments on
10 the record which are absolutely untrue, and this now is not a ruling but just a request,
11 a remark and a request by the Presiding Judge.

12 So that's it. Thank you very much.

13 MR O'SHEA: [10:39:04] Your Honour, first of all, I'm sorry if your Honour took it
14 that way. No offence meant.

15 Secondly, I require one hour, and so I believe that what your Honour has directed is
16 possible.

17 PRESIDING JUDGE TARFUSSER: [10:39:25] Okay. Thank you very much. It is
18 possible as long as the Defence team then takes two hours, or a little bit less, because
19 we have maybe also the re-questioning by the OTP.

20 Maître Altit.

21 MR ALTIT: [10:39:41] (Interpretation) Thank you, Mr President. Mr President,
22 your Honours, just one word. I don't know whether I quite understood your
23 decision. There have been exchanges and we had emails from the OTP regarding
24 the sequence of appearance of witnesses. In fact, I'm not going into details, so we
25 can remain in open session. Maybe we may need to go to private session. I'm in

1 your hands.

2 I understand from your decision that your Chamber has decided not to vary the order.

3 So it will be P-459 and 109 and then 440; did I understand correctly?

4 PRESIDING JUDGE TARFUSSER: [10:40:42] Absolutely, yes.

5 MR ALTIT: [10:40:44] Perfect.

6 PRESIDING JUDGE TARFUSSER: [10:40:45] I think there is no need to correct the
7 order.

8 MR ALTIT: [10:40:47] No, no, no.

9 PRESIDING JUDGE TARFUSSER: [10:40:49] And the only order which could be
10 corrected, and I'm open to this, is between 109 and 440. But I don't think there is a
11 need to do anything.

12 MR ALTIT: [10:41:03] (Interpretation) So we duly take note of the fact that the
13 order of witnesses has not changed and that is fine with us, Mr President.

14 My second remark, I have heard what you said, Mr President. I believe I understood
15 from one of the emails from the OTP, they were wondering whether we can even
16 finish with those three witnesses in four days. As far as I am concerned, I have no
17 idea, but I think it will be a little bit difficult. So maybe we can plan for a bit more
18 time. I think I fully understood what your Chamber said, Mr President, but it would
19 seem to me to be a little bit difficult, especially since the Prosecutor asked for more
20 time to question P-440.

21 I really do not know what the impact of that is, so I'm in the hands of your Chamber.

22 Thank you.

23 PRESIDING JUDGE TARFUSSER: [10:42:17] I just recall extended hours. We will
24 go for extended hours, but I want to follow this programme and to finish with this
25 and the other three by next Friday, also by going to extended hours. So this must be

1 clear.

2 MR MACDONALD: [10:42:35] Thank you, your Honour. That's what I was going
3 to recommend, extended hours, so that yes, it is possible to do the three witnesses
4 with extended hours and strict control of the time. Thank you.

5 PRESIDING JUDGE TARFUSSER: [10:42:46] And strict control of the time. And
6 this will be also followed by the Chamber, very strict control of the time. So it's up
7 to the parties to manage the time allocated to them as they deem appropriate, but we
8 will be more rigid on the time schedule, because otherwise -- we have to. I mean,
9 this is something from a managerial point of view we cannot avoid to do. Therefore,
10 it's not the Presiding Judge who is not doing, giving to all parties their right to present
11 their case, but it's also sometimes on the parties to manage better the time they have.
12 Okay. Yes, but -- and I accept, I accept what you said before.

13 MR O'SHEA: [10:43:36] Your Honour, it has to be said that with the current witness,
14 there were extreme difficulties.

15 PRESIDING JUDGE TARFUSSER: [10:43:43] I'm aware of that.

16 MR O'SHEA: [10:43:44] Yes.

17 PRESIDING JUDGE TARFUSSER: [10:43:45] That's why you had also more time.
18 You had already more time, okay.

19 MR O'SHEA: [10:43:49] Yes, yes. I mean, I will accept when I am wrong, but I
20 cannot accept that I've mismanaged this witness. I've done my best in very difficult
21 circumstances.

22 PRESIDING JUDGE TARFUSSER: [10:44:00] Absolutely. But we could discuss
23 about it --

24 MR O'SHEA: [10:44:02] Yes.

25 PRESIDING JUDGE TARFUSSER: [10:44:03] -- but we will not.

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1 Now I think we are ready to connect with the remote location. Yes.

2 Mr Witness. Mr Witness, can you hear me?

3 WITNESS: CIV-OTP-P-0438 (On former oath)

4 (The witness speaks Dioula)

5 (The witness testifies via video link)

6 THE WITNESS: [10:44:43] (Interpretation) Good morning. Did you spend a good
7 night? I can hear you.

8 PRESIDING JUDGE TARFUSSER: [10:44:56] Good morning to you. I spent a very
9 good night.

10 Now we have the next, this first session of one hour and a half for the Defence for

11 Mr Gbagbo. And I ask you please to respond, to respond correctly, briefly and

12 truthfully to the questions which will be put to you. Maître O'Shea, Mr O'Shea.

13 MR O'SHEA: [10:45:29] Your Honour, thank you.

14 QUESTIONED BY MR O'SHEA: (Continuing)

15 Q. [10:45:37] Good morning, Witness. Again, try to look into the camera if

16 possible so that we can all see you when you are giving your answers.

17 I'm going to take up from where I left off yesterday and I'm going to take you to the
18 transcript of these proceedings of 5 April -- I think that must be a mistake, it must be 5
19 May 2017. That's strange. Sorry, there is an error on the transcript, I think.

20 PRESIDING JUDGE TARFUSSER: [10:46:34] Not the only one, I believe.

21 MR O'SHEA: [10:46:36] Sorry, it's the difference in the customs of how one reads a
22 date.

23 Q. [10:46:45] So 4 May 2017, at page 24, line 23, you said as follows, and I quote,

24 "Well, I did not say that I went to pray in the mosque on that Friday. What I said is
25 that we had gone to work and we were getting ready to go back home. Then we

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1 heard that there had been disturbances."

2 Now, when you say that you went to work and you're getting ready to get back home
3 and then you heard that there had been disturbances, who told you this while you
4 were at work?

5 A. [10:48:31] It was my younger brother who called me to inform me about the
6 situation in the neighbourhood.

7 Q. [10:48:36] And what is the name of this younger brother?

8 A. [10:48:51] I can tell you his name.

9 PRESIDING JUDGE TARFUSSER: [10:49:17] Then tell it, say it, please.

10 THE WITNESS: [10:49:26] (Interpretation) His name is Abba Samoura.

11 MR O'SHEA: [10:49:42]

12 Q. [10:49:42] And he called you on the phone while you were selling fish; is that
13 right?

14 A. [10:49:51] He called me to inform me that there were disturbances. We were
15 seated at the market and he called me to inform me about the situation. That is what
16 happened.

17 PRESIDING JUDGE TARFUSSER: [10:50:29] On the phone? On the cell phone, on
18 mobile phone?

19 THE WITNESS: [10:50:42] (Interpretation) Yes, that's correct.

20 MR O'SHEA: [10:50:51]

21 Q. [10:50:52] And then if I just follow on from where I read previously and go to
22 the next page, page 25 of the same transcript, that is of 4 May 2017, line 1, you then go
23 on to confirm what you've essentially already said, which is, "I didn't go to pray
24 anywhere on that Friday. I never said that."

25 So when you say, "I didn't go to pray anywhere on that Friday," are we to take it that

1 because of this telephone call you did not even try to walk to a mosque; is that right?

2 A. [10:51:47] In order to go and pray, the situation has to be calm. At that time
3 there were disturbances. How do you expect me to go and pray at the mosque when
4 there are disturbances around that said mosque?

5 Q. [10:52:31] Right. Now, I'm going to read you another part of your evidence
6 which is from 3rd May 2017, and it's found at page 20 of the English transcript, from
7 line 12. And you said as follows, "There was jumu'ah on 25 February. It was
8 Friday. Got up in the morning. I got up in the morning. I visited my friend
9 Bakari who used to sell charcoal. I went to see Bakari in the morning. And as usual,
10 after Friday prayers, we shared a meal. His wife was at home at noon. After, after
11 the prayers, since I couldn't come very early, so I told them to eat and they ate and
12 they told me about the disturbances in the neighbourhood."

13 So my first question to you is this, which of those passages is correct on the subject of
14 the prayers? Were there prayers or were there no prayers?

15 A. [10:54:48] I did not quite understand that excerpt that you just read out.

16 PRESIDING JUDGE TARFUSSER: [10:55:10] Can I?

17 Mr Witness, in your testimony yesterday you said two things. One time you said
18 that on that Friday you didn't go to any mosque to pray. In another part you said
19 that you went to pray on that Friday.

20 So what is right, did you go or did you not go to pray on that 25th February?

21 THE WITNESS: [10:56:04] (Interpretation) You have to understand me well. I did
22 not go to the Friday prayer. My brother who died and Bakari, they went and prayed
23 at the SIDECI mosque. I did not accompany them. It was Mamadou who went and
24 prayed at the SIDECI mosque. I did not attend the Friday prayer. So he went to the
25 SIDECI mosque. His wife called because in the morning there had not yet been

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1 disturbances and the wife said he had called to say not to wait for him. So you have
2 to be very clear about what I said.

3 PRESIDING JUDGE TARFUSSER: [10:56:59] Mr O'Shea.

4 MR O'SHEA: [10:57:00]

5 Q. [10:57:01] Well, you see, the difficulty with that, Mr Witness, is that on 4 May
6 you also said this at page 23 of the English transcript, at line 21, you said, "And there
7 were no Friday prayers on that day." Is that correct?

8 A. [10:57:59] In any case, in our mosque, that is the Doukouré mosque, there were
9 no Friday prayers.

10 PRESIDING JUDGE TARFUSSER: [10:58:19] Mr Prosecutor.

11 MR LEDDY: [10:58:20] Your Honour, if I may just interject briefly and request to be
12 disconnected from the witness.

13 PRESIDING JUDGE TARFUSSER: [10:58:26] Can we briefly disconnect. Thank
14 you.

15 THE COURT OFFICER: [10:58:42] Transmission has been cut, Mr President.

16 PRESIDING JUDGE TARFUSSER: [10:58:44] Thank you.

17 MR LEDDY: [10:58:44] Thank you.

18 Your Honour, I just wanted to point out that there is a substantial difference between
19 the English transcript and the French transcript in the section that counsel just quoted,
20 and the English section being page 20, lines 9 through page 21, line 20, and the French
21 being page 20 - this is of the realtime - line 24 to page 22, line 9.

22 In it he describes, he uses the word "il," meaning "he," another person did certain
23 actions, whereas in the English it's referred to as "I," in the first person. So we think
24 there might be a translation issue there rather than an inconsistency of the witness.

25 PRESIDING JUDGE TARFUSSER: [10:59:28] We will check this, obviously. It's on

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1 the record now. We'll check this. I'm not in a position to do it right now. But
2 thank you for bringing this to our attention.

3 Mr O'Shea.

4 We have to reconnect first. I'm sorry.

5 PRESIDING JUDGE TARFUSSER: [11:00:39] Mr Witness, we are back again. Can
6 you hear me?

7 THE WITNESS: [11:00:54] (Interpretation) I can hear you, yes.

8 PRESIDING JUDGE TARFUSSER: [11:00:57] Mr O'Shea.

9 MR O'SHEA:

10 Q. [11:01:01] Now, the next matter is this, Witness, and I will again read back to
11 you what I read a moment ago so you don't get lost. The 4th of May 2017, line 12A,
12 you said, "I went to work on that day, very early in the morning. Then I went to the
13 Friday prayers and then I went to work at 10 a.m., and then I came back and then
14 there were disturbances in our neighbourhood."

15 So you went to work early in the morning and then, after hearing that there was
16 disturbances while you were in the market, you then came back towards your home
17 and you saw disturbances; is that, is that your evidence?

18 A. [11:02:25] I really haven't understood what you've just said. Please repeat your
19 question, if you could.

20 Q. [11:02:59] Well, let me just put the matter to you directly. On one day in this
21 courtroom you explained that in the morning you went to see your friend Bakari.
22 You visited him in the morning. And then on another day in this Court, you said
23 you went to work early in the morning. You heard about disturbances. You came
24 back towards your home and you saw the disturbances.

25 So what is the position, did you go and visit your friend Bakari or did you go to work

1 in the market?

2 A. [11:03:56] I didn't say that I went to see Bakari at his house. I said that at noon
3 my friend, my brother, went to Bakari's place, not me. I went to the market and I
4 was told that there had been disturbances, and I tried to go back home. So, you see,
5 Bakari -- it was Ahmedi who went to Bakari's house at the time of the disturbances.
6 It was not me. Those words do not come from me. I didn't go to Bakari. It was
7 Ahmedi who went to visit Bakari. I went to the market when the disturbances
8 occurred.

9 Q. [11:05:05] Was it --

10 PRESIDING JUDGE TARFUSSER: [11:05:06] Mr Prosecutor. Sorry.

11 MR LEDDY: [11:05:09] I apologise, Counsel. I just wanted to point out a similar
12 issue for this quotation and a discrepancy between the English and French transcripts
13 for the passage that counsel quoted.

14 For the record, the French transcript reads, it's the page 23, lines 14 through 18 of the
15 French, reads a bit differently. I'll just leave it at that.

16 PRESIDING JUDGE TARFUSSER: [11:05:35] Okay.

17 MR O'SHEA: [11:05:41] Just on the issue of prayers, I've just been informed that the
18 French version also said there were no prayers on Friday, just going back a couple of
19 steps.

20 PRESIDING JUDGE TARFUSSER: [11:05:51] Yes.

21 MR O'SHEA: [11:05:54]

22 Q. [11:06:02] Was it Ahmedi or was it Mamadou who went to see Bakari?

23 A. [11:06:21] I said it was Mamadou who went to see Bakari in the morning, and he
24 asked me to meet up with him then. They went for the Friday prayers at the Sideci
25 mosques. There are two mosques in Sideci. I don't know which one they went to

1 prayer. I don't know. That day I did not take part in the Friday prayers.

2 Q. [11:06:58] And again, in the passage I read from 3 May, when you talk about
3 visiting Bakari, and I accept there may be a translation difficulty over who visited
4 Bakari - we'll see later - but you say at line 18, "I told them to eat and they ate and
5 they told me about disturbances in the neighbourhood."

6 So was it Bakari who told you about disturbances in the neighbourhood?

7 A. [11:08:10] I didn't say that. Bakari did not say anything to me. It was my
8 young brother who called me and informed me about the disturbances that had
9 occurred in the neighbourhood. Bakari did not tell me anything. Mamadou and
10 Bakari, they were together. I went -- he called his wife in the morning to say that a
11 woman had called upon Bakari and that after the prayers we would join up with
12 them to eat and they should not wait.

13 My younger brother --

14 MR O'SHEA: [11:09:09] The translation stopped suddenly.

15 THE INTERPRETER: [11:09:17] Message from the interpreters: The last two
16 sentences of the reply were as follows: Mamadou went to Bakari's home and he
17 called his wife, the morning, to tell him that -- correction, to tell her that he would
18 visit Bakari, and after the Friday prayer we would come and eat and that they were
19 not to wait for us.

20 Thus, my young brother who called me, I told you his name. Bakari did not call to
21 tell me about the situation in the neighbourhood.

22 MR O'SHEA: [11:10:04]

23 Q. [11:10:04] Let's come to Mamadou. Now, when you, when you had heard the
24 news about Mamadou, where were you physically located?

25 A. [11:11:22] When I learned what had happened with Mamadou, we were at the

1 parking lot. We were in the parking lot.

2 Q. [11:11:35] Thank you. Now, did you leave the parking lot immediately after
3 hearing this news?

4 A. [11:11:57] When I was told about what had happened, after that we were all in
5 the parking lot. But after my young brother came and told me, so we went behind
6 the mosque heading towards the pharmacy. We went to see what the situation was.

