

Trial Hearing
WITNESS: CIV-OTP-P-0109

(Open Session)

ICC-02/11-01/15

1 International Criminal Court
2 Trial Chamber I
3 Situation: Republic of Côte d'Ivoire
4 In the case of The Prosecutor v. Laurent Koudou Gbagbo and Charles Blé
5 Goudé - ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Geoffrey Henderson and
7 Judge Olga Herrera Carbuccion
8 Trial Hearing - Courtroom 1
9 Tuesday, 9 May 2017
10 (The hearing starts in open session at 10.36 a.m.)
11 THE COURT USHER: [10:36:32] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [10:37:06] Good morning. Good morning to
15 everybody.
16 Good morning, Mr Witness. I think you hear me. Can you hear me?
17 WITNESS: CIV-OTP-P-0109
18 (The witness speaks French)
19 (The witness gives evidence via video link)
20 THE WITNESS: [10:37:20](Interpretation) Yes.
21 PRESIDING JUDGE TARFUSSER: [10:37:21] So just before starting with the witness.
22 There is a dog? Before starting with the witness, I would just read out a short, very short
23 decision, oral decision, on the request for an extension of the time limit for responses to
24 the Prosecutor's application for the introduction of the commentary evidence, under
25 paragraph 43, 44 of the directions of the conduct of the proceedings. And I'm referring to

1 filing 895. The request was submitted jointly by the Defence for Mr Gbagbo and
2 Mr Blé Goudé, and the LRV by email, TCI communications inbox on Monday, 8 May 2017
3 at 16.49 hours.

4 The Chamber recalls that the 9 February 2017, an extension of time was granted to the
5 Prosecutor for the submission of filing 895. This is to be seen in transcript 119, page 1,
6 line 24, to page 2, line 2.

7 In light of the nature and the content of filing 895, the amount of material it refers to and
8 the schedule of the proceedings, the Chamber finds that good cause has been shown for a
9 similar extension of the time limit to the benefit of all responding parties, and accordingly
10 the request is granted, and the time limit for responses to filing 895 extended until 15
11 September 2017.

12 With a view to preserving the completeness, accuracy and publicity of the record, the
13 parties are instructed to file the email containing the request as a public annex to their
14 responses.

15 MR KNOOPS: [10:40:00] Mr President, just a short remark. Sorry. I'm not sure
16 whether the request was also made with the request for an extension of page limit.

17 PRESIDING JUDGE TARFUSSER: [10:40:13] Well, of course.

18 MR KNOOPS: [10:40:16] We don't know yet.

19 PRESIDING JUDGE TARFUSSER: [10:40:18] Of course.

20 MR KNOOPS: [10:40:19] But we could come back to this issue later.

21 PRESIDING JUDGE TARFUSSER: [10:40:23] But we don't go back. It is extended.
22 Of course.

23 MR KNOOPS: [10:40:27] Okay.

24 PRESIDING JUDGE TARFUSSER: [10:40:28] It would be absurd not to grant also this.
25 So sorry, Mr Witness, about this. We had something short before I revert to you in order

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1 to start with your questioning. And even before starting with your questioning, we have
2 to do some other issues, and for this I, first of all, go into private session. And I would
3 call the private session, please, madam court officer.

4 (Private session at 10.41 a.m.)

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9 (Open session at 10.44 a.m.)

10 THE COURT OFFICER: [10:44:27] We are in open session, Mr President.

11 PRESIDING JUDGE TARFUSSER: [10:44:44] Okay, Mr Witness, now I have to give
12 you some further information.

13 First of all, those related to the protective measures the Chamber granted for you, and
14 these protective measures will apply during your whole testimony. So you have a
15 pseudonym and, in any case, here everybody here will address you by "Mr Witness" and
16 not with your name. Your voice is distorted and your face also, so is not visible outside,
17 okay. But you have also to collaborate to make these protective measures work properly.
18 That means that you have also to try not to say anything which could identify you. And
19 if you have to say something like this, think about it and ask for -- address me and ask to
20 go into private session.

21 Furthermore --

22 THE WITNESS: [10:46:18](Interpretation) Okay.

23 PRESIDING JUDGE TARFUSSER: [10:46:20] -- you can at any point in time ask me if
24 you have concerns, or tell me, and we will address them. Okay?

25 THE WITNESS: [10:46:40] (No interpretation)

1 PRESIDING JUDGE TARFUSSER: [10:46:42] The third thing is the language. I would
2 ask you to speak slowly and clearly because what you are saying has to be interpreted
3 also into English, so we need -- through our interpreters and the court reporters we need
4 to understand you well and to transcribe well and correctly what you are saying. So
5 please speak slowly and wait until the person who is questioning you has finished the
6 question, then breathe, and then respond. Okay?

7 THE WITNESS: [10:47:35](Interpretation) Okay.

8 PRESIDING JUDGE TARFUSSER: [10:47:36] So now we come to your testimony. You
9 are obviously aware that this Chamber at the International Criminal Court has been
10 established to try the case of the Prosecutor against Mr Gbagbo and Mr Blé Goudé, and
11 you are called as a witness to these proceedings. A witness has the duty to say the truth
12 because the truth you're telling can help us to find the overall truth. So your only duty is
13 to say what you have seen and what you know, not what you think and what you feel.
14 Okay?

15 THE WITNESS: [10:48:44](Interpretation) Okay.

16 PRESIDING JUDGE TARFUSSER: [10:48:46] To this effect, the fact that you are going
17 to say the truth, the law requests that you make a solemn undertaking and, therefore, I
18 would ask you to read the formula you have in front of you. Please do, please read.

19 THE WITNESS: [10:49:22](Interpretation) Yes. I solemnly declare that I shall tell the
20 truth, the whole truth, and nothing but the truth.

21 PRESIDING JUDGE TARFUSSER: [10:49:36] Thank you very much. I have finally to
22 inform you that not saying the truth is an offence against the Court and as such
23 punishable.

24 THE WITNESS: [10:49:56](Interpretation) Yes.

25 PRESIDING JUDGE TARFUSSER: [10:49:56] Okay. So now I think we can start with

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1 the questioning. I just remind the parties that the Prosecution, for this witness, has
2 requested three hours which means that we should be, if possible, through within three
3 hours, if less is welcome. That three plus three plus three makes tomorrow. We will
4 have to finish by tomorrow, otherwise we go to extended hours, and we'll see how it
5 evolves. And I would start saying, recommending the Office of the Prosecutor not to
6 make the same recommendations again that I did, but go straight to the questions.

7 Thank you very much.

8 Yours, the floor.

9 MS HUCK: [10:51:01] (Interpretation) Thank you, your Honour.

10 QUESTIONED BY MS HUCK:

11 Q. [10:51:04] Good morning, Witness.

12 A. [10:51:08] Good morning.

13 Q. [10:51:08] My name is Florie Huck and I represent the Office of the Prosecutor.

14 We met a few days ago during the courtesy meeting.

15 A. [10:51:16] Yes.

16 Q. [10:51:18] I just have one thing to add to what the Presiding Judge has said. Now,
17 if you need to make reference to a friend or an acquaintance when you give your account,
18 I'd like to ask you not to give the person's name until I ask you specifically. Have you
19 understood?

20 A. [10:51:45] Yes.

21 Q. [10:51:49] And if one of my questions is not clear, just tell me that and I will
22 rephrase the question.

23 A. [10:51:55] Okay.

24 Q. [10:51:58] Mr Witness, I would like to know, you studied up until CM2?

25 A. [10:52:11] Yes.

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1 MS HUCK: [10:52:16] (Interpretation) I believe we're in open session, your Honour. If
2 we could go into private session.

3 PRESIDING JUDGE TARFUSSER: [10:52:23] Go into private session, please.

4 (Private session at 10.52 a.m.)

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- 15 (Open session at 11.03 a.m.)
- 16 THE COURT OFFICER: [11:03:06] We are back to open session, Mr President.
- 17 PRESIDING JUDGE TARFUSSER: [11:03:10] Thank you.
- 18 MS NAOURI: [11:03:13](Interpretation) Mr President, of course you are aware, but we
- 19 will ask for that excerpt to be reclassified.
- 20 PRESIDING JUDGE TARFUSSER: [11:03:20] Obviously, I'm aware. So please go
- 21 ahead.
- 22 MS HUCK: [11:03:40] (Interpretation)
- 23 Q. [11:03:40] Mr Witness, have you ever heard about the parliaments?
- 24 A. [11:03:44] Yes. I know one of them or, rather, three parliaments in Yopougon.
- 25 Q. [11:04:00] Which ones?

1 A. [11:04:03] There is a parliament just after Saguidiba, when you leave from Lem
2 neighbourhood, near the technical part of the town hall. There was also one just behind
3 the police station of the 16th arrondissement. It's no longer there because people have
4 built a house there. Even the one of Saguidiba, it's the same thing. There is one called
5 CP1; it was an open area.

6 Q. [11:05:07] And what happened in those parliaments?

7 A. [11:05:11] What I saw in those parliaments and what I heard -- well, there were
8 groups of young people who went there, and they only talked about politics, only about
9 politics.

10 Q. [11:05:42] And who were these young people?

11 A. [11:05:44] The supporters of the FPI.

12 Q. [11:05:57] And you have said they were talking about politics?

13 A. [11:06:00] Yes, they talked only about politics.

14 Q. [11:06:03] How did they discuss politics?

15 A. [11:06:17] Each person would come with their own ideas in the group. Each
16 person said what they were thinking. And it was always full. Every day under the sun
17 there were a lot of people, all the time.

18 Q. [11:06:54] And to your knowledge, when did these parliaments begin?

19 A. [11:07:02] A long time ago, since 2004, yes.

20 Q. [11:07:12] And up till when?

21 A. [11:07:15] Up till the end of the crisis. Up till the end of the crisis the parliaments
22 existed.

23 Q. [11:07:30] And who were those people who spoke in those parliaments?

24 A. [11:07:37] You had the young people, the leaders of the young people, because
25 sometimes I would follow up a little bit what they were saying about the president. One

1 of them would come and say, "Well, Laurent Gbagbo is our president and we will defend
2 him. Even if we have to die we will defend him." Things like that. Others would
3 come and say that "there is no president other than President Gbagbo. And if it is not
4 President Gbagbo, then Côte d'Ivoire will be owned by foreigners", that the country
5 belongs to us, not foreigners. Those were the types of things they said in their
6 parliaments.

7 Q. [11:08:48] And when did they say that?

8 A. [11:08:53] All the time. All the time. If you spend one hour or 30 minutes there
9 that's what you would hear.

10 Q. [11:09:19] You have said that you listened to what was being said.

11 A. [11:09:23] Yes, often I would go there sometimes. In fact, the parliament is a
12 public location, so even while passing by you can see the people who are there and listen
13 to what they're saying, so it is not a hidden location. It is open to everyone. Even if you
14 are just passing by, you can see clearly the people who are there and you can also listen to
15 what they are saying.

16 Q. [11:10:10] Can you be more specific and tell us the year when you heard those
17 things being said in the parliaments?

18 A. [11:10:20] I cannot really remember precisely, but I saw it on several occasions, on
19 several occasions.

20 Q. [11:10:45] And did you attend those parliaments after or before August 2010?

21 A. [11:10:55] Yes. Before 2010, I went to carry out some errands around Saguidiba,
22 and on my way I was able to follow. If I remember correctly, this was before the
23 elections of 2009, 2010, that is, before the first round of the presidential election.
24 On one occasion, I followed up what was said in the parliament in Saguidiba. I saw that
25 the tension was rising. What they were saying was a bit bizarre. They said the

1 president was Laurent Gbagbo and if Laurent Gbagbo left, well, we are not going to allow
2 anyone to take his place.

3 Q. [11:12:10] And on that occasion at the Saguidiba parliament, was there a political
4 personality?

5 A. [11:12:18] On one occasion, I was coming from work and I saw people running
6 towards the Saguidiba parliament. They were saying that Laurent Gbagbo and
7 Blé Goudé were coming. I was walking slowly until I reached that level. There were a
8 lot of people. I approached, and it was Blé Goudé who was speaking. In any case,
9 maybe at the time that I arrived the president had already left. Otherwise when I arrived,
10 it was Blé Goudé who was there who was speaking. He was speaking. He was telling
11 the young people, "Remain calm; the country belongs to us. Everything we are doing is
12 to maintain the country." Well, these were simply encouraging words.

13 Q. [11:13:39] And how did the crowd react when he said that?

14 A. [11:13:46] The crowd was shouting. They were agitated, they were shouting.

15 Q. [11:13:58] And you have mentioned Laurent Gbagbo.

16 A. [11:14:06] Yes, I was not really there at the time, but when I arrived, it was
17 Blé Goudé that I saw speaking, speaking, speaking. There were a lot of people. And
18 what I heard on that day was him telling young people to stay calm, that everything that
19 was being done was for the good of the country, for their good, and so stay alert and be
20 listening because we know what we are doing. Listen to us because we are doing this for
21 your future.

22 Q. [11:14:58] I'm sorry, but who was saying that?

23 A. [11:15:02] Blé Goudé.

24 Q. [11:15:10] Who else was there with him?

25 A. [11:15:14] Well, there were many young people. There was Navigué. There was

1 a young person from the party, a FESCiste, but I know Navigué. The other names,
2 well ...

3 Q. [11:15:36] Did anyone else take the floor?

4 A. [11:15:46] I didn't spend too much time in the parliaments because there I felt a
5 little bit frustrated because what was being said there -- I didn't feel at ease. I would be
6 there for a short while, and then I would leave because at one point people would be
7 looking at identities and this made people afraid.

