

1 International Criminal Court
2 Trial Chamber I
3 Situation: Republic of Côte d'Ivoire
4 In the case of The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé
5 ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera Carbuccion and
7 Judge Geoffrey Henderson
8 Trial Hearing - Courtroom 1
9 Tuesday, 11 July 2017
10 (The hearing starts in open session at 9.15 a.m.)
11 THE COURT USHER: [9:15:45] All rise.
12 The international court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:16:01] Good morning.
15 Before calling the next witness, as said yesterday, I would like the other parties to
16 make their observation to the request filed yesterday morning by the Defence for
17 Mr Blé Goudé on the witness, on the next witness, on the witness following the
18 witness today, so that we can decide timely before the witness will be called.
19 So I would give the floor to Maître Altit.
20 MR ALTIT: [9:16:59] (Interpretation) Thank you, your Honour. Your Honour,
21 ladies and gentlemen, I have two comments, with your permission. We support the
22 request made by the Blé Goudé team, first of all. And, secondly, I don't know if this
23 is the right time to mention this, if not, I could do so later, since we're going to be
24 hearing a witness today who is actually the friend of the next witness, I wanted to ask
25 whether we could take all of the necessary measures so that the next witness not be

1 able to hear this witness's testimony given that the next witness, not today's witness,
2 but the one we are to hear tomorrow, according to our information, is already present
3 here in The Hague.

4 PRESIDING JUDGE TARFUSSER: [9:18:15] The second witness is present here in
5 The Hague, yes, I confirm that. We will, well, we will -- I will talk with the VWU to
6 this effect, although it's a bit strange, because in a trial which lasts so long, if we
7 would hear them in separate times and not close to each other, this would be a
8 request which couldn't be, couldn't be responded to positively. But we will try to -- I
9 will speak in this respect to the VWU.

10 MR ALTIT: [9:18:56] (Interpretation) Thank you, your Honour. For us it's simply
11 a question of ensuring that the witness not be in any way influenced by what is said
12 today and tomorrow in the courtroom, just to be perfectly clear.

13 PRESIDING JUDGE TARFUSSER: [9:19:13] I can understand this, yes. This was
14 clear. You didn't want to break their friendship, didn't you?
15 Legal representatives.

16 MS MASSIDDA: [9:19:26] Good morning, Mr President, your Honours. We have
17 no submission on this matter, and we leave it to the discretion of the Chamber.
18 Thank you very much.

19 PRESIDING JUDGE TARFUSSER: [9:19:34] Thank you.
20 The Office of the Prosecutor.

21 MR DEMIRDJIAN: [9:19:36] Good morning, Mr President. Good morning, your
22 Honours.

23 So very briefly our response to filing 980, filed by the Blé Goudé team, your Honours,
24 the motion makes a number of incorrect assumptions that I will not get into. Let me
25 focus on the most important aspect.

1 We will not be relying on this documentary. We've put it on our list of material
2 because it is related to the witness's statement. We've included it out of an
3 abundance of caution.

4 There may be at some point later perhaps after cross-examination where there is a
5 need, so we thought let's put it on the list just in case, and in that scenario we will ask
6 your Honours for permission. We'll explain the relevance.

7 So I would suggest we postpone perhaps deliberation on the matter until the issue
8 arises. But at this stage we will not rely on it.

9 PRESIDING JUDGE TARFUSSER: [9:20:27] I nearly expected a submission in this
10 along these lines. Thank you very much.

11 MR DEMIRDJIAN: [9:20:33] Mr President, before we continue --

12 PRESIDING JUDGE TARFUSSER: [9:20:34] Yes.

13 MR DEMIRDJIAN: [9:20:34] Just very briefly, we do want to submit or make a very
14 brief road map on the next two witnesses once we are done with this discussion. So
15 before the witness comes in, if I can address you one more time.

16 PRESIDING JUDGE TARFUSSER: [9:20:46] So please do so.

17 MR DEMIRDJIAN: [9:20:47] Right now, yes?

18 PRESIDING JUDGE TARFUSSER: [9:20:49] Yes.

19 MR DEMIRDJIAN: [9:20:49] Okay, very well. Your Honours, as you know, we will
20 be hearing two witnesses, 88 and 87, who will relate to the same videos that we
21 submitted in our paragraph 43 motion. These were 33 videos which were submitted.
22 Now, one is a cameraman and the other one is a journalist. Therefore, their
23 testimony will be slightly different, whereas the cameraman will provide us evidence
24 on the technical aspects of the recording, the storing of the videos and so on, the
25 journalist will be able to delve into more if the substantive matters, because he's the

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1 one asking the questions, he's the one interacting with the interviewees.

2 So for that reason I wanted to let you know that we will be dealing with five main
3 events with those two witnesses, but we will be showing different clips to each one,
4 each of these witnesses in relation to these events.

5 So although the cameraman will talk to you about "Here is where I was located, here
6 is what we recorded," the journalist might be shown the same event, but going into
7 the substance. So there will not be much overlap on the videos we will be showing
8 you. So I just wanted to make that clear so that you know that this is the approach
9 we intend to adopt.

10 Out of the 33 videos, I think we will try to show you about a dozen. We won't be
11 showing every one of those videos, and obviously with staying within the time frame
12 that you've allotted us. So this is what I wanted to kind of give you a road map.

13 Thank you, your Honours.

14 PRESIDING JUDGE TARFUSSER: [9:22:18] Thank you very much.

15 Is there any observations by the other teams? No.

16 Okay. Thank you very much. So I would ask now the court usher to bring in
17 Witness 88.

18 (The witness enters the courtroom)

19 PRESIDING JUDGE TARFUSSER: [9:23:29] Good morning, Mr Nott.

20 WITNESS: CIV-OTP-P-088

21 THE WITNESS: [9:23:36] Good morning.

22 PRESIDING JUDGE TARFUSSER: [9:23:38] Good morning.

23 Before starting the questioning by the parties, we have some preliminaries to do.

24 The first thing is to identify you completely on the record. So could you please give
25 us all your identifying details.

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- 1 THE WITNESS: [9:23:55] My name is Alexander James Nott.
- 2 PRESIDING JUDGE TARFUSSER: [9:23:59] And you were born?
- 3 THE WITNESS: [9:24:00] July 31, 1980.
- 4 PRESIDING JUDGE TARFUSSER: [9:24:02] In?
- 5 THE WITNESS: [9:24:04] In the UK, Chertsey.
- 6 PRESIDING JUDGE TARFUSSER: [9:24:07] Sorry. So you are a British citizen?
- 7 THE WITNESS: [9:24:11] Yes.
- 8 PRESIDING JUDGE TARFUSSER: [9:24:11] What is your current occupation?
- 9 THE WITNESS: [9:24:14] Documentary maker.
- 10 PRESIDING JUDGE TARFUSSER: [9:24:17] And at the time of the crisis in Ivory
11 Coast?
- 12 THE WITNESS: [9:24:19] I was cameraman.
- 13 PRESIDING JUDGE TARFUSSER: [9:24:21] Cameraman. But a freelance or --
- 14 THE WITNESS: [9:24:26] A freelance, yes, freelance.
- 15 PRESIDING JUDGE TARFUSSER: [9:24:28] Okay. So, Mr Nott, I see you are -- you
16 speak quite quickly. We have to slow down. This what all what we are saying is
17 also interpreted and transcribed in French and, therefore, it is absolutely necessary
18 that we speak slowly in order to give, to permit our staff in the booths up there to
19 write and to interpret correctly.
- 20 This becomes important especially when you are asked questions in the same
21 language, of course, because one tends to respond with immediacy. So just wait at
22 the end of the question, breathe and then respond.
- 23 So you are obviously aware that the Chamber has been established to try the case of
24 Mr Gbagbo, of the Prosecutor against Mr Gbagbo and Mr Blé Goudé. And within
25 this proceedings you are a witness, and as a witness you are obliged to say the truth

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1 and in such help the Chamber to find the truth.

2 So to this effect the law requests you to make a solemn undertaking and, therefore, I
3 would ask you to read the formula you have in front of you.

4 THE WITNESS: [9:26:10] I solemnly declare that I shall speak the truth, the whole
5 truth and nothing but the truth.

6 PRESIDING JUDGE TARFUSSER: [9:26:15] Obviously you are aware that giving
7 false testimony is an offence against the Court and as such punishable.

8 If at any time you don't feel at ease, you have some problems, you have to address the
9 Court for any issues, please do so addressing me and we will try to accommodate the
10 needs you express, so just as a last recommendation.

11 Now I give the floor to the Office of the Prosecutor, which will be followed by both
12 Defence teams of Mr Gbagbo and Mr Blé Goudé to question you. And I would like
13 to ask you as a final recommendation to try to give precise answers, go to the point,
14 and then, if need be, there will be supplementary questions. Thank you very much.
15 The floor is to the Office of the Prosecutor.

16 MS HUCK: [9:27:15] (Interpretation) Thank you, your Honour.

17 QUESTIONED BY MS HUCK: (Interpretation)

18 Q. [9:27:29] My name is Florie Huck. I represent the Office of the Prosecutor.
19 We met yesterday at the courtesy meeting. I'm going to be asking you some
20 questions. If any of my questions are not clear, please stop me and ask me to
21 rephrase the question; is that okay?

22 A. [9:27:53] Yes.

23 Q. [9:27:53] Mr Witness, is it true that you went to the Ravensbourg University,
24 which is specialized in television training?

25 A. [9:28:10] At Ravensbourne, yes, that's correct.

1 Q. [9:28:15] You mentioned earlier that you were a cameraman in 2011. Is it
2 correct that you worked for the show "Unreported World"?

3 A. [9:28:38] I was a freelancer for "Unreported World," yes, correct.

4 Q. [9:28:42] And "Unreported World," who produced it? What company
5 produced that show?

6 A. [9:28:58] A company called Quicksilver Media.

7 Q. [9:29:00] And what channel is it broadcast over?

8 A. [9:29:09] It's broadcast in the UK on Channel 4 Television.

9 Q. [9:29:20] In 2011, did you make a documentary? Did you film a documentary?

10 A. [9:29:31] Several, yes.

11 Q. [9:29:36] Can you tell us which ones?

12 A. [9:29:48] Well, the one that comes to mind is the one that I filmed in Ivory Coast.

13 Q. [9:29:59] What was the title of that documentary?

14 A. [9:30:03] "Inside the Battle for Ivory Coast."

15 Q. [9:30:10] Who did you film that documentary with?

16 A. [9:30:17] With a reporter called Seyi Rhodes.

17 Q. [9:30:21] Did you know Seyi Rhodes before that?

18 A. [9:30:31] I knew him from inside the office, but I had never worked with him
19 before.

20 Q. [9:30:37] And did you go to Côte d'Ivoire to film this documentary?

21 A. [9:30:51] Yes.

22 Q. [9:30:52] Do you remember the dates when you were in Côte d'Ivoire?

23 A. [9:31:02] I believe I arrived March 17, 2011, and I think I left April 13.

24 Q. [9:31:19] Was it the first time you had been to Côte d'Ivoire?

25 A. [9:31:22] Yes. Yes. I've never been there before.

1 Q. [9:31:29] Have you been back since?

2 A. [9:31:35] No.

3 Q. [9:31:45] Before you went to Côte d'Ivoire, how did you prepare yourself to film
4 this documentary?

5 A. [9:31:56] I had a two-week research period in the office in Oxford. I spoke to
6 several journalists that were operating in Abidjan at the time, several conversations,
7 probably with about eight different journalists, and was asking them about their
8 experiences and what was happening there.