7 Q. [11:12:53] When you say your young brother came and told you, what do you
8 mean?

9 A. [11:13:00] I said that the person that I went with to go see the body of my -- of
10 Mamadou was not my young brother. It was the person who came and told me. I
11 told you we were in the parking lot. There were many people, a great many people,
12 and then, well, I didn't look at the actual time of day, but it was somewhat later that I
13 went to see Mamadou's body.

14 Q. [11:13:50] So the person that you went with to see the body of Mamadou was
15 not your young brother, it was the same person who came and told you. So is it the
16 person who came and told you about Mamadou's situation, is that the same person
17 that you went with to go and see the body? Have we understood you correctly?

18 A. [11:14:38] No. I didn't go. I was told what place. I didn't go with anyone
19 else. Then my young brother, Abba, and I went behind the mosque. He came to
20 give me the information, but I didn't go with him to the actual spot.

21 Q. [11:15:09] So when you arrived at the actual spot, were you alone, in the sense of
22 not having anyone with you who you knew?

23 A. [11:15:29] That's what I said. My young brother, Abba, that is what I said. I
24 went with him to see the body of Mamadou. We were both together.

25 Q. [11:16:02] So when you arrived at the body, you were still both together, were

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1 you?

2 A. [11:16:09] Yes, we were together.

3 Q. [11:16:21] So you said you went behind the mosque. The route that you took in
4 order to arrive at Mamadou's body, did it avoid going on the main road, the main
5 boulevard? Or was part of your journey on the main boulevard?

6 A. [11:17:07] I said we went behind the mosque, behind the pharmacy, there was a
7 way through there. And so we got to the place where we were told the body was.
8 We went behind the pharmacy. We took a narrow alley that was not far away from
9 where he had died.

10 Q. [11:18:00] Now, when you took that route behind the mosque and eventually to
11 the body of Mamadou, did you see anything in particular or any disturbances along
12 the way, along that route?

13 A. [11:18:26] That's what I said. We went behind the mosque. We went by way
14 of the pharmacy. We took an alley. We didn't take the main road. The spot
15 where we went through, you see, we avoided the main road. Otherwise, well, I have
16 nothing else to add to that.

17 Q. [11:19:09] So based upon your observations that day, is it the case that the
18 clashes were focused on the main road and did not spread into the little roads?

19 A. [11:19:34] That's what I said. The way I went, I turned to the left -- to the right,
20 correction, and I was able to get to the spot where the body was located without
21 going -- without taking the same way. We came back by the same road.

22 Q. [11:20:30] Yes. Thank you.

23 Let's now come to what you were told about Mamadou when you were at the parking.
24 You said that a Baoulé woman came to tell you. Did this Baoulé woman know you?

25 A. [11:21:01] Well, she did know me. Why? Because she used to sell charcoal,

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1 and she knew Mamadou and I would go see him. That's why she knew me. We
2 knew one another because of Mamadou, through Mamadou.

3 MR O'SHEA: [11:21:37] Lights are going -- appear to be going on and off the other
4 side. I don't --

5 PRESIDING JUDGE TARFUSSER: [11:22:07] But as long as we --

6 MR O'SHEA: Yeah.

7 PRESIDING JUDGE TARFUSSER: -- can talk to each other. The sound is on, so I
8 think we should just go ahead.

9 Wilfred, is there anything, is there some problems in the remote location?

10 THE COURT OFFICER: (Via video link) [11:22:26] The electricity cut off, but the
11 generator has come on --

12 PRESIDING JUDGE TARFUSSER: Okay.

13 THE COURT OFFICER: (Via video link) -- and we can hear you.

14 PRESIDING JUDGE TARFUSSER: [11:22:32] Okay.

15 THE COURT OFFICER: (Via video link) [11:22:33] We can proceed.

16 PRESIDING JUDGE TARFUSSER: [11:22:34] Thank you very much.
17 Let's proceed.

18 PRESIDING JUDGE TARFUSSER: [11:23:26] Can I know who is speaking to the
19 witness? Wilfred.

20 THE COURT OFFICER: (Via video link) [11:23:40] Your Honour, I'm sorry, I was
21 speaking to the court officer at the headquarters.

22 PRESIDING JUDGE TARFUSSER: [11:23:44] Okay, okay. No, because we can hear
23 you. Always switch off the audio, otherwise we can hear you whisper.

24 THE COURT OFFICER: (Via video link) [11:23:52] I'm sorry about that.

25 PRESIDING JUDGE TARFUSSER: [11:23:53] Okay.

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1 MR O'SHEA: [11:24:02]

2 Q. [11:24:02] Did you give any other names for Mamadou to the people that came
3 from the International Criminal Court other than Mamadou Niakaté?

4 A. [11:24:25] Yes, I said that yesterday. He had a nickname when we would play
5 football. Otherwise he was called Mamadou Niakaté. But we called him by other
6 names. His true name was Mamadou Niakaté, Mamadou Niakaté. We often called
7 him Salif. So those are the nicknames that we knew him by.

8 THE INTERPRETER: [11:25:18] Message from the English interpreter: If the
9 nickname could be repeated for the sake of the record.

10 PRESIDING JUDGE TARFUSSER: [11:25:26] Can you please repeat the nickname.

11 THE WITNESS: [11:25:42] (Interpretation) I said Mamadou Niakaté, but when we
12 were young -- Diao Diao was his nickname when we were young. But the name I
13 remember is Mamadou Niakaté. We called him Diao Diao when we used to play
14 football together.

15 MR O'SHEA:

16 Q. [11:26:05] And when you met the people from the International Criminal Court
17 before coming here, did you give any other name to them as his true name other than
18 Mamadou Niakaté?

19 A. [11:26:37] No, I didn't give another name.

20 Q. [11:26:59] And this Baoulé lady, did she know -- you said that she knew you,
21 did she know that Mamadou and you were brothers?

22 A. [11:27:16] Yes, that's what I said. I would go and chat with Mamadou. And
23 on Sundays after the football I would go and see him and talk to Mamadou. So we
24 were always together. Now, the day -- well, I would go on Sunday at noon and I
25 would go by and see him.

1 THE INTERPRETER: [11:28:08] Correction from the Dioula interpreter: We would
2 go see each other, it was a family thing.

3 MR O'SHEA: [11:28:18]

4 Q. [11:28:18] Now, when this Baoulé woman came to the parking, what did you
5 hear, what were the first words you heard her say exactly?

6 A. [11:28:51] What I remember, she said to me that "Your brother, Ahmed," and
7 then she explained to me what had happened. But I don't remember exactly what
8 words she used.

9 Q. [11:29:16] Did she tell you that he was dead?

10 A. [11:29:33] Exactly, that's what she told me, that he was dead and she showed me
11 where he had died, and we went to that place to see his body.

12 Q. [11:29:51] And did she tell you how long ago he had died at the point she was
13 speaking to you?

14 A. [11:30:03] No. She didn't tell me the time at which he died. And then I -- I
15 went to the actual spot.

16 Q. [11:30:34] So when she told you this, you didn't say "When did this happen?"

17 A. [11:30:45] I didn't ask her about the time, the time of his death. She informed
18 me that he was dead, but I did not ask her at what time precisely he died.

19 Q. [11:31:12] Now, in your statement, which was taken by the Office of the
20 Prosecutor, you said at paragraph 34 --

21 THE INTERPRETER: [11:31:37] Can Mr O'Shea start again? He didn't pause to
22 switch into French.

23 MR O'SHEA: [11:31:43] I apologise. It's my fault. I'm quoting in French.

24 (Interpretation) "Ahmed has been captured. They are burning him. At the time
25 when she said that, a person approached her and informed her that I was the brother

1 of Ahmedi Niakate."

2 (Speaks English) So if this woman knew you and knew that you were the brother of
3 Mamadou, why was it necessary to indicate that you were the brother of Mamadou?
4 Did that happen? Did that happen? Did somebody say: That is the brother of
5 Ahmedi Niakate?

6 A. [11:33:31] This is what I am saying, we were in the parking area, there was a
7 crowd there, and she said, "Oh, brother Ahmed, brother Ahmed, brother Ahmed."
8 We were always together day and night. And then she told me, "It is your brother
9 Ahmed who was there." She was crying. She had her hands on her head. And
10 she explained to me I could no longer speak.
11 She told me that in the presence of other people including my younger brother, and
12 we are Soninkés, and she's Baoulé, but she said my brother Ahmed, brother Ahmed,
13 that is what she said.

14 Q. [11:34:32] And did she convey to you that your brother was in the process of
15 being burnt? Or did she tell you they burnt him and killed him?

16 A. [11:34:57] That's what she told me.

17 Q. [11:35:11] And did she give you details about what was done to him?

18 A. [11:35:46] What she told me was that they had killed him, that they had set him
19 on fire, and each time he wanted to stand up, they would strike him, and that they
20 had burnt him and then they had torn off his jeans. I even found the jeans next to his
21 body.

22 She also told me that she had tried to use the phone booth to inform about the death
23 of Mamadou.

24 Q. [11:36:46] Did she tell you that Mamadou continued to fight even when he was
25 on fire? Did she tell you that?

1 A. [11:37:21] Yes, that is what she told me.

2 Q. [11:37:26] Did she tell you that she had seen everything?

3 A. [11:37:43] She told me that she saw everything. In any case, that is what she
4 told me. I do not know whether she told me the truth or not, but that is what she
5 told me.

6 Q. [11:38:06] And other than the fact of beating him and setting him on fire, did she
7 give any other detail about what they did to him, other than those two aspects?

8 A. [11:38:24] What she told me -- well, I have already told you. He was killed
9 because he was going to the phone booth. Maybe he was not able to have his call go
10 through. And it was when he left the phone booth that he was killed.

11 Q. [11:39:19] My question is that in terms of how he was assaulted, you've
12 mentioned beatings and you've mentioned that he was set on fire, did she mention
13 anything else, any other form of assault on his body?

14 A. [11:39:59] That is what she told me. I do not know what is written here. But
15 all I'm doing is giving you an account of what I heard.

16 Q. [11:40:13] That's all right. Now, if I come to the body itself. When you
17 arrived at the scene, were there a lot of people around you when you arrived at the
18 scene?

19 A. [11:40:37] Many people? What do you mean by that? I have said that there
20 was a certain number of people at the roadblock, but I did not see a crowd, and I was
21 not able to estimate the number of people. There were two bodies next to his. I
22 looked at the body only one time. I was not able to look a second time. And I
23 turned back and went on my way. So I cannot tell you whether there were many
24 people or not.

25 Q. [11:41:36] And the body that you say was the body of your brother, was it

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1 completely burnt?

2 A. [11:41:51] Burnt? The body was disfigured. It is as if you kill an animal and
3 roast it. But when I came close to the burnt body, I knew that it was him.

4 Q. [11:42:48] Did you know it was him because of the jeans next to him and
5 because of his height, or could you actually recognise his face?

6 A. [11:43:06] The woman indicated the location where he had been killed and burnt.
7 I arrived there, I saw his dead body with two other bodies. There was a difference,
8 even after having been burnt, he was much taller than the others, the two other
9 bodies.

10 Q. [11:43:45] Now, you as a foreign national, you have one of these cards which
11 indicates that you have the right to reside in Ivory Coast, do you? Remember we
12 were talking about these papers yesterday, papers or cards.

13 A. [11:44:49] The documents? Well, at the time I left my country I had an identity
14 card. And once that identity card expires, you go to the embassy to have the identity
15 card renewed at the embassy in Abidjan.

16 Q. [11:45:13] Do you have with you today the card that you used to identify
17 yourself?

18 PRESIDING JUDGE TARFUSSER: [11:45:27] It might have expired by now.

19 MR O'SHEA: [11:45:30] We will see, but we're not immigration, so we're not worried
20 about that.

21 Q. [11:45:46] Do you have it with you, Witness, your ID card or your residence card
22 for Ivory Coast, that you use in Ivory Coast?

23 PRESIDING JUDGE TARFUSSER: [11:46:04] Now the OTP is asking for what
24 purposes, am I right?

25 MR LEDDY: [11:46:08] I just wanted to clarify that this is in reference to a card that

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1 he had in 2011 and not a card that's from today.

2 PRESIDING JUDGE TARFUSSER: [11:46:15] Of course. That's why I said before it
3 might have expired by now.

4 MR LEDDY: [11:46:18] Thank you.

5 PRESIDING JUDGE TARFUSSER: [11:46:19] Well, there's a time for submissions
6 and it's not now.

7 Q. [11:46:24] Do you have a card with you today, Witness? Do you have your ID
8 card or your residence card?

9 A. [11:46:54] Yes, I had the -- I have the identity card of my country, but I do not
10 have Ivorian nationality. And when that document expires, I go to the Malian
11 embassy in Côte d'Ivoire to renew my identity card.

12 PRESIDING JUDGE TARFUSSER: [11:47:21] But you must have a document which
13 allows you to stay in Côte d'Ivoire. Have you one of these documents?

14 THE WITNESS: [11:47:33] (Interpretation) I have my identity card which indicates
15 that I am Malian. And as I have said, once that card expires, I go to the embassy to
16 have it renewed. All foreigners have their national identity cards with them.

17 MR O'SHEA: [11:48:12]

18 Q. [11:48:13] The card that you have with you today, it may not be the same, but is
19 it similar to the card which you would have used in 2011 to identify yourself?

20 A. [11:48:43] Yes. Each time the card expires I have it renewed because the data is
21 the same, the name is the same, place of birth and so on. Nothing changes. You
22 simply need to have the card renewed once it expires.

23 Q. [11:49:09] So if you could please assist us by showing your card to Wilfred, the
24 representative of the Registry who is there with you, and he will arrange that we can
25 see it. Is that all right? It can be done in private session. So if it's shown on the

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1 screen, nobody else sees it. That's not a problem. But we'd like to see what one of
2 these cards looks like.

3 PRESIDING JUDGE TARFUSSER: [11:49:59] Let's please not display this on the
4 video outside. Can we not go ahead while Wilfred is doing this otherwise --

5 MR O'SHEA: [11:50:51] Yes.

6 PRESIDING JUDGE TARFUSSER: [11:50:52] because -- there is some problem with
7 the scanning of this.

8 MR O'SHEA: [11:50:55] Yes. Yes, I'm at the tail end, but I'll deal with the last bit
9 and then we can come back to this.

10 PRESIDING JUDGE TARFUSSER: [11:51:01] The tail end sounds good.

11 MR O'SHEA: [11:51:04] Yes.

12 PRESIDING JUDGE TARFUSSER: [11:51:04] Yes.

13 MR O'SHEA: [11:51:05] I need to become more adept using the right words in this
14 Court.

15 PRESIDING JUDGE TARFUSSER: [11:51:09] Okay.

16 MR O'SHEA: [11:51:10] I'm trying to be as absolutely honest as possible with the
17 Chamber all the time, but sometimes I should be thinking in terms of just phrasing
18 things a bit differently sometimes.

19 PRESIDING JUDGE TARFUSSER: [11:51:22] Okay.

20 MR O'SHEA: [11:51:25]

21 Q. [11:51:26] So --

22 THE COURT OFFICER: (Via video link) [11:51:29] Your Honours, one moment,
23 please. I have been provided the card, the identity card by the witness. I am,
24 however, at your mercy as to how to proceed. I can scan it and send a PDF to the
25 court officer at the headquarters.

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1 PRESIDING JUDGE TARFUSSER: [11:51:49] I would say this is the best option.

2 While you do that we continue with the questioning. We have another 10 minutes
3 before the break. So I think we continue for these 10 minutes and at the end, when
4 you are ready, you tell us, okay.