8 Q. [11:16:21] Who was looking at the identities?

9 A. [11:16:24] Well, when you arrived there or somewhere, people would say, "Those
10 Dioulas, they cannot stay here. This is our country." I come from the Malinké or Dioula
11 area, and when that happens I feel a little bit frustrated because if they realise that this is a
12 Dioula, I will have problems on the spot.

13 Q. [11:17:02] And it was in the parliament that they were saying that?

14 A. [11:17:08] Yes, they were talking about the Mossi, the Dioula, and they said that
15 the Mossi shouldn't be in their country, and so on and so forth.

16 Q. [11:17:26] In the transcript a short while ago you said, about the Saguidiba
17 parliament -- you said that Laurent Gbagbo and Charles Blé Goudé were arriving.
18 Where were they, Laurent Gbagbo?

19 A. [11:17:47] When I arrived, I listened only to the speech of -- what's his name again?
20 Blé Goudé. When I arrived Blé Goudé was speaking, but then I left, but people were
21 saying Blé Goudé and Gbagbo are there, but it was to Blé Goudé's speech that I listened
22 because I did not stay for long.

23 Q. [11:18:23] After that occasion, did you go to the parliaments again?

24 A. [11:18:30] Yes. I also saw Blé Goudé at the CP1. That is a large space in the
25 main -- in the same commune Yopougon, at the Sicogi.

1 Q. [11:18:56] And during which period was that?

2 A. [11:19:05] That was also before -- no, it was during the campaign before the
3 elections. Yes, during the campaign before the elections.

4 Q. [11:19:29] And what did Blé Goudé say during that rally?

5 A. [11:19:34] It was practically the same thing. He said people should be serene,
6 calm, and stay in touch, well, to continue listening. He also talked about the election.
7 All those things, war-like speeches, to say that the country belongs to us; we cannot allow
8 strangers to come and stay in our country. Things like that. He was telling young
9 people -- well, for those who do not have jobs they will have work. He was encouraging
10 them, and he said that if they stayed, then young people would work, and if they left, then
11 no one would be able to live in peace. I heard that particular part.

12 Q. [11:20:57] And who was with Blé Goudé on that day?

13 A. [11:21:02] He was accompanied by the same young people, the FESCISTS. On that
14 day -- I think he's called Damana Pickass or something like that, and then there was
15 Navigué and then ...

16 Q. [11:21:36] Did anyone else take the floor?

17 A. [11:21:43] There were representatives of the FPI who took the floor who were
18 asking the young people to mobilise themselves, to stand tall, to resist everything that
19 would come.

20 Q. [11:22:14] Can you give the names of the representatives of the FPI?

21 A. [11:22:22] I no longer remember the names because these were people who just
22 came by and spoke. These are probably people that I do not know.

23 Q. [11:22:33] And how did the crowd react?

24 A. [11:22:42] In such cases, the crowds were shouting a lot, making a lot of noise.

25 Q. [11:23:00] Did you attend any other meeting in the parliament?

- 1 A. [11:23:06] Yes. There was another parliament immediately after the 16th
2 arrondissement. There was a small parliament there. I think the -- the gentleman was
3 called Georges. It was a small location. People went there progressively and suddenly
4 the place became large, and a lot of people started going there.
- 5 Q. [11:23:42] And who was this Mr Georges?
- 6 A. [11:23:57] Based on what I heard, he was the owner of that parliament, the founder
7 of that parliament, Mr Georges.
- 8 Q. [11:24:09] And when did you go to that parliament?
- 9 A. [11:24:19] 2006, 2007, something like that.
- 10 Q. [11:24:28] And how many times did you go to that parliament?
- 11 A. [11:24:35] I went there once with a friend, but often I was simply passing by there.
12 I went there two or three times, but while passing by. On two occasions, I actually
13 stopped and listened. And the second time, it seemed strange to me because the place
14 had been small, it became large, and the gentleman who was in charge of the place quite
15 suddenly became the owner of a car, and some people said it was the FPI that was
16 assisting him.
- 17 Q. [11:25:37] When you say that the parliament became large, what do you mean?
- 18 A. [11:25:41] What I mean is that, before, the location was a little bit small, but the
19 second time I saw it -- well, I'm really talking about the crowd. I'm really talking about
20 the crowd. The first time I saw them, I can say there may have been about 20 or 30
21 people there, but the second time, it was a large crowd, a large crowd in that small
22 location.
- 23 Q. [11:26:24] And the second time, which year was that?
- 24 A. [11:26:29] It was the same year, but a few months afterwards.
- 25 Q. [11:26:43] So the same year 2006, 2007 you mean?

1 A. [11:26:49] Yes.

2 Q. [11:26:49] And how were the speeches?

3 A. [11:26:54] It was the same things, the same motivating speeches, as if they were
4 preparing something.

5 Q. [11:27:16] And what were they saying in particular?

6 A. [11:27:22] I beg your pardon?

7 Q. [11:27:26] What were they saying, specifically?

8 A. [11:27:34] It was the same words of encouragement, telling people to stay alert, to
9 stand tall, that nothing would happen, that the country belongs to us; the authorities are
10 with us and whatever happens, the country belongs to us. Those were words that were a
11 bit war-like.

12 Q. [11:28:11] When you say "guerrier" or "war-like," what do you mean?

13 A. [11:28:17] When you say "The country is for us," it means no one can take over
14 power. When you say "This thing belongs to me," I know that somebody left it and I
15 came here. And if I say that "I shall not leave," or "If I leave, such-and-such a thing
16 would happen," well, that is what I mean.

17 Q. [11:28:56] Who was making the speeches?

18 A. [11:29:08] The same people. Well, in fact, the parliaments were open to all those
19 who wanted to speak in those parliaments.

20 Q. [11:29:28] A short while ago you said that you received information that the FPI
21 was helping him?

22 A. [11:29:38] Yes. He was organising his meetings. He would call people. And it
23 started in the morning, right up into the evening, even to the night. And progressively it
24 grew and started attracting large crowds.

25 Q. [11:30:08] So how -- do you know how these parliaments were funded?

1 A. [11:30:17] I've told you that I had a friend who was living not far away from the
2 parliament. The first time when I saw this man, I tried to find out some information and
3 I was told that he was the owner of that place. And on that same day he was the one
4 who was speaking. And the second time, that is when I heard his name; he, himself, said
5 his name during a speech, and there was a large crowd. It seemed strange to me. I had
6 passed by some time before, there were only a few people and now there was a large
7 crowd, but I heard that it was -- I knew that it was the same things being said in all the
8 parliaments, it was more or less the same thing. I realised the man had a car and I asked
9 my friends and they said it is politics, where did he get it from.

10 Q. [11:31:49] Very well. We'll now move on to another topic.
11 Now, at the end of the election campaign.

12 A. [11:31:56] Yes.

13 Q. [11:31:58] The night that the campaign came to an end.

14 A. [11:32:01] Yes.

15 Q. [11:32:02] Did you notice anything in particular, an event?

16 A. [11:32:14] At the end there was some aggression because at the end of the
17 campaign it was not an easy time. You see, that day we lost a brother --

18 THE INTERPRETER: [11:32:46] Inaudible.

19 THE WITNESS: [11:32:48] (Interpretation) -- in Saguidiba. And when the FPI
20 supporters came back from the campaigning, you see, this person was in his car with
21 some photographs of President Alassane Ouattara and the photographs were on the car.
22 To our great surprise, we were told that someone had just been killed in Saguidiba, so we
23 got to where we were going and, first, the people started to -- well, from the Palace to the
24 16th, from -- no, to Figayo, the street was full of people. There were the supporters of the
25 RDN and people from the FPI. And violence erupted from the FPI side because some

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1 people were saying that -- well, some things had been said that were not right, so -- and I
2 was not absent, I was there, I was present then. These people were saying that if Gbagbo
3 left, no Dioula would remain in Côte d'Ivoire. And an elder brother was beaten up with
4 stones, sticks, at the end of the campaigning, the last day of the campaigning. That was
5 in Saguidiba. And so we realised that the tension had risen and that we had to be careful.
6 We didn't know what was going to happen. Everyone had to be very careful and really
7 be distrustful.

8 Q. [11:35:05] Now, when you say that -- that if Gbagbo left, no Dioula would remain
9 in Côte d'Ivoire.

10 A. [11:35:17] They said that openly.

11 Q. [11:35:19] And you said that you were there?

12 A. [11:35:22] Yes.

13 Q. [11:35:23] So you heard that?

14 A. [11:35:25] Yes, indeed, I heard it.

15 Q. [11:35:31] And where did you hear this remark?

16 A. [11:35:39] Around the 16th arrondissement.

17 Q. [11:35:46] And who was saying this?

18 A. [11:35:49] The supporters --

19 THE INTERPRETER: [11:35:51] Inaudible.

20 THE WITNESS: [11:35:54] (Interpretation) -- of Laurent Gbagbo. They had T-shirts,
21 Gbagbo T-shirts on.

22 MS HUCK: [11:36:09] (Interpretation)

23 Q. [11:36:10] And a few weeks later, the night that the election results were
24 announced, were you able to observe anything in particular, an event?

25 MR N'DRY: [11:36:33] (Interpretation) Yes, I apologise, learned colleague, but just if we

1 could gain some clarity about the time frame. There were two rounds of voting.

2 Perhaps it would be better to ask the witness which round of voting this was, first round
3 of voting or second.

4 PRESIDING JUDGE TARFUSSER: [11:37:01] You mean the first episode he has already
5 spoken? Because now it seems clear to me because -- that what he is asked now. It
6 seems clear to me because it is said the night that the election results were announced.
7 So in this case ...

8 MR N'DRY: [11:37:27] (Interpretation) Yes, the results of the elections. There were
9 two rounds. There was the first round and then the second.

10 PRESIDING JUDGE TARFUSSER: [11:37:36] Well, I presume the second, but I would
11 say, the result.
12 Please.

13 MS HUCK: [11:37:50] (Interpretation)

14 Q. [11:37:51] Mr Witness, now, the night of the election results, the second round of
15 voting, that night, did you notice any particular event or incident?

16 A. [11:38:05] The second round? Well, at the time of the second round of
17 voting -- well, there was the first round when the -- those places -- well, when the
18 campaign ended. I learned -- I learned, myself, that some things were going on. I heard
19 people talking about this and it was -- it scared people. These were not proper things.
20 But when you hear such news, you grow frightened so, you see, when the campaign came
21 to an end I started to become frightened.

22 And after the first round, and then the second round, when the results came out, the
23 results were to be announced, everyone was waiting for the results, tension rose more and
24 more because, you see, the rhetoric, the speeches, that was supposed to be after the
25 results, but we were hearing speeches before the results and it was scaring people. It's

1 sort of as if they were already preparing for something. And so I said to myself
2 something is up, something is being prepared.

3 Q. [11:40:02] And after the second round of voting and after the announcement of the
4 results, did you see anything? Were you an eyewitness to anything?

5 A. [11:40:19] After the second round of voting I saw some incidents. Some cars were
6 vandalised, smashed at various intersections, then set on fire. And people didn't know
7 where these people had come from. Some cars were smashed, torched, and people were
8 saying, "Well, that car belongs to a Dioula person."

9 Q. [11:41:12] So who was saying this, that the cars belonged to Dioula people?

10 A. [11:41:17] The same young people, the same youths who were doing these things,
11 the same supporters. Because each time it happened you would see at least one or two
12 people wearing a Laurent Gbagbo T-shirt, or you would see --

13 THE INTERPRETER: [11:41:42] Inaudible.

14 THE WITNESS: [11:41:45] (Interpretation) -- on a young person.

15 PRESIDING JUDGE TARFUSSER: [11:41:47] You would see what? It was not caught
16 by the interpreters.

17 THE INTERPRETER: [11:42:00] Interpreter correction: Or a FESCI T-shirt on a young
18 person.

19 MS HUCK: [11:42:06] (Interpretation)

20 Q. [11:42:07] Could you repeat?

21 PRESIDING JUDGE TARFUSSER: [11:42:10] No, no, no, it's done. Yes. There was a
22 correction by the interpreters. Thank you.

23 MS HUCK: [11:42:38] (Interpretation)

24 Q. [11:42:39] Now, you said earlier that the cars that were smashed and torched, you
25 said that those cars belonged to Dioula people.

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1 A. [11:42:47] Yes.

2 THE INTERPRETER: [11:42:49] Overlapping speakers.

3 THE WITNESS: [11:42:53](Interpretation) -- Young Patriots because, you see, one time I
4 was coming back from work, it was 1900 hours and I -- well, that day we were frisked,
5 that day we were frisked. I was at Siporex. I took a cab, and in the cab I was searched.
6 So that day I couldn't understand. People were being frisked, and at one intersection, I
7 got there and some young people frisked me. It was very hard to believe. And
8 according to them, they were saying that rebels were coming into Abidjan, so people had
9 to be frisked so as to find these rebels. That day, I thought -- well, otherwise, I
10 thought -- I had a different idea.

11 Q. [11:44:11] Who frisked you?

12 A. [11:44:15] A group of young people. A group of young people. It wasn't far
13 from the police station of the 16th arrondissement, so I was surprised -- not far from the
14 16th arrondissement. There's a traffic light just before the 16th. So they frisked me,
15 some civilians frisked me, and it surprised me. Why? They weren't officers, they were
16 young people. And -- okay, well, that day nothing happened to me. They didn't beat
17 me up. I wasn't injured, but all I got was insults. They were saying that the rebels had
18 arrived. I said, "Who are these rebels?" And they said "Dioulas, they are the rebels."
19 So I got through, I left, and I got back home. And the first thing I said to my brother --

20 Q. [11:45:43] Mr Witness, I'm going to interrupt you here. I don't want you to say
21 anything that might identify you.