9 Q. [9:32:19] And when you were there, how did you organise yourself?

10 A. [9:32:32] So it was myself, Seyi Rhodes, the journalist reporter, and a local fixer,
11 and we operated the three of us. I don't speak French, so I had to depend on Seyi
12 and the local fixer to translate.

13 Q. [9:32:50] Can you explain what the role of this fixer was, this local fixer?

14 A. [9:33:07] We would propose stories and ideas to him, and then he would try and
15 facilitate and make them happen. So it mainly revolved around gaining access and
16 then he would also, if needed, translate.

17 Q. [9:33:21] What was this person's name?

18 A. [9:33:32] Is that okay for me to say? Alexis Konan.

19 Q. [9:33:38] When you were in Côte d'Ivoire, were you in contact with Quicksilver,
20 the production company?

21 A. [9:33:57] Every day we would have to make daily phone calls to brief them on
22 what we were doing that day, what we were doing the next day, the security situation,
23 because things were very fluid. Things were changing daily. So every day I made
24 contact at least once with Quicksilver Media.

25 Q. [9:34:18] How were you in contact, telephone, email? How exactly?

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1 A. [9:34:33] So normally the protocol when you make these films is to send a text.
2 But for some reason I believe the text service was down, so I had to make a phone call
3 every day, which was then logged by my series editor, George Waldrum. He would
4 then pass that information on directly to Channel 4.

5 Q. [9:34:55] So you're saying that these calls were logged in a register. Who was it
6 who logged those calls on the register?

7 A. [9:35:17] He was my series editor, and his name is George Waldrum.

8 Q. [9:35:24] I'd like to call up a document on the screen. This is a confidential
9 document. The ERN is CIV-OTP-0021-0862.

10 Do you recognize this document?

11 A. [9:36:36] Yes.

12 Q. [9:36:40] Is this the document you referred to a moment ago?

13 A. [9:36:48] Yes.

14 Q. [9:36:52] On this page under the title "Monday 11th," there are two initials there,
15 GW and AN. Can you tell us who those initials correspond to?

16 PRESIDING JUDGE TARFUSSER: [9:37:20] Alexander Nott and, yeah, well --

17 MS HUCK: [9:37:34] (Interpretation)

18 Q. [9:37:36] And at the page 0086, if we could have page 0866 on the screen, under
19 the heading "Monday 28th" it states, "Alexander Nott emailed NT."
20 Can you tell us who NT is?

21 A. [9:38:13] NT is Natalie Triebwasser. She was the production manager.

22 Q. [9:38:30] And under "Saturday 26th," we can see the initials EM and SS. Can
23 you tell us who those individuals are?

24 A. [9:38:43] EM is for Eamonn Matthews, he's the executive producer of the show.
25 And SS is Siobhan Sinnerton. She is the commissioner at Channel 4.

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1 Q. [9:38:58] And underneath there is the initials PTC. Can you tell us what that
2 means?

3 A. [9:39:12] It stands for piece to camera. It's where the reporter will talk to
4 camera.

5 Q. [9:39:19] We can remove the document. Thank you very much.

6 MS NAOURI: [9:39:48] (Interpretation) Your Honour.

7 PRESIDING JUDGE TARFUSSER: [9:39:50] Madam Naouri.

8 MS NAOURI: [9:39:52] (Interpretation) Your Honour, we would like to request the
9 reclassification of this document from confidential to public, because we don't see
10 what is confidential, given that the names have been quoted in public, the content of
11 the document has been referred to in public, and if we are to refer to it in our
12 cross-examination, we would like to be able to do so in public. So could we
13 reclassify this document as public, your Honour?

14 MS HUCK: [9:40:21] (Interpretation) Your Honour, we believe that all of the
15 videos will be reclassified as public. But this is a working document from
16 Quicksilver and we believe it should remain confidential.

17 PRESIDING JUDGE TARFUSSER: [9:40:33] No. Come on.

18 MS NAOURI: [9:40:36] (Interpretation) Monsieur le Président.

19 PRESIDING JUDGE TARFUSSER: [9:40:38] Yes.

20 MS NAOURI: The rushes they are going to be using are working documents.
21 Everything is a working document from Quicksilver. And since we've referring to
22 the content of the document --

23 PRESIDING JUDGE TARFUSSER: [9:40:51] Everything is a working document, but
24 every document is a working document. So I don't understand why it is treated as
25 confidential. I overheard this, indeed. We are publicly talking about this document.

1 I don't know why it should be as such not a public document.

2 But we will deal with it before we come to the examination by the other parties.

3 Now let's go ahead and let's go to the substance of the testimony.

4 I hope we are not dealing too much with which type of cameras and with the
5 technical details.

6 MS HUCK: [9:41:46] (Interpretation) Well, we will have to deal with those issues,
7 your Honour, but we won't spend much time on it.

8 Q. [9:41:55] Mr Witness, your role there in Côte d'Ivoire was what exactly?

9 A. [9:42:05] To -- in terms of the story we were trying to follow?

10 Q. [9:42:15] Well, what was it exactly?

11 A. [9:42:17] We went there to try and cover the humanitarian crisis that was
12 breaking out.

13 Q. [9:42:23] You mentioned earlier that you were a cameraman; is that correct?

14 A. [9:42:35] That's correct.

15 Q. [9:42:39] Were you the only one to be filming or was there someone else?

16 A. [9:42:45] I was the only one to be filming.

17 Q. [9:42:51] Yesterday here in The Hague you were given your witness statement
18 to reread during the familiarisation process, and along with that statement there were
19 33 videos; is that correct?

20 A. [9:43:11] I cannot remember the number, but yes, that is correct.

21 Q. [9:43:16] Did you watch those videos?

22 A. [9:43:25] Yes.

23 Q. [9:43:29] And can you confirm that you yourself filmed all of those videos?

24 A. [9:43:38] Yes.

25 Q. [9:43:43] What kind of equipment did you use to film those videos, briefly?

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1 A. [9:43:58] Very briefly, a camera called a Canon 305 and a camera called a
2 Canon 105.

3 Q. [9:44:07] Who did those cameras belong to?

4 A. [9:44:21] They were hired from a kit company in London called DV Talent hired
5 by the production company Quicksilver.

6 Q. [9:44:34] Do you know what date and what timestamp was programmed on
7 those cameras?

8 A. [9:44:57] No, no, I don't. No, I don't.

9 Q. [9:45:02] The videos that you were filming, do you know the date and
10 timestamp that were on them?

11 A. [9:45:16] From memory, well, from memory, I believe, because I never checked
12 what they had been set to. It was something I would never normally do. It is
13 something that would have done prior to me getting them. I believe they may have
14 been one year out of date, if memory serves me correct.

15 Q. [9:45:38] But you can confirm that all of those videos were filmed during your
16 stay in Côte d'Ivoire; is that correct?

17 PRESIDING JUDGE TARFUSSER: [9:45:54] He said already he filmed all these films.
18 Why are we putting questions which are already responded to?

19 MS HUCK: [9:46:14] (Interpretation) Very well.
20 (OTP counsel confer)

21 MS HUCK: [9:46:20] (Interpretation) Your Honour, we do not have any agreement
22 with the Defence regarding the person who shot the videos, so I'm putting this
23 additional question, namely, whether in actual fact --

24 PRESIDING JUDGE TARFUSSER: [9:46:37] He said that he did all the videos. He
25 was the only one who did all the videos. So why -- you're asking the second time.

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1 MS HUCK: [9:46:45] (Interpretation) Very well. I will move on to something else.

2 Q. [9:46:53] Now, other than these two cameras, the Canon 305 and the 105, did
3 you have any other cameras?

4 A. [9:47:07] Yes. I had two small, you call them covert cameras, one in a baseball
5 cap and one in a small little key fob. It's for filming in situations where you couldn't
6 film with the big cameras.

7 Q. [9:47:23] Now, once you went back to the United Kingdom, what did you do
8 with the videos that you shot in Côte d'Ivoire?

9 A. [9:47:48] So the material that was ingested into an editing computer called an
10 AVID in Oxford and then it was cut into the 24-minute programme.

11 Q. [9:47:59] And were you the one who brought the equipment to Oxford
12 Quicksilver?

13 A. [9:48:15] I brought the equipment and the drives with the video footage on them
14 back to London. They were picked up by a personal courier that Quicksilver use all
15 the time. He then took it back to the office, and then it was ingested by someone
16 else.

17 Q. [9:48:34] And who prepared the documentary? Who edited it?

18 A. [9:48:53] The editor was called Jennifer Hampson.

19 Q. [9:49:00] And who kept the originals, the original video footage?

20 A. [9:49:15] Quicksilver.

21 Q. [9:49:19] We'll now turn to your time in Côte d'Ivoire, your stay there. Now,
22 you told us that you got there on the 17th of March. Where were you on the 19th of
23 March 2011?

24 A. [9:49:44] Are you referring to the rally that we went to?

25 Q. [9:49:52] Yes.

1 A. [9:49:54] Forgive my pronunciation if it's wrong, but I believe we went to the
2 area of Yopougon.

3 Q. [9:50:09] And how did you get there?

4 A. [9:50:12] We drove in a vehicle with myself; Seyi, the journalist reporter; Alexis,
5 the fixer; and a driver and some security guys that had been given to us to help us get
6 through all the checkpoints that were on the way to get to the rally.

7 Q. [9:50:33] And who provided these people who were ensuring your security?

8 A. [9:50:49] As far as I'm aware, Alexis, the fixer, spoke to his contacts with the
9 Young Patriots, who -- and they were the guys who turned up that got us through the
10 checkpoints. They were, I was told, Young Patriots.

11 Q. [9:51:09] And what were the names of these people that Alexis had been in
12 contact with?

13 A. [9:51:27] I do not know.

14 Q. [9:51:31] And once you got to the rally, what was the situation like?

15 A. [9:51:48] I would say it was very tense. There were thousands of people. And,
16 yeah, it was, it was very tense, I would say.