5 THE COURT OFFICER: (Via video link) [11:52:08] Understood. Thank you.

6 MR O'SHEA: [11:52:11] Your Honour, thank you.

7 Q. [11:52:12] So we're going to see this card in due course, all right. But if I've
8 understood you correctly, the card that you use to identify yourself in Ivory Coast is
9 your national ID card from Mali. So is it right that you do not have any separate
10 paper or card which gives you permission to stay in Ivory Coast; is that right?

11 PRESIDING JUDGE TARFUSSER: [11:52:57] Mr Prosecutor.

12 MR LEDDY: [11:53:00] I have two questions: One, what the relevance is; but
13 secondly if we could go into private session for this answer, if the Court finds it
14 relevant.

15 PRESIDING JUDGE TARFUSSER: [11:53:08] Well, I don't know if I find it relevant,
16 not at this point. But to know if a person needs a separate document in order to stay
17 in a foreign country, I would say is quite neutral, but also quite, the answer is quite
18 evident, I would say.

19 Okay. Maître Altit, I see you, but --

20 MR O'SHEA: [11:53:34] Well, it's relevant to the context of the time. And on this
21 occasion I won't go into too much detail.

22 PRESIDING JUDGE TARFUSSER: [11:53:43] No. Please, I would also not go into
23 too much detail because I would like to finish at 12 with this witness at the break.

24 MR O'SHEA: [11:53:52]

25 Q. [11:53:52] Yes, so that's the question, Witness, is it right that neither now nor in

1 2011 have you had a separate piece of paper or card which would give you
2 permission to stay in Ivory Coast? That's the question.

3 A. [11:54:30] The card that I have is indeed the Malian national identity card. I do
4 not have another document. It is only the national identity card. You have asked
5 me to show you that card and I have given it to the gentleman who is here with me.
6 He has looked at it and it is indeed the national identity card of Mali.

7 Q. [11:54:59] All right. I'm going to close with this. During the course of your
8 testimony yesterday there were a number of occasions when you said, in answer to
9 my questions, "I can't answer that question," and at one point you said, "I can't answer
10 that question. If I do, I might give a different answer."

11 Have you had anyone assisting you to prepare your testimony for this Court?

12 A. [11:55:48] No one assisted me. What I am saying are the answers to the
13 questions that were put to me. But yesterday sometimes I had to answer up to three
14 times. If questions are put to me, I can only give you the answers I can give you.
15 But when you repeat questions all the time, that disturbs me a little bit. But no one
16 helped me to prepare this testimony.

17 MR O'SHEA: [11:56:44] I hope I can plead in mitigation in relation to your Honour's
18 comments this morning by stating now that I close.

19 PRESIDING JUDGE TARFUSSER: [11:56:55] Thank you very much.
20 But what do we do with the document?

21 MR O'SHEA: [11:56:59] Well --

22 PRESIDING JUDGE TARFUSSER: [11:57:02] We made all the effort to see it and
23 now we don't see it.

24 MR O'SHEA: [11:57:05] What we can do, because it's being sent over, is that the
25 other team can start their questions.

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1 PRESIDING JUDGE TARFUSSER: [11:57:11] Okay.

2 MR O'SHEA: [11:57:11] And then you can give us leave to ask any supplementary
3 questions on the document, if there is a need for it.

4 PRESIDING JUDGE TARFUSSER: [11:57:18] Okay.

5 MR O'SHEA: Yes.

6 PRESIDING JUDGE TARFUSSER: Thank you very much, Mr Witness.

7 I have a last question which I still haven't -- I think it was not posed or not the way I
8 have it. But you said at one point in time yesterday, and I'm referring for the record
9 to page 35, lines 1 and 2, that you always leave at 5 o'clock in the morning your house
10 to go to work and you come back at 18 hours.

11 On that day, 25 February, you were called, you said later and also today, by your
12 younger brother.

13 What did -- who told you about the clashes. Did he say something more or did he
14 just inform you about the clashes?

15 THE WITNESS: [11:58:46] (Interpretation) That is what I said. Counsel had asked
16 me who informed me about disturbances in the neighbourhood, and I said it was my
17 younger brother. That is what I said. He told me that there were disturbances in
18 our neighbourhood. That is all.

19 PRESIDING JUDGE TARFUSSER: [11:59:14] Yes. Then I would ask you, did he
20 also ask you to come back or to go there? To come to the mosque where the clashes
21 were ongoing, or in that area, did he ask you that?

22 THE WITNESS: [11:59:39] (Interpretation) No. He simply informed me that there
23 were disturbances in the neighbourhood.

24 PRESIDING JUDGE TARFUSSER: [11:59:54] But why did you go back then? Why
25 did you leave the work in order to go to a place where clashes were ongoing?

1 THE WITNESS: [12:00:14] (Interpretation) But he informed me and I left, because
2 my family was in the neighbourhood, so I had to go and see what the situation was.
3 And quite fortunately, thanks to God, I arrived safe and sound. No one attacked me.
4 Even the crowd on the main road, no one insulted me. And I was able to arrive in
5 the neighbourhood to find out about the situation of my family.

6 PRESIDING JUDGE TARFUSSER: [12:01:03] So you did go home?

7 THE WITNESS: [12:01:19] (Interpretation) I did not arrive at the house because
8 there were clashes in the neighbourhood. I was not able to reach the house. The
9 women and children were present. In fact, they had left the houses to go elsewhere.
10 Given that there were disturbances, each person wanted to know what was
11 happening to their family.

12 PRESIDING JUDGE TARFUSSER: [12:01:53] Okay. Now we break. We go for a
13 lunch break and we come back at 1.30 for the continuing of this questioning by the
14 Defence for Mr Blé Goudé. Mr Witness, you have the break, one hour and a half.
15 See you at 1.30, for us at least.

16 The hearing is adjourned.

17 THE COURT USHER: [12:02:16] All rise.

18 (Recess taken at 12.02 p.m.)

19 (Upon resuming in open session at 1.32 p.m.)

20 THE COURT USHER: [13:32:23] All rise.

21 Please be seated.

22 PRESIDING JUDGE TARFUSSER: [13:32:35] Good afternoon.

23 The floor is now to the Defence. The floor is now to the Defence for Mr Blé Goudé.

24 I would just say, just for housekeeping purposes, that when the Defence for

25 Mr Blé Goudé has concluded, we break. Well, say the testimony is concluded, we

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1 break for half an hour in order to change for the next one and then we go for the first
2 session and then we break whatever hour it is.

3 So thank you very much. The floor is yours, Mr Knoops.

4 MR KNOOPS: [13:33:32] Merci, Monsieur le Président.

5 PRESIDING JUDGE TARFUSSER: [13:33:41] Pas de quoi.

6 MR KNOOPS: [13:33:47] I will examine the witness on two topics. After my
7 examination, Mr Gbougnon will examine the witness on one topic.

8 QUESTIONED BY MR KNOOPS:

9 Q. [13:33:53] Mr Witness, good afternoon. My name is Geert-Jan Alexander
10 Knoops. I'm a lawyer in The Netherlands and I'm counsel for Mr Blé Goudé.
11 Mr Witness, my first question relates to your testimony on 3 May, that's the first day
12 of your testimony. You may remember that you were asked by the Office of the
13 Prosecution on the second roadblock you mentioned in the direction of Sicogi. You
14 told the Court that the person with the name Eric intervened to retrieve your identity
15 card which was taken away at this roadblock.

16 And the question which was put to you on 3 May was the following. The question
17 was when in relation to Mamadou's death were you stopped at this road -- were you
18 stopped at this roundabout at Sicogi, was it before or after Mamadou's death?

19 Your answer was then "It was after the death of Mamadou."

20 Now, my question to you today -- so my question to you --

21 A. [13:36:27] Yes, it was after Mamadou's death.

22 Q. [13:36:31] My question to you today, can you remember, Mr Witness, that you
23 were questioned in 2014 about this very subject?

24 A. [13:37:07] Yes, I remember. I mentioned the two roadblocks, one at Sicogi.

25 Which roadblock are you talking about? There were two of them.

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1 Q. [13:37:20] We're speaking exclusively now about the roadblock at Sicogi, the
2 Sicogi roundabout. And my question, can you remember what you said to the
3 investigators in 2014 about the date?

4 A. [13:37:48] Yes, I do remember that.

5 Q. [13:37:52] Can you remember, Mr Witness, what you said in 2014 to the
6 investigators about the date you were stopped at this roundabout?

7 A. [13:38:12] The day? I don't know exactly which day, but it was after the death
8 of Mamadou.

9 Q. [13:38:30] And you're sure that you told this to the investigators in 2014? You
10 told them exactly the same as you tell the Chamber today?

11 A. [13:38:52] I said that the roadblock, I got to the roadblock after the death of
12 Mamadou. But I don't remember exactly which day it was --

13 Q. [13:39:10] Okay.

14 A. [13:39:13] -- when I got to that roadblock.

15 Q. [13:39:17] Thank you. I will therefore confront you with your statement which
16 you gave in 2014 to the investigators of the Office of the Prosecution.

17 And for the Chamber, Mr President, I refer to paragraph 48, the second portion of the
18 deposition of the witness of May 2014. And that's CIV-OTP-0057-1579, again,
19 paragraph 48, the second portion.

20 Mr Witness, I will slowly read one sentence from your deposition, your statement
21 given in 2014 to the Office of the Prosecution on this very subject.

22 Back then, Mr Witness, you said the following to the investigators, (Interpretation) "It
23 was less than one week before the death of my brother Ahmedi. I no longer recall
24 the date, but I do know that it was shortly before the incident involving Ahmedi. It
25 was 1500 hours. That was when I was leaving the fishmongers, where I work, to go

1 home when I came across a roadblock. The roadblock was at the Sicogi at the bridge
2 called the vagabond bridge." End of quotation.

3 (Speaks English) So, Mr Witness, in 2014 when you were at first interviewed about
4 the date of the incident you described at the roadblock of Sicogi, you clearly said that
5 this was before the death of your brother Ahmedi. You even mentioned a time
6 frame, 15 hours, and you refer that it was about one week before the death of Mr
7 Ahmedi.

8 Can you now recall making this statement to the investigators of the Office of the
9 Prosecution in 2014?

10 A. [13:43:00] I didn't say that. I said that after the death of Ahmedi, the roadblock
11 was set up. It was after the death of Ahmedi, that is when the roadblock was set up,
12 about one week. After the death of Ahmedi, that is when I went by that roadblock.
13 That is what I said.

14 Q. [13:43:40] So, Mr Witness, you dispute that the statement which we just read out
15 from 2014 is a correct one?

16 A. [13:44:02] What I said is that after Ahmedi's death, I went by way of -- I went by
17 that roadblock. I didn't say it was before his death.

18 Q. [13:44:32] Mr Witness, in this statement it's twice being said, according to the
19 record we have here, it's twice been said by you that it was before the death of
20 Ahmedi that you were stopped at this roadblock.

21 So it is your testimony today that this statement was wrongly recorded by the
22 investigators of the Office of the Prosecution; is that what you are saying to the
23 Chamber?

24 A. [13:45:13] What I said, what I've said ever since I got here, yesterday, the day
25 before that, ever since the beginning of my testimony, I've been saying that it was

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1 after the death of Ahmedi, that is when, when I went through the roadblock. I said
2 nothing else. It was after Ahmedi's death. That is when I went through the
3 roadblock.

4 Q. [13:45:53] Thank you.

5 MR KNOOPS: Mr President, for my second topic, I will ask the Court if we, in the
6 meantime, received the scanner, the scan of the ID, because my second question
7 relates to the ID of the witness.

8 PRESIDING JUDGE TARFUSSER: [13:46:16] I don't know. Did we?

9 THE COURT OFFICER: [13:46:18] Indeed, we received the ID of the witness. It's
10 currently uploaded into the eCourt and I will forward to the Chamber, the parties and
11 participants, the ERN number. We can present the ID at a confidential level in the
12 evidence channel 1.

13 MR KNOOPS: [13:46:44] In the meantime I can proceed with my question, Mr
14 President?

15 PRESIDING JUDGE TARFUSSER: [13:46:48] When we have uploaded it. I don't
16 know if it's -- it's not yet there.

17 THE COURT OFFICER: [13:47:02] The item should be found now in the eCourt
18 under the ERN CIV-REG-0001-156. 0156, sorry.

19 MR KNOOPS: [13:47:22] Okay.

20 Q. [13:47:23] Mr Witness, on 4 May, yesterday, the Office of the Prosecution asked
21 you about your identity card.

22 PRESIDING JUDGE TARFUSSER: [13:47:45] Can you enlarge it, please?

23 MR KNOOPS: [13:47:51]

24 Q. [13:47:52] The question put to you by the representative of the Office of the
25 Prosecution was whether this identity card indicated your ethnicity.

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1 For the Court, that's the French transcript of 4 May, page 11, line 21 and 22.

2 Now, we have at this moment your identity card before us. Your answer to this
3 question was such that this identity card reflected your origin, votre origine sont
4 indiqué sur votre piece d'identité.

5 Now, my question, Mr Witness, can you please show us on this identity card where
6 we can find a reference to your ethnicity. And I'm not speaking about the place of
7 birth because someone can be born in Yamoussoukro but be a Bété, but I'm asking
8 you please indicate to us where we can find a reference to ethnicity.

9 PRESIDING JUDGE TARFUSSER: [13:50:08] Mr Prosecutor.

10 MR LEDDY: [13:50:09] Your Honour, I just wanted to object on two points. First,
11 the witness didn't say that his ethnicity was on the card.

12 PRESIDING JUDGE TARFUSSER: [13:50:17] Yes. No. That's correct, I think.

13 MR LEDDY: [13:50:21] He said his --

14 PRESIDING JUDGE TARFUSSER: [13:50:22] He never said that his ethnicity was --

15 MR LEDDY: [13:50:24] Place of origin. And secondly, the witness would require
16 reading assistance to view any such card.

17 PRESIDING JUDGE TARFUSSER: [13:50:31] Yes.

18 MR KNOOPS: [13:50:32] Well, in all fairness, the witness did testify also that this
19 card suggests --

20 PRESIDING JUDGE TARFUSSER: [13:50:36] Well, suggests, but it was not written.

21 MR KNOOPS: [13:50:38] No.

22 PRESIDING JUDGE TARFUSSER: [13:50:39] He never said it was written.

23 MR KNOOPS: [13:50:41] But still we are very interested to know from the witness
24 from which item on the card we can deduce this suggestion.

25 PRESIDING JUDGE TARFUSSER: [13:50:52] Mr Witness, the question is how can

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1 somebody, by looking at your ID card, recognise your ethnicity?

2 THE WITNESS: [13:51:53] Well, each person has his place of origin, his region.

3 Well, the region on the identity card indicates that I am a Maraka Soninké. So it's the
4 Maraka Soninké region. So amongst ourselves we Malians, we know where the
5 Soninké come from, for example, which region they come from.

6 PRESIDING JUDGE TARFUSSER: [13:52:31] Thank you. Mr Knoops.

7 MR KNOOPS: [13:52:33]

8 Q. [13:52:34] Can the witness point out on the identity card where it says what he
9 just testified, because we see that in the fifth line "commune de," it's open. Well, the
10 Court can look for itself.

11 PRESIDING JUDGE TARFUSSER: [13:53:10] Yes.

12 MR KNOOPS: [13:53:10] The Court can draw its own conclusions about --

13 PRESIDING JUDGE TARFUSSER: [13:53:17] Absolutely.

14 MR KNOOPS: [13:53:17] Thank you.

15 PRESIDING JUDGE TARFUSSER: Thank you very much.

16 MR KNOOPS:

17 Q. [13:53:18] Mr Witness, my last question to you, you were questioned this
18 morning about the expiration of your identity papers. Do you know whether the
19 identity card of Mamadou at the time he was killed was still valid, or was expired?

20 THE INTERPRETER: [13:54:14] Message from the interpreters: We're just having a
21 little problem with our channels, if you'll bear with us.