22 A. [11:45:51] Okay.

23 Q. [11:46:03] Now, this incident, when did this occur?

24 A. [11:46:08] It happened after, after the second round of voting, after -- how do you
25 call it? After the results. Because after the results there was a conflict between the two

1 parties.

2 Q. [11:46:41] Now, you said that you were frisked by some young people. Who
3 were these young people?

4 A. [11:46:48] They were young people who -- well, that day I didn't sense -- well, that
5 day I didn't -- those young people, but there were a lot of them; there were a lot of them.
6 I didn't try to find out who they were exactly or what they were wearing or any of that.
7 The only thing I had in mind was to get out of there and get back home because they had
8 sticks; they had machetes. So I was afraid. So I wanted to get out of there and get back
9 home.

10 Q. [11:47:51] Once again, shall we move forward a bit in time and move to 16
11 December 2010. And before we move on to this topic, I'd like to remind you of one
12 thing.

13 A. [11:48:08] Yes.

14 Q. [11:48:09] If you need to talk about someone, don't give the person's name right
15 away. We'll go into private session for that.

16 A. [11:48:19] Okay.

17 Q. [11:48:22] Where were you on 16 December 2010 in the morning?

18 A. [11:48:37] On 16 December 2010 I was in the neighbourhood.

19 Q. [11:48:47] And what did you do? The 16 December 2010, that was the day on
20 which the march upon the RTI occurred. Does that ring a bell? Does that remind you
21 of anything?

22 A. [11:49:21] Yes, 16 December 2010, the Thursday. Thursday, yes.

23 Q. Yes, yes, it was a Thursday.

24 A. Yes, Thursday. Yes, that day we were supposed to go to a march with a friend in
25 the morning. It was a peaceful march, and we said to ourselves that there wouldn't be

1 any problems, nothing would happen. In the morning, I got up and I had a coffee in a
2 little coffee shop. I was chatting with some friends, and I learned that some people had
3 gone off to take part in the march. They were going -- it had to do with the new director
4 of the RTI. So when my friend got there, we decided to leave. We decided to leave, go
5 off. So we got a vehicle; we got out at an intersection, and from there we had to walk.
6 And so some young people were saying since there --

7 THE INTERPRETER: [11:51:01] Inaudible.

8 THE WITNESS: [11:51:03](Interpretation) -- vehicles, let's go together. So we got to the
9 highway or the expressway, and we came across some gendarmes who said -- well, there
10 were some people in the group who said, "We're going to the march for the swearing in of
11 the new director of the RTI." And one of these people said, "What are you going there
12 for?" So we didn't really understand what they were saying. There weren't any
13 things -- we were just going for the swearing-in of this gentleman. So we wanted to
14 leave, because we did not intend to -- so we left. Once we got to one spot in Adjamé, we
15 were supposed to head towards Cocody. Some guns went off. People ran in all
16 directions. I was afraid, and we went and hid. People were running here, there and
17 everywhere. And we said to someone, "What's going on?" And he said, "They have
18 come from the march, and truly they're not playing any games. They're shooting at
19 people there; they're shooting at people." And we said, "What march?" and --

20 THE INTERPRETER: [11:53:15] Message from the interpreter. Could the witness be
21 asked to repeat his last sentence.

22 PRESIDING JUDGE TARFUSSER: [11:53:20] Could the witness please repeat his last
23 sentence. I was asked by the interpreters. "And we said, 'What march?' and --" This is
24 where it is blocked. "And we said to someone, 'What's going on?' And he said, 'They
25 have come from the march, and truly they're not playing any games. They're shooting at

1 people; they're shooting at people.' And we said 'What march?'" And then the
2 interpreters have lost you.

3 THE WITNESS: [11:54:03](Interpretation) In fact, once we got to Adjamé, we got to an
4 intersection, and we saw some people; they were heading towards us; they were running.
5 And automatically -- well, we didn't know what was going on, so we thought it was best
6 to take shelter somewhere and then see what was going on. So people were coming;
7 they were running and running and running. And we asked one person, and he told us
8 that they had been on the road; they were heading towards the march, and that some
9 people were shooting at them, firing at them. And we said, "Who was shooting at you?"
10 And they said, "Officers. Their faces were covered, so it was not easy to identify them.
11 They were firing upon those who were going to the march." And I said, "Were there
12 people?" And he said there were so many people that they didn't even try to find out
13 what was going on. They were running away, heading towards us. So we walked to
14 the place where I was working, (Redacted)
15 (Redacted) And once I got there, I took shelter, and I decided I would wait until
16 things calm down and then go back to Yopougon.

17 Q. [11:56:14] Thank you. Let's just take one thing at a time. Let's go over what you
18 just said. And we'll briefly go into private session, if that's possible, your Honour.

19 PRESIDING JUDGE TARFUSSER: [11:56:25] Let's go into private session, please.
20 (Private session at 11.56 a.m.)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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- 1 (Redacted)
- 2 (Redacted)
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- 4 (Redacted)
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- 8 (Redacted)
- 9 (Redacted)
- 10 (Open session at 11.58 a.m.)
- 11 THE COURT OFFICER: [11:58:10] We are back in open session, Mr President.
- 12 PRESIDING JUDGE TARFUSSER: [11:58:12] Yes, please, yours the floor.
- 13 MS HUCK: [11:58:15] (Interpretation)
- 14 Q. [11:58:17] Now, you say that you left with your friend and then after you saw
- 15 some young people walking. Who were these young people?
- 16 A. [11:58:30] Marchaient. Those young people came up towards us.
- 17 Q. [11:58:38] Yes. And they said that they could go along with you?
- 18 A. [11:58:44] Yes, we were all headed towards the same march but they were already
- 19 on their way back. And we asked them because, you see, it was the same place we
- 20 were -- they were on their -- coming on their way back, and we asked them, "Where have
- 21 you come from?" And they said that they had come from -- they had been going to the
- 22 march, the march where the new head of the RTI would be sworn in, and that people had
- 23 fired at them and, you see, they had to turn around and come back.
- 24 Q. [11:59:32] That was not clear on my part. So was this before you ran into this
- 25 person who asked you where you were going? So this person who asked you --

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1 A. [11:59:46] It was a gendarme, gendarmes along the road who asked us where we
2 were going and we told them that we were going to the march. And one of them said,
3 "You want to go and die? Go back home. They don't need you. Where are you
4 going?" That's what he said to us. It was one of the gendarmes who said this to us.

5 MS HUCK: [12:00:29] (Interpretation) Your Honour, I see that it might be the time now
6 to have our break.

7 PRESIDING JUDGE TARFUSSER: [12:00:35] Yes. Yes, let's take the break now for
8 lunch. We come back at 1.30.

9 Do you think that you can finish in the next session, within the next session? Now, it's
10 just an organisational matter because I would like, in case you don't, I start with extended
11 hours. This is what I'm thinking of.

12 MS HUCK: [12:01:26] (Interpretation) We'll try to finish, but I think we may spill over
13 into the third session of the day.

14 PRESIDING JUDGE TARFUSSER: [12:01:34] Briefly. Okay, so we leave it for -- like
15 this for now. Let's have the lunch break.

16 Mr Witness, you can go for -- we have one hour and a half break, and then we see each
17 other again. The hearing is adjourned.

18 THE COURT OFFICER: [12:01:55] All rise.

19 (Recess taken at 12.01 p.m.)

20 (Upon resuming in open session at 1.34 p.m.)

21 THE COURT USHER: [13:34:28] All rise.

22 Please be seated.

23 PRESIDING JUDGE TARFUSSER: [13:34:54] Good afternoon to everybody.

24 Hello, Mr Witness.

25 We immediately give back the floor to the Office of the Prosecutor for her questioning.

1 MS HUCK: [13:35:15] (Interpretation) Thank you.

2 Q. [13:35:19] Mr Witness, before coming back to what we were talking about, I would
3 like to ask you for some clarification. On page 28 of the realtime transcript of today, lines
4 1 to 3, you said there were vehicles that were broken and burnt because it was said that
5 they belonged to the Dioulas.

6 A. [13:35:50] Yes.

7 Q. [13:35:51] What type of vehicles were those?

8 A. [13:35:57] Transport vehicles known as gbakas.

9 Q. [13:36:03] Thank you. We are going to come back to 16 December. And you
10 were telling us that the gendarmes, and that is page 31, lines 25 to 27, you said, "At the
11 main road we came across gendarmes."

12 A. [13:36:31] Yes.

13 Q. [13:36:33] Where was that precisely?

14 A. [13:36:45] After the bridge, after the bridge, that is before reaching the main road,
15 that is where we saw them.

16 Q. [13:36:56] Very well. And when you say it is gendarmes that you saw, how do
17 you know they were gendarmes?

18 A. [13:37:12] Because of their light blue uniform. That is the type of uniform that
19 they wear.

20 Q. [13:37:28] And afterwards you say you arrived an intersection at Adjamé.

21 A. [13:37:37] Yes.

22 Q. [13:37:38] Do you know the name?

23 A. [13:37:44] Liberté intersection, that is the name.

24 Q. [13:38:00] And lastly, you said you ran right to the bus terminal, the bus stop.

25 A. [13:38:06] Yes.

1 Q. [13:38:07] And what did you do there?

2 A. [13:38:15] I went there and I waited for calm to return before going back home.

3 Q. [13:38:40] We are going to go to 25 February 2011. Where were you on that date?

4 A. [13:38:50] On 25 February, I was in the neighbourhood. It was on a Friday, and
5 we had to prepare to go to the mosque on 25 February.

6 Q. [13:39:08] And when you say "the neighbourhood," which neighbourhood is that?

7 A. [13:39:13] Doukouré.

8 Q. [13:39:21] And what happened on that Friday?

9 A. [13:39:24] On that Friday at about 9, 10 o'clock, a group of young people of the
10 neighbourhood opposite our own neighbourhood, I don't know where they came from
11 with information or what they were told, but they started throwing stones at us where we
12 used to sit by the roadside to drink our coffee.

13 There was a group of young people who suddenly appeared and started becoming
14 violent. We did not understand. I was at home, and it was people from the
15 neighbourhood who said the neighbourhood was being attacked by people from another
16 neighbourhood. The young people in my neighbourhood, we went out, and when we
17 reached the tarred road, we realised that there was a group of young people there. They
18 started breaking, breaking things, you had the phone booths, the shops with goods,
19 hardware stores and coffee kiosks. They started throwing stones, and people became
20 afraid and went back into the neighbourhood.

21 And since that is where the family, your friends are, it was necessary to go out and see
22 what was happening. That is why we went out. And I, amongst those people, I saw
23 some of them armed with edged weapons. And they were saying, "Today we are going
24 to kill all the Dioulas" on the other side, they were on the other side of the tarred road.
25 They were saying those types of things.

1 There is a bridge separating the 16th from the two neighbourhoods, that is Yao Séhi and
2 Doukouré. There is a bridge separating the two neighbourhoods. These people had
3 machetes, pieces of wood, stones. We thought that maybe the officers from the 16th
4 could intervene, so we stayed there, but there was no intervention. And the young
5 people started entering the neighbourhood and steal. So we could not just sit by and do
6 nothing.

7 So we came out towards them, and when we pushed them out of the neighbourhood it
8 was at that time that people came with weapons along with them. They started pillaging
9 houses and even shooting at people. They even threw grenades. And some of the
10 fragments even hit my arm. They threw grenades at the mosque. They burnt people on
11 that day.

12 There were three days of suffering; Friday, Saturday and Sunday. And it was on Sunday
13 that the mayor of Yopougon came with the central imam of Yopougon, they sat down,
14 they discussed and, based on what we heard, they said it was not people from the
15 neighbourhood who did that.

16 Q. [13:44:16] Let me go back to what you have said, but step by step. You said that
17 there was a group of young people from the neighbourhood across who were throwing
18 stones at you.

19 A. [13:44:33] Yes.

20 Q. [13:44:34] Young people from which neighbourhood?

21 A. [13:44:37] Yao Séhi.

22 Q. [13:44:41] And how do you know that these were young people from Yao Séhi?

23 A. [13:44:46] Because we know them. It is politics that created problems between
24 those young people and us. We knew them, we shared everything. So when we say
25 "the two neighbourhoods," it is the tarred road that separates us. So we had been

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1 attending events together, playing football, going to weddings, so we used to see each
2 other. So it was politics that created that distance between them and us, which is there
3 till today.

4 MS HUCK: [13:45:44] (Interpretation) Mr President, can we go to private session?

5 PRESIDING JUDGE TARFUSSER: [13:45:48] Yes, please, let's go to private session.

6 (Private session at 1.45 p.m.)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

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24 (Redacted)

25 (Redacted).

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1 (Open session at 1.47 p.m.)

2 MR N'DRY: [13:48:00] Monsieur le Président -- (Overlapping speakers)

3 PRESIDING JUDGE TARFUSSER: [13:48:06] Wait. Wait a minute.

4 THE COURT OFFICER: [13:48:03] We are in open session.

5 PRESIDING JUDGE TARFUSSER: [13:48:06] We are in open now. Maître N'Dry, we
6 are in open now. I don't know --

7 MR N'DRY: [13:48:15] (Interpretation) I was asking whether we could stay briefly in
8 private session. I'm a bit late on that.

9 PRESIDING JUDGE TARFUSSER: [13:48:23] Well, yes, let's go back into private
10 session then.

11 (Private session at 1.48 p.m.)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

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1 (Redacted)

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5 (Redacted)

6 (Open session at 1.53 p.m.)