17 Q. [9:52:04] Why do you say that it was tense?

18 A. [9:52:16] It felt like there was a lot of foreign resentment.

19 Q. [9:52:25] And how did you pick up that feeling?

20 A. [9:52:38] From the things that people were saying and then how Seyi was then
21 translating them to me.

22 Q. [9:52:49] I would like to show you some video footage now. This is public.

23 This is CIV-OTP-0015-0462. We'll go from timestamp 4.44 to 6.50, timestamp 6.50.

24 And the transcript number is CIV-OTP-0063-2893, at page 28, which is line 64 to 105,
25 and the page reference is CIV-OTP-0063-2893.

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1 THE COURT OFFICER: [9:54:00] The Prosecution has the floor, evidence channel 2.

2 (Viewing of the video excerpt)

3 MS HUCK: [9:55:18] (Interpretation)

4 Q. [9:55:19] Now, we've just halted at timestamp 5.47. Mr Witness, can you tell us
5 which person is there on the left?

6 A. [9:55:30] That is the fixer -- sorry, on the left, that's Seyi Rhodes, the presenter,
7 reporter journalist.

8 Q. [9:55:40] And to the right?

9 A. [9:55:41] The fixer, Alexis.

10 (Viewing of the video excerpt)

11 THE INTERPRETER: [9:56:23] (Interpretation of the video extract) Mister, mister,
12 good morning. I just got (inaudible) Côte d'Ivoire.

13 MS HUCK: [9:56:56] (Interpretation)

14 Q. [9:56:58] What happened after, once you had met Mr Blé Goudé?

15 A. [9:57:10] The crowd -- he kind of went on a walk through the streets and the
16 crowd followed and we followed them filming.

17 Q. [9:57:21] We're going to play another excerpt. This is 0015, CIV-OTP-0015-0478
18 from 1.17 to 2.16, timestamp 1.17 to 2.16, transcript CIV-OTP-0019-0163, page 0164.
19 lines 1 to 4.

20 (Viewing of the video excerpt)

21 THE INTERPRETER: [9:59:55] (Interpretation of the video excerpt) Sight
22 translation: Wait, wait. Move forward a bit. Move forward. You just have to
23 move forward a bit.

24 MS HUCK: [10:00:02] (Interpretation)

25 Q. [10:00:03] Do you remember where you were when you shot this footage?

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- 1 A. [10:00:15] The area?
- 2 Q. [10:00:20] No. You, yourself, where were you?
- 3 A. [10:00:26] I believe I may have been sitting on a moving vehicle at that point.
- 4 Q. [10:00:33] Do you now remember where were you on 21 March 2011, two days
5 after that rally, the rally of the 19th?
- 6 A. [10:00:57] You're going to have to refresh my memory.
- 7 Q. [10:01:08] Would it be helpful if I were to show you the daily log that you
8 mentioned earlier?
- 9 A. [10:01:17] Yes.
- 10 Q. [10:01:20] Could we see CIV-OTP-0021-0682 at page 0868.
- 11 THE COURT OFFICER: [10:02:04] Evidence channel 1.
- 12 MS HUCK: [10:02:37] (Interpretation)
- 13 Q. [10:02:38] Have you read over the last three lines of this document -- rather, the
14 last three lines under the heading "Monday 21st"?
- 15 A. [10:03:03] Yes.
- 16 Q. [10:03:06] Do you now remember where you were on the 21st?
- 17 A. [10:03:10] Yes, I do. I was in the -- I was in the army barracks.
- 18 Q. [10:03:21] And what was the situation like there?
- 19 A. [10:03:27] Yet again tense. I felt there was quite a lot of hostility towards me
20 being there. We filmed for a few minutes and then left.
- 21 Q. [10:03:44] And why did you feel this hostility directed towards you?
- 22 A. [10:03:54] From the things that Seyi was translating to camera, from the
23 movements of hands across throats.
- 24 Q. [10:04:13] We'll now place CIV-OTP-0015-0501 from timestamp 1.20 to
25 timestamp 2.31. The transcript is CIV-OTP-0063-2902, from pages 2904 to

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1 290 -- correction, from pages 2903 to 2904, lines 13 to 46.

2 THE COURT OFFICER: Evidence channel 2.

3 (Viewing of the video excerpt)

4 THE INTERPRETER: [10:05:45] (Interpretation of the video excerpt) Sight

5 translation: We're killing the rebels. We're here to kill. We're here to kill. We're

6 going to kill the rebels. We're looking for rebels to kill them. Huh? Alassane,

7 we're going to kill them.

8 MS HUCK: [10:06:31] (Interpretation)

9 Q. [10:06:38] So it was indeed you who shot this footage?

10 A. [10:06:42] Yes.

11 Q. [10:06:45] We're now going to show CIV-OTP-0015-0524, timestamp zero to

12 timestamp 25, 0063-2914, lines 1 to 6.

13 (Viewing of the video excerpt)

14 THE INTERPRETER: [10:07:49] (Interpretation of the video excerpt) Sight

15 translation: I'd like to ask you, I'd like to ask all our friends to kindly stand up and

16 welcome General Charles Blé Goudé with great applause, if you will.

17 MS HUCK: [10:08:12] (Interpretation)

18 Q. [10:08:13] Do you recognize this place?

19 A. [10:08:19] I recognize it, but I couldn't name it.

20 Q. [10:08:25] But you were present?

21 A. [10:08:30] Yes.

22 Q. [10:08:33] Very well. Now we'll ask you about the 26 March 2011. Do you

23 remember where you were that day, 26 March 2011?

24 A. [10:08:51] I believe that's the day that we had lunch with Mr Blé Goudé and then

25 met him at a big rally in the centre of Abidjan.

1 Q. [10:09:04] And how did you get to the rally that you just mentioned?

2 A. [10:09:19] We drove and then walked on foot for some of the way.

3 Q. [10:09:26] What was the situation like once you got there at the rally?

4 A. [10:09:36] Yet again quite tense, a lot of the foreign press were quite worried
5 covering it. We were given press accreditation with a picture of the president on,
6 which was meant to keep us safe.

7 Q. [10:09:52] If we can now show CIV-OTP-0015-0552, time stamps -- correction,
8 there are no transcripts for this initial footage. It's from zero to 17.

9 (Viewing of the video excerpt)

10 MS HUCK: [10:10:55] (Interpretation)

11 Q. [10:10:57] Can you tell us what Mr Rhodes is wearing around his neck?

12 A. [10:11:02] That's the press accreditation we were given to cover the event.

13 Q. [10:11:11] If we could now move on to timestamp 5.45, timestamp 5.45, up until
14 timestamp 6.47, transcript 0100-0056, page 0057, lines 1 to 12.

15 (Viewing of the video excerpt)

16 THE INTERPRETER: [10:12:40] (Interpretation of the video excerpt) Sight
17 translation: First we hear Charles Blé Goudé. There is nothing opposite. Then we
18 hear another voice. Gentlemen, journalists, gentlemen, you journalists, take a photo
19 and let the general come in.

20 MS HUCK: [10:12:57] (Interpretation)

21 Q. [10:12:58] Where were you shooting from when you shot this particular footage?

22 A. [10:13:05] I believe I was filming from the stage.

23 Q. [10:13:11] How long did you stay at this rally for?

24 A. [10:13:23] Not -- we didn't stay until the end. Once it started getting dark, we
25 thought it would be safer for us to leave. And so I think maybe we stayed there for

1 about an hour maybe.

2 Q. [10:13:37] Very well. A few moments ago you mentioned the 19th of March,
3 and you said that there were some checkpoints, you saw some checkpoints. At any
4 particular time during your stay, were you able to ask questions of people at these
5 checkpoints?

6 A. [10:14:03] We did film at a checkpoint, yes, towards the end of our filming, yes.
7 I believe on the 26th. Was it the 26th maybe? Without looking at the document, I
8 couldn't be accurate.

9 Q. [10:14:21] And how come you were able to talk to these people and ask them
10 questions? How was that organised? Can you tell us?

11 A. [10:14:37] So the fixer, Alexis, approached without us there, he approached
12 some of them, some of the guys running the checkpoints, and he deemed that they
13 would allow us to film there safely. I would -- I say I could -- you could probably
14 describe it as a friendly checkpoint. That's -- that's how I would describe it. They
15 were welcoming to us. But that was a rarity.

16 Q. [10:15:08] I'll now play some more footage, CIV-OTP-0015-0594. We'll show
17 two passages. The first one is from timestamp 1.52 to timestamp 2.36. There is no
18 transcript for this particular footage.

19 (Viewing of the video excerpt)

20 MS HUCK: [10:16:41] (Interpretation)

21 Q. [10:16:47] Is this the checkpoint you're talking about?

22 A. [10:16:50] Yes, yes.

23 Q. [10:16:56] We're going to play from minute 21, timestamp 21, 21.09 to 22.16. It's
24 0021-0013, page 0021 and 22, lines 281 to 295.

25 (Viewing of the video excerpt)

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1 THE INTERPRETER: [10:17:38] (Interpretation of the video excerpt) Sight
2 translation: We received the information from the army and it was on the evening
3 news. What we were convinced of was that -- well, it's not an exhaustive list, there is
4 a long list of more than 700 vehicles, unmarked vehicles.
5 So it's the army, yes. The army gave us these lists. So we pay attention and we
6 refer to this. If we see there is a car, vehicle that has a number plate identical to these,
7 automatically we pull it aside. We call the authorities to come and check. We've
8 checked twice. And who do we find inside? Senegalese, Burkinabé who were there
9 on behalf of ONUCI, whereas officially there is no Burkinabé troops that officially
10 belong to the UN bodies.

11 MS HUCK: [10:18:42] (Interpretation) And we'll play a little bit later from
12 timestamp 23.12 to 23.29.

13 (Viewing of the video excerpt)

14 MS HUCK: [10:19:22] (Interpretation)

15 Q. [10:19:25] Witness, who was holding the camcorder when this zoomed in on the
16 list?

17 A. [10:19:31] Me, I was.

18 Q. [10:19:35] Can you tell us how things were in late March, early April? What
19 was the situation then?

20 MS NAOURI: [10:19:52] (Interpretation) Your Honour.

21 PRESIDING JUDGE TARFUSSER: [10:19:56] Yes, very generic.

22 MS NAOURI: [10:20:00] Voila. Merci.

23 PRESIDING JUDGE TARFUSSER: [10:20:02] Very generic question. How was the
24 situation? I'd ask you to reformulate.

25 MS HUCK: [10:20:14] (Interpretation)

1 Q. [10:20:18] Before we move on, I'd just like to come back to the footage that we've
2 just seen and ask you the following question. As far as you know, the people at the
3 checkpoint, were they armed?

4 A. [10:20:40] From memory, they had machetes and pieces of wood. Off camera
5 our fixer told us that they did have guns, but they were hiding them. But I did not
6 see any guns there, but I was told there were.