22 Message from the Dioula interpreter: We apologise. But since the French channel
23 was occupied, we were unable to -- we were unable to interpret from Dioula into
24 French. Thus, if the question could be repeated and the answer will be given. Our
25 apologies.

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1 THE WITNESS: [13:55:19] (Interpretation) That is what I said. He said that his
2 identity card was expired and that is why he was afraid to go about with such a card,
3 because the card had expired.

4 MR KNOOPS: [13:55:39] Thank you very much, Mr Witness.

5 Mr Gbougnon will now raise the last topic of our Defence team. Thank you.

6 PRESIDING JUDGE TARFUSSER: [13:55:49] Maître Gbougnon, the floor is yours.

7 MR GBOUGNON: [13:55:52] (Interpretation) Good afternoon, Mr President.

8 Good afternoon, Mr President. I have not been on my feet since morning. Good
9 afternoon to all in the courtroom. And I would like us to remain on this identity
10 card which is displayed, to remain on that document which we have on the screen
11 right now.

12 QUESTIONED BY MR GBOUGNON: (Interpretation)

13 Q. [13:56:42] Mr Witness, good afternoon. My name is Maître Jean Serge
14 Gbougnon, member of Mr Charles Blé Goudé's Defence team and lawyer with the
15 Abidjan bar. We are going to proceed quickly, but I need us to be specific in --

16 A. [13:57:03] Very well, very well. Thank you and good afternoon.

17 Q. [13:57:19] Where were you born?

18 A. [13:57:23] The town in which I was born? I was born in Gassambaro.

19 Q. [13:57:45] You were born in Gassambaro near Ballé. This is what you said at
20 your first hearing. Is that still your position?

21 A. [13:58:20] Gassambaro is near Ballé.

22 Q. [13:58:23] Mr Witness, on the ID which has been shown to the Court, we see that
23 you were born in Dogofry in the Republic of Côte d'Ivoire. It's written there Dogofry,
24 RCI. RCI stands for Republic of Côte d'Ivoire; is that correct?

25 A. [13:59:04] Please kindly repeat what you have just said. What did you say is

1 written on my ID? Did you say Dogofry? Dogofry is a region, yes. But I was born
2 in Gassambaro in the Dogofry region. And on my ID card it is mentioned that I was
3 born in Gassambaro. And our area is known as Dogofry.

4 You see, otherwise -- I was not born in Dogofry. Please, look at what is written on
5 my identity card. And I think everybody can see that. And that's it. So let us go
6 by what is written on my identity card.

7 Q. [13:59:53] Thank you, Mr Witness. The Chamber has taken note of what is
8 written on your ID.

9 How tall are you, Mr Witness, as you mentioned?

10 A. [14:00:09] My height currently and going by my ID -- I think there is a height
11 mentioned, but currently my height is 1 metre 90. I don't know what is written on
12 the card because I am illiterate. Therefore -- but you can see for yourself. And I
13 could stand up so that you see how tall I am, to give you an idea of how tall I am right
14 now.

15 Q. [14:01:00] Mr Witness, your ID was issued on 8 January 2016 and at that time
16 your height was given as 1 metre 76, and I think the Court can see that as well.

17 A. [14:01:30] Well, that's what's written on the ID card, but I am taller than that,
18 taller than what is written on the ID card.

19 Q. [14:01:50] Thank you.

20 Mr President, I think we can set aside the ID, this document.

21 Mr Witness, shortly before the pause or the break, the Presiding Judge asked you why
22 it was that, in spite of the disturbances, you had wanted to go back to your house, and
23 your answer was that you were concerned, you had some concerns about your family
24 which had remained behind.

25 Now, thereafter you went on to testify that your relatives and your family had moved

1 elsewhere. My question for you is the following: At what time after your brother
2 called you to talk about the disturbances, at what time did you learn that your family
3 had moved elsewhere?

4 A. [14:03:01] When I arrived the neighbourhood, I went to my young brother's
5 parking, and I was told that my family members had left. I didn't go right to our
6 house. I was told that there was nobody at home. So as I told you, I arrived at the
7 parking where I was informed that there was no longer anyone at home, and for that
8 reason I did not go back home to the house.

9 Q. [14:03:43] You are therefore saying that you were concerned about your family,
10 but when you got to the parking -- or, rather, you went first to the parking without
11 going home; is that your testimony?

12 A. [14:04:06] I arrived at the parking. My junior brother told me that there were
13 disturbances and that there was no one at home. I did not go home because we were
14 being chased. We were running here and there going out and back. And that is
15 what the situation was like on that day.

16 MR GBOUGNON: [14:04:40] (Interpretation) Mr President, I would like to request
17 that the diagram that was shown to the witness yesterday be displayed, 0057,
18 0057-1585.

19 THE COURT OFFICER: (Via video link) [14:05:16] Your Honours, the item is
20 currently displayed to the witness.

21 PRESIDING JUDGE TARFUSSER: [14:05:21] Thank you, Wilfred.

22 MR GBOUGNON: [14:05:27] (Interpretation) Mr President, I don't know whether
23 there is someone at the location to help the witness read the diagram.

24 THE COURT OFFICER: (Via video link) [14:05:46] Your Honours, the interpreter is
25 being brought in. He will be here in less than a minute.

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1 The interpreter is here.

2 PRESIDING JUDGE TARFUSSER: [14:06:23] Okay. Thank you.

3 Maître Gbounon.

4 MR GBOUGNON: [14:06:35] (Interpretation)

5 Q. [14:06:37] Mr Witness, yesterday you said several times in answer to questions
6 from the Gbagbo Defence team and also to the Presiding Judge, you said that you
7 went back home using the reverse road. Now, can you see the diagram on the
8 screen?

9 A. [14:07:06] Yes, yes. The road I went by to go to the market is the same road
10 that I used to go back.

11 Q. [14:07:26] Yes, I have understood that. Don't, don't worry. I'll just put a few
12 questions to you. Now, on the map or the diagram before you, you mentioned
13 several times the shop called Score. On the diagram now before you, does the shop
14 Score appear? Can you see it on the diagram?

15 A. [14:07:53] Which junction do you want me to point out, where the Score shop is
16 located?

17 Q. [14:08:13] Mr Witness, look at the diagram before you carefully. Please look at
18 the diagram before you carefully and please wait for me to finish putting my question
19 to you before you react. Let me finish putting the question to you before you
20 respond.

21 A. [14:08:33] I have understood.

22 Q. [14:08:37] On the diagram before you, is there any indication or a point showing
23 the Score shop which you mentioned several times yesterday?

24 A. [14:08:57] The main road from or going towards the Niaba (phon) main road.

25 Q. [14:09:24] Mr Witness, please listen to me carefully. I'm going to repeat my

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1 question. I've simply asked you to look at the diagram which is displayed before
2 you. And the question I am putting to you is the following: Do you see anywhere
3 on that diagram the entry Score shop? Does that appear anywhere on this diagram?

4 A. [14:09:49] Yes. I can see the location where it is written Score shop.

5 Q. [14:10:06] Can you put a circle around the place where you see the entry
6 magasin Score?

7 THE COURT OFFICER: (Via video link) [14:10:20] Your Honours, I will need to
8 print this item and provide a printed copy of it to the witness.

9 PRESIDING JUDGE TARFUSSER: [14:10:26] Yes, please do it.

10 (Pause in proceedings)

11 PRESIDING JUDGE TARFUSSER: [14:11:17] Mr Prosecutor.

12 MR LEDDY: [14:11:19] Your Honour, I just wanted to ensure that the witness has
13 the reading assistance that's required for him to read a map.

14 PRESIDING JUDGE TARFUSSER: [14:11:23] Yes, yes. We have it. We have it.

15 (Pause in proceedings)

16 PRESIDING JUDGE TARFUSSER: [14:12:20] Maître Gbougnon, I was informed that
17 we have some problems also in printing. But we're working on it. If you continue
18 and then come back with this question, would that be possible? Or we could do
19 another -- well, then we don't know, no.

20 MR GBOUGNON: [14:12:41] (Interpretation) Monsieur le Président.

21 PRESIDING JUDGE TARFUSSER: [14:12:46] Excuse me. Wilfred.

22 THE COURT OFFICER: (Via video link) [14:12:49] Yes.

23 PRESIDING JUDGE TARFUSSER: [14:12:51] If the witness, with the help obviously
24 of the assistant, reading assistant, indicates with a finger where this point is and then
25 you would describe it and then we do it in the second stage.

- 1 THE COURT OFFICER: [14:13:12] (Via video link) Understood.
- 2 PRESIDING JUDGE TARFUSSER: [14:13:15] So we can see it from here as well.
- 3 The question is clear, right? Where is the Score?
- 4 MR KNOOPS: [14:13:25] If we do it the military way, it's always with a pen.
- 5 PRESIDING JUDGE TARFUSSER: [14:13:28] Yes, yes, yes.
- 6 MR KNOOPS: [14:13:29] Instead of with a finger.
- 7 PRESIDING JUDGE TARFUSSER: [14:13:33] No, no, of course, but we cannot do it
- 8 at this moment because we don't have the paper. If we had the paper, the print, that
- 9 would be easy, but we don't have it yet. So if he points it out on the screen and then
- 10 you, with your words, describe it and then later you make a print and we mark it
- 11 with a pen.
- 12 THE WITNESS: [14:14:21] (Interpretation) Yes, I can see where the Score shop is
- 13 located and I can point it out with my finger.
- 14 THE COURT OFFICER: (Via video link) [14:14:37] Terrain Figayo.
- 15 MR GBOUGNON: [14:14:49] (Interpretation) Mr President, I would like for the
- 16 connection with the field to be disconnected for 30 seconds so that I explain
- 17 something to the Chamber.
- 18 PRESIDING JUDGE TARFUSSER: [14:15:09] Can we disconnect shortly from the
- 19 field?
- 20 THE COURT OFFICER: [14:15:33] The volume is switched off, Mr President.
- 21 PRESIDING JUDGE TARFUSSER: [14:15:35] Maître Gbougnon.
- 22 MR GBOUGNON: [14:15:42] (Interpretation) Mr President, I am forced to stop to
- 23 explain to you where I am headed. That is why my specific question was to find out
- 24 whether the diagram showed the Score shop on it, because the idea is to establish the
- 25 fact that the diagram presented by staff of the OTP does not capture or reflect reality.

1 That's the first thing.

2 Secondly, I want to bring the witness to agree with me that this diagram that we are
3 dealing with is not correct. I have a map which we can show the witness which
4 shows everything. So my first objective is to demonstrate that the diagram is
5 incorrect, it is not a good diagram. That is why my first question was to ask the
6 witness whether the Score shop which he mentioned yesterday -- he said he went to
7 the Sicogi market and that along the main road, he would pass by the Score shop
8 which is opposite the 16th.

9 And so my first step was to demonstrate to the Chamber that this diagram which was
10 presented yesterday and which was drawn by the Prosecution does not reflect reality
11 on the ground. That is why I want to insist for the witness to say whether, yes or not,
12 the Score shop appears on the main road as he indicated yesterday in his testimony.

13 PRESIDING JUDGE TARFUSSER: [14:17:33] Mr Prosecutor.

14 MR LEDDY: [14:17:34] Your Honour, if I could just respond briefly. Firstly, I think
15 it's self-evident what is and what is not written on the map, and the Chamber can take
16 note of that.

17 Secondly, if we are going to have the witness point out locations on a map, it's
18 perhaps better to use the agreed to map, which is one that's drawn to scale, whereas
19 the one he's asked to comment on is not drawn to scale.

20 We have the ERN for the agreed to map if your Honour is ready for that.

21 PRESIDING JUDGE TARFUSSER: [14:18:02] Yes. But, you know, he has already
22 difficulty with this one. I can imagine that the difficulty rises if we point out the
23 agreed map with any indication at all on that. But I do agree on the fact that this is
24 not really a very good drawing of a map, first of all, because it's upside down, I mean.
25 It's north-south and not south-north. So this is one first thing which I noted already

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- 1 yesterday.
- 2 But if, I think if the witness says that he can see the Score on this map, we'll see and
- 3 then --
- 4 MR LEDDY: [14:18:51] Just to clarify, your Honour, it's not the witness's sketch.
- 5 It's from the Office of Prosecutor.
- 6 PRESIDING JUDGE TARFUSSER: [14:18:56] Of course, of course, of course, yes.
- 7 MR LEDDY: [14:18:58] Okay.
- 8 PRESIDING JUDGE TARFUSSER: [14:18:59] I know that.
- 9 Let's connect, please. Reconnect.
- 10 THE COURT OFFICER: (Via video link) [14:19:24] Your Honours, the connection
- 11 has been re-established.
- 12 PRESIDING JUDGE TARFUSSER: [14:19:29] Wilfred.
- 13 THE COURT OFFICER: [14:19:34] (Via video link) Yes.
- 14 PRESIDING JUDGE TARFUSSER: [14:19:35] Are we now able to have a paper copy
- 15 of this, or not yet?
- 16 THE COURT OFFICER: (Via video link) [14:19:40] I'm afraid my problem is a
- 17 technical one. My Citrix connection is not responding.
- 18 PRESIDING JUDGE TARFUSSER: [14:20:02] So I don't know what to -- excuse me.
- 19 But have you seen the witness indicating exactly the point where he is requested to
- 20 identify the shop, the Score shop?
- 21 THE COURT OFFICER: (Via video link) [14:20:17] Yes. The witness indicated
- 22 using his finger the terrain Figayo, that rectangular block, terrain Figayo.
- 23 PRESIDING JUDGE TARFUSSER: [14:20:29] Okay, okay. Thank you very much.
- 24 Okay. I would like just to ask you to, when you are able to print, to print it out and
- 25 then sign it, mark it with a pen.

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- 1 THE COURT OFFICER: (Via video link) [14:20:55] Yes.
- 2 PRESIDING JUDGE TARFUSSER: [14:20:56] And then submit it to us. Okay?
- 3 THE COURT OFFICER: (Via video link) Understood.
- 4 PRESIDING JUDGE TARFUSSER: Thank you very much.
- 5 Maître Gbougnon.
- 6 MR GBOUGNON: [14:21:02] (Interpretation)
- 7 Q. [14:21:03] Mr Witness, please hold on until I finish putting my question.
- 8 A. [14:21:15] I've understood.
- 9 Q. [14:21:19] You pointed at the terrain Figayo. Very well. Now, the market
- 10 where you work, where you have your shop, can you please point out more or less
- 11 where it is located on this diagram, more or less?
- 12 A. [14:21:56] I am not able to point to my shop on the map, but it is located in the
- 13 (Redacted) So I'm not able to help you with that one by providing any junction
- 14 or any other details that appear on this diagram.
- 15 PRESIDING JUDGE TARFUSSER: [14:22:40] Mr Prosecutor, did you want to say
- 16 something?
- 17 MR LEDDY: [14:22:42] Thank you, your Honour. I just wanted to raise two points.
- 18 One, if we're going into certain details that were in private session yesterday, we'd
- 19 ask for the same status today, specifically about his place of work.
- 20 Secondly, and to clarify the record, it seems that the witness should be asked whether
- 21 the location, the Score location he's asked to point out on the map is in fact at terrain
- 22 Figayo, rather than having marked it on the map.
- 23 PRESIDING JUDGE TARFUSSER: [14:23:26] I didn't get the second one.
- 24 MR LEDDY: [14:23:30] In substance, your Honour, it's not clear that the witness is
- 25 saying that Score is in fact located at the terrain Figayo. He can't read the map.

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1 PRESIDING JUDGE TARFUSSER: [14:23:41] Yes. I mean, this map was prepared
2 by the Office of Prosecutor, okay. So we're using something which was prepared by
3 you and not something which -- so I think that one can -- this map, so-called map can
4 be used. If he points out this, that there is the Score, that is a fact he has done, then
5 we will interpret it. But I don't understand. And as far as the private session is
6 concerned, well, he mentioned aloud the place where he's working. So he said the
7 name of the market where he's working. So I think this has overcome the whole
8 issue on this aspect.