7 THE COURT OFFICER: [13:53:47] We are in open session, Mr President.

8 PRESIDING JUDGE TARFUSSER: [13:53:59] Madam Prosecutor.

9 MS HUCK: [13:54:06] (Interpretation)

10 Q. [13:54:07] When you saw these people, as you have just explained in private
11 session, what were they doing?

12 A. [13:54:17] On the 25th?

13 Q. [13:54:20] Yes.

14 A. [13:54:25] They were with the people who came and attacked our neighbourhood
15 on that Friday. They looted, they injured people, they killed. But in fact they had
16 edged weapons, but they were accompanied by people who were armed, and they fired at
17 us. They were known as the militias.

18 Q. [13:54:58] And who were those militias?

19 A. [13:55:03] I believe there was a recruitment of young people. Some of them were
20 wearing civilian clothing and some were partially dressed in fatigues. They would have
21 camouflage trousers and then a T-shirt and so on. There were many of them in
22 four-by-fours.

23 Q. [13:55:30] And you said they shot at you. Did you see the weapons they were
24 carrying?

25 A. [13:55:37] Yes, Kalashnikovs and pistols.

1 Q. [13:55:52] A short while ago you told us that they were throwing stones at you and
2 then after you went out.

3 A. [13:56:03] Yes, to see what was really happening. I was at home, and the people
4 were shouting and telling me the neighbourhood is being attacked and we do not know
5 by whom. So we had to go out and see what was happening. So I left the house and
6 walked progressively.

7 And it was a Friday, since we had to go to the mosque. As from 10 a.m. people started
8 preparing for the prayer at 1 p.m. So on that day I did not work, so I would be staying at
9 home up till noon before going to the prayer. But it was still after 10 a.m.

10 And I heard people, so I went right up to the road. There were people, women selling
11 goods by the roadside, they carried their property and ran into the neighbourhood.

12 When I arrived on the road, I saw the group of young people on the other side of the
13 paved road and they were saying, "Today you are going to see. Today the rebels who are
14 in this neighbourhood will come out of that neighbourhood today."

15 And those who were saying those were people that we knew, so this surprised us. And
16 we were, like, "We know you. What have we done to you that you are coming to harm
17 us?"

18 And there was some fear because we knew these people, and suddenly you see those
19 people carrying something and saying "Today there are rebels in your neighbourhood."

20 Q. [13:58:14] What was your reaction?

21 A. [13:58:19] When I saw that I felt a little bit -- well, it was as if I was seeing my own
22 brothers mixed with certain people that I did not know, and they were saying there are
23 rebels, whereas we had been with them for years and years.

24 So I turned around to ask the brothers what solutions could we find, because the ideas
25 that they had at that moment would -- might create bad blood, everything could happen

1 amongst us.

2 Q. [13:59:25] You mentioned the militias. When did you see them?

3 A. [13:59:29] The militias came after the stones were thrown. When they were
4 throwing stones, in that area you have those people who were selling by the roadside in
5 the kiosks, they closed up, took their goods and returned home.

6 The young people came out to come and see. And when we arrived, there were people
7 who wanted to go and see what was happening or maybe to negotiate with them, but it is
8 as if they were being told attack, attack, attack. And suddenly they started throwing the
9 stones, throwing the stones. But we couldn't, because people were fleeing. And there
10 were shops by the roadside, they were looting the shops. So we saw that what they were
11 doing could not help us, because we could not leave our goods and then flee, no.

12 Q. [14:00:48] You say that they were throwing stones at you. What did you do in
13 return?

14 A. [14:00:57] We started throwing stones to defend ourselves. As they were
15 throwing stones at us, we threw stones back until we were able to all come out and throw
16 stones at each other, throw stones at each other, throw stones at each other. Yes, that is
17 how it was for about two hours.

18 And then the people came with weapons, and that's how we were weakened, because
19 there were gunshots, they were firing, firing, firing. You see, when somebody has a
20 weapon and is pitted against one with a stone, that is different.

21 We wanted to defend our interests along the roadside. We are small traders, small sales
22 people, and we wanted to defend our items along the road. And so those who had
23 weapons came and everybody was bound to flee.

24 Q. [14:01:58] When you say that they were throwing stones at you and you were
25 throwing stones at them, too, where was that?

1 A. [14:02:04] That was around the tarmac area, around the road opposite.

2 Q. [14:02:13] When you say that people arrived with weapons, where was that?

3 A. [14:02:17] When the people with weapons arrived we were bound to leave the
4 tarred road and return to the neighbourhood. So they entered the neighbourhood too
5 and started looting and injuring people. People were shot at on that day actually.

6 Q. [14:02:34] Were you there when all that was happening?

7 A. [14:02:38] Yes. You see, at the bridge they lobbed a grenade to start with at the
8 bridge, and I -- I was struck by a few grains. On that day somebody died on the spot, a
9 young man died on the spot on that day and some people were injured.

10 Q. [14:03:05] And the bridge, where is the bridge located?

11 A. [14:03:08] The bridge is about 50 metres away from the 16th arrondissement.

12 Q. [14:03:22] In relation to the police station at the 16th, where is it located?

13 A. [14:03:27] Yes, the bridge is some 50 metres away from the police station.

14 Q. [14:03:38] A short while ago you talked about agents or of the 16th. Who were
15 you referring to?

16 A. [14:03:47] What I meant was that given all that was happening, there was no
17 intervention from the 16th. The 16th is a police station. We would have expected some
18 help from the 16th, which was close to us, but I did not see anything. We were attacked,
19 we were injured, we were killed. And we were really surprised and astonished as to
20 why they did not intervene, because normally when something like that is happening,
21 they should intervene to find out why it was happening. The action, however, only came
22 on after everything had transpired. But they did not intervene.

23 Q. [14:04:40] You said that a grenade was thrown a short while ago. Where was the
24 grenade thrown from?

25 A. [14:04:47] The grenade came from ahead. You see, when you leave Siporex and

1 go towards Saguidiba, you first get to the 16th district before you get to the bridge. So if
2 you leave the 16th, you would be about 50 metres away from the bridge, and then 10
3 metres further you would find the neighbourhood opposite.

4 Q. [14:05:28] So to be very clear, when you are talking about the 16th, are you
5 referring to the police station?

6 A. [14:05:33] Yes, the police station, yes.

7 Q. [14:05:44] Who threw the grenade?

8 A. [14:05:47] Those who had the weapons who were called the militia, they are the
9 ones.

10 Q. [14:05:56] How were they dressed?

11 A. [14:05:58] I told you a short while ago that some of them were not wearing military
12 uniforms, but they had -- they were half-dressed like soldiers, maybe they would have a
13 military trouser and then have something else on top, and then the rest would probably
14 be in civilian attire, and then they had Kalashnikovs. They weren't wearing camouflages,
15 but they had weapons, and their faces were masked somewhat.

16 Q. [14:06:39] Had you seen these people before?

17 A. [14:06:46] Mmm, no. They were passing by in the four-by-fours, four-by-four.

18 Q. [14:07:03] When were they passing by in the four-by-fours?

19 A. [14:07:09] Often. They would pass by at various junctions in Abidjan everywhere,
20 now but specifically in Yopougon because, you see, I went around quite a bit, but in
21 Yopougon, yes, in Yopougon.

22 Q. [14:07:28] At what period did you see them?

23 A. [14:07:32] Morning, noon, afternoon, throughout the day.

24 Q. [14:07:41] When was that? In which year?

25 A. [14:07:45] Mmm, well, I think it must have been -- when we saw them properly it

1 was at the time of the elections. We saw quite a number of them after the elections.

2 Q. [14:08:13] Let me return to the grenade. How many grenades were thrown?

3 A. [14:08:18] Two, one at the bridge and the other at the mosque.

4 Q. [14:08:28] You say that you were hurt, you were injured; correct?

5 A. [14:08:34] Yes, but, but, but nothing serious to my left hand. I was -- when they
6 threw the tear gas into the crowd, I was there.

7 Q. [14:08:55] What happened once they threw the grenades?

8 A. [14:09:00] When they lobbed the grenade into the crowd, it is then that the young
9 people who were opposite, on the other side of the tarmac road, the crowd was dispersed.
10 You see, we had not come to fight, but we were simply trying to defend. You know,
11 their intention was such that we felt that things wouldn't go well for us if we were not
12 present, so we needed to be present to see whatever was unfolding.

13 Q. [14:09:53] So you say that you fled. Where did you flee to?

14 A. [14:09:59] We fled back into the neighbourhood because that's the neighbourhood
15 we had left. Now, after the stone and the grenades, then there were gunshots, and so
16 people were forced to flee from the road back into the neighbourhood and further into the
17 neighbourhood.

18 I went past my house and went further, further, much deeper into the neighbourhood, up
19 into the neighbourhood. Thank God nothing much happened to me, but I -- I had the
20 strength to come back to find out what had happened to our house. So after they had
21 finished shooting and stealing, we came back and then we saw that some homes had been
22 looted, some friends had been injured and --

23 Q. [14:11:01] Let me stop you there, Mr Witness. I simply wanted to hop back with
24 you to the incident step by step to see exactly what happened.

25 Now, you say that the grenade was lobbed and then that after there were gunshots with

1 live bullets. At that time where were you when those live bullets were being fired?

2 A. [14:11:24] When the live bullets were being fired, I was right inside the
3 neighbourhood. Then I understood that this was not a game, that this was not a matter
4 of stones, and that so this was a serious matter and that one could die. So I needed to
5 protect myself and that it would not be good to die there. So I went to hide.

6 Q. [14:11:43] You say you fled or you hid. Where did you go to?

7 A. [14:11:49] I went, I fled further into the neighbourhood, further up into the
8 neighbourhood. And there were many of us, many of us who fled. We left the
9 perimeter of our houses and women, children and everyone was fleeing as we ran. We
10 had to cross -- we had to run to seek shelter, and at that time there was tear gas that had
11 been thrown and all of that.

12 Q. [14:12:29] Who threw?

13 A. [14:12:33] Yes, the same people. The women, the children who were at home had
14 to leave to come out and leave their homes and then go further up.

15 Q. [14:12:50] Further up? Further up in relation to your neighbourhood and to the
16 main road? What distance would that be?

17 A. [14:13:12] About -- about -- we went to a place which was about 500 metres away,
18 500 metres about from the location where the attacks had taken place.

19 Q. [14:13:48] A short while ago you said that some people had grenades and bullets.
20 Did any of those hurt anybody?

21 A. [14:14:02] Yes, some people were struck by bullets, and the grenade actually ended
22 up killing somebody on the spot.

23 Q. [14:14:18] Do you know the name of that person?

24 A. [14:14:20] Yes, he was one of the young persons of our neighbourhood. He was
25 well-known. I know his parents, his mother and his father.

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1 Q. [14:14:34] Do you know anyone who was struck by a bullet but who did not die?

2 A. [14:14:39] Yes.

3 MS HUCK: [14:14:49] (Interpretation) Mr President, maybe we could go into private
4 session briefly.

5 PRESIDING JUDGE TARFUSSER: [14:14:56] Let's please go into private session.

6 (Private session at 2.14 p.m.)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Open session at 2.16 p.m.)

25 THE COURT OFFICER: [14:16:56] We are in open session.

1 MS HUCK: [14:17:08] (Interpretation)

2 Q. [14:17:10] Once you were farther up into your neighbourhood, what did you do?

3 A. [14:17:18] I took some time, we took some time and we were patient, we waited for
4 the shooting to calm down, because there had been a lot of shooting and people were
5 wondering where we were. And the place where we were wasn't actually a shelter.

6 One had to go further on to be able to find proper shelter. So I remained at that location
7 with some friends, some friends from the neighbourhood. We remained there until the
8 noise and the gunshots abated. Then we came down to find out what had happened.

9 So we got there on that day at around 2 p.m. We got to the place where we usually
10 would meet along the roadside. They looted, they injured and they killed.

11 After they left, we started coming back one by one. I came back with at least some three
12 or four people who were coming back, but we were scared, we were afraid. We needed
13 to find out whether they had actually left. And we met people at the various
14 intersections, people who were scared, and people were returning to find out what had
15 happened in their house and what those people actually had wanted to do.

16 Q. [14:19:05] And what did you --

17 THE INTERPRETER: [14:19:10] Incomplete question.

18 THE WITNESS: [14:19:13](Interpretation) We walked and walked and walked, and then
19 we finally got to the mosque, and there we found things that were really not good. You
20 see, on that day we had not been expecting any of that nature.

21 MS HUCK: [14:19:38] (Interpretation)

22 Q. [14:19:38] Can you tell us what you saw?

23 A. [14:19:48] We arrived and we saw that one of our brothers had been burnt, a young
24 man had been killed by a live bullet. Then we understood that we were in danger. The
25 imam of our neighbourhood fled on that day.

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1 When a religious leader leaves his home, you must understand that there was no
2 more -- in fact, that we were all in danger, at risk or danger, so to speak. That is when I
3 understood that this was no longer a joke and that we didn't know what the next turn
4 would be given what was transpiring.

5 So I got home, I didn't find anything at home except my bed. The TV set, the radio set,
6 the mattresses, the shoes, they were all gone. There was nothing, nothing, nothing in my
7 house. All the doors within that area had been broken. They took away everything.
8 They killed, they injured people, yes

9 Q. [14:21:40] Mr Witness, the person whom you said was burnt, do you know who
10 that person was?

11 A. [14:21:50] Yes. He was an elder brother in our neighbourhood, Cissé. Can I
12 mention his name?

13 Q. [14:22:04] Please do.

14 A. [14:22:06] His name was Cissé.

15 Q. [14:22:15] What was his job?

16 A. [14:22:18] He was a watchman at -- what do you -- how can I say this now -- at a
17 pharmacy which was not far away from our neighbourhood.