7 Q. [10:21:01] Following that event after that day, were you able to continue filming
8 much?

9 A. [10:21:23] No. The security situation deteriorated very quickly, and very soon
10 after we were -- we just -- it wasn't safe to leave the hotel we were staying in, the
11 Novotel.

12 Q. [10:21:38] And how long did you spend in the Novotel?

13 A. [10:21:50] Maybe five, maybe five days.

14 Q. [10:21:55] On 4 April 2011, were you in the hotel?

15 A. [10:22:08] I'd have to, I'd have to look at my logbook. I believe so, probably
16 yes.

17 Q. [10:22:16] Do you remember whether there was an incident that occurred at the
18 hotel on that day?

19 A. [10:22:40] Are you referring to the incident where people broke into the hotel?

20 Q. [10:22:46] Yes.

21 A. [10:22:47] Yes, I was present in the Novotel that day.

22 Q. [10:22:56] And where in the hotel were you?

23 A. [10:23:00] When it happened, I was in my room in the hotel, unaware of events
24 until I had the reporter banging on my door saying "Quick, we've got to go."

25 Q. [10:23:18] And where did you go?

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1 A. [10:23:24] I don't remember the room number that we ran to, but it was like a
2 prearranged -- we all said if something was to happen, that all the journalists that
3 were staying in the hotel would get into one room, shut the curtains and stay quiet.

4 Q. [10:23:38] And after the roughly five days that you were in the hotel, what did
5 you learn about that incident?

6 A. [10:24:17] I was told that four to five people had been taken by soldiers and they
7 were never heard of again.

8 Q. [10:24:33] How did you get out of the hotel, not in respect of that incident, but in
9 general terms?

10 A. [10:24:49] I think, I think we stayed there for another two days, hoping to get
11 evacked, and eventually French military personnel came to the hotel and evacked
12 some of us back to an army base.

13 Q. [10:25:05] And once you had been evacuated by the French armed forces, where
14 did you stay?

15 A. [10:25:27] Inside the French military base.

16 Q. [10:25:34] Till the end of your stay?

17 A. [10:25:41] No. I think maybe after four days of being inside the base we did
18 one day of going out on patrol with the French military, and then we deemed that we
19 needed to go back out to try and finish the documentary we were making. So we
20 went back out for maybe another two days staying in a different hotel, in a hotel.

21 Q. [10:26:07] And then did you return to the UK?

22 A. [10:26:23] I believe I departed Ivory Coast on 13 April and returned to the UK.

23 Q. [10:26:34] Now I'd like to thank you.

24 Your Honour, I don't have any further questions.

25 PRESIDING JUDGE TARFUSSER: [10:26:44] Thank you very much.

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1 I have two just two clarifications. One is related to Monday, 21st. It was shown to
2 you, you said you went in army barracks. You talk, you spoke about army barracks,
3 and in the log you spoke about army headquarters. Can you tell us which army
4 barracks those were?

5 THE WITNESS: [10:27:14] It was one in the centre of the city. Was it called the
6 chief army, chief army barracks, I believe, something like that? I can't be 100 per
7 cent certain though, but it was very central Abidjan.

8 PRESIDING JUDGE TARFUSSER: [10:27:28] Chief army barracks, probably not,
9 because it would be French, I would say.

10 THE WITNESS: [10:27:32] Yeah, okay.

11 PRESIDING JUDGE TARFUSSER: [10:27:33] Could be Camp Commando?

12 THE WITNESS: [10:27:36] I don't feel --

13 PRESIDING JUDGE TARFUSSER: [10:27:37] Okay. The second is if you know
14 what the mattress carried by Charles Blé Goudé, why he carried the mattress, or did
15 you inform yourself or did you ask or your colleague?

16 THE WITNESS: [10:27:52] It was so that -- the rally was meant to be, I think it was
17 called a sleep-in protest. So everyone was going to stay the night in that area where
18 the rally was going on.

19 PRESIDING JUDGE TARFUSSER: [10:28:03] So he was not the only one carrying a
20 mattress?

21 THE WITNESS: [10:28:08] From memory, he's the only one who I saw carrying a
22 mattress.

23 PRESIDING JUDGE TARFUSSER: [10:28:13] Okay. Thank you very much. I
24 think we break now before giving the floor to the Defence for Mr Gbagbo. Is that
25 okay for you, with you?

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1 MR ALTIT: [10:28:24] (Interpretation) Thank you, your Honour. I'd just like to
2 inform the Bench that it will be the Charles Blé Goudé team that will begin the
3 cross-examination.

4 PRESIDING JUDGE TARFUSSER: [10:28:33] That doesn't prevent me to stop here
5 and give the floor to the Blé Goudé Defence in half an hour at 11 o'clock. So we have
6 a break now and we come back at 11 for the second session. Thank you very much.

7 THE COURT USHER: [10:28:48] All rise.

8 (Recess taken at 10.28 a.m.)

9 (Upon resuming in open session at 11.02 a.m.)

10 THE COURT USHER: [11:02:32] All rise.

11 Please be seated.

12 PRESIDING JUDGE TARFUSSER: [11:02:52] Good morning once again.

13 Good morning, Mr Nott.

14 It is now the turn for the Defence for Mr Blé Goudé to question you. Yes, please.

15 MR DEMIRDJIAN: [11:03:05] Just before we start, if you can give me a moment
16 before?

17 PRESIDING JUDGE TARFUSSER: [11:03:09] When? Before we --

18 MR DEMIRDJIAN: [11:03:10] Just before the cross-examination begins.

19 PRESIDING JUDGE TARFUSSER: [11:03:11] Well now.

20 MR DEMIRDJIAN: [11:03:12] Now? Okay. Thank you, Mr President. Just to
21 make sure that there is no confusion, on the first question you were asking as to
22 which army headquarters the witness was referring to, the next witness will be able to
23 provide you some more clarity on that.

24 PRESIDING JUDGE TARFUSSER: [11:03:26] Yes, yes. That's okay. There is no
25 precise answers, so there can be no misunderstanding.

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1 MR DEMIRDJIAN: [11:03:33] Right. He talked about the army headquarters in the
2 city centre, but again we'll --

3 PRESIDING JUDGE TARFUSSER: [11:03:38] Well, whatever this is, it is not
4 described in a way that we exactly know where it is.

5 MR DEMIRDJIAN: [11:03:42] Very well, your Honours.

6 PRESIDING JUDGE TARFUSSER: [11:03:43] Okay.

7 Now I give the floor to the Office of the Prosecutor -- to the Defence for Mr Blé Goudé.
8 Sorry. Mr Knoops.

9 MR KNOOPS: [11:03:53] Thank you, Mr President.

10 QUESTIONED BY MR KNOOPS:

11 Q. [11:03:59] Good morning, Mr Witness.

12 My name is Jan-Geert Alexander Knoops. I'm a lawyer in the Kingdom of The
13 Netherlands. I'm representing Mr Blé Goudé in this trial.

14 On my left side is Mr Claver N'Dry. And we both will ask some questions to you.

15 My focus will be on your involvement in the research which you had done before you
16 came to Côte d'Ivoire, and Mr N'Dry will ask you some questions on some of the
17 videos.

18 Now, Mr Witness, this morning you informed the Chamber that before you came to
19 Côte d'Ivoire in 2011, you undertook two weeks of research. What type of research
20 did you perform before you came to Côte d'Ivoire?

21 A. [11:04:59] Sorry. So I spoke, I spoke to several -- I had several telephone
22 conversations with journalists that were out on the ground that had been covering the
23 story from Reuters, Associated Press, the various news outlets, to get the kind of
24 whole picture of what was unfolding out there. Lots of research on the Internet from
25 websites like the Guardian, BBC, yeah.

1 Q. [11:05:30] Let us cut this down in pieces, Mr Witness. You made some phone
2 calls with some journalists you mentioned. Can you give us the names of those
3 journalists you called?

4 A. [11:05:43] I can't give them all to you. I can give you some of the ones I can
5 remember. One guy was the Reuters correspondent out there, his name was Tim
6 Cox. Another guy was the Associated Press stringer out there called Marco Oved, a
7 Canadian.

8 Q. [11:06:02] And can you give the Court an estimation how much time you spent
9 with them on the phone?

10 A. [11:06:08] Maybe an hour. And those conversations, they're actually, they're
11 detailed. They've been typed up.

12 Q. [11:06:20] The research you've done on the Internet sites, can you mention some
13 of them?

14 A. [11:06:33] It was just, it was the reporting that was being done from the
15 Guardian, Le Monde, BBC, just to get an overview of what was actually happening.

16 Q. [11:06:44] Did you have access to local websites? I'm mindful of the fact that
17 you don't speak French, and probably you don't read French. So I take it that you
18 didn't go into the websites or the information sources in Côte d'Ivoire; is that correct?

19 A. [11:07:09] So I can't speak French and I can't read French. But my colleague,
20 Seyi Rhodes, would have spoken to people in French.

21 Q. [11:07:17] Yeah. But I mean in those two weeks of research.

22 A. [11:07:22] Yes, yes. He would, he would have done that. I would not have
23 done that, because I can't speak the language.

24 Q. [11:07:26] Right. In those two weeks of research, you were with Rhodes, Mr
25 Rhodes in the office?

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1 A. [11:07:34] In the office, not every day, but some days, yes.

2 Q. [11:07:37] And he gave you from day to day information on the basis of his
3 research?

4 A. [11:07:46] His research, yeah, was used to build the bigger picture of what was
5 happening there.

6 Q. [11:07:51] Yeah. And can you recall what Mr Rhodes told you in those two
7 weeks as outcome of his research before you went to Côte d'Ivoire?

8 A. [11:08:01] I cannot remember right now.

9 Q. [11:08:08] Can you remember with whom Rhodes spoke in those two weeks
10 before you went to Côte d'Ivoire, which persons who he spoke to in Côte d'Ivoire?

11 PRESIDING JUDGE TARFUSSER: [11:08:19] Don't you ask Mr Rhodes?

12 MR KNOOPS: [11:08:22] Yes, of course, we will ask Mr Rhodes, yes.

13 PRESIDING JUDGE TARFUSSER: [11:08:25] He will come and that will be the best
14 way to cover this.

15 (Trial Chamber confers)

16 PRESIDING JUDGE TARFUSSER: [11:08:39] Please go ahead.

17 MR KNOOPS: [11:08:41]

18 Q. [11:08:42] Mr Witness, you were this morning quite specific in saying that you
19 spoke with eight different journalists before you came to Côte d'Ivoire.

20 A. [11:09:00] Roughly, yeah, about eight. And their conversations have been
21 recorded in a document.

22 Q. [11:09:05] Yeah. What was the outcome of this research, which was the
23 scenario which was provided to you by those colleagues?