9 Maître Gbougnon. Yes, Maître Gbougnon.

10 MR GBOUGNON: [14:24:46] (Interpretation) Mr President, I think there is a
11 misunderstanding somewhere and also a lack of knowledge about a number of things.
12 I'm not asking the witness to give me an exact address as to where he was doing his
13 business. I've simply asked him in general to point out the approximate location of
14 the (Redacted). That's one.

15 Secondly, and the Prosecutor by the way is the one who has added that there is a field
16 near the Figayo place. Now, the witness simply said that Score was at the Figayo
17 area.

18 Now, what I'm asking the witness to do is to point at the location of the (Redacted),
19 not about his shop. Otherwise, my question will be pointless. You cannot go
20 forward to ask him to point out his shop. And even if we went into closed or private
21 session, I don't know whether anyone would be able to ask the witness to point out
22 his own specific shop.

23 PRESIDING JUDGE TARFUSSER: [14:26:03] I would now say something, but I don't
24 want to influence the witness.

25 MR GBOUGNON: [14:26:20] (Interpretation) Can I proceed, Mr President?

1 PRESIDING JUDGE TARFUSSER: [14:26:27] Yes.

2 MR GBOUGNON: [14:26:29] (Interpretation)

3 Q. [14:26:34] Mr Witness, as I have been saying to the President, I am not asking
4 you to tell me where your fish business was located specifically. All I'm asking you
5 is to tell us more or less, and I think those who are around you can help you, can you
6 point out more or less -- in relation to the main road on the diagram, can you point
7 out more or less the location of the Sicogi market on this diagram?

8 A. [14:27:14] What I said is that when you get to the Score shop, the road continues
9 towards the Sicogi market. The road then goes onto Terminus 45 or, rather, 25 or 45.
10 So it's the same road that goes by the Score. There are no two Sicogi markets.
11 There is only one Sicogi market.

12 Q. [14:27:55] Okay. Mr Witness, when, when you received the phone call and
13 decided to go back home, your testimony is that you went back along the same road
14 and that you got to the main road around the Score area; is that correct?

15 A. [14:28:30] I went back through the same itinerary. I left the market. I went to
16 Score and then on the way back to the neighbourhood. So it was the same road that
17 I used to go back to our neighbourhood. But I did not get as far as my house.

18 Q. [14:29:04] Yes. Mr Witness, you said, and this is what I asked you, you said
19 that you got to Score on the main road; is that correct?

20 A. [14:29:20] Yes, at the Score junction. The Score shop is located along the main
21 road, and that is the road that we use to go to Sicogi. There is another road that goes
22 from the Score to the Sicogi. There is no other road, by the way, and there is only
23 one Score shop in that area.

24 Q. [14:30:03] So Mr Witness, once you are in front of the Score shop, now, opposite
25 the Score, on the other side of the road, can you see the police station of the 16th

1 district?

2 A. [14:30:20] When one goes to the Doukouré neighbourhood, one passes by the
3 16th police district.

4 Q. [14:30:38] Mr Witness, when you are -- if you are at the Score shop along the
5 main road, can you see the 16th police district from Score? Can you see it?

6 A. [14:30:55] Yes, I can see it.

7 Q. [14:31:05] Now, at that time you were on the main boulevard, at that time was
8 the crowd already there on that road from where you were? Was the crowd already
9 there?

10 A. [14:31:23] No. On my way into the neighbourhood, I saw a large crowd.
11 There were some people who were on the main boulevard. There were many of
12 them. I didn't count how many, but there were many people. And I went past
13 them to get to my own neighbourhood.

14 Q. [14:31:46] Mr Witness, listen to my question carefully so that we can make some
15 progress. You said a few moments ago that the Score shop was on the main road
16 and you could see the 16th. I'm trying to remind you. Now, at that time when you
17 were on the main boulevard in front of the Score shop, from that vantage point, could
18 you already see the crowd on the main boulevard? Could you already see the crowd
19 on the main boulevard when you were in front of the shop? Could you already see
20 the crowd on the main boulevard?

21 A. [14:32:35] The same day? I want to know, but -- and when I'm in front of the
22 Score shop and I see the 16th police station, but as for the crowd -- I really haven't
23 understood your question. I must admit, I haven't quite understood your question.

24 PRESIDING JUDGE TARFUSSER: [14:32:59] Mr Witness, the question is very simple.
25 The question is: If you from that point where you were near the Score shop, you

1 could see the crowd, the people starting the clashes, or not?

2 THE WITNESS: [14:33:35] (Interpretation) I got in front of the Score shop and I
3 saw the crowd on the main road. I went past them and I headed towards my home.

4 MR GBOUGNON: [14:33:55] (Interpretation)

5 Q. [14:33:56] Very well. So already in front of the Score shop, you saw the crowd.
6 And before that your brother had called you and the disturbances had begun. So
7 when you were on the main boulevard, were the disturbances still underway? Were
8 the disturbances still going on? Were they still going on?

9 A. [14:34:31] That's what I said. I saw the crowd on the main boulevard. No one
10 did anything to me. When I got to the neighbourhood, that is when people started
11 throwing stones. So people were throwing stones at our neighbourhood, but the big
12 crowd, there were a lot, a lot of people, and I didn't have any contact with them. I
13 was not threatened. Nothing happened to me. I didn't do anything to anyone.
14 But in the neighbourhood, people threw stones at us. But on the main road, I did not
15 see anyone throwing stones.

16 Q. [14:35:14] So if I've understood you correctly, you were at the Score shop.
17 There was a crowd on the main road. And you walked from the score shop to
18 Doukouré neighbourhood. There was a crowd, but no stone throwing at that time; is
19 that what you are telling us?

20 A. [14:35:38] Main road. I did not see anyone throwing stones. No one threw
21 stones at me. Once we got -- once I got to the Doukouré neighbourhood, that is
22 when the throwing of stones began. Before I got to Doukouré neighbourhood, I
23 didn't see anyone throwing stones. In any event, no stone hit me and I did not -- I'm
24 talking about the throwing of stones when I got to the neighbourhood of Doukouré.

25 Q. [14:36:18] Mr Witness, so you didn't see anyone throwing stones. There was a

1 crowd. So what do you mean when you said that there were disturbances on the
2 main street? Why do you say that? What were people actually doing? You refer
3 to it as disturbances, "troubles" in French.

4 A. [14:36:52] I don't know what -- I got to the neighbourhood. But on the main
5 road, I don't know what people were saying to one another. What I saw in the
6 neighbourhood, I can tell you about that. But that's not the case for what happened
7 within the crowd on the main road.

8 MR GBOUGNON: [14:37:20] (Interpretation) I can see, your Honour, that you are
9 impatient, but I find myself obliged.

10 PRESIDING JUDGE TARFUSSER: [14:37:28] No, no, I'm not impatient.

11 MR GBOUGNON: [14:37:29] (Interpretation) Okay. Thank you.

12 Q. [14:37:33] Mr Witness, now, we weren't there. We're trying to understand.
13 You said that your brother called you and warned you that there were disturbances.
14 You say that you got to the main boulevard. There were people there. Thank God,
15 you said thank God you were able to get to Doukouré without problems. But you
16 mentioned disturbances. So the crowd you saw, I'm not asking you how many
17 people there were, this crowd you saw on the main boulevard, the crowd, that day on
18 the main boulevard, what were these people doing? What were they doing? Were
19 they dancing, singing? Physically, what were they doing?

20 A. [14:38:24] I couldn't tell you. I saw that there was a crowd, but whether they
21 were dancing or singing, I couldn't tell you. I just saw a crowd on the main
22 boulevard. Because no one did anything to me, no one from the main road did
23 anything to me. I continued along my way without any difficulty.

24 PRESIDING JUDGE TARFUSSER: [14:38:56] Mr Witness, we are talking since
25 yesterday about clashes, which in French is "troubles," something like this. What do

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1 you understand by the word clashes? What is the clashes you have seen and you
2 have described and you went into?

3 THE WITNESS: [14:39:45] (Interpretation) That's what I said. When I got to the
4 neighbourhood, people were throwing stones. That's what I mean by disturbances.
5 But on the main road I didn't have any problem. People were throwing stones at the
6 Doukouré neighbourhood. So I wasn't assaulted, so I can't talk about disturbances.
7 So there weren't any, from my point of view, on the main boulevard.

8 PRESIDING JUDGE TARFUSSER: [14:40:22] Maître Gbougnon.

9 MR GBOUGNON: [14:40:26] (Interpretation)

10 Q. [14:40:32] Thank you, Mr Witness.

11 Your Honour, I'll move onto another topic. I'd like to show a map to the witness.

12 But before we show the map to the witness --

13 Mr Witness, your friend, your brother, his body - I'm sorry, I know that this is
14 difficult for you - where was his body, exactly where? What was the exact location?
15 And then after that I will be showing you a map. But could you tell us exactly where
16 his body was. Where did you see his body?

17 A. [14:41:35] Yes, I can tell you. I said that when you get to Saguidiba, there is this
18 place where people play pétangue, boules in French, there is a parking area, and
19 beside that there are some sewers. And that was the place.

20 Q. [14:42:30] Okay. Thank you, Mr Witness.

21 Your Honour, the Blé Goudé Defence team has no further questions.

22 PRESIDING JUDGE TARFUSSER: [14:42:35] Thank you very much.

23 Maître Altit.

24 MR ALTIT: [14:42:39] (Interpretation) Thank you, your Honour. A few moments
25 ago before the identity card was shown to us, Mr O'Shea said that we might have a

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1 few questions, additional questions, but we did not want to delay proceedings.

2 We do have a number of questions, very briefly, and with your leave, I will put them
3 to the witness now.

4 PRESIDING JUDGE TARFUSSER: [14:43:08] Please do.

5 MR ALTIT: [14:43:10] (Interpretation) Thank you, your Honour.

6 QUESTIONED BY MR ALTIT: (Interpretation)

7 Q. [14:43:15] Mr Witness, good afternoon. Can you see me?

8 A. [14:43:18] Yes, I can see you and I can hear you.

9 Q. [14:43:29] I'll introduce myself. I'm Emmanuel Altit. I am the lead counsel
10 defending Mr Gbagbo.

11 A. [14:43:49] Thank you. Good afternoon.

12 Q. [14:43:53] So, Mr Witness, we have just seen your identity card, your Malian
13 identity card. And when you were asked about Mamadou's identity card, you said
14 this just a few moments ago, page 36 of the transcript, line 18 of the French transcript,
15 and I quote, "And what I said, it was said that his card had expired. That is why he
16 was afraid to walk around with such a card." End of quote.

17 And naturally, you were talking about Mamadou. And you showed us your
18 identity card or, at least if I've understood what serves as an identity card, and which
19 was issued by the embassy of Mali.

20 Just so that we understand one another, because we've been talking about all kinds of
21 documents and it's not always quite clear what the documents are all about and what
22 they're used for, when you mentioned Mamadou's identity card, were you talking
23 about an ID card similar to yours, similar to the one that you kindly showed us, a
24 Malian identity card; is that right?

25 A. [14:45:34] Yes. It was a Malian identity card and it's authentic. It's just like

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1 mine.

2 Q. [14:45:47] Very well. Very well. That's very useful. That's very useful to us.

3 And I thank you.

4 So what you are telling us is that Mamadou did not have Malian papers that were

5 valid. Now, this is my question: Did he have documents or a paper of some kind

6 that authorised him to remain within Côte d'Ivoire?

7 I think you understand the distinction. Now, just wait before you answer. I just

8 want to make my question very specific. Do you understand the difference between

9 a Malian document, for example, a Malian ID card issued by the authorities of that

10 country, for example at the Malian embassy, and an Ivorian document issued by the

11 Ivorian authorities? And to stay within Côte d'Ivoire, you need to have this permit.

12 Now, did Mamadou have a document issued by the authorities of Côte d'Ivoire

13 allowing him to stay in that country?

14 A. [14:47:10] Well, I didn't see another document in his possession. What I do

15 know is that he had an identity card. I didn't see him with another identity card or

16 paper.

17 Q. [14:47:32] Very well.

18 PRESIDING JUDGE TARFUSSER: [14:47:35] Maître Altit, I think the question is

19 very complex and goes against the --

20 Was this your intervention, I believe?

21 It goes a little bit against the recommendation to put short questions, without --

22 MR LEDDY: [14:47:51] Your Honour if I may.

23 PRESIDING JUDGE TARFUSSER: [14:47:53] Yes.

24 MR LEDDY: [14:47:53] It's also outside of the scope of the type of questions that the

25 Defence asked to examine about. It's not about this witness's ID card. It's about

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1 Mamadou's ID card.

2 PRESIDING JUDGE TARFUSSER: [14:48:03] Yes.

3 MR LEDDY: [14:48:03] Secondly, there is a question as to the relevance of

4 Mamadou's legal status in Côte d'Ivoire at the time.

5 PRESIDING JUDGE TARFUSSER: [14:48:12] Well, on the third I do not agree so

6 much, but I agree on the fact that, I mean, what does he know about -- first of all,

7 shorter questions. Second, why it's not his identity card but of somebody else, so his

8 knowledge is naturally limited, if any.

9 So please go ahead.

10 MR ALTIT: [14:48:47] (Interpretation) Thank you, your Honour. If I could

11 respond, I do take note of what you have said. Now, I believe the question has been

12 understood by the witness. He's answered. Sometimes the question is short and he

13 seems not to understand. But this time he seems to have understood. He answered.

14 I took note, yes, you want brief questions.

15 Now, the witness has given testimony and, unless I'm mistaken, he said that he

16 helped his friend or his brother Mamadou with his paper. And so I think he is in a

17 good position to know what Mamadou had or did not have. So I think this will

18 allow us to shed some light on the whole issue of these identity papers. I think it is

19 relevant. There is a problem. This witness, if I've understood correctly, this witness

20 has a problem with papers, with identity papers.

21 May I go on, your Honour?

22 PRESIDING JUDGE TARFUSSER: [14:49:56] All right.

23 Mr Prosecutor?

24 MR LEDDY: [14:49:57] Very briefly, Your Honour, I don't believe Defence is

25 characterising the witness's testimony correctly. The papers that this witness

1 testified helping Mamadou with were about his death, not about his identity. And if
2 that is what the Defence is suggesting, we would request a transcript cite to that
3 effect.

4 PRESIDING JUDGE TARFUSSER: [14:50:20] Mr Witness, what was the problem
5 with the ID card of Mamadou?

6 THE WITNESS: [14:50:53] (Interpretation) That's what I said. He told me that he
7 wasn't going about with his identity card because it had expired, and even before he
8 died, he said that, but -- so there you have it. That's what I said. I'm just repeating
9 what he told me.

10 PRESIDING JUDGE TARFUSSER: [14:51:18] And did he ask you something in
11 relation to his expired identity card?

12 THE WITNESS: [14:51:50] (Interpretation) That is what I said. He explained to
13 me why he was not going out with his papers, his ID card. He was afraid to go out
14 with an identity card that had expired.

15 PRESIDING JUDGE TARFUSSER: [14:52:06] Yes. My question was did he ask you
16 to help him to do something, maybe to renew or whatever in relation to his expired
17 identity card?

18 THE WITNESS: [14:52:31] (Interpretation) No, no, no. No. He didn't ask me to
19 help him get another identity card, and I didn't say that either.

20 PRESIDING JUDGE TARFUSSER: [14:52:49] Okay. Is there something else you
21 want to ask? Because we have 7, 8 minutes before the break, and we have to finish
22 in the next few minutes. And I have hard times to understand the relevance of this
23 questioning.

24 MR ALTIT: [14:53:08] (Interpretation) Three more questions with your leave, your
25 Honour, and I think I'll be done.

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1 Q. Just to explain matters to the Chamber and my learned friends, yesterday's
2 transcript page 51, line 20, Mr Witness, this is what you said yesterday, I repeat, line
3 15, you answered a question about these papers, I quote, "It was his ID card and his
4 consular card."