18 Q. [14:22:44] You also mentioned a young person who had been killed by a bullet.

19 A. [14:22:50] Yes, a young man. Well, I do not know his name, but he had barely
20 arrived in our neighbourhood. He was fair-skinned, light complexion. And I saw his
21 body on that day as well.

22 Q. [14:23:30] Mr Witness, throughout all those events which you have described,
23 where was the police?

24 A. [14:23:40] Well, that's what I was telling you earlier; namely, that the 16th police
25 station is located 50 metres from the two neighbourhoods. During those events, we did

1 not receive any help and we did not see any uniformed officer. So we felt rather
2 offended or insulted, because they were the ones who could have come to help.

3 Now, those who were bearing weapons even come by their side of town, and they were
4 the ones lobbying grenades. And a grenade is a weapon of war, so yeah.

5 Q. [14:24:41] Just to be clear for the record, Mr Witness, did you see them? Did you
6 see the policemen on that day?

7 A. [14:24:52] As the event was unfolding?

8 Q. [14:24:57] Yes.

9 A. [14:24:58] No. And that's what I'm telling you, they did not intervene. They did
10 not intervene. And we were surprised at that, we were really surprised by that. They
11 did not intervene.

12 Q. [14:25:17] Well, let us move forward a few weeks into time and get to the period
13 following the arrest of Laurent Gbagbo, the day after his arrest, that is 12 April 2011.
14 Where were you on that day?

15 A. [14:25:43] On 12 April, I was in our neighbourhood. You see, at that time I was
16 unemployed, I was no longer working, so we were at home because things were going
17 really badly.

18 Q. [14:26:05] What happened on that day?

19 A. [14:26:09] On 12 April, we were attacked, we were severely attacked.

20 Q. [14:26:25] Who attacked you?

21 A. [14:26:32] What I can say is that it was the same youth, the same young people, but
22 this time around it was a mix, a mix. It was a mix on that day.

23 We were there, and the action took place between noon and 1 p.m. We were in the
24 neighbourhood. You see, from the 12th or should I say from, from February, there was
25 less work because the intent was already there and one could sense it, therefore, going to

1 work was not very much of an option. So one was cautious. IDs were being checked to
2 determine whether one was Dioula. And if one had an ID which identified one as a
3 Dioula, one would immediately be taken for a rebel and would be burnt.

4 So those of us -- some of us were no longer going out. Our few savings that we had set
5 aside for the future, we had to spend all of that at that time until it was all spent.

6 Q. [14:28:26] Now, let's go back to 12 April. So you say that you were attacked by a
7 mixed group.

8 A. [14:28:36] Yes. It was a mixed group. A mixed group on that day, on that very
9 day. It was that very day that (Redacted) And during that
10 month, the same youth who had been throwing stones and who had come with machetes
11 before, were part of that group, and then you also had the youth who were called the
12 militia, and then there was also -- there were also some Liberians in that group. You see,
13 I became aware of this on the (Redacted)

14 When we were attacked, there were about some 10 people involved. We were sitting
15 there. We were there and chatting, and then a group came out and said, "Hey, come
16 here." And once we got up, shots were fired, (Redacted)

17 Q. [14:30:03] When you said there were people who said, "Come here," who were
18 those people?

19 A. [14:30:10] There were many of them. I said there were people who had edged
20 weapons, machetes and pieces of wood, but there were others behind them, and they
21 were the ones who opened fire; they were hooded.

22 Q. [14:30:33] And where were you?

23 A. [14:30:35] In the very centre of the neighbourhood because the roadsides had
24 become dangerous for us. The supporters of the FPI were moving about there a lot.
25 They were walking everywhere. They had created something called article 125. And

1 people were being burnt. We could no longer even move about with our identity cards.

2 We never even left the neighbourhood anymore.

3 Q. [14:31:20] And you say you were with some friends?

4 A. [14:31:24] Yes, we were sitting together in the neighbourhood. When we were
5 sitting, we were talking about how everything would end, whether there would be peace
6 and what would happen in the future, that God should give us long life. I went with a
7 friend to go and look for food. We found food and we ate. It was when we came back
8 to our friends that these people arrived, and they said, "Come here." They were elder
9 brothers, the doyens. And when I say "doyen", it means somebody of about 40 years old.
10 They were the ones who stood up and went there. There were two groups, but we did
11 not know. The first person who was in front, they took his wallet, they opened the wallet,
12 they took his ID card, they looked at it, they took something else, they took everything out
13 and looked at it, and then it was then that the others opened fire. When they opened fire,
14 I was with a friend. We were part of a group, but we were a bit detached from the group,
15 because when we arrived, we were leaning against a wall and conversing. So when they
16 opened fire, we at least had the time to turn around and flee into an alley. And when we
17 entered the alley, they continued firing. (Redacted)
18 (Redacted)

19 Q. [14:33:52] You have said that they looked at the identity card of the first person
20 who was in front.

21 A. [14:34:00] Yes.

22 Q. [14:34:00] And when you say "they", who do you mean by "they"?

23 A. [14:34:07] There were people who were carrying machetes, they were the ones in
24 front, and they were the ones who looked at the identity card of that person. Those who
25 were carrying weapons were immediately behind those carrying machetes and pieces of

1 wood in their hands.

2 Q. [14:34:33] So it is those who were behind who opened fire; is that correct?

3 A. [14:34:39] Yes, but they were masked; they were hooded. We could not see their
4 faces.

5 Q. [14:34:59] Had you already seen people dressed in that manner before?

6 A. [14:35:04] No, the uniform, the clothes, were strange. It was a black outfit; they
7 were all in black. No -- well, what do you call that? Epaulettes, no epaulettes. They
8 were dressed all in black, wearing black hoods, their faces covered.

9 Q. [14:35:50] (Redacted)

10 (Redacted)

11 MS HUCK: [14:36:13] (Interpretation) Maybe we should go to private session, please.

12 PRESIDING JUDGE TARFUSSER: [14:36:18] Let's go into private session, please.

13 (Private session at 2.36 p.m.)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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9 (Open session at 2.41 p.m.)

10 THE COURT OFFICER: [14:41:46] We are in open session, Mr President.

11 PRESIDING JUDGE TARFUSSER: [14:41:55] Thank you.

12 Madam Prosecutor.

13 MS HUCK: [14:42:11] (Interpretation)

14 Q. [14:42:12] A short while ago you said that you heard the words "No Gbagbo. No
15 Côte d'Ivoire."

16 A. [14:42:24] Yes. That was at a time when I had been struck by the bullet. I was
17 lying down.

18 Q. [14:42:42] What else did you hear?

19 A. [14:42:50] Well, they left the -- I could hear gunshots. They were shooting,
20 shooting at people while I was lying down, and while lying down, they were saying,
21 "Well, are those dead? Are those dead?" If they are dead -- they took another road;
22 they went on their way. I was lying down. I was waiting for someone to indicate that
23 they were no longer there before I stood up. So, there was a woman passing by who was
24 crying and she was saying, "Well, the young people of this neighbourhood, please leave,
25 because what is happening right now is not good. Leave the neighbourhood. If you

1 need to flee, you have to flee."

2 Q. [14:44:04] And what did you do when you heard that woman speak?

3 A. [14:44:08] When I heard her speak I knew that the coast was clear. I stood up and
4 the woman fled. I -- I took -- I got up, I looked at the alley, the corridor, and then I went
5 a little bit and tried to rest a little bit because I no longer had the strength. And I
6 managed to walk into the courtyard, into the yard of the compound. And there is a
7 woman who lives there and she said, "Young man, what is happening to you, (Redacted)
8 (Redacted) " So she helped me into her house. I stayed there for a while.

9 Q. [14:45:14] And what happened in that house?

10 A. [14:45:19] In that house -- they came back, but this time around it was the Young
11 Patriots; those who were carrying machetes. They came back; they entered the house
12 and they were searching and searching and searching.

13 Q. [14:45:40] And how do you know that?

14 A. [14:45:48] I saw because while in the house -- it is God who saved me on that day,
15 yes.

16 Q. [14:46:19] And then what did they do?

17 Are you okay, Mr Witness? You want to take a short break?

18 MS HUCK: [14:47:04] (Interpretation) Mr President.

19 PRESIDING JUDGE TARFUSSER: [14:47:07] Mr Witness? Mr Witness? Can you hear
20 me?

21 THE WITNESS: [14:47:27](Interpretation) Yes.

22 PRESIDING JUDGE TARFUSSER: [14:47:29] Would you like to break?

23 THE WITNESS: [14:47:36](Interpretation) Yes.

24 PRESIDING JUDGE TARFUSSER: [14:47:37] We take the break now, half an hour, and
25 we come back at 3.15, 3.20, and we will have a two-hour session then.

- 1 Okay, Mr Witness, try to recover, and we come back in half an hour. Okay?
- 2 THE WITNESS: [14:48:13](Interpretation) Okay.
- 3 PRESIDING JUDGE TARFUSSER: [14:48:14] Thank you. The hearing is adjourned.
- 4 THE COURT USHER: [14:48:38] All rise.
- 5 (Recess taken at 2.48 p.m.)
- 6 (Upon resuming in open session at 3.26 p.m.)
- 7 THE COURT USHER: [15:26:05] All rise.
- 8 Please be seated.
- 9 PRESIDING JUDGE TARFUSSER: [15:26:37] Hello, Mr Witness. Do you feel better?
- 10 THE WITNESS: [15:26:45] (Interpretation) Yes, I'm fine.
- 11 PRESIDING JUDGE TARFUSSER: [15:26:48] Okay. Then we continue. I don't know
- 12 how long the OTP is just, more or less, just for organisational purposes?
- 13 MS HUCK: [15:27:04] (Interpretation) About 20 to 30 minutes.
- 14 PRESIDING JUDGE TARFUSSER: [15:27:11] Okay. Then we have the legal
- 15 representatives for some short questions, I was advised, and then we start today with
- 16 the -- okay. So now we make a two-hour's session. And you have the floor.
- 17 MS HUCK: [15:27:28] (Interpretation) Thank you.
- 18 Q. [15:27:40] Mr Witness, before the break we were talking about the time when you
- 19 were at that house. Are you able to tell us what happened?
- 20 A. [15:28:10] Yes. While I was in the house, a young man came in with a machete.
- 21 There were two of us hiding in that house. What saved us on that day was 500 francs, a
- 22 coin, and TV. You see, as I was saying, God spared my life on that day. And from there,
- 23 I left that house around 5 or 6 p.m. to go to my friend's house, my friend who lived a few
- 24 metres away from our place. So we went to my friend's house and I spent the night there
- 25 until morning.

1 Q. [15:29:42] Mr Witness, just for purposes of clarity, I understand that you gave the
2 500 francs and the telephone to the young people in order for your life to be spared; is that
3 correct?

4 A. [15:29:57] Yes, that's correct.

5 THE INTERPRETER: [15:29:57] Interpreter corrects from the witness's answer the
6 witness referred to a telephone, not to television.

7 MS HUCK: [15:30:05] (Interpretation) Now, Mr President, can we briefly go into
8 private session.

9 PRESIDING JUDGE TARFUSSER: [15:30:09] Yes, please. Let's go into private session.

10 (Private session at 3.30 p.m.)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Redacted)

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1 (Redacted)

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21 (Redacted)

22 (Open session at 3.34 p.m.)

23 THE COURT OFFICER: [15:34:34] We are back in open session, Mr President.

24 PRESIDING JUDGE TARFUSSER: [15:34:36] The floor is to the Prosecutor.

25 MS HUCK: [15:34:38] (Interpretation)

1 Q. [15:34:51] What did you do the next day?

2 A. [15:34:53] The next day, since I had been bleeding profusely at night, I was feeling
3 weak, in fact, I hadn't eaten throughout the night. And in the morning, there is a lady
4 who tried to fetch some food for me to eat, and I had told her at night that in my state I
5 was not going to be able to stay on where I was, and that if I had to die, I would die on the
6 road, and so I needed to move so that my -- my -- my relatives or my parents can see me.
7 Now, if they see something happening to me on the streets, that would be the will of God.
8 I would rather die there than die in the neighbourhood. So it would be sort of a
9 gratuitous death if I did that. Instead, I would like to go onto the streets, otherwise I
10 would be dying for something that I had not planned. So I did not want to die there.
11 Since I was not able to contact my sister who was in Abobo neighbourhood in Abobo
12 commune, I had no telephone. I was not -- and there were no phone booths around.
13 And my friend did not have a phone either. So I left with my friend in the morning, and
14 before we left in the morning, we -- we walked, and then I saw something. I discovered
15 something in the morning, that is dead bodies, people who had been killed.
16 Those who were not injured were able to bring out the bodies from the houses and from
17 the various junctions to the field where there was a mass, mass grave.

18 Q. [15:37:25] You, where did you see those corpses?

19 A. [15:37:31] At the field, at the entrance into the neighbourhood, near the mosque.

20 Q. [15:37:46] Were you able to see the dead bodies?

21 A. [15:37:55] The dead bodies, yes, I saw them, along with the people whom I had been
22 together, who had been shot. They were lying there. You see, when I had been with
23 some people and we had been asked to show our identity cards, those people were there.
24 Some of them were killed in their homes, people whom I knew very well. I saw them.
25 And even when it came to the burial -- you see, I wasn't present when the burials took

1 place. But when the bodies were being gathered, I saw a little bit of that going on before
2 I left the neighbourhood.