24 A. [11:09:18] A lot of it was to do with how to cover the story that was unfolding in
25 Ivory Coast at that time, to deal with how we could operate safely.

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1 Q. [11:09:29] Was there any information given to you by those colleagues about the
2 nature of the conflict?

3 A. [11:09:43] Just that it was very, very unpredictable and very, very difficult at
4 that current time to cover.

5 Q. [11:09:47] Did you receive any historical data, any information about the history
6 of Côte d'Ivoire as of 2002?

7 A. [11:09:58] I -- so there was, so prior to my arrival in the office for those two
8 weeks of prep, there was someone on the research desk that was looking into the
9 story, that was building the story of what the actual documentary was going to be.

10 Q. [11:10:19] And what was this type of information given to you by this person
11 working on this desk?

12 A. [11:10:27] That the President Laurent Gbagbo had lost an election and that he
13 did not want to give up power. And the elected president was -- his troops were,
14 they're in the north and moving down south.

15 Q. [11:10:50] What was being told to you about the person of Mr Charles Blé Goudé
16 in those two weeks before you came to Côte d'Ivoire?

17 A. [11:10:55] Can you -- what do you mean? What was, what was --

18 Q. [11:11:00] What was the information given to you or retrieved by you in those
19 two weeks of research about Mr Charles Blé Goudé?

20 A. [11:11:08] That he had lost an election and had refused to give up power.

21 PRESIDING JUDGE TARFUSSER: [11:11:13] We're talking about Charles Blé Goudé,
22 not Mr Gbagbo.

23 THE WITNESS: [11:11:18] Sorry, sorry, sorry, sorry. Blé Goudé was the youth
24 minister at the time, that he was the leader of a group called the Young Patriots, and
25 that he was going around speaking at a lot of rallies.

1 MR KNOOPS: [11:11:33]

2 Q. [11:11:33] Was any information given to you about Mr Blé Goudé as to his
3 personality, who he was as a person?

4 A. [11:11:47] No, no. I was told as well, I've read as well, that he was on a UN
5 sanctions list.

6 Q. [11:11:59] Can you recall that your editor gave you information as to what type
7 of story you had to produce?

8 A. [11:12:14] The story was about the unfolding humanitarian crisis that was
9 happening in Ivory Coast at the time. And I was there to document a fair and
10 balanced story.

11 Q. [11:12:27] Can you recall that your colleagues or your editor had a mind to carve
12 a story on two different characters on either side of the conflict?

13 A. [11:12:42] So that was suggested that we -- because it was so hard to cover, it
14 was suggested that we could try and film with Mr Blé Goudé and then try and film
15 with other people, I believe in Abobo. But we never ever -- every time we tried to
16 get to Abobo, we could never get there.

17 Q. [11:13:08] Did you recall that your editor held the opinion when you were given
18 this assignment that the character of Mr Blé Goudé was one of a person who was in
19 charge of a terrifying militia trying to cling to power?

20 A. [11:13:33] I believe that he was talking about the Young Patriots when that --

21 Q. [11:13:47] And what was the foundation of this information your editor
22 presented to you in this regard?

23 A. [11:13:54] From news reports, from people that we spoke to, that the Young
24 Patriots had been essentially mobilised.

25 Q. [11:14:08] And when your editor informed you to carve out a story of two

1 characters on either side of the conflict, while saying that Mr Blé Goudé was a person
2 who was in charge of a terrifying militia, what was the picture? How was it
3 presented to you by your editor in those two weeks?

4 A. [11:14:39] It was presented that we were trying to tell both sides of the story,
5 and that's why we wanted to get -- to find two characters that we could follow that
6 could talk about that story.

7 Q. [11:14:52] And who was the other side of the story, which person?

8 A. [11:14:54] From memory, if it serves me correct, we were trying to get into
9 Abobo. We were trying to film with NGOs. But that never materialised, apart from
10 one day when we did some filming with one NGO, but that filming was very brief.

11 Q. [11:15:17] Did you were able to interview the so-called pro-Ouattara forces?

12 A. [11:15:26] So we tried on many occasions to get to Abobo, but we could never
13 get through, and so we were trying to speak to them there. And then the only
14 occasion that we did actually speak to them was when we were filming with the
15 French military when they were evacking some members of the community, a group
16 of Ouattara forces turned up and we spoke to them.

17 Q. [11:15:56] When you left England to go to Côte d'Ivoire, and you had the
18 information of your editor to carve out this story of two characters on either side of
19 the conflict, was that for Mr Rhodes and you the starting point to make this film?

20 A. [11:16:21] We went there and then we assessed the situation, who could we get
21 access to to try and cover this story, story fairly.

22 Q. [11:16:33] Can you elaborate on the word "fairly"? What do you --

23 A. [11:16:37] As in to hear both sides of the story.

24 Q. [11:16:39] But you were not able to hear both sides of the story, I assume?

25 A. [11:16:45] Well, we tried our best to get into Abobo several times, but was

1 stopped at checkpoints. We did speak to the people that we met while we were out
2 with the French military.

3 Q. [11:16:59] But it is your testimony, Mr Witness, that you spoke with once at a
4 checkpoint with some individuals? You were once at one checkpoint?

5 A. [11:17:14] You'll have to be a bit more clear, sorry. There was a lot of
6 checkpoints.

7 Q. [11:17:18] Yeah. You said this morning "we filmed at a checkpoint." Was that
8 the only checkpoint?

9 A. [11:17:22] So we filmed at several checkpoints. But some of them we didn't
10 have permission to film at. That one that we mentioned this morning --

11 Q. [11:17:29] Yeah?

12 A. [11:17:29] -- we had been given permission to film there, which is why we
13 stayed there for an hour or two and interviewed the people there, because they -- I
14 didn't feel threatened.

15 Q. [11:17:39] Right. You were a few minutes at the barracks on 21 March 2011?

16 A. [11:17:51] Maybe 10 minutes, maybe 10, 15 minutes, something like that.

17 Q. [11:17:55] Yes. That was the only occasion for you to be present at one of the
18 barracks?

19 A. [11:18:01] Pardon?

20 Q. [11:18:02] Was there any other occasion when you went to see somebody at the
21 barracks, a military barracks? Was this the only occasion to go to a military barracks,
22 the 21st March?

23 A. [11:18:17] I'm just trying to remember. I believe that that was the only time that
24 we went to a military barracks.

25 Q. [11:18:28] Can you recall whether your visit at the checkpoint you mentioned

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1 this morning was included in the logbook?

2 A. [11:18:40] Yes, I believe so.

3 Q. [11:18:47] In the logbook, we observe on Tuesday, 22 March, the observation
4 that there is a lot of disinformation and rumour circulating. That's
5 CIV-OTP-0021-0867, page number 6. If you look at Tuesday, 22 March, it's the
6 second paragraph, last sentence.

7 A. [11:19:35] Sorry, I can't actually see it.

8 PRESIDING JUDGE TARFUSSER: [11:19:38] You will see it in a minute on
9 channel --

10 THE WITNESS: Okay.

11 PRESIDING JUDGE TARFUSSER: I will tell you. I can't see it yet so ...

12 MR KNOOPS: [11:20:01]

13 Q. [11:20:01] Do you have it before you, Mr Witness?

14 PRESIDING JUDGE TARFUSSER: [11:20:04] Not yet.

15 MR KNOOPS: [11:20:07]

16 Q. [11:20:08] Not yet.

17 PRESIDING JUDGE TARFUSSER: [11:20:10] On evidence channel 1. Do you see it
18 now?

19 THE WITNESS: [11:20:14] Yes.

20 PRESIDING JUDGE TARFUSSER: [11:20:15] Okay.

21 MR KNOOPS: [11:20:16]

22 Q. [11:20:16] Second paragraph, Mr Witness, on the Tuesday, the 22nd of March.
23 Second paragraph, last sentence, "There is a lot of disinformation and rumour
24 circulating."

25 And my question to you is were you able to verify information you received, apart

1 from the information you received from the fixer?

2 A. [11:20:47] Only through when we would interview people.

3 Q. [11:20:49] But you didn't cross-check that information which you received from
4 people you interviewed?

5 A. [11:20:55] Whenever we could, yes.

6 Q. [11:20:56] Give you --

7 A. [11:20:57] I can't give you an example.

8 Q. [11:21:02] Were you able to cross-check by looking at documents, for instance,
9 or --

10 A. [11:21:11] So we would talk to the fixer. Where we were staying in our hotel,
11 there was literally about 20 other journalists there, so we would normally talk to them
12 about what was happening and see, and see if what we were hearing was tallying up
13 with what they were hearing.

14 Q. [11:21:29] So your main source of cross-checking was verification with other
15 journalists in the hotel?

16 A. [11:21:37] With journalists that were working in Abidjan.

17 Q. [11:21:41] Which journalists were at that time you were in Abidjan in the
18 Novotel? Can you give us names?

19 A. [11:21:49] So I can give you, the only two names I can give you at the moment
20 from memory is Tim Cox from Reuters and Marco Oved from the Associated Press.

21 Q. [11:22:02] And you spoke with them on a daily basis to verify certain
22 information or --

23 A. [11:22:08] We would, we would see them, I can't say we saw them every day,
24 but we would sit and talk about what we had heard and, you know, see if things
25 matched up.

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1 Q. [11:22:22] Mr Witness, to wrap up this theme, I would like you to read from the
2 logbook, page 8. That's CIV-OTP-0021-0869. It's an entry on the 19th of March, so
3 two days after your arrival in Abidjan. You'll find on page 8 in the last paragraph an
4 entry starting with, "AN was concerned that what happens if Gbagbo hands over
5 power?" Do you see this paragraph, Mr Witness?

6 A. [11:23:48] Yes, I do.

7 Q. [11:23:49] Could you read the second sentence starting with "GW spoke to him"?

8 A. [11:24:02] You would like me to read from there?

9 Q. [11:24:03] Yes.

10 A. [11:24:04] "GW spoke to him about the story in front of them and what is safe to
11 do. Based on the potential access with Gbagbo and potentially Abobo, he'd carve
12 out a story of two characters on either side of this hateful conflict, one a powerful
13 leader, Charles, in charge of a terrifying militia, trying to cling to power; on the other
14 side, the women of Abobo, those at the front of the protests on the other side who've
15 sustained casualties and continue to survive in a deprived -- in a deprived war-torn
16 district of the city."

17 Q. [11:24:35] So this was the story which was in front of your editor apparently on
18 19 March; is that correct?

19 A. [11:24:44] That was, that was, that was a story that was -- we were looking at the
20 options of how we could tell the story and how safely I could tell or we could tell
21 what was going on. That was what was suggested, but obviously that never
22 materialised.

23 Q. [11:24:57] Right, right. Now, based on this story in front of you, you were able
24 to make a film of 29 minutes out of 40 hours footage approximately?