5 So this had nothing to do with the death of the person. I think it's all quite clear. I
6 will move on to my next question, I think. It's all quite clear now.

7 PRESIDING JUDGE TARFUSSER: It is.

8 MR ALTIT: (Interpretation)

9 Q. He didn't have a proper Malian ID card. He didn't have Ivorian papers that
10 were in order either. So he didn't have any valid papers. Is that what you are
11 telling us?

12 A. [14:54:40] What I said was that the identity card that he had was his Malian ID
13 card, which had expired. And he didn't want to be out and about with that card.
14 That was the reason. Other than that, he didn't have any other document, no other
15 identity card from Mali.

16 Q. [14:55:15] Very well. Now, is that the reason for your telling us earlier, I've
17 already quoted you, page 26, today's transcript, "That is why he was afraid to go
18 about with such a card." End of quote.

19 I'd like to ask you a more specific question. When you say that he was afraid, do
20 you mean he was afraid of the police? You think he was -- was he afraid of being
21 detained, arrested by the police? Was that his fear?

22 A. [14:55:55] But he, he told me that. If he said that he was afraid, you have to
23 believe that. He told me he was afraid of going around with that ID because as a
24 foreigner, the card had expired. I can't say anything more than that. So he is the
25 one. I can't say.

1 Q. [14:56:28] Of course, of course. Did he tell you, all the same, did he tell you
2 whether he was afraid of the police because his status was irregular?

3 A. [14:56:50] He told me that his card had expired and he was afraid to go around
4 with it. That is what I said. And there were disturbances in the city. And with a
5 foreign ID you find yourself in a tight spot, particularly since the card had expired.
6 And people were saying, well, that's an ID card of a Dioula guy. That's what he said
7 to me.

8 Q. [14:57:28] One last question. Now, you yourself, sir, did you find yourself
9 within a group of people who were throwing stones, and if so, did you throw any
10 stones yourself?

11 A. [14:57:45] When I got to my neighbourhood, we were driven away. We fled.
12 And we were in the neighbourhood. Personally I did not throw any stones at all.
13 We found ourselves in the neighbourhood. They were chasing after us and we went
14 down, we withdrew. Maybe other people threw stones or pebbles, but not me.

15 Q. [14:58:27] Thank you.

16 And, Mr President, I thank you as well for your patience.

17 PRESIDING JUDGE TARFUSSER: [14:58:35] Thank you very much.

18 Is there a request for re-questioning by the Office of the Prosecutor?

19 MR LEDDY: [14:58:50] We have no further questions for this witness, your Honour.

20 PRESIDING JUDGE TARFUSSER: [14:58:54] Thank you very much.

21 Mr Witness, this concludes your testimony. Thank you for having been with us for
22 these two days. You can now go back to your normal occupation. Thank you.
23 Thank you also to Wilfred.

24 And now I think we stop here. We have the break, the half an hour break and we
25 will start –

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- 1 (The witness is excused)
- 2 THE COURT OFFICER: (Via video link) [14:59:27] Your Honour --
- 3 PRESIDING JUDGE TARFUSSER: [14:59:28] -- and we will start with the next
- 4 witness, right?
- 5 THE COURT OFFICER: (Via video link) [14:59:32] My apologies. I would like to
- 6 request for a clarification.
- 7 PRESIDING JUDGE TARFUSSER: [14:59:37] Yes, please.
- 8 THE COURT OFFICER: (Via video link) [14:59:38] With regards to the map, I would
- 9 need to request the authorisation to provide the witness with a printout of the map
- 10 during the break and have him mark and sign it.
- 11 PRESIDING JUDGE TARFUSSER: [14:59:52] Yes.
- 12 THE COURT OFFICER: (Via video link) [14:59:54] During the break before the next
- 13 witness.
- 14 PRESIDING JUDGE TARFUSSER: [14:59:56] I mean, you're a public official, right?
- 15 THE COURT OFFICER: (Via video link) [15:00:00] Yes.
- 16 PRESIDING JUDGE TARFUSSER: [15:00:00] So you do the job. You have seen
- 17 everything what the witness did, and we trust that you do and sign where the witness
- 18 has pointed out that the Score shop is.
- 19 THE COURT OFFICER: (Via video link) [15:00:15] Understood.
- 20 PRESIDING JUDGE TARFUSSER: [15:00:16] Okay?
- 21 THE COURT OFFICER: (Via video link) [15:00:18] Thank you.
- 22 PRESIDING JUDGE TARFUSSER: [15:00:19] Thank you very much. So we stop
- 23 here. We come back in half an hour. That's enough for you, right, for the change
- 24 of --
- 25 THE COURT OFFICER: [15:00:29] (Via video link) That should be enough for us,

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1 yes.

2 PRESIDING JUDGE TARFUSSER: [15:00:30] Okay. Thank you very much. The
3 hearing is adjourned.

4 THE COURT USHER: [15:00:32] All rise.

5 (Recess taken at 3 p.m.)

6 (Upon resuming in open session at 3.39 p.m.)

7 THE COURT USHER: [15:39:13] All rise.

8 Please be seated.

9 PRESIDING JUDGE TARFUSSER: [15:39:44] Good afternoon.

10 Good afternoon, Mr Witness, in the remote location. Can you hear me?

11 THE COURT OFFICER: [15:40:06] (Via video link) Your Honours, I'm afraid we
12 only have the English interpretation.

13 PRESIDING JUDGE TARFUSSER: [15:40:11] We only have? What did you say?

14 THE COURT OFFICER: [15:40:15] (Via video link) The interpreter has interpreted
15 into French now.

16 PRESIDING JUDGE TARFUSSER: [15:40:19] Okay.

17 THE COURT OFFICER: [15:40:20] (Via video link) We had English interpretation
18 only.

19 PRESIDING JUDGE TARFUSSER: [15:40:31] I don't know when everything is
20 ready.

21 Mr Witness, can you hear me, or better, can you understand me?

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23 (The witness speaks French)

24 (The witness gives evidence via video link)

25 THE WITNESS: [15:40:48](Interpretation) Yes, I can hear you. I can understand

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1 you also.

2 PRESIDING JUDGE TARFUSSER: [15:40:55] Thank you very much.

3 We start today with your testimony in this trial. And in order to do so the first thing
4 is to identify you. So could you please give us your complete name, the date and
5 place of birth.

6 THE WITNESS: [15:41:30](Interpretation) My name is Fadiga Mamadou. I was
7 born on 7 April 1967 in Ganhoué. It is in the Touba region.

8 PRESIDING JUDGE TARFUSSER: [15:41:47] You are an Ivorian citizen, I believe?

9 THE WITNESS: [15:41:56](Interpretation) Yes, I am Ivorian.

10 PRESIDING JUDGE TARFUSSER: [15:41:58] Can you tell us your ethnicity and
11 your faith.

12 THE WITNESS: [15:42:13](Interpretation) I'm from the Malinké ethnic group and I
13 am Muslim.

14 PRESIDING JUDGE TARFUSSER: [15:42:19] Thank you very much, Mr Witness.

15 We will all continue to call you "Mr Witness" and not with your name. I just want to
16 tell you some preliminary, to give you some preliminary information. First, that you
17 can rest assure that we will take care of all your problems you might have. If you
18 have -- if you need assistance, if you think you have any need, just address those
19 issues to me at any time. This is the first thing.

20 The second thing is the language issue, you are testifying in French and this Court -- I
21 hear always this noise in the ear of something happening in the field, which is not
22 very nice to hear all the time. Thank you.

23 So I spoke about the language. You are testifying in French and I'm speaking in

24 English, so you may realise that what we are saying has to be translated and

25 transcribed in English and in French. And in order to do so as exactly, as accurately

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1 as possible, we need to speak slowly in order to give to the people in the booth up
2 here in The Hague the possibility to do their job at best. So please speak slowly and
3 pause from time to time, speak clearly in order to help us to understand, to translate
4 and transcribe better. Have you understood?

5 THE WITNESS: [15:44:49](Interpretation) Yes, I understood you well.

6 PRESIDING JUDGE TARFUSSER: [15:44:51] Thank you.

7 Now we come to your testimony. You obviously are aware that this Chamber in the
8 International Criminal Court has been established to try the case of the Prosecutor
9 against Mr Gbagbo and Mr Blé Goudé. And you as a witness to this trial called by
10 the Office of the Prosecutor, you are here, first and foremost, to assist the Chamber in
11 the search of the truth. This means that your only duty, your only obligation is to
12 respond to the questions which will be put to you by the Office of the Prosecutors and
13 the parties, the Defence teams, to respond truthfully. This is the only obligation you
14 have, to respond and to respond truthfully.

15 And to this effect the law requests that you make a solemn undertaking. And I think
16 you have a formula in front of you, or which the court officer is giving to you, and I
17 ask you to read this formula out.

18 THE WITNESS: [15:46:37](Interpretation) Solemn undertaking. I solemnly declare
19 that I shall speak the truth, the whole truth and nothing but the truth.

20 PRESIDING JUDGE TARFUSSER: [15:46:49] Thank you very much. I think you
21 are also aware that saying -- not saying the truth can have consequences as it is an
22 offence against the Court.

23 Can I please ask the remote location to stop it, to make noise, please.

24 THE COURT OFFICER: [15:47:14] (Via video link) Your Honours, I've informed the
25 case officer at the field. I will remind him to inform the staff members here.

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1 PRESIDING JUDGE TARFUSSER: [15:47:21] Yes, please, because we are
2 ear-tapped and you can imagine that this is not very nice to hear these noises.
3 So I said that saying -- not saying the truth, giving false testimony is an offence
4 against the Court and as such punishable. You have understood this, right?

5 THE WITNESS: [15:47:55](Interpretation) Yes, I understand.

6 PRESIDING JUDGE TARFUSSER: [15:47:57] So before giving
7 now the floor to the Office of the Prosecutor for a little bit more than one hour, I just
8 tell you that after we will stop here at 3 o'clock local time, 5 o'clock The Hague time,
9 and then we will go to Monday to continue your examination, okay?

10 The floor is --

11 THE WITNESS: [15:48:27](Interpretation) Yes.

12 PRESIDING JUDGE TARFUSSER: [15:48:28] The floor is to the Office of the
13 Prosecutor. And I would also urge the Prosecutor to go straight to the point. I
14 think we had -- we did all the recommendations, just start the questioning.

15 MS CHUBIN: [15:48:43] Thank you, Mr President.

16 QUESTIONED BY MS CHUBIN: (Interpretation)

17 Q. [15:48:47] Good afternoon, Mr Witness. I'm Yasmine Chubin, and we met
18 during the courtesy meeting.

19 A. [15:48:59] Yes.

20 Q. [15:49:02] I will ask you some questions on your education and your
21 professional career to begin with.

22 Is it correct that you went up to terminal class before learning to be an electrician?

23 A. [15:49:24] Yes.

24 PRESIDING JUDGE TARFUSSER: [15:49:25] First, slow down. And I
25 would -- can we not jump like what they did in school. I mean, does this add

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1 something?

2 MS CHUBIN: [15:49:38] It's just --

3 PRESIDING JUDGE TARFUSSER: [15:49:39] Is it relevant to the case?

4 MS CHUBIN: [15:49:44] Yes, your Honours, there's two, three background
5 questions that will lead to questions relevant to the case.

6 PRESIDING JUDGE TARFUSSER: [15:49:50] Okay.

7 MS CHUBIN: (Interpretation)

8 Q. [15:50:03] I will repeat, you worked for 10 years in the Ivorian electricity
9 company before you became an independent electrician; is that correct?

10 A. [15:50:15] Yes, from 1997 to 2006.

11 Q. [15:50:25] And today what is your current occupation.

12 A. [15:50:32] The same profession, electrician.

13 Q. [15:50:36] Which is your political party?

14 A. [15:50:42] I'm a militant of the RDR, the Rassemblement des républicains.

15 Q. [15:50:49] Since when have you been a militant of the RDR?

16 A. [15:50:55] Since 1994.

17 Q. [15:51:03] And before that you were a member of which party?

18 A. [15:51:07] Before the RDR, I was a member for a short while of the FPI.

19 Q. [15:51:20] During the post-election crisis, 2010-2011, did you have a role in the
20 RDR?

21 A. [15:51:33] Before the elections?

22 Q. [15:51:34] Yes.

23 A. [15:51:35] Yes, I had a position in my party. My duty was to organise
24 militants and to guide them in anticipation of the elections. So I was a section
25 secretary, a grassroots officer within the party. So I was a local officer in my party.

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1 Q. [15:52:15] You are a grassroots officer in your party, now or in 2010?

2 A. [15:52:22] Already in 2010 I was secretary of the section, and that is the
3 Terminus 40 section. And after the elections, I changed sections, so now I am
4 secretary of SOGEFIA 6 section.

5 THE INTERPRETER: [15:52:43] Mr President, the pause, the pause.

6 MS CHUBIN: [15:52:54] (Interpretation)

7 Q. [15:52:54] Who is the political commissioner of your district?

8 A. [15:53:00] Mr Touré Adama is the political commissioner of our district.

9 Q. [15:53:08] And do you know each other?

10 A. [15:53:12] I would like to clarify something there. In 2010, during the events,
11 the political commissioner was Mr Touré Adama, but right now he has set himself
12 aside and Mr Diomandé Adama is the new political commissioner.

13 Q. [15:53:41] And the political commissioner in 2010, Mr Adama Touré, you knew
14 him in 2010?

15 A. [15:53:50] Yes, I had known him even well before 2010.

16 Q. [15:54:00] And how did you get to know each other?

17 A. [15:54:03] Well, we worked for the same political party. He was my immediate
18 superior in the party in the locality. So we were his direct collaborators. So we
19 meet together before decisions are sent up to a higher level.

20 Q. [15:54:29] And before the post-election crisis, did you have any relationship
21 with members of the FPI?

22 A. [15:54:39] Yes. What type of relations do you mean specifically?

23 Q. [15:54:43] It is up to you to tell us.

24 A. [15:54:50] As I have said, before joining the RDR in the years 1991, I was a
25 member of the FPI. So of course I knew some of the militants and officers of the FPI

1 in my neighbourhood. And we have been in that neighbourhood for many, many
2 years, and we know -- we have known ourselves from several generations. We are
3 friends, we know each other.

4 Q. [15:55:38] Did that relationship change at any time?

5 A. [15:55:45] Yes. The relationship started changing when the Republican Front
6 Alliance was broken, and then the FPI took over power.

7 Q. [15:56:15] And did you remain in contact with the FPI members that you knew
8 once their FPI took over power?

9 A. [15:56:29] Yes, but not working contacts, but just as neighbours in the
10 neighbourhood and also as friends. There was little mistrust between us, even when
11 we were political adversaries. We had contacts, but superficial relationships.

12 Q. [15:57:17] Can you give us examples of the types of activities that you were
13 carrying out as the RDR representative during the elections?

14 A. [15:57:32] Very well. As a grassroots officer, as I was telling you, we had a
15 certain number of militants to manage on a well-defined territory. We had various
16 units of our party, and the smallest you need is the comité de base which is made up
17 of at least 25 members. And a section is made up of several comité de base, about 10
18 of them, so that would make about 250 people in a given zone or area.

19 So the section's secretary manages that section. So all problems relating to politics,
20 elections, enlistments, enrolments on the electoral lists, preparation for the
21 campaigns, the campaign itself, all those things are the responsibility of the section
22 secretary in his area. And that is the work that we were doing prior to the elections
23 of 2010.

24 Q. [15:59:10] And for the two rounds of the elections themselves, did you have
25 any particular role to play?

1 A. [15:59:21] Yes, obviously I played a role. As I told you, there were a certain
2 number of militants under my authority, things that have to do with documents,
3 misspelt names and so on. So they address themselves to us and we tried to get
4 those problems corrected.