3 Q. [15:38:49] Can you give the names of the bodies that you saw?

4 A. [15:38:55] Yes. The bodies that were there at the time. There was Moustapha.
5 Can I -- can I continue?

6 Q. Can you mention the names, the full names of Moustapha?

7 A. [15:39:09] Yes, Moustapha's full name, I don't know. That's the only name I know.
8 I've forgotten the other name.

9 Q. [15:39:27] Not too bad. Now, you also mentioned Bruno. Do you know his full
10 names?

11 A. [15:39:33] No, Bruno.

12 Q. [15:39:38] Any other names? Were you able to identify any other person?

13 A. [15:39:47] The only person I was able to identify was Daou. His elder brother
14 Avieis alive. He was with us on that day and I know that name because his elder brother,
15 who is alive, is still with us even today in our neighbourhood. So apart from that, the
16 others would be nicknames and nicknames upon nicknames.

17 Q. [15:40:20] Do you remember any other names?

18 THE INTERPRETER: [15:40:26] Overlapping speakers.

19 A. [15:40:27] Well, there is Bruno. There is Moustapha. There is Daou, Lasse, IB,
20 Chaka, Adamo, Loss, Awa's father, and Ibrahim's father.

21 Q. [15:41:05] Did you know those people from before?

22 A. [15:41:14] Yes, very well. The names I have mentioned are the names of people
23 whom I knew very well.

24 Q. [15:41:53] After that, where did you go?

25 A. [15:41:55] Thereafter, I went to a neighbourhood known as Andokoi with my friend.

1 So, so --

2 Q. [15:42:15] What did you -- what did you see on the road that led you to that place?

3 A. [15:42:25] On the road to the neighbourhood we saw a number of burnt bodies.

4 Q. [15:42:31] Where were those bodies?

5 A. [15:42:34] On the tar, some of them in the ditches. And people went about as if
6 nothing was happening. They went by as if it was simply dead animals lying on the
7 streets. And then we also had roadblocks, and when you got to a roadblock, if you did
8 not have money, they might ask for your papers. But if you paid 200 or 500, you would
9 go through.

10 So in order to avoid anything whatsoever, my friend had some money, and before we left,
11 we went through those -- we went through the neighbourhood, and then we went
12 through a neighbourhood called Selmer. And then we went through Wassakara, and it
13 is at Wassakara that we were able to go through and then all the way to Andokoi through
14 the road, or by road.

15 But we got to Selmer, Selmer neighbourhood tar, and the tarmac road. We saw people in
16 their four-by-fours and others bearing weapons. We had people who were in vehicles
17 not wearing any shirts, and they were moving about. We didn't know what they were
18 doing or where they can had come from.

19 But then we went through one civilian roadblock and then all the way on to the
20 Wassakara neighbourhood. And it is from there that we felt a little more relief because
21 we were not bothered from there on until we got to Andokoi.

22 Q. [15:44:38] Who were those people who were not wearing any shirts or -- and in a
23 bâchée?

24 A. [15:44:51] These were people who were -- these people were bare chested in a
25 vehicle that we came across at the tarmac road. In fact, the people in there were bearing

1 weapons, whereas some of them were seated inside the vehicle bare chested. That's
2 what it was. Then thereafter, we saw bodies on the tarmac road, some of them torched in
3 tyres, and in the various other neighbourhoods which we went through we saw the same
4 thing.

5 Q. [15:45:32] Do you remember how many corpses or bodies you saw?

6 A. [15:45:39] Maybe five to six in the various areas.

7 Q. [15:45:52] In which area?

8 A. [15:46:00] Specifically between Selmer and Sicogi, because there is a bridge as we
9 exit our neighbourhood further up towards Selmer. In that area there is a small bridge.
10 When you leave Selmer, then you go through that bridge, and then you're on to the
11 Wassakara neighbourhood. In that area there are a number of ditches.

12 Q. [15:46:42] So you went to Andokoi; is that correct?

13 A. [15:46:48] Yes.

14 MS HUCK: [15:46:51] (Interpretation) Mr President, maybe we can briefly go into
15 private session, please.

16 PRESIDING JUDGE TARFUSSER: [15:46:56] Let's go into private session. Thank you.
17 (Private session at 3.46 p.m.)

18 (Redacted)

19 (Redacted)

20 (Redacted)

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24 (Redacted)

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1 (Open session at 3.51 p.m.)

2 THE COURT OFFICER: [15:51:38] We are in open session, Mr President.

3 PRESIDING JUDGE TARFUSSER: [15:51:42] Thank you.

4 Madam Prosecutor.

5 MS HUCK: [15:51:49] (Interpretation)

6 Q. [15:51:50] Mr Witness, a short while ago you talked about some dead bodies.

7 Where were those bodies buried?

8 A. [15:52:03] They were buried in the neighbourhood, in the neighbourhood around the
9 parking where we used to play football.

10 Q. [15:52:13] A short while ago I thought you said it was next to the mosque; is that
11 correct?

12 A. [15:52:18] Yes, it was there. The parking is right next to the mosque.

13 Q. [15:52:29] Do you know how many bodies were buried?

14 A. [15:52:36] Well, on the day I left I believe that I saw 17, the day I left, on the day I left.
15 And then those who conducted the burials are the ones who told us subsequently that 29
16 bodies had been buried in the mass grave. You see, some of the bodies were not on the
17 spot, because at the time my friend and I were leaving the area where the corpses were,
18 some other corpses were still being brought in. You see, I was suffering and I didn't
19 really have to remain, but I wanted to see for myself whether I knew those who had died.
20 So I went around and I looked and I looked at the faces and I looked at the faces until I
21 finished doing so, and then I left, and then we left.

22 Q. [15:54:07] So you're telling us that your neighbourhood was attacked after Gbagbo
23 was arrested?

24 A. [15:54:14] Correct.

25 Q. [15:54:15] Do you know whether any other neighbourhood was attacked?

1 A. [15:54:20] Yes. Mustapha and his junior brother used to live in a neighbourhood
2 which is around Sicogi, and the name was Faitai. Faitai was attacked on 11 April at night.
3 And he lost his junior brother in that attack, but it was on the 12th that our own
4 neighbourhood was attacked. But on the 11th, there had been an attack, and we received
5 messages that people from the Ogbor (phon), the Dioula people, had been attacked. And
6 all those who were killed on that day were Dioulas. That's what we learnt.

7 MS HUCK: [15:55:25] (Interpretation) For the very last time, could we go into private
8 session to deal with a few questions, my last questions, very briefly?

9 PRESIDING JUDGE TARFUSSER: [15:55:36] Let's go into private session, please.

10 (Private session at 3.55 p.m.)

11 (Redacted)

12 (Redacted)

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8 (Open session at 3.58 p.m.)

9 THE COURT OFFICER: [15:59:00] We are back to open session, Mr President.

10 PRESIDING JUDGE TARFUSSER: [15:59:03] Thank you very much.

11 Mr Witness, the Office of the Prosecutor has finished its questioning. It's now for the
12 Legal Representative of Victims to put some questions to you. And I give the floor to
13 Madam Massidda.

14 MS MASSIDDA: [15:59:28] Thank you, Mr President. After the questioning of the
15 Office of the Prosecutor we do not have any question for this witness. Thank you.

16 PRESIDING JUDGE TARFUSSER: [15:59:37] Okay. Thank you very much. So the
17 Legal Representatives have no questions.

18 And therefore I now give the floor to the Defence of Mr Gbagbo, I suppose, not before
19 having said that the three names mentioned at page 40, line 5, by the Witness, Zola, Junior
20 and Kouakou are reclassified as public, but I would ask the Defence to not mention these
21 names in connection with events which could bring to the identification of the witness,
22 with this limit.

23 Maître Altit, the floor is yours.

24 MR ALTIT: [16:00:32] (Interpretation) Thank you, your Honour. Your Honours, this
25 witness will be questioned by Ms Naouri on behalf of the Gbagbo Defence team.

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1 PRESIDING JUDGE TARFUSSER: [16:00:50] Madam Naouri, the floor is yours.

2 MS NAOURI: [16:00:55] (Interpretation) Thank you, your Honour.

3 QUESTIONED BY MS NAOURI: (Interpretation)

4 Q. [16:01:22] Good afternoon, Mr Witness.

5 A. [16:01:32] Good afternoon.

6 Q. [16:01:32] My name is Jennifer Naouri, and I'm the person who will be putting some
7 questions to you now on behalf of President Gbagbo's Defence team.

8 A. [16:01:39] Okay.

9 Q. [16:01:42] Okay. Mr Witness, could you tell us once again how long you've been a
10 RDR supporter for? How long have you been active with the party?

11 A. [16:02:09] Not a long time, late 2008, ever since then.

12 Q. [16:02:21] Mr Witness, do you remember meeting with some investigators from the
13 OTP, and do you remember them taking a statement from you? Do you remember that?

14 A. [16:02:40] I haven't understood.

15 Q. [16:02:50] Do you remember meeting with investigators from the OTP?

16 A. [16:02:54] Yes.

17 Q. [16:02:56] Very well. And do you remember those investigators writing down
18 what you were saying?

19 A. [16:03:03] Yes.

20 Q. [16:03:04] Very well. I'd now like to read part of your statement back to you, sir,
21 paragraph 23. I'm going to read out one sentence, just one sentence. We're in open
22 court. Paragraph 23, and I quote, you said:

23 "From time to time I would attend marches and rallies organised by the RDR. I've done
24 so since 2003, after the crisis began in 2002."

25 So my question to you is this: So have you been a supporter since 2002 -- correction,

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1 since 2003; is that true?

2 A. [16:04:15] Well, you asked a question, and you said since when, how long I've been a
3 supporter of the RDR party.

4 Q. [16:04:26] I said --

5 A. [16:04:30] Yes.

6 Q. [16:04:31] -- how long have you been supporting the party or active in, that is to say
7 attending rallies, attending marches?

8 A. [16:04:43] Since 2003 or 2004.

9 Q. [16:04:50] Very well. And as early as 2003 you were taking part in marches; is that
10 right?

11 A. [16:05:04] Marches, well, sometimes I would go to rallies.

12 Q. [16:05:16] And who was organising these rallies?

13 A. [16:05:22] Well, the rallies would be organised by the RDR representative.

14 Q. [16:05:36] Which RDR representative?

15 A. [16:05:41] Well, the ones I knew.

16 Q. [16:05:53] Mr Witness, I'm getting to my point. I'd like to ask the Presiding Judge if
17 we can go into private session and that way you can give us the name of this gentleman.
18 Your Honour, if we could please go into private session.

19 PRESIDING JUDGE TARFUSSER: [16:06:08] Yes, let's go into private session, please.

20 (Private session at 4.06 p.m.)

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22 (Redacted)

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- 18 (Redacted)
- 19 (Open session at 4.26 p.m.)
- 20 THE COURT OFFICER: [16:26:34] We are in open session.
- 21 PRESIDING JUDGE TARFUSSER: [16:26:40] Madam Naouri.
- 22 MS NAOURI: [16:26:41] (Interpretation) Thank you, your Honour.
- 23 Q. [16:26:47] Mr Witness, could you tell us how many grins there were in Abidjan?
- 24 A. [16:26:55] Huh? I, I can't know how many.
- 25 Q. [16:27:05] Were there grins in each neighbourhood of Abidjan?

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1 A. [16:27:10] Well, in fact, the grins, these are forums where people come together.
2 They drink tea. The grins are, well, it's where the drivers come together. They meet up.
3 It's a spot where people can come together and you can drink black coffee or the
4 drivers -- most of the people who come are drivers, people who drive vehicles.

5 Q. [16:27:48] Mr Witness.

6 MS NAOURI: [16:27:55] (Interpretation) I'm sorry, your Honour, but I'm afraid we
7 have to go into private session briefly. I apologise. I need to put a question to the
8 witness.

9 PRESIDING JUDGE TARFUSSER: [16:28:04] Let's go back into private session shortly.

10 (Private session at 4.28 p.m.)

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8 (Open session at 3.29 p.m.)

9 THE INTERPRETER: [16:29:48] Interpreter correction: In the previous reply the
10 witness said that the person was not a driver, not a driver.

11 PRESIDING JUDGE TARFUSSER: [16:29:54] Maybe there was an interpretation issue.
12 Okay.

13 The floor is yours.

14 MS NAOURI: [16:30:00] (Interpretation) Thank you, your Honour.

15 Q. [16:30:03] Mr Witness.

16 A. [16:30:14] Yes.

17 Q. [16:30:18] As one came closer and closer to the election period, what topics were
18 discussed at the grins?

19 A. [16:30:44] There weren't -- it wasn't political debate or discussions often -- well, you
20 see, in the period of elections, people talk all over the place, not necessarily just at the
21 grins. In the supermarkets, at cafés, people talk. That's normal. It's natural.

22 Q. [16:31:16] But you talked about the organisation of marches at the grins, didn't you?

23 A. [16:31:23] Not the organisation of grins.

24 Q. [16:31:31] Now, Mr Witness, at paragraph 170, you said, and I quote, regarding the
25 march.

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1 A. [16:31:47] Yes.

2 Q. [16:31:48] "At about 9 in the morning I went to the grin to find out about the march
3 and I was told that people had left. They had left at 6 in the morning." End of quote.