25 A. [11:25:16] No. It was 24 minutes.

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1 Q. [11:25:18] 24 minutes, sorry. You yourself, you selected the portions from the
2 footage of 40 hours into those 24 minutes?

3 A. [11:25:32] Me, an editor, and the reporter sat down with my executive producer
4 and chose what stories, yes.

5 Q. [11:25:43] Was it the same editor as --

6 THE COURT OFFICER: [11:25:46] Rule of five seconds, please.

7 MR KNOOPS: [11:25:49] Apologies. Sorry.

8 Q. [11:25:56] Was it the same editor as mentioned in this logbook?

9 A. [11:26:00] So George, he would have been present, but his senior would have
10 been there as well.

11 Q. [11:26:07] And who was the reporter who was with you during the editing
12 process of the film?

13 A. [11:26:14] Seyi Rhodes.

14 Q. [11:26:15] It was Mr Rhodes himself, yes.

15 Was there an official translator present when the footage was comprised into those 24
16 minutes?

17 A. [11:26:29] So the footage would have been translated by a translator. Certain
18 sections that we chose would have been transcribed.

19 Q. [11:26:38] Okay.

20 Those were my questions for this witness on this topic. Mr Claver N'Dry, my
21 colleague on the left side, will take over from here. Thank you.

22 PRESIDING JUDGE TARFUSSER: [11:26:53] Thank you, Mr Knoops.

23 Maître N'Dry.

24 QUESTIONED BY MR N'DRY: (Interpretation)

25 Q. [11:27:47] Good morning, Mr Witness.

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1 A. [11:27:48] Good morning.

2 Q. [11:27:51] I just have a few questions for you, Mr Witness. On page 19, line 11
3 to 15 of the non-edited transcript of today's hearing, I'm going to quote the question
4 that the Prosecutor put to you and then I'll have a question for you. The question
5 was, "Why did you feel that there was hostility against you?"

6 The answer was, "Based on what Seyi translated for me and the attitude of the crowd,
7 who were making signs across their throats." End of quote.

8 Mr Witness, I'd like to ask you to take a look once again at that video and then
9 afterwards I will have a question for you. I would like to call up the following video,
10 please. The ERN is CIV-OTP-0015-0501, from minute 1.30 to 2.51. The transcript is
11 CIV-OTP-0063-2902, page 2903 to 2904, lines 13 to 46.

12 And, Mr Witness, I'd like to ask you to look carefully at the video and then I'll have a
13 question for you.

14 THE COURT OFFICER: [11:30:05] Defence has the floor, evidence channel 2.
15 (Viewing of the video excerpt)

16 THE INTERPRETER: [11:30:51] (The following inserted excerpt is a transcription
17 prepared and provided by the parties of the aforementioned recording without any
18 modification or alteration)

19 SR: I'm just going to do some stuff.

20 INI: Yeah, yeah.

21 SR: OK. We've been given an army escort, and he's doing his best to try and calm
22 every down [phon.]. We've been given an army escort here, and he's doing his best
23 to try and calm everyone down. There are tens of thousands of Young Patriots,
24 GBAGBO supporters, who have been politicized and have been told that anybody
25 with a camera from the West is ...

1 00:01:40. Plusieurs jeunes se sont masses derriere SR pour s'exprimer devant la
2 camera, rendant de nombreux propos simultanes incomprenensibtes durant tout
3 l'enregistrement de cetie video. Par ai/leurs, !es deux journalistes sont regu/ierement
4 pris a partie avec vehemence}

5 INI : On tue [phon.] les rebelles.
6 [Les 2 lignes suivantes sont prononcees simuttenement}

7 SR : ... is spreading lies about them ...

8 INI : On est la pour tuer.

9 SR : ... and they should try and stop these people from filming them.

10 INI : On est la pour tuer.

11 INI : On va tuer les rebelles.

12 SR : [Incomprehensible, 00:01:48] difficult for anybody to control.

13 INI : On cherche les rebelles pour les tuer.

14 SR: Ouais?

15 INI : ALASSANE, on va tuer.

16 SR : They're all shouting. Keep going, keep going, keep going ... they're saying ...
17 they're all shouting that they're going to go out and kill the rebels. They want to
18 kill rebels. And if they think anybody's a rebel, they're going to kill them.

19 INIS : ALASSANE !

20 INI : ALASSANE, j'arrive !

21 SR : At the moment [incomprehensible, 00:02:04] OK, d'accord. [Incomprehensible,
22 00:02:11]. This is just a show of strength; This is just a show of strength. We are
23 suddenly surrounded by new recruits.

24 They've all been politicized and told that everyone from the West is bad. And they
25 can all sign up and go out and kill rebels. And they're desperate to tell me and

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1 everybody in Europe that anybody who comes into this country and tries to take over
2 is going to be killed.

3 MR N'DRY: [11:32:23] (Interpretation)

4 Q. [11:32:24] Mr Witness, when the Prosecution was asking you whether you felt
5 hostility directed towards you, you talked about hand gestures by people in the
6 crowd. Is that what you were talking about, those gestures? Was that what you
7 were referring to?

8 A. [11:32:53] From memory, there is one specific gesture of I remember a man
9 doing this to the camera (indicating). I can only describe to you that I felt, I felt
10 threatened. That's how I felt.

11 PRESIDING JUDGE TARFUSSER: [11:33:08] We have to describe this to the record.

12 THE WITNESS: [11:33:13] A man putting his hand to his throat and putting it across.
13 You know, I felt, I felt threatened. It felt very intimidating.

14 MR N'DRY: [11:33:25] (Interpretation) Your Honour, we shall come back to this
15 video. I've asked the case manager to prepare a screenshot.

16 (Viewing of the video excerpt)

17 (The following inserted excerpt is a transcription prepared and provided by the
18 parties of the aforementioned recording without any modification or alteration)

19 There are tens of thousands of Young Patriots, GBAGBO supporters, who have been
20 politicized and have been told that anybody with a camera from the West is ...

21 THE INTERPRETER: [11:34:06] (Interpretation of the video excerpt) Sight
22 translation: We kill the rebels. We're here to kill. We're here to kill. We're going
23 to kill the rebels. We're looking for rebels to kill them.

24 (Viewing of the video excerpt)

25 MR N'DRY: [11:35:20] (Interpretation)

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1 Q. [11:35:22] Is that the hand gesture you were talking about?

2 A. [11:35:26] That's one of, that's one I can remember.

3 PRESIDING JUDGE TARFUSSER: [11:35:30] Can we give the timestamp, please.

4 MR N'DRY: [11:35:39] (Interpretation) It's timestamp 2.01.

5 Q. [11:35:53] Mr Witness, one of these gestures, were these, were these the gestures?

6 Is this what you are talking about?

7 A. [11:36:08] That was the gesture that I mentioned earlier, yes.

8 Q. [11:36:13] Very well. And the person was also saying some things. Did you

9 understand what the man was saying when he was making the gesture?

10 A. [11:36:30] No. I don't speak French.

11 Q. [11:36:36] But when those people were in front of your camera, even if you

12 didn't understand French, didn't you hear the word "rebels" several times, the word

13 "rebel," didn't you hear that word?

14 A. [11:36:56] I don't know. I'd have to listen to the footage again. But I felt -- I

15 can only describe to you how I felt, and I felt threatened.

16 Q. [11:37:10] Mr Witness, I'm not saying -- well, we've already heard that, this

17 feeling of threat, of being threatened, this sentence, people can feel threatened.

18 That's not the problem. But how do you say "rebelle" in English, the word "rebelle"

19 in English?

20 A. [11:37:34] Rebel.

21 Q. [11:37:37] I'm going to play the footage again and please listen very carefully.

22 If we could go back 5 or 10 seconds, please.

23 (Viewing of the video excerpt)

24 MR N'DRY: [11:38:08] (Interpretation)

25 Q. [11:38:10] Mr Witness, I realise you don't understand French, did you hear the

1 word "rebelle"?

2 A. [11:38:20] When you played it back there, yes, I did.

3 Q. [11:38:22] And the gesture that went along with the words, didn't that give you
4 some idea that they were talking about the rebels?

5 A. [11:38:41] I did not know what they were saying just because I can hear the
6 word "rebelle." I don't know what the sentence is.

7 Q. [11:38:49] Mr Witness, how many documentaries have you filmed and how
8 many events such as this one have you covered?

9 A. [11:39:11] So for this series I've made 16 documentaries. But I've never -- I've
10 never filmed an army barracks with a crowd that, you know, don't seem very happy.

11 Q. [11:39:32] Mr Witness, with your experience, the situation that we are dealing
12 with at that time in 2011 compared to your other experiences, I'm talking about actual
13 events, haven't you already come across crowds that were using various words to try
14 to get a particular message across?

15 A. [11:40:19] To memory, I can't pinpoint one specific, but I'm sure I have.

16 Q. [11:40:29] Very well. Now, this morning regarding the rally of 26 March 2011,
17 when Mr Charles Blé Goudé was seen and there was the mattress, you say that you
18 spent one hour there, approximately one hour, because night had -- because night had
19 fell and you didn't feel safe.

20 Now, if we could go back again to the whole question of your experience. You
21 mentioned a badge that was provided to you by the organisers. And you made a
22 link between the badge and a matter of security, a security issue. Usually when you
23 go to places to cover events, how are you journalists distinguished or what makes,
24 what sets you apart from other people?

25 A. [11:41:58] Press accreditation, holding a camera, holding a microphone.

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1 Q. [11:42:10] And why do you say that the badge that was given to you was linked
2 to a security issue?

3 A. [11:42:19] So the general consensus was a lot of the journalists that we were with,
4 including myself, felt that it was -- could have been quite dangerous to cover the
5 event. And we were then provided with these press passes that we were told would
6 keep us safe.

7 Q. [11:42:43] Because you would be easily seen as a journalist or was it because it
8 would ensure your security?

9 A. [11:42:58] As in it was something to show to people if they questioned why we
10 were here.

11 Q. [11:43:08] So you were distinguishable?

12 A. [11:43:17] Yes.

13 Q. [11:43:20] Very well. During your time in Côte d'Ivoire, especially when you
14 were at the barracks, were you physically threatened at any time?

15 A. [11:43:40] Was I as in was I touched physically?

16 Q. [11:43:45] Yes.

17 A. [11:43:47] From memory, no.

18 Q. [11:43:52] Very well. I'd like to call up some other video footage, and it will be
19 the last one. And I'll also be asking you questions. This is CIV-OTP-0015-0578,
20 from timestamp 12.42. And I wish to mention to the Chamber that this will be
21 lengthy, from 12.42, well, this will be my last, 12.42 to 19.39. Transcript is
22 CIV-OTP-0059-0042, pages 0046 to 0047 from lines 143 to line 172.