5 So we are the ones at the core of the activities, the practical activities. Even the
6 recruitment of officers who will monitor the polling for us, transport the results and
7 so on, so we are the ones who do that under the authority of the political
8 commissioner.

9 So I had a role. I carried out a campaign and I made sure that people were correctly
10 registered on the electoral lists and that they had withdrawn their election cards.

11 And after that we organised the campaign. And we would recruit from amongst our
12 militants those who would represent us in the polling stations. So we were the ones
13 doing that. So I was managing those things.

14 THE INTERPRETER: [16:00:48] Mr President, if the witness can be reminded to
15 slow down. He's speaking really, really fast.

16 PRESIDING JUDGE TARFUSSER: [16:00:55] Yes, Mr Witness, please speak slower.

17 THE WITNESS: [16:01:05](Interpretation) Thank you. Duly noted.

18 MS CHUBIN: [16:01:15] (Interpretation)

19 Q. [16:01:15] Now, when you were managing these two polling places or polling
20 stations, did you personally learn of any particular incident?

21 A. [16:01:32] Well, I must say that the elections unfolded in two rounds. During
22 the first round of voting there was no major problems, just minor problems. At the
23 various polling stations, in some cases supporters were not allowed to vote. People
24 gave the pretext that they were not Ivorians, so they were intimidated. That was
25 during the first round of voting.

1 It was during the second round of voting, that is when the problems became more
2 serious, because I remember during the second round of voting we were monitoring
3 the polling stations and one of our officials, a supervisor, because you must realise
4 we're actually there at the polling stations while others have to shuttle between
5 various polling stations to coordinate activities, and so one of our supporters who
6 was being supervised and he reported that there had been shots fired at some of our
7 people at a station in our district at the EPP Sicogi 10 primary school. So that is what
8 he told me. And so we had to be very vigilant and keep a close eye on things.

9 Q. [16:03:23] Do you remember the name of the person who told you about this?

10 A. [16:03:28] Yes, elder brother Cissé. He was one of the supervisors. He was
11 the one who told me that.

12 Q. [16:03:46] Very well. I'll move on to another topic now.

13 I'd like to know whether the 2010-2011 election, do you know whether there were any
14 militia members in your neighbourhood?

15 A. [16:04:08] We knew that because when the 2002 crisis broke out, I think
16 that -- I think it was in 2003 or 2004. In the various neighbourhoods we saw that
17 young people, young supporters of the FPI, were being recruited here and there
18 throughout the neighbourhoods. And the intelligence we received was that people
19 wanted to enlist them in the army so that they could provide assistance to the regular
20 army forces. So these recruitment efforts began and so training began as well. We
21 could see that as well. In Yopougon and elsewhere, Port --

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

23 THE WITNESS: [16:05:12] (Interpretation) We could see various groups working
24 out. They had instructors with them and so on and so forth. So we knew that
25 people were being trained to go and help fight on the front.

1 MS CHUBIN: [16:05:36] (Interpretation)

2 Q. [16:05:36] You mentioned 2002 to 2004. Now, after 2004, did you see these
3 militia members again?

4 A. [16:05:45] Yes. Once that period of time had gone by, they disappeared for a
5 while. We no longer saw them running through the streets. We no longer saw
6 them running, but after, after the second round of elections in 2010, we saw them
7 reappear. We saw them, they reappeared after the results of the second round.

8 MR O'SHEA: [16:06:15] Your Honour.

9 PRESIDING JUDGE TARFUSSER: [16:06:16] Mr O'Shea.

10 MR O'SHEA: [16:06:17] Um, yes, I would please request that my learned friend
11 refrain from using her own terminology. I think she knows what I mean.

12 PRESIDING JUDGE TARFUSSER: [16:06:30] Me too.

13 MR O'SHEA: [16:06:32] Yes.

14 PRESIDING JUDGE TARFUSSER: [16:06:45] This is what I asked you to do
15 yesterday.

16 MR O'SHEA: [16:06:47] That was far less serious, with respect. Information and
17 message.

18 PRESIDING JUDGE TARFUSSER: [16:06:54] But from the fact --

19 MR O'SHEA: [16:06:55] Yes.

20 PRESIDING JUDGE TARFUSSER: [16:06:56] -- actually, it was the same.

21 MR O'SHEA: [16:06:58] Technically speaking.

22 PRESIDING JUDGE TARFUSSER: Technically speaking, yes.

23 MS CHUBIN: [16:07:02] It is noted. Thank you.

24 Q. [16:07:12] (Interpretation) Now, these young FPI people, when you saw them
25 once again after the second round, where did you see them exactly?

1 A. [16:07:25] I saw them in various places; in my own neighbourhood, at one time,
2 when there were disturbances in Abobo, when there were disturbances in Abobo, I
3 noticed that every morning -- you see, there's a bus station in my neighbourhood and
4 each morning they would gather there and military vehicles would fetch them and
5 transport them. I saw that regularly. They would -- they would take them. I
6 don't know exactly where they went, but they would leave the neighbourhood and
7 head towards -- they'd take the road that led to the military camp.

8 Q. [16:08:21] What kind of military vehicles?

9 A. [16:08:27] We call them cargoes in our part of the world. They're, you know,
10 personnel carriers, military personnel carriers.

11 Q. [16:08:39] And these young supporters, what were they wearing?

12 A. [16:08:47] At first they were wearing civilian clothing, but gradually, as time
13 went by, we saw that they were wearing military clothes, either -- well, perhaps a
14 T-shirt and then camo fatigue pants or vice versa. So gradually they transitioned
15 towards entirely military clothing.

16 Q. [16:09:34] Now, other than the bus station, where else did you see them?
17 Would you see them elsewhere?

18 A. [16:09:42] Yes. The same thing was going on in other neighbourhoods. And
19 since I was not in those neighbourhoods, I really can't give specific information, but in
20 my own neighbourhood that's what happened. And I heard from others that in
21 other communes, other neighbourhoods in Yopougon, it was the same thing going on.
22 It was by word of mouth.

23 Q. [16:10:16] And when you would see them, did you recognise some of them, or
24 were they people unfamiliar to you?

25 A. [16:10:26] Well, a bit of a mixture. The people I saw at the bus station, a lot of

1 them I didn't know, but I -- all the same, I did recognise a few of them. Often, you
2 see, they would come back, and when they came back to the neighbourhood, I saw a
3 few with weapons and also with hoods on their heads. That's what, well, I -- but
4 many of them I didn't recognise.

5 Q. [16:11:12] And you say you saw them with weapons. What kind of weapons?

6 A. [16:11:17] Kalashnikovs, military -- military weapons, Kalashnikovs.

7 Q. [16:11:34] Do you know whether they had a leader in your neighbourhood?

8 A. [16:11:37] A leader in my neighbourhood? Well, I -- I couldn't really tell you.
9 How should I put it? Well, whether they had a -- what kind of leader? What do
10 you mean?

11 Q. [16:12:00] Do you know how they were chosen?

12 A. [16:12:04] Yes. Now, during the recruitment, for instance, in the
13 neighbourhood Yao Séhi, Yao Séhi neighbourhood, a young person there by the name
14 of Kobri, he was from the north, Kobri. I recognised him, because I told you at one
15 point I flirted with another political party, the FPI, and you see, he was a recruiter.
16 When it started at first he was at a table. In front of him people would come up to
17 him with stuff and he would draw up a list, he would register them, and that was
18 broadly known, in plain daylight. And then later the people he -- he recruited, we
19 would see them later wearing sports clothing and they would be working out,
20 exercising, doing military exercises and the like.

21 So that's the recruitment that I saw. Maybe the same thing happened in other
22 neighbourhoods, but I did see him -- I did see him enlisting young people and then
23 later these young people wearing sports clothing. And at the time there were
24 various groups, different groups.

25 THE INTERPRETER: [16:13:41] Interpreter correction: The name provided was

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1 Kobri, not Obri. Kobri.

2 MS CHUBIN: [16:13:52] (Interpretation)

3 Q. [16:13:52] And did you yourself see them doing these exercises?

4 A. [16:13:57] Yes, yes. First of all, everyone was -- saw them in the street. And
5 I remember once, once or twice, yes, I went behind the police station of the 16th
6 arrondissement, the police station of that arrondissement. I went behind and -- you
7 see, because at that time -- well, it's different now, but at the time there was broad,
8 wide-open area, and when they could, they would go there and finish their run there
9 and do various military exercises. They would crawl, military exercises. And there
10 was someone there called La Machine. He was their instructor, The Machine. The
11 Machine, that was his name. And he was -- he was like a Navy SEAL kind of guy, a
12 commando. A few times I was there and I saw them working out and doing these
13 things. That's what I saw.

14 Q. [16:15:18] And the two times that you were there, do you --

15 A. [16:15:23] I can't give you an exact date, but it was 2003 and 2004, around then.
16 2003 and 2004. The crisis in Bouaké, about that time. And you see, we said to
17 ourselves, "They're being trained to be sent to the front." That's what we were
18 thinking.

19 Q. [16:15:51] Now, you've mentioned Kobri. When was that exactly?

20 A. [16:15:59] I haven't understood.

21 Q. [16:16:01] When you mentioned Kobri, the one who was recruiting young
22 people.

23 A. [16:16:06] Yes.

24 Q. [16:16:06] When was that?

25 A. [16:16:09] Same period, just after the recruitment. That was when they began

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1 the exercises, that is to say they would be recruited, and then one or two months later,
2 the ones who had been recruited, we would see them wearing their uniform, each one
3 had a uniform, and they would be running or doing exercises after the recruitment,
4 after the enlistment. Same period of time, 2003, 2004.

5 Q. [16:16:46] And in 2010, 2011, did you hear about Kobri's activities?

6 A. [16:16:52] Well, his activities at that time, I have no longer any knowledge of
7 that, those activities at that time. I don't know about those activities, but what I do
8 know is that right now apparently he is in exile. Apparently, he is now in exile.
9 That's what I do know. But in 2010, well, at that time I didn't know what he was
10 doing.

11 Q. [16:17:28] Do you know what other name he went by?

12 A. [16:17:31] No.

13 Q. [16:17:53] You told us that in 2010 you would see these young people, they
14 reappeared?

15 A. [16:17:58] Yes.

16 Q. [16:17:58] Where did you see them?

17 A. [16:18:01] I said that earlier. I said that when the crisis broke out in Abobo,
18 we would see them at the bus station. It was a gathering place for them. Many of
19 them would come. And I recognised a few of them. They were from my
20 neighbourhood, my area. But the other ones I didn't know. Since it's a central spot,
21 it was a gathering spot, so they would be picked up in the morning, and in the
22 evening they would return. And they had weapons. I can confirm that they did
23 have weapons.

24 Q. [16:18:45] And who would come and get them?

25 A. [16:18:51] The military --

1 THE INTERPRETER: [16:18:54] Inaudible.

2 MS CHUBIN: [16:18:57] (Interpretation)

3 Q. [16:18:58] Did you see any training going on at the time?

4 A. [16:19:01] No. At that time, no. No, no, no, there was no longer any training
5 at that time.

6 THE INTERPRETER: [16:19:19] Interpreter correction: Line 19, it was the military
7 cargos, the military personnel carriers.

8 MS CHUBIN: [16:19:28] (Interpretation)

9 Q. [16:19:30] I'll now move on to something else. Could we now ask you a few
10 questions about 25 February and those events. And please focus on what you saw
11 and experienced yourself. Do you remember that day?

12 A. [16:19:48] Yes, I remember that day. I can't forget it. I can never forget it,
13 because that was the day things started in Yopougon. That's when everything
14 started in Yopougon. And that day, 8.30 or 9 in the morning I left my house, it was a
15 Friday. And I went and saw an elder person at a grin. A grin is a place where
16 people gather to talk, young people, and you drink tea. So we would regularly meet
17 there.

18 That morning I went there, like other mornings when I didn't have other things to do.
19 So I went to the grin. And so I was there and we started to hear news to the effect
20 that some young people with handguns were causing panic in Yao Séhi
21 neighbourhood, in the Yao Séhi neighbourhood. And we started to hear these
22 reports from people who had come from the Sicogi towards our area.

23 So this news kept coming back, and time and time again people came back, they were
24 looking scared. They were saying young people with weapons were engaging in
25 provocation. We didn't know exactly what was going on. And so when that kind of

1 thing happens and the news is being passed on, and considering the general
2 atmosphere, and when you consider the election results, we said to ourselves: This,
3 this might be the beginning of a conflict, an attack by RDR supporters, because
4 opposite the Yao Séhi neighbourhood on the other side of the main road in
5 Yopougon, the Ouattara boulevard, and that main road goes by the police station of
6 the 16th, on each side of this main road, well, you have the Yao Séhi neighbourhood
7 on one side and mostly FPI supporters live there. On the other side, on the mosque
8 side, you have the Doukouré neighbourhood, and that neighbourhood is mostly RDR
9 supporters.

10 So from time to time in the past there had been skirmishes. There had already been
11 skirmishes between the two neighbourhoods for various reasons, sometimes because
12 of rallies. So we started to hear reports to the effect that some young people from the
13 Yao Séhi neighbourhood with weapons had been provoking people.

14 Then we thought that this was provocation and there would be an attack upon
15 Doukouré neighbourhood. So we started to send out instructions. Myself, I started
16 to call people here and there, and I was asking people what was really going on there.
17 Since the way our areas are divided up, Doukouré is the responsibility of another
18 official, Mr Diomandé Adama. He was the one who was part -- who is in charge of
19 that area, and he was the one who was to become the new political commissioner and,
20 well, he was on an acting basis.

21 I called him and I asked him what was going on. He confirmed the information and
22 he said that it was an alert. They didn't know what was going to happen.

23 Q. [16:24:30] You said that you began to issue instructions once you had received
24 this information. What instructions did you give and to whom?

25 A. [16:24:42] Since it was Friday, and the Friday prayers are at the mosque in

1 Doukouré neighbourhood, already we had relatives and friends who were getting
2 ready to go to Friday prayers. So when we saw people going by, we said: No, no,
3 no, there's no point. Better to stay and just wait and see. That's what we were
4 telling people.

5 And when we said that to someone, we also said tell your friends and relatives.

6 Those were the instructions we were giving. And we started to make arrangements
7 within the sub-préfecture. And after that we began to see -- we began to hear
8 gunshots, we began to hear gunshots from -- well, we could tell that the gunshots
9 were from light-calibre weapons, handguns, that sort of thing, light-calibre weapons.

10 As time went by we heard heavier weapons, maybe Kalashnikovs. We heard louder
11 noises, louder than the noise from a handgun. And once or twice we heard real
12 booms, and we could tell -- well, two -- we could hear these two or three times, big
13 booms. And at the same time some young people were coming towards Yao Séhi
14 and they were crossing our neighbourhood with paint, cans of paint, other things that
15 certainly had been stolen. They certainly were pillaged, looted items because, you
16 see, Doukouré has a lot of shops, hardware stores, building materials and so on and
17 so forth.

18 So we started to see these young guys, no T-shirt on, carrying cans of paint, other
19 things that they had looted, and they were going through the neighbourhood.

20 Q. [16:27:29] I'll interrupt you at this point.

21 Now, as you were hearing the shots, where were you exactly?

22 A. [16:27:45] We were at the grin.

23 Q. [16:27:47] Very well.

24 A. [16:27:49] We were at the grin. And when the first shots were fired, we
25 started to become more and more worried. And some of our friends went onto the

1 main street to see from afar what was going on, because from the main street, if you're
2 on the main street, you can see the theatre of operations, you can see it from far away.
3 So some of them ran there so that they could see what was going on from the main
4 road. It was getting pretty crazy, it was chaotic. They wanted to know what was
5 going on in Doukouré. But we were at the grin, and we were -- you see, an alert had
6 been issued, we were very much on our guard.