4 A. [16:32:06] Yes, because, you see, since the march, me, myself -- the march, I never
5 liked the marches myself personally. I didn't like the marches, because those marches -- I
6 prefer to go to the rallies than to the marches. But the march on that day was a march at
7 which --

8 THE INTERPRETER: [16:32:41] Inaudible.

9 THE WITNESS: [16:32:44] (Interpretation) I never went to a march other than that one.

10 MS NAOURI: [16:32:48] (Interpretation)

11 Q. [16:32:48] Very well. We'll come back to this point, this march. But my question is
12 this: Were people talking about these marches in the grin, because in your statement,
13 paragraph 170, you --

14 THE INTERPRETER: [16:33:08] Overlapping speakers.

15 MS NAOURI: [16:33:11] (Interpretation)

16 Q. [16:33:12] Is that correct?

17 A. [16:33:13] Yes, because everyone knew about the march. They knew from the day
18 before.

19 PRESIDING JUDGE TARFUSSER: [16:33:20] Please do not overlap.

20 THE WITNESS: [16:33:24] (Interpretation) The information was everywhere that the
21 new, the director of the RTI was going to be sworn in.

22 MS NAOURI: [16:33:47] (Interpretation)

23 Q. [16:33:47] Very well. Were there leaders of some kind, people with more
24 experience within the grin who would speak and would take this initiative regularly?

25 A. [16:34:06] No. What I told you was the grin were made up of young drivers. A

1 grin is, the one I'm talking about, that one, was a place where tea or coffee is sold. People
2 will come and drink tea, then they leave. People didn't spend the whole day there. It's
3 a place where you would come, you would have a coffee, then you would leave, or you
4 would come, have a coffee, then leave. You wouldn't spend the whole day, a person
5 couldn't spend a whole day there. It's a place where someone comes and parks his car,
6 then off he goes.

7 Q. [16:35:07] Very well. I would like to read out paragraph 29 to you. You said this,
8 "These meetings at the grin were not really political. For the young people in the
9 neighbourhood it was a matter of organising themselves to receive visits from political
10 figures who would visit the neighbourhoods. Some people would take care of their
11 security. Others would rent tarpaulins or chairs, for example. Everyone could take part
12 in these meetings within the grin without any political distinctions being made. Most of
13 the members of these grins were Malinké people, people from the north. But there was
14 also LMP youth and they would have us believe that they were neutral." End of quote.
15 So political figures would visit the grin?

16 A. [16:36:14] No, not the grin, but you see, the grin was not far from the mosque, the
17 neighbourhood mosque. In actual fact, the events that would be held, political events or
18 marriages or football matches, all of those things occurred in front of the mosque. It's not
19 far from the mosque.

20 Q. [16:36:50] Very well. And when you say some people would take care of their
21 safety?

22 A. [16:37:02] Yes. That, when they would come, some young people would handle the
23 security. They would come with some officers, with some people in uniforms. But
24 there were also some young people who would help or -- for the officials who were there.
25 And some of the young people would help with the tarpaulins and the chairs.

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1 So, you see, everyone had a little, how should I say? Everyone had a -- they tried to
2 make sure that the officials would be welcomed.

3 Q. [16:38:07] Very well. But how would these young people organise security? Did
4 they have weapons?

5 A. [16:38:19] No. They didn't have weapons.

6 Q. [16:38:22] So how did they go about handling security?

7 A. [16:38:25] Avoid the crowds, go where the official was, that's all. Avoid the crowd.
8 They were, they were like hand in hand, to keep the crowd from getting to the place
9 where the officials --

10 Q. [16:38:56] Very well. Mr Witness, now let us move to the march of 16 December.

11 A. [16:39:12] Yes.

12 Q. [16:39:16] You had already learned that there was going to be a march upon the RTI.
13 You had heard it on the television?

14 A. [16:39:25] Yes.

15 Q. [16:39:28] How many days before did you hear that on the TCI?

16 A. [16:39:36] I was -- I went on a short trip, and I got there Tuesday, at night. I got to
17 the home of a friend, and he said that there would be a march and the director of the RTI
18 was going to be sworn in.

19 Q. [16:40:11] Sorry? I interrupted, sorry.

20 A. [16:40:18] They are going to swear him in at the RTI. And so I tried to find out
21 more to determine whether it was a peaceful march or a -- because, you see, I was afraid
22 of violence. One of my brothers said, "Nothing is going to happen, nothing will happen."
23 So I said, "Okay."

24 Q. [16:40:41] Very well. And you saw that on the television, on the TCI, it was
25 Guillaume Soro who issued the call?

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- 1 A. [16:40:57] Yes.
- 2 Q. [16:40:59] And do you know when the TCI network or station was set up?
- 3 A. [16:41:08] I don't remember the date, but I do know it was --
- 4 Q. [16:41:16] You don't need to give us the exact date, but approximately.
- 5 A. [16:41:23] During the crisis, but I don't remember the month.
- 6 Q. [16:41:28] Very well. And where was the gathering point before marching upon the
- 7 RTI, where were you supposed to meet up?
- 8 A. [16:41:47] No, no, we weren't supposed to meet up. We were supposed to leave
- 9 individually, because since it was the RTI and people know the RTI, you could take
- 10 transportation and get there.
- 11 Q. [16:42:05] Mr Witness, at paragraph 177 you said, "We were supposed to meet at the
- 12 Golf and then march upon the RTI"?
- 13 A. [16:42:21] Yes.
- 14 Q. [16:42:24] "Ahmed Bakayoko had said on the TCI that we would show the entire
- 15 world that we were democrats and there would be a peaceful march." End of quote.
- 16 So you were supposed to meet at the Golf?
- 17 A. [16:42:38] Yes.
- 18 Q. [16:42:38] Very well. There were already soldiers there at the Golf hotel?
- 19 A. [16:42:49] Yes, yes.
- 20 Q. [16:42:50] And those soldiers were also supposed to march upon the RTI that day?
- 21 A. [16:42:57] I don't know.
- 22 Q. [16:42:58] Very well. Now, those soldiers who were at the Golf hotel, they were
- 23 part of the armed forces, the New Forces, the FACN, weren't they?
- 24 A. [16:43:29] I don't have confirmation of that. I never went there.
- 25 Q. [16:43:37] Very well. And people from other cities were also supposed to go to

- 1 Abidjan to take part in the march?
- 2 A. [16:43:53] Yes, yes, that's -- you've understood correctly.
- 3 Q. [16:43:56] From what other cities or towns?
- 4 A. [16:44:00] Several cities.
- 5 Q. [16:44:10] Could you give us some examples, Bouaké, Man?
- 6 A. [16:44:16] Man, Bouaké, Daloa.
- 7 Q. [16:44:20] Very well. And you weren't working that day?
- 8 A. [16:44:31] No.
- 9 Q. [16:44:34] Did some family members or friends go that day, go to work that day?
- 10 A. [16:44:49] Well, the ones who were drivers went to work.
- 11 Q. [16:44:53] Very well. Now, when you say driver, do you mean taxi drivers as well?
- 12 A. [16:45:00] Yes, taxi drivers. You see, the march, the march would depend, you
- 13 would go or maybe you wouldn't go. It would depend on you.
- 14 Q. [16:45:21] Very well. So you went to the grin that day?
- 15 A. [16:45:46] Yes, I went to the grin and I drank some tea.
- 16 Q. [16:45:55] Very well. And when you left the grin, how did you know which
- 17 itinerary to take for the other marchers?
- 18 A. [16:46:11] Well, the transportation vehicles from Yopougon to the RTI, it's no secret,
- 19 from one spot to another, and I can get there.
- 20 Q. [16:46:38] So you went directly to the RTI, not to the Golf hotel?
- 21 A. [16:46:41] No, because before I called one of my brothers, who said that they were
- 22 already at the Golf hotel but they were now heading towards the RTI.
- 23 Q. [16:47:03] Did anyone at the grin tell you where the youth who had gone earlier that
- 24 morning were?
- 25 A. [16:47:24] No. When I got to the grin, I asked a friend whom I found and he told

1 me that some people had already left, because I had been late, so I went along with that
2 friend.

3 Q. [16:47:40] Very well. Now, Mr Witness, this morning you told us, and I'm going to
4 quote you, at page 31, page 15, rather, line 15, "Now, in the morning when I got up, I came
5 to sit down at a small café and I had some coffee and I chatted with some friends. I
6 asked them and they told me that they had gone for the march. And I believe it was with
7 a view to installing the new director of the RTI. Now, when my friend arrived we
8 decided to go because people had already left.

9 So we took a vehicle down to an intersection from which we were supposed to take
10 another one to continue.

11 Some youth were saying that since there was a vehicle, we could travel together." End of
12 quote.

13 So I want to return to this issue of vehicles and to clarify what actually happened, because
14 it's not very clear. Did you take a vehicle from the grin or did you take the vehicle later,
15 and what did the youth tell you when you say that "Some youth were saying that since
16 there is a vehicle, we could travel together"? Was there a rallying point from which you
17 could leave? And I'll stop there.

18 Now, my first question to you is, did you take a vehicle from the grin, from the grin?

19 A. [16:50:08] Yes, from the grin to the carrefour is quite, quite a distance, and it costs a
20 hundred francs by public transport. So we would take a vehicle to drop at the Siporex
21 junction.

22 Q. [16:50:28] How much time did that take?

23 A. [16:50:30] From the grin to Siporex?

24 Q. [16:50:36] Yes.

25 A. [16:50:38] Well, a few minutes, a few minutes.

1 Q. [16:50:45] Very well. So you get to Siporex and then you take another vehicle,
2 correct?

3 A. [16:50:52] Yes. We took another vehicle. Yes, we took another vehicle. But there
4 was a problem with vehicles. So we were waiting for a vehicle and that's when we saw a
5 group of youth who said that they were going for the march.

6 And because of the shortage of vehicles, we said that there would be no problem if we
7 walked with them along. So, but that was not a rallying point, simply we met and we
8 were moving in the same direction, and that's how we joined them and we started
9 walking gradually.

10 Q. [16:51:47] So if I understand you very well, you did not take a vehicle from there?
11 You actually joined the youth by foot?

12 A. [16:51:53] Yes.

13 Q. [16:51:54] How many of them, how many of you were there more or less?

14 A. [16:52:02] I think those youth, there must have been about 10, 10 of them, about 10 of
15 them, thereabouts.

16 Q. [16:52:14] Very well. And where were you headed? Where did you -- in which
17 direction were you going at that time?

18 A. [16:52:28] We were on the auto-route, on the auto-route.

19 Q. [16:52:36] Very well. Were cars moving already around that time?

20 A. [16:52:50] Yes, yes. But we were walking.

21 THE INTERPRETER: [16:52:56] Overlapping speakers, Mr President.

22 PRESIDING JUDGE TARFUSSER: [16:52:59] Overlapping speakers.

23 MS NAOURI: [16:53:02] Pardon.

24 Q. [16:53:10] (Interpretation) You said you saw vehicles. In front of what did you
25 see vehicles?

1 A. [16:53:18] When we were walking, we came across some, what can you call them,
2 some agents or elements, gendarmes who asked us "Where were you going?"
3 And so one of the people said we were going to the RTI to install, to install -- how do, how
4 do I put this now? To install the new director of the RTI.

5 So then one of them said: "What are you going to do there? Go back home. Go back
6 home. You'll be killed. You're going to run into problems, so go back home."

7 Q. [16:53:56] Very well. Now, my question is simply in relation to the road or your
8 route. You are walking with some youth?

9 A. [16:54:07] Yes. But our reason was because we could not find a vehicle, because as I
10 mentioned, on that day, when we got to that place, there was a problem of transportation,
11 of vehicles. So we started walking gradually. But as we got to the point where we met
12 up with these elements, it was possible for both of us, my friend and I, two of us, to get a
13 vehicle to go all the way to Liberté.

14 Q. [16:54:41] Very well. That's clear now.

15 So the vehicle that you take at that time to go to Liberté, how many people were in that
16 vehicle?

17 A. [16:54:59] There were only three spots in the vehicle. These were Dyna, Dyna
18 vehicles, otherwise known in our area as the gbaka. They are small, small 20-seater
19 vehicles.

20 Q. [16:55:24] So you're in a 20-seater, correct?

21 A. [16:55:33] Yes. But there were other passengers in the vehicle already by the time
22 we joined it.

23 Q. [16:55:38] Very well. So when you get to Liberté, you alight from the gbaka,
24 correct?

25 A. [16:55:59] Yes. We got out of the vehicle, yes.

1 Q. [16:56:07] So is it from the time you got out of the bus that you heard the shots?

2 A. [16:56:21] No. It is at that time that we noticed people running towards us. They
3 were running and running and running. But we did not know why. And then
4 suddenly we heard gunshots. We heard -- we were therefore forced to run as well, not
5 knowing what was happening.

6 Q. [16:56:44] Very well. So, Witness, you were fleeing but you didn't know where the
7 gunshots were coming from?

8 A. [16:56:56] Yes, yes, that is correct. I preferred to flee.

9 Q. [16:57:02] Very well. Mr Witness, let us hark back to what you said today about the
10 parlement, parliaments.

11 A. [16:57:31] Okay.

12 Q. [16:57:32] At page 23, this is what you said, at line 14: Question: "Who was
13 making speeches?"

14 And your answer: "It was the same. In fact, parliament is an open place, open to
15 everyone who wishes to take the floor. That's what parliaments were."

16 So my question to you is the following: Were the meetings of parlement a daily activity
17 that was open to the entire neighbourhood?

18 A. [16:58:27] Yes. But the parlement was something that could be observed each day.
19 You see, whenever I passed by the parlement at any time, the place would be crowded,
20 would be full of people at any given time.

21 Q. [16:58:56] Very well. But when you went to attend meetings at the parlement, who
22 informed you of such meetings?

23 A. [16:59:04] The parlement is located along the road and is therefore not hidden. It's
24 quite visible. It's not a hidden location.

25 Q. [16:59:20] Very well. So this was common knowledge in the entire neighbourhood,

1 correct?