23 Witness, I'd like you to listen to the footage very carefully. And it has to do with
24 your return on the 26th of March 2011 from the Place de la République to your car,
25 and then after that I will put some questions to you.

1 (Viewing of the video excerpt)

2 (The following inserted excerpt is a transcription prepared and provided by the
3 parties of the aforementioned recording without any modification or alteration)

4 SR : We are just leaving Charles's rally now. He's still on stage but all these young
5 people here, tens of thousands of them have been mobilised, have been politicised,
6 have been told to hate the west. And as I'm leaving, even a lot of the young patriots
7 organisers are telling me to be careful in the city at
8 Night.

9 [00:14:21 - 00:17:53. Changement de plan: Vue sur des gens marchant lentement
10 dans la rue, puis sur des voitures qerees dans un parking]

11 Foule: Respectez le pouvoir de GBAGBO. [Incomprehensible 00:15:50] Putain,
12 ONUCI la, Putain ONUCI. [Incomprehensible 00:17:05]

13 SR: I just feel like that the attitude, you know the atmosphere has changed and is
14 slowly becoming more aggressive, yeah. [Incomprehensible 00:17:44). Jacques?

15 Jacques : Oui. [Incomprehensible00:18:31].

16 SR : We caught you asleep.

17 Jacques : No, no ... are you back?

18 SR : Alex?

19 IN12: Yeah?

20 SR: Give this guy some money, yeah.

21 IN12: Yeah I'll give money to you.

22 SR : Let's get out of here.

23 IN12 : Who are you calling?

24 Jacques : Huh?

25 IN12 : Who are you calling?

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- 1 SR : Is it important to do now?
- 2 Jacques : Yes, I do now.
- 3 SR: No, the call. Is that important for now? Because ... maybe we should go.
- 4 Jacques : Merci bien.
- 5 SR: Thanks man. Merci. [Incomprehensible 00:19:10J[Musique dans la voiture].
- 6 Jump in the .. can you get in the back Jacques? Can we fit in here, can we?
- 7 [00:19:39. Fin de la transcription]
- 8 MR N'DRY: [11:51:42] (Interpretation)
- 9 Q. [11:52:40] Mr Witness, was that you who shot this footage?
- 10 A. [11:52:45] Yes.
- 11 Q. [11:52:47] Very well. Can you confirm that that was from the place of
- 12 gathering of the 26th of March 2011 to the place where you had parked your vehicle?
- 13 And that was the -- that's the way you went and that is what you filmed? Can you
- 14 confirm that?
- 15 A. [11:53:12] Yes, I believe so.
- 16 Q. [11:53:18] And I asked you whether the footage had to do with the way you
- 17 went from the first place where the rally of the 26th of March 2011 was held to the
- 18 place where you parked your car. And is that the -- that's what this footage is?
- 19 A. [11:53:47] I believe so, yes.
- 20 Q. [11:53:53] Very well. And were there any law enforcement people along with
- 21 you, along this route?
- 22 A. [11:54:02] No. But the fixer, Alexis, had like a local security guy looking after
- 23 us, someone who was keeping an eye out for us.
- 24 Q. [11:54:21] Mr Witness, were there any police officers or soldiers along with you?
- 25 A. [11:54:28] To my knowledge, no.

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1 Q. [11:54:32] Mr Witness, during the route you came across several young people
2 who had come to attend the rally. Were you threatened even once?

3 A. [11:54:52] When we were -- sorry, when we were leaving the rally?

4 Q. [11:54:59] During this route that we just viewed, were you threatened?

5 A. [11:55:07] From looking at the footage, no. I can't understand what everyone is
6 shouting out at me though.

7 PRESIDING JUDGE TARFUSSER: [11:55:17] But did you feel threatened at any time
8 leaving the rally until you arrived to the car? This is the question.

9 THE WITNESS: [11:55:25] I felt, I felt scared, I felt scared, yeah, I felt scared.

10 MR N'DRY: [11:55:38] (Interpretation) Your Honour no further questions.

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

12 MR KNOOPS: [11:55:41] Mr President, before we conclude, I have just two
13 additional small questions to the witness, if I may.

14 PRESIDING JUDGE TARFUSSER: [11:55:46] Mr Knoops.

15 MR KNOOPS: [11:55:48] Thank you, Mr President.

16 Q. [11:55:50] Mr Witness, remember my last question to you about the editing of
17 the film, and you informed the Chamber that Mr Rhodes was present during the
18 editing process?

19 A. [11:56:04] So, so he wasn't inside the edit all of the time. He was in and out.

20 Q. [11:56:09] Right. Could it be that Ms Jennifer Hampson was present with you
21 while editing?

22 A. [11:56:19] She physically edited the film, that's correct, yes.

23 Q. [11:56:22] And was she in any way involved in the research prior to coming to
24 Côte d'Ivoire?

25 A. [11:56:27] No. She was not involved in the research prior to leaving.

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1 Q. [11:56:30] Did she have any knowledge on the conflict as far as you know?

2 A. [11:56:36] Only the research that she would have conducted once she began her
3 edit.

4 Q. [11:56:40] Thank you. My second question is you spoke in regard to the
5 meeting of the 26th of March, and the Presiding Judge asked you this question, what
6 Mr Blé Goudé was carrying on his shoulder, a sleeping mattress. That's line 28 -- or
7 page 28, line 8, of the transcript of today. And you mentioned a sleep-in protest.
8 Do you know why Mr Blé Goudé initiated a sleep-in protest?

9 A. [11:57:17] I cannot remember.

10 Q. [11:57:19] Okay. Thank you.

11 PRESIDING JUDGE TARFUSSER: [11:57:22] Thank you very much, Mr Knoops.

12 Now I revert to the Defence for Mr Gbagbo and I give the floor to Maître Altit.

13 MR ALTIT: [11:57:30] (Interpretation) Thank you, your Honours. Ms Naouri will
14 be conducting the questioning of this witness on behalf of the Gbagbo Defence team.

15 PRESIDING JUDGE TARFUSSER: [11:57:42] Madam Naouri.

16 MS NAOURI: [11:58:25] (Interpretation) Thank you, your Honour. Before we
17 begin, your Honour, I'd like to ask the Court for their indulgence. We have just
18 disclosed something for this morning. We had some problems. And the
19 questioning by the Prosecution was shorter than expected. Disclosure has just
20 occurred. Our list has been notified to the Chamber and to the parties.

21 PRESIDING JUDGE TARFUSSER: [11:58:58] Just go ahead.

22 MS NAOURI: [11:58:59] (Interpretation) Thank you, your Honour.

23 QUESTIONED BY MS NAOURI: (Interpretation)

24 Q. [11:59:15] Good morning, Mr Witness. My name is Jennifer Naouri, and I will
25 be asking you some questions now on behalf of the Laurent Gbagbo Defence team.

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1 Mr Witness, I'd like us to go back to a few points and we'll try to clarify a few points
2 about the French language. Could you tell us whether you had a professional
3 interpreter with you?

4 A. [11:59:49] So we had our local fixer, Alexis, would translate as well as Seyi
5 Rhodes, the reporter.

6 Q. [12:00:03] Very well. So just those two people were your interpreters, your
7 own interpreters?

8 A. [12:00:14] To the best of my knowledge, on location, yes.

9 Q. [12:00:21] All right. And your fixer, what sort of level of English did he have?

10 A. [12:00:34] Enough for me to understand him.

11 Q. [12:00:39] Did you communicate directly with the fixer or did you go through an
12 intermediary?

13 A. [12:00:51] So it would either be going through Seyi or through the fixer directly.
14 I can't remember a situation where that was different.

15 Q. [12:01:00] And who translated what was being said by the people that you were
16 interviewing?

17 A. [12:01:16] It would either, from memory, it either would have been Seyi, the
18 reporter, or it would have been Alexis, the fixer. But I would say more times than
19 not it was always Seyi.

20 Q. [12:01:40] But Mr Rhodes isn't fluid in French; is that correct?

21 PRESIDING JUDGE TARFUSSER: [12:01:57] We will talk to him. He is coming
22 tomorrow.

23 THE WITNESS: [12:02:04] From my understanding, he knew what was going on.

24 MS NAOURI: [12:02:08] (Interpretation)

25 Q. [12:02:12] But when Mr Rhodes spoke to Mr Blé Goudé, what language did he

1 use?

2 A. [12:02:23] I think a mixture of French and English. But he would ask the
3 questions in English so our audience could understand what was going on.

4 PRESIDING JUDGE TARFUSSER: [12:02:40] From what we have seen, English.

5 MS NAOURI: [12:02:43] (Interpretation) Yes, on the footage. But now we know
6 he was speaking a mixture. Thank you, your Honour.

7 Q. [12:03:07] So on location you depended on what was said to you by your fixer or
8 by Seyi as regards what was happening around you if I've understood correctly?

9 A. [12:03:18] If people were talking in French, yes, I would have to rely on what
10 they were telling me.

11 Q. [12:03:25] Very well. I'd like to come back to the preparation for your trip to
12 Côte d'Ivoire. When were you contacted to go ahead with the documentary in Côte
13 d'Ivoire?

14 A. [12:03:45] Probably, well, I would imagine two weeks prior to my departure.

15 MS NAOURI: [12:04:04] (Interpretation) Your Honour, I've been told there is no
16 longer any French transcript and hasn't been for the last quarter of an hour.

17 PRESIDING JUDGE TARFUSSER: [12:04:12] I don't know, because I'm looking at
18 English.

19 I revert to the court officer.

20 MS NAOURI: [12:04:23] (Interpretation) I've just been told that it's resumed, but
21 there are 20 minutes missing from the French transcript.

22 PRESIDING JUDGE TARFUSSER: [12:04:35] We will fix this.

23 And I would ask you not to pose the same question as we already heard twice, like
24 also the one the two weeks ahead. We heard all this.

25 MS NAOURI: [12:04:50] (Interpretation) We're not overlapping in any way. He

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1 told us how long he had gone for, but we were asking about the contact beforehand.

2 We'll continue anyhow.

3 Q. [12:05:05] Witness.

4 PRESIDING JUDGE TARFUSSER: [12:05:07] You did ask the same question, okay.

5 MS NAOURI: [12:05:09] (Interpretation)

6 Q. [12:05:10] Witness, had you already made a documentary in the context of

7 "Unreported World" concerning a French speaking country in West Africa?

8 A. [12:05:22] From memory, no, no. I don't think so.

9 Q. [12:05:39] How did you obtain your visa and how long did it take for you to get
10 it?

11 A. [12:05:46] I personally didn't obtain it. It was the production manager, the
12 company, Quicksilver that would have acquired it for me. I believe that the Ivory
13 Coast embassy in the UK was no longer issuing business visas, and so we got one
14 from the embassy in France. I think it was a three month business visa.