7 Q. [16:28:50] I'd like us to go back to a number of details.

8 Now, when you heard the shooting, did you know what time it was approximately?

9 A. [16:29:01] The shooting, the shots began around noon if I recall correctly,
10 around noon if I recall correctly, around noon.

11 Q. [16:29:16] You mentioned a mosque that the people from the grin would go to
12 on Friday. Do you remember the name of that mosque?

13 A. [16:29:29] They call it the Sideci Antenne mosque. The Sideci Antenne
14 mosque.

15 Q. [16:29:47] And do you know what the distance is, well, even an approximate
16 distance between the grin and the main road?

17 A. [16:30:00] Well, 50 metres, 50 metres, 60 metres, something like that. But that
18 50 or 60 metres, that's actually a whole row of houses. You see, from the grin you
19 have to go, cross through where these houses are to get to the main road. So you
20 have to cross this row of houses, about 50 or 60 metres to get to the main road, and
21 from there from a distance you can see the theatre of operations.

22 Q. [16:30:40] You have talked about certain young people who had cans of paint
23 that had been looted. These young people, were they moving on the main road or in
24 front of the grin?

25 A. [16:30:59] From my position I could no longer see what was happening at the

1 grin. I did not dare go to the main road. I was a political leader, and I was known
2 in the area, so in such circumstances you have to be very cautious and vigilant. So I
3 did not go to the main road. I remained in the grin, and I left instructions to those
4 who could see what was happening.

5 It should be said that the neighbourhood is a neighbourhood where houses are very
6 tight together. There are so many alleys and corridors, and people would pass
7 through those alleys and disappear.

8 Q. [16:31:59] And how were these young people dressed?

9 A. [16:32:03] Many of them were bare-chested, in fact. They were carrying the
10 goods. Some of them were fully dressed also, but many were bare-chested. Some
11 had cans of paint. And everyone was carrying their loot. And they disappeared
12 into thin air.

13 Q. [16:32:29] Apart from the loot, were they carrying anything else?

14 A. [16:32:35] No, no. Those who were passing by there had nothing other than
15 what they had looted. It was only afterwards that we started seeing others with
16 clubs and iron bars, but this was afterwards. The first who passed by were not
17 armed, but later on the others came by with iron bars and clubs and so on.

18 Q. [16:33:10] When you say "later," what time is it precisely?

19 A. [16:33:17] After the beginning we started seeing people with cans of paint,
20 what they had looted, bare-chested people, and then there were other waves of
21 people coming, and these were the ones carrying clubs and iron bars. They were
22 also bare-chested, but they were also carrying their loot.

23 Q. [16:33:43] After that first wave of people that you saw carrying items, what did
24 you do?

25 A. [16:33:51] We stayed in the grin. I should say that our grin is located in a

1 very open area, it's like a crossroads. Many people pass by there. So we simply
2 stayed there to try to dissuade all the people that we knew from going in the direction
3 of the Doukouré neighbourhood or the mosque. So we stayed there and we were at
4 the grin, but we were very vigilant.

5 Q. [16:34:32] And was everyone persuaded not to go to the Doukouré
6 neighbourhood?

7 A. [16:34:41] Everyone except Ahmed. Everyone except Ahmed. A friend, a
8 young Malian -- he was a young Malian and he was pushing a -- he was -- a cart, and
9 he sold charcoal, but his main job was to carry items in a pushcart. So he goes to the
10 places where people sell charcoal, so they're the ones who load it up and transport it.
11 His name who was Ahmed. On that day he went to his place of work at the Sideci.
12 And when the incident started in his neighbourhood, his wife called him to tell him
13 that there were disturbances in the neighbourhood and that they were serious.
14 Obviously, he returned -- he turned back to try to go see his family, and on his way he
15 passed by the grin because he came there regularly and he knew that he could also
16 have some more information at the grin. So he passed by there.

17 Q. [16:36:29] Let me interrupt you there. I was waiting for the interpretation.
18 Ahmed, can you tell us his other name?

19 A. [16:36:45] Niakaté Ahmed. Niakaté Ahmed.

20 Q. [16:36:58] I know that this is a difficult matter for you. And Ahmed was from
21 which neighbourhood?

22 A. [16:37:08] Ahmed lived in the Doukouré neighbourhood.

23 Q. [16:37:13] And for how long had you known him?

24 A. [16:37:18] I had known him for a long time, more than five years, maybe 10
25 years. I had known him for a long time.

1 Q. [16:37:31] Can you tell us his approximate age?

2 A. [16:37:41] At the time, I would say he was some 30 years old, approximately.

3 In his thirties, about 30 years old.

4 Q. [16:37:54] And about what time did you see him on that day?

5 A. [16:38:00] Ahmed arrived at about noon, I believe. I think things had calmed
6 down a little bit, so I would say it was after 12, maybe 12.30, 1 p.m. It was around
7 that time that Ahmed arrived at the grin.

8 I have to clarify something here. Ahmed had married one or two years before that
9 and he had a problem with having children with his wife, so he had received
10 treatment -- they had received treatment and his wife became pregnant. So at that
11 time his wife was pregnant. So when he was called to be informed that there were
12 disturbances in his neighbourhood, he really hurried to be able to go and assist his
13 wife.

14 So when he came to the grin, he did not spend a lot of time. He asked for
15 information and then he left. We thought that we had sufficiently convinced him to
16 stay, but he left. And on his way he met one of our aunties in the neighbourhood.
17 We called them Mamies, these are elderly women, elderly women that we refer to
18 affectionately as Mamie. Unfortunately, that one is deceased today. He met Mamie
19 who was coming back from the market, and since she knew him she asked him where
20 he was going, and he said he had to go and see his family because his wife had called.
21 And Mamie tried to convince him not to go: "You cannot go to your neighbourhood
22 right now."

23 So she was coming back from the market and the road to the market passes through
24 where the clashes were taking place, so she told him, "No, you cannot go to your
25 neighbourhood. Turn back and wait for the situation to calm down before you go

1 back."

2 He listened to Mamie and he even took some of her items, assisted her right to the

3 grin. So he came there. We dissuaded him, we tried to say, "Look, calm down."

4 You can understand him because his wife was pregnant.

5 He stayed there and we thought we had convinced him.

6 Q. [16:41:23] When you say you convinced him, you dissuaded him, did you

7 speak to him, you, personally?

8 A. [16:41:30] Yes. Everybody, everyone who was in the grin. We said, "Ahmed,

9 Ahmed, you cannot go, it is dangerous." And he said, "My wife," and so on. But

10 we tried to reassure him and say things would calm down. He did indeed stay. He

11 took a seat. And in a moment of distraction, since so many -- so many things were

12 happening at the same time.

13 We had another friend called Adama, Adama Soumahoro, who is deceased today,

14 and that friend also lived in the Doukouré neighbourhood. He had also learnt that

15 the neighbourhood had been attacked. He came and saw Ahmed. He was also a

16 member -- he also came to the grin, but he was Ivorian, from the same region as

17 myself.

18 He came and said that he had also been called and told that the neighbourhood had

19 been attacked. And since they are from the same neighbourhood, during that

20 moment of distraction, the two of them took off, thinking that things had calmed

21 down.

22 So they left, and on their way, when they reached the bloc célibataire, there is a field

23 there where events take place, that is what Adama Soumahoro told us afterwards

24 because he managed to escape. He told us that when they arrived there, there was a

25 young man from the neighbourhood who called Ahmed. "Come here, this is one of

1 them." And that drew people's attention because people were excited, they were
2 everywhere. So that drew people's attention. And they came, they approached.
3 Ahmed panicked and he wanted to flee back in the direction of the grin. He crossed
4 the road, but in front of the former tax office there was a young man who grabbed
5 him there, and this is a young man who claimed to be a phone repairer, a cellphone
6 repairer. He was the one who grabbed Ahmed. And then people came and started
7 lynching him, and he fell down. They beat him with everything they had in their
8 hands. He died an atrocious death. They had no pity for him. They beat him with
9 everything they had. He fell down and then he was struck with a club on the nape of
10 his neck.
11 And at one point there was a man who came by wearing a light blue type of uniform
12 worn by soldiers, a short-sleeved shirt. Usually they refer to that as *tenués de corpé*
13 (phon). He arrived, he was carrying a weapon, and when they were beating him,
14 they arrived and they told him he's an assailant, he's an assailant. And this person
15 fired a gunshot, and then another young person took a brick and hit on his head.
16 And despite all that, they continued beating him. They continued beating him.
17 And when they felt that he was dead, they started shouting that they had to burn
18 him, that they had to burn him. And it was at that time that those who were living
19 around there came out and said, "Look, no, no, you have killed him, you are not going
20 to burn him here. You can go and burn him elsewhere, but not here." And they
21 started dragging away his body. That was unbearable.
22 They took his body towards the road and we could no longer see what was going on.
23 It was no longer bearable to watch, so I left, I left the place.
24 Later on, I learnt that they had indeed burnt him. It was later that I learnt that they
25 had, in fact, burnt him, but I did not see his body, because I could no longer bear to

1 see certain things. And I knew they had killed Ahmed for nothing, for absolutely
2 nothing. Somebody who was going to assist his wife, he was killed just like that.
3 It was afterwards --

4 Q. [16:48:28] I will stop you there.

5 A. [16:48:34] Yes, ma'am.

6 Q. [16:48:38] Just a few points of clarification on what you have just described.
7 When you said that Ahmed left the grin with Adama Soumahoro, did you see them
8 leave?

9 A. [16:48:59] No. If we had seen them, we should have prevented them from
10 leaving. It was a moment of destruction. I did not know Adama had arrived. We
11 calmed Ahmed, he sat down. And when Adama arrived, maybe they told themselves
12 there were two of us so they could go. But we had some work to do, so we forgot
13 about that.

14 It was at that moment that they left. We did not know. It is when we were being
15 chased that we knew that he had left.

16 Q. [16:49:46] How did you know about that?

17 A. [16:49:53] Know about what?

18 Q. [16:49:58] How did you learn about the fact that he was being chased?

19 A. [16:50:05] It was the noise, the shouting, the crowd. People were crying "Oh,
20 oh, there's an assailant." So that drew the attention of everyone. And when we
21 looked, it was Ahmed. We could not explain how he had gotten himself there,
22 because we had not been sufficiently vigilant. That is when we realised that he had
23 left. And it was when we went back that Adama Soumahoro came back and told us
24 the true story, that they were together, and then he told us what had happened in
25 detail.

1 Q. [16:51:04] As from what time did you observe the scene, the incident that you
2 have described?

3 A. [16:51:11] As from what?

4 Q. [16:51:17] When you saw the incident.

5 A. [16:51:21] I think around 2 p.m., around 2 p.m., if I remember correctly.

6 Q. [16:51:27] You have said that you were in the grin, you heard shouts and
7 noises, and you went to look. So when you went to look at that time, what did you
8 see?

9 A. [16:51:40] I said that he had turned back and he was running back in the
10 direction of the grin, because the incidents had not actually reached our
11 neighbourhood, it was close by, but things were still calm in our own neighbourhood.
12 So when we heard the crowd shouting, that drew everyone's attention, and that is
13 when we started looking in that direction and we saw that it was Ahmed who was
14 being chased.

15 Q. [16:52:26] How many people were chasing him?

16 A. [16:52:32] 20, 30 people. There were many of them.

17 Q. [16:52:38] And can you describe to us those 20 or 30 people chasing him?

18 A. [16:52:48] These were young people, young people who were really excited.
19 The majority of them were young people.

20 Q. [16:53:02] And how were they dressed?

21 A. [16:53:06] As I have said, some of them were bare-chested, others were fully
22 dressed. And apparently it is -- they were the looters of the morning who were still
23 circulating around, because they wanted to continue their work of the morning, so
24 they were the ones chasing him.

25 Q. [16:53:42] You have talked about a club.

1 A. [16:53:46] Yes.

2 Q. [16:53:47] Did they have any other weapons?

3 A. [16:53:52] Yes. Everything that they could find they would use to hit Ahmed,
4 a club, an iron bar. I even said that someone took up a piece of brick and hit him on
5 the head.

6 Q. [16:54:14] And Ahmed himself, do you remember what he was wearing on
7 that day?

8 A. [16:54:24] He was wearing a jeans trousers, a pair of jeans with rubber sandals.
9 They are called lêkê in our language here, but they were rubber sandals.
10 And he was wearing a T-shirt, Barcelona, Chelsea, I'm not sure, but it was a T-shirt,
11 and then with a pair of jeans and a lêkê on his feet.

12 Q. [16:55:15] And when you observed the lynching, how far away from there
13 were you?

14 A. [16:55:25] 50, 60 metres at the most.

15 Q. [16:55:36] I had stopped you when you were talking about people threatening
16 to burn him and the neighbours saying that they should not do it at that location. So
17 what happened?

18 A. [16:55:53] The people living in the area said he should not be burnt there, so
19 they decided to drag him to the main road, the main road that I talked about, to burn
20 him there, because those living there had complained and said that they could not
21 burn him right there.

22 Q. [16:56:37] I would like to talk about Adama Soumahoro.

23 A. [16:56:42] Yes.

24 Q. [16:56:45] You heard later what happened to him?

25 A. [16:56:51] Yes.

1 Q. [16:56:52] When did he tell you that?

2 A. [16:56:55] When all those events finished, when they had finished killing
3 Ahmed -- because when they beat him, and I looked at him, I knew that he could not
4 survive. So we were already in tears. And talking about burning him again was
5 unbearable. So we left and we went to a friend's house living nearby. His name is
6 Soro. His place was the closest to the grin. We went to his house, and that is where
7 Adama Soumahoro found us, in Soro's house, because everyone was sad and
8 overwhelmed by the events.

9 So we retreated, and it was at Soro's house that Adama told us what had happened on
10 the main road.

11 Q. [16:58:07] And what did he tell you precisely?

12 A. [16:58:12] He said that at the time that they were leaving, things had calmed
13 down a little bit. And they told themselves that if they crossed the field, they would
14 be able to pass through the alleys in the neighbourhood and go to where they were
15 going.

16 So when they reached a certain point, someone recognised Ahmed, and he said, "You,
17 come here. They are the ones." And according to him, he said it was a certain
18 Tetchi, Tetchi. That's what Adama Soumahoro told us, that this person was a certain
19 Tetchi, he's the one who said that.

20 Q. [16:59:12] Do you know his other name, Tetchi?

21 A. [16:59:19] Claude I believe, Claude.

22 Q. [16:59:21] And did you know him, Tetchi Claude?

23 A. [16:59:26] Claude, yes, I know him. When Adama said that, I was shocked, I
24 was flabbergasted. I thought he cannot do that because I know him.

25 But in any case after the events, after the crisis, when everything went back to normal

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1 again, I think he came to our political commissioner to justify himself. We said we
2 have that information. We were not present at the place. The person who was with
3 the victim told us that, so we cannot say that it is false. And now if you are telling us
4 that it is just rumours, well -- but in any case, he came once to say that people were
5 creating problems. But I believe in what the person who was with Ahmed told us.

6 Q. [17:00:58] Mr Witness, I think we can stop there for now, with the leave of the
7 Presiding Judge.

8 PRESIDING JUDGE TARFUSSER: [17:01:06] Yes. Yes, we stop here. It's
9 5 o'clock or 3 o'clock, it depends. We will resume on Monday at the same time as
10 today, meaning for us 10.30 because we are in video link.

11 I just wanted to say that you took more than one hour now, so just for -- it is not a
12 pressure, it is just to remind you. We have a time schedule, quite strict. So be
13 mindful of this.

14 Mr Witness, thank you very much. We see each other on Monday morning, 8.30 for
15 you.

16 Thank you very much. The hearing is adjourned.

17 THE COURT USHER: [17:01:55] All rise.

18 (The hearing ends in open session at 5.02 p.m.)