2 A. [16:59:26] Yes, correct.

3 Q. [16:59:32] Did any women attend those meetings?

4 A. [16:59:35] Yes, a few women, but it was mostly attended by men. There were not
5 too many women. It was mostly men whom I saw there.

6 Q. [16:59:54] Would it be correct to say that these meetings attracted persons of all
7 ages?

8 A. [17:00:03] Yes. But discussions centred solely on, well, it depended on the -- on the
9 speech. If you were interested in it, you would stay on. If you weren't interested, you
10 weren't bound to stay on.

11 Q. [17:00:22] Very well. So there was no agenda for the parlement?

12 A. [17:00:30] No, no. Each day.

13 Q. [17:00:35] The topics covered were generally improvised, could that be said?

14 A. [17:00:45] Yes. The themes were often, well, not too good, not too good to look at.

15 Q. [17:00:54] And those who spoke at the parlement were not always the same persons,
16 correct?

17 A. [17:01:09] Each time someone would come and maybe talk about something that
18 they have understood or something that they have heard. Each day something new was
19 brought up for discussion.

20 Q. [17:01:35] Very well. Anyone could take the floor without being registered; is that
21 correct, on a speakers' list?

22 A. [17:01:52] Before you took the floor, you had to first of all be someone of the
23 parlement before you could take the floor. I, for example, could not take the floor at the
24 parlement.

25 Q. [17:02:09] Okay. Very well. Do you know the president of the National

1 Federation of Parlements and Agoras?

2 A. [17:02:21] No.

3 Q. [17:02:23] And if I mentioned name Idriss Ouattara, would that ring a bell?

4 A. [17:02:29] Idriss Ouattara? No.

5 Q. [17:02:35] And if I said Gaoussou Yahieri Paul to you, would you know who that
6 person is?

7 A. [17:02:53] Gaoussou?

8 Q. [17:02:55] Gaoussou Yahieri Paul.

9 A. [17:02:59] No.

10 Q. [17:03:00] Very well. Mr Witness, Guillaume Soro was the secretary general of
11 FESCI; is that correct?

12 A. [17:03:11] Yes.

13 Q. [17:03:11] Very well. Now, Mr Witness, let us go back for a moment to 25 February.

14 A. [17:03:54] Yes.

15 Q. [17:03:58] On 25 February, you were at home?

16 A. [17:04:09] Yes.

17 Q. [17:04:12] Let me put the question to you: Were you at home before going to the
18 road or were you at the grin?

19 A. [17:04:19] On 25 February, I was at home.

20 Q. [17:04:27] Very well. At what time did you leave for the tarmac road?

21 A. [17:04:32] Around 10, 11 a.m., thereabouts, yes.

22 Q. [17:04:38] Very well. Now, without mentioning any names, how many of you were
23 together as you went towards the road, the tarmac road?

24 A. [17:04:50] I met a friend and we walked together all the way to the tarmac road.

25 Q. [17:05:03] How did you personally receive information about clashes at the main

1 road?

2 A. [17:05:11] It is the ladies whom I met on the way around my house who informed
3 me that some young people were throwing stones at my friends along the roadside. So I
4 walked with one of my friends. We walked over a certain distance, and then we realised
5 that something, something was amiss, something not nice was happening.

6 So, well, personally, I remained calm to begin with because I wanted to find out what was
7 going wrong. That's it.

8 Q. [17:06:09] Very well. Was it at that time that you saw a huge crowd?

9 A. [17:06:28] Yes, a huge crowd on the other side of the road.

10 Q. [17:06:31] Very well. Was it a crowd of young people?

11 A. [17:06:39] Yes, it was a crowd of young people.

12 Q. [17:06:44] They were attempting to cross the main boulevard in order to enter into
13 Doukouré; is that your testimony?

14 A. [17:06:53] Yes.

15 Q. [17:06:57] And that was the crowd that was throwing stones at you?

16 A. [17:07:01] Yes, yes.

17 Q. [17:07:05] So you decided to look for stones within your own neighbourhood, within
18 Doukouré; is that correct?

19 A. [17:07:12] Yes. They were throwing stones at us, and we realised that their
20 numbers were increasing, because it was a big crowd to begin with and then all of a
21 sudden the numbers swelled. And so we have people in the neighbourhood with
22 children and families, but who were not armed. All they had was stones. And so if
23 they are throwing stones at us, we would also throw stones at them. And that's how we
24 went down to fetch stones and throw at them as well.

25 Q. [17:07:56] Very well. So where did you get the stones from?

- 1 A. [17:08:00] The stones were in the neighbourhood. Well, the same stones that they
2 would throw at us, we would also pick them up and throw the same stones back at them.
- 3 Q. [17:08:14] Very well. And at that time it was not just two of you. The youth had
4 joined you; correct?
- 5 A. [17:08:26] No, we were along the roadside with the other young inhabitants of my
6 neighbourhood.
- 7 Q. [17:08:36] How many of you?
- 8 A. [17:08:38] All of us, we all came out of our neighbourhood, because the news spread
9 rather quickly, rather quickly when we heard that the people were there. Well,
10 it -- it's -- it's something that really took everyone by surprise. How can you just get up
11 and attack a neighbourhood like that? And so you are there and you are stoning people
12 like that. We didn't even know what the problem was. We were all surprised. And
13 the shops and the coffee places and what have you, anything that was along the road was
14 closed down by its owners.
- 15 Q. [17:09:25] We'll get to that. We'll get to that.
- 16 But then you were with all the youth of the neighbourhood. How many would that be?
17 100, 200, 300?
- 18 A. [17:09:38] I can't give you an exact number, because on that day, on that day there
19 was a mixture of women, old people who at the very beginning came to find out what
20 was going on. People had come claiming that there were rebels in our neighbourhood.
21 They were on the other side of the road. And then they started throwing stones, and so
22 people ran off to protect their goods.
- 23 Q. [17:10:14] Very well. Please let us try and focus on the question.
- 24 So you don't know how many people there were with you throwing stones, as you have
25 said. But you must have been a greater number than those opposite you?

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1 A. [17:10:30] No, not as many as they were, because, you know, people were also
2 fearful, people were afraid. So it's not everyone who came out.

3 Q. [17:10:43] Now, Mr Witness, you have told us that a number of shops were there and
4 so you were throwing stones in order to stop any stealing; is that correct?

5 A. [17:10:59] Yes. When they started throwing stones, because they're the ones who
6 started throwing stones, they're the ones who started, they are the ones who started
7 throwing stones, and so this was to get people to flee. Well --

8 Q. [17:11:21] Mr Witness, during the crisis and before 25 February, there had already
9 been some clashes between the youth of Doukouré and the youth of Yao Séhi; is that
10 correct?

11 A. [17:11:31] Yes. There had been attacks.

12 Q. [17:11:42] Please proceed.

13 A. [17:11:44] They had attacked some passersby and people who came to visit others
14 were also attacked. If you look at it carefully, it was a group of bandits. The idea is that
15 bandits always assemble around a smoking, smoking area. So it was a smoking area,
16 and that's what happened.

17 Q. [17:12:21] So, so part of this was in relation to daily criminality such as acts of
18 stealing telephones and such items?

19 A. [17:12:34] Yes.

20 Q. [17:12:35] Did you know that Bobi had asked the youth of the area to supervise the
21 roads in order to check such theft?

22 A. [17:12:48] Yes. We are the ones who actually requested that as leaders, that the
23 eldest should go to the 16th police district and complain about visitors and friends who
24 come to our neighbourhood end up experiencing some kind of theft. And we reported
25 this to the 16th to look into the matter, but there was no follow-up.

1 So one day -- what are you saying?

2 Q. [17:13:40] I was going to put a question to you in relation to what you are saying.

3 So it is at that time that you yourself decided to arrest or deal with these young people
4 who were stealing?

5 A. [17:13:49] Um, well, there were several cases of theft. And so on one day we
6 decided that rather than going to the 16th all the time and not seeing a solution to this
7 theft problem, we ourselves can prohibit stealing, we can prohibit these people from
8 stealing in our neighbourhood. And how are we going to do that? We caught one of
9 them one day. And we said if we catch one of them and take such a thief to the 16th,
10 maybe something can change.

11 Q. [17:14:38] Did Bobi tell you that before the election a young fellow from the area had
12 been intercepted by people in Doukouré and he had been beaten up and actually he died
13 subsequent to the beating?

14 A. [17:14:59] I beg your pardon?

15 Q. [17:15:01] Did Bobi tell you that before the election a young thief from Yao Séhi had
16 been caught by some young people from Doukouré, beaten up, and he died after the
17 beating?

18 A. [17:15:28] Who gave the information?

19 Q. [17:15:34] I'm asking you whether Bobi told you this.

20 A. [17:15:39] No. Myself, I don't know about the young people from Doukouré who
21 hit. It was young -- it was people who hit and they said -- people said it was people from
22 Doukouré who had beaten up. And people said it was the people from Doukouré, but it
23 wasn't the people from Doukouré.

24 Q. [17:16:07] Very well, very well. I'd like to read out something from your statement,
25 paragraph 113: I think that all of this situation was derived from Yao Séhi. It's a

1 neighbourhood full of lazy people, no accounts, people from Duékoué who were
2 displaced because of the war and who were attacked by the MPCCI in 2002. All they did
3 was steal things from people before the attack. Already the construction of the
4 Guantanamo maquis by Ahmed had heightened tensions between the two groups because
5 the young people from Yao Séhi stole mobile phones from the people who were going to
6 this place."

7 Now, I'll not mention the names. We're in open court.

8 "And so some of these people took a wallet away from a woman who had made a
9 complaint to someone in our neighbourhood. As for us, we decided that we would
10 intervene so that these thefts would stop." End of quote.

11 So to your mind, Mr Witness, you had decided to intervene, to stop these young people
12 because they were bandits; is this -- is this what I am to understand from this passage?

13 A. [17:17:51] Yes.

14 Q. [17:17:52] Very well. Mr Witness, now, many people living in Yao Séhi were
15 internally displaced people, displaced because of the war?

16 A. [17:18:10] There were many of them. People who had been displaced because of
17 the war, a great many of them, yes.

18 Q. [17:18:19] A lot? How many?

19 A. [17:18:21] Well, I don't know how many. But even those names, those people came
20 from there.

21 Q. [17:18:28] Just for the case record, my question was about Duékoué, not Doukouré.
22 It wasn't properly recorded in the transcript, French transcript.
23 And so this village Duékoué was destroyed in 2002, wasn't it?

24 A. [17:18:53] Yes, 2002.

25 Q. [17:18:56] Who attacked them?

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1 A. [17:19:05] Well, that's what they said. That's what they themselves were saying, the
2 people living. They said that the day when there was a small --

3 THE INTERPRETER: Inaudible.

4 THE WITNESS: (Interpretation) -- it came right out of their very own mouths that they
5 were not going to miss us."

6 MS NAOURI: (Interpretation)

7 Q. [17:19:32] Very well.

8 A. [17:19:34] Otherwise, I didn't see myself. I never was there. I'm not aware of that.
9 But that is what they themselves said.

10 Q. [17:19:41] Very well. But at paragraph 113, you said this, that they had been
11 attacked by the MPCCI. Who was the leader of the MPCCI?

12 A. [17:19:59] Well, what I said was -- that's what I said. That's what I heard from those
13 people.

14 Q. [17:20:06] So, okay, so that's clear.

15 A. [17:20:10] Good. Very well.

16 Q. [17:20:11] So you heard that they had been attacked by the MPCCI -- let me finish my
17 question. I'm asking you who was the leader of the MPCCI? Do you know?

18 A. [17:20:25] No.

19 Q. [17:20:25] And if I put it to you it was Guillaume Soro?

20 A. [17:20:35] There -- I -- I'm not in a position to know because --

21 Q. [17:20:45] Very well. It's not serious, no problem.

22 Last question, Mr Witness. Now, the people from Duékoué, did they come to Yao Séhi
23 after 2002?

24 A. [17:21:02] After 2002, um, I think that some people came, but that was after. It was
25 in 2000 and -- 2003, if I'm correct, 2003, that is when many of them came to Abidjan and to

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- 1 Yao Séhi, 2003.
- 2 MS NAOURI: (Interpretation) [17:21:42] Very well.
- 3 I can see the time, 4 minutes.
- 4 PRESIDING JUDGE TARFUSSER: [17:21:55] Three minutes.
- 5 MS NAOURI: [17:21:58] (Interpretation) Three minutes.
- 6 Q. [17:22:01] Mr Witness, let us return to 25 February.
- 7 MS NAOURI: (Interpretation)
- 8 I was just looking for my reference. I beg your pardon.
- 9 I'm sorry, it's not on purpose, but I just can't quite find the sheet of paper with the
- 10 reference that I need. And since we're about to begin an entirely different topic, I crave
- 11 your indulgence, and could we stop here?
- 12 PRESIDING JUDGE TARFUSSER: [17:23:08] It's a good trick.
- 13 MS NAOURI: [17:23:10] (Interpretation) It was not on purpose.
- 14 PRESIDING JUDGE TARFUSSER: [17:23:14] So we stop here and we resume tomorrow
- 15 at 10 o'clock, at 10. We will have a first two-hour session and then two one-and-a-half so
- 16 that we finish at 5. Obviously, we finish with this witness and, if possible, we start with
- 17 the next one, okay?
- 18 So you have exhausted half of your time now. I don't like to be the small, little
- 19 pharmacist, the chemistry also, but we have to take care of also the timing. So tomorrow
- 20 morning at 10 o'clock.
- 21 The hearing is adjourned.
- 22 THE COURT USHER: [17:24:01] All rise.
- 23 (The hearing ends in open session at 5.24 p.m.)