15 Q. [12:06:14] Who was in charge of organising the logistics for your trip?

16 A. [12:06:29] So that would be Natalie Triebwasser and Hannah Beatty inside the
17 Quicksilver office in Oxford. And a lot of that would be done through the fixer with
18 regards to drivers and things like that and hire vehicles.

19 Q. [12:06:52] Very well. And as of when were you in contact with the fixer?

20 A. [12:07:11] After he was recommended by an Associated Press journalist. I
21 spoke to him on the phone, had several conversations. So I can't remember if that
22 was in week one or week two of my prep. But he was definitely not involved prior
23 to my arrival in the office.

24 Q. [12:07:39] And it's Marco Oved, the journalist, who introduced the fixer to you;
25 is that correct?

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1 A. [12:07:56] He's the guy that recommended him, yes.

2 Q. [12:07:57] Do you know whether your fixer had worked with Marco Oved
3 before working with you?

4 A. [12:08:14] I can't remember from off the top of my head. He just spoke very
5 highly of him. I believe he may have worked with him before.

6 Q. [12:08:21] Witness, what are the usual procedures involved in selecting a fixer?
7 What sort of criteria are followed?

8 A. [12:08:42] Speaking to them and speaking to people that have worked with him.

9 Q. [12:08:50] Politically speaking, does the fixer have to be neutral?

10 A. [12:09:08] Yes, that does help.

11 Q. [12:09:12] And did you personally investigate who the fixer was? Did you
12 carry out any sort of research?

13 A. [12:09:25] I spoke to -- like off the top of my head I can't remember, but I
14 definitely spoke to Marco Oved about him, yeah.

15 Q. [12:09:39] Do you know what the fixer's job was?

16 A. [12:09:50] Prior -- I know -- just I knew that he had helped out other journalists
17 before.

18 Q. [12:10:02] Do you know whether the fixer had any political activity or was an
19 active member of any political party?

20 A. [12:10:16] I don't know if he was an active member of a political party. From
21 memory, he may have been the nephew of an ex-president or something. That's
22 what I heard. And that's how he was able to give access to certain people.

23 Q. [12:10:45] Witness, the statement that you made to the OTP, CIV-OTP-0021-0056,
24 on page 1060, paragraph 20, you say as regards your fixer: "He was the nephew of a
25 former prime minister, though I can't recall his uncle's name."

1 Does that refresh your memory?

2 A. [12:11:19] Yes, yes. That's what I just said, yeah.

3 Q. [12:11:23] Did you not ask him to which prime minister he was related?

4 A. [12:11:35] I cannot, I cannot remember.

5 Q. [12:11:45] You don't remember whether you asked him or you don't remember
6 what was the answer to the question?

7 A. [12:11:56] I don't remember asking him. I don't remember, yeah, I don't
8 remember.

9 Q. [12:12:04] But as the fixer was the nephew of a former prime minister, did you
10 check whether he had any link to one of the two parties involved in the conflict?

11 A. [12:12:24] All I know is that I was told that he could get us good access to both
12 sides of the story, and he'd been highly recommended, and we were going to use him
13 as a translator.

14 Q. [12:12:42] And who paid the fixer for his mission with you?

15 A. [12:12:57] It would have come from the budget from Quicksilver.

16 Q. [12:13:05] Generally, do you find your own fixer or is it the production company
17 that puts you in touch with a fixer?

18 A. [12:13:22] It can work both ways.

19 Q. [12:13:29] In the discussions that you had with the fixer on the phone before you
20 left, who did you suggest -- who did he suggest that you meet?

21 A. [12:13:52] I cannot remember. But all I know is that he -- all I can remember is
22 that he said that he could get access to both sides of the story.

23 Q. [12:14:04] Before you left, when you were discussing, did he suggest places that
24 you should visit, and if so, which ones?

25 A. [12:14:27] I cannot remember that. I know that we were always trying to film

1 in central Abidjan. We were trying to get into Abobo.

2 Q. [12:14:45] My question was, before you left for Côte d'Ivoire, was there any
3 discussion about places that you wanted to visit or you should visit, and if so, which
4 ones?

5 A. [12:14:58] Well, from memory I would have said central Abidjan and Abobo.

6 Q. [12:15:10] Why before leaving did you know already that you wanted to go to
7 Abobo?

8 A. [12:15:18] Because it had been the scene of conflict, and I wanted to see what
9 was happening there when we arrived.

10 Q. [12:15:32] All right. I'd also like to put a number of questions for clarification
11 as regards your research work that's been mentioned already. So in carrying out the
12 research over two weeks, this is what you say on pages 8 and 9 in today's transcript.
13 "Did you take a look at the recent history of Côte d'Ivoire? And when I say recent, I
14 mean over the last 10 years for instance?"

15 PRESIDING JUDGE TARFUSSER: [12:16:27] I think counsel meant 10 years before
16 2011, in the 2000, say.

17 THE WITNESS: [12:16:36] I don't know if my research went back that far. I can't
18 recall.

19 MS NAOURI: [12:16:46] (Interpretation)

20 Q. [12:16:51] Were you aware before you left for Côte d'Ivoire that the country had
21 been divided into two after a coup d'état in September 2002?

22 A. [12:17:04] Yes, I -- yep.

23 Q. [12:17:12] Did you investigate the causes for the division of the country, the
24 country to which you were going?

25 A. [12:17:22] I would have done. But the main point of my research though was

1 covering what was happening at the time.

2 Q. [12:17:44] Yes, Witness. But when you get to Côte d'Ivoire, it's a divided
3 country, and I want to know what was your knowledge before arriving.

4 Who as far as you knew led the north of the country of Côte d'Ivoire in 2010, 2011
5 when you got there as well?

6 A. [12:18:07] So all I can remember from, this is six years ago, was Alassane
7 Ouattara had won an election and he was based in the north.

8 Q. [12:18:20] He was based in the north. What exactly do you mean by that? Do
9 you mean that he had troops there in the north?

10 A. [12:18:32] That he was, that he was -- that that's where he was at the time when I
11 went to Ivory Coast, there and the Golf Hotel in Abidjan.

12 Q. [12:18:47] So according to you, it's Alassane Ouattara who was the leader of the
13 north of Côte d'Ivoire; is that correct?

14 A. [12:19:04] I cannot remember.

15 Q. [12:19:14] Did you carry out research into the links between Alassane Ouattara
16 and the soldiers that others referred to as rebels before you went to Côte d'Ivoire, I
17 mean?

18 A. [12:19:31] I would have done, I would have done.

19 Q. [12:19:41] What sources did you use?

20 A. [12:19:44] I would have used a variety of sources, from talking to journalists to
21 reading news articles to the research that would have been provided by the research
22 desk at Quicksilver prior to my arrival in the office.

23 Q. [12:20:03] And what was the result of this research?

24 A. [12:20:18] Sorry, you'll have to explain.

25 Q. [12:20:24] I'll put it a different way. You say that you carried out research.

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1 You consulted different sources as regards the pro-Ouattara forces in the north of
2 Côte d'Ivoire. So what was the upshot of this? What did you learn from this?

3 A. [12:20:41] I cannot really recall from six years ago after doing two weeks of
4 preparation to make this film. I cannot recall.

5 Q. [12:20:57] Very well, Witness. But when you're in Abidjan, you saw
6 pro-Ouattara forces there, did you not?

7 A. [12:21:22] Very briefly on one day of filming, when we were filming with the
8 French military, a car full of soldiers turned up who identified themselves as rebels.
9 That's from memory.

10 Q. [12:21:39] Witness, when you carried out your research prior to leaving, did you
11 know that there were rebel groups in Abidjan, inter alia the Golf hotel?

12 A. [12:22:04] I knew that there were districts that were pro-Ouattara.

13 Q. [12:22:15] And in those districts, were there armed groups?

14 A. [12:22:24] I'd read report that there were armed groups, that some of those
15 districts had been the scene of fighting.

16 Q. [12:22:36] According to your research, did you know whether the armed groups
17 were answerable to the person in charge of the Golf hotel?

18 A. [12:23:02] I --

19 MS HUCK: [12:23:04] (Interpretation) Your Honour, I think we're getting off the
20 subject here. Perhaps we could come back to the reason why the witness is here
21 before us.

22 MS NAOURI: [12:23:17] (Interpretation) Monsieur le Président.

23 PRESIDING JUDGE TARFUSSER: [12:23:22] Well, I would just change a little bit the
24 question, to whom these odd groups were answerable, to whom they were
25 answerable.

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1 MS NAOURI: [12:23:28] Très bien.

2 PRESIDING JUDGE TARFUSSER: [12:23:31] Or even more, did you ever hear while
3 you were there in your research or while you were there talk or speak about
4 Commando Invisible, invisible command?

5 THE WITNESS: [12:23:45] So yes, you've just refreshed my memory, yes, that one of
6 our hopes was to try and film with those people. But we never got, we never got the
7 opportunity to get as far as where they were based. We tried several occasions.

8 PRESIDING JUDGE TARFUSSER: [12:24:04] And do you know to whom they were
9 answerable?

10 THE WITNESS: [12:24:08] From memory, no.

11 PRESIDING JUDGE TARFUSSER: [12:24:09] Okay. Madam Naouri.

12 MS NAOURI: [12:24:11] (Interpretation) Thank you, your Honour.

13 Q. [12:24:21] So you had already heard about the Invisible Commando?

14 A. [12:24:26] Just from, yeah, from the Judge mentioning it, yes, I had already
15 heard of them, yes.

16 Q. [12:24:31] In Côte d'Ivoire?

17 A. [12:24:33] I'd heard -- I'd read articles about them prior to leaving. I can
18 remember that now.

19 Q. [12:24:45] And what did those articles say about the Invisible Commando?

20 A. [12:24:56] I cannot remember any details from reading those articles six years
21 ago.

22 Q. [12:25:03] When you're in Côte d'Ivoire and you try to go to Abobo, did you
23 know that the Invisible Commando at that time was active in Abobo?

24 A. [12:25:18] The commando, no. All I can remember is that we'd heard that they
25 were active in Abobo.

1 Q. [12:25:31] Very well. And the articles that you read, do you remember whether
2 there was any mention of the fact that the Invisible Commando attacked the civilian
3 population and the armed forces?

4 A. [12:25:51] All I can remember is that it had been the scene of fighting in Abobo.

5 Q. [12:25:55] So you didn't know between whom and whom the conflict in Abobo
6 was occurring; is that correct?

7 A. [12:26:13] I knew that there had been a conflict in Abobo, but I cannot remember
8 the details right now.

9 MS NAOURI: [12:26:30] (Interpretation) Your Honour, I turn to you because we're
10 going to raise another subject. Now perhaps might be the right time to break,
11 because I see the time.

12 PRESIDING JUDGE TARFUSSER: [12:26:45] Another 10 minutes, 15 minutes, we
13 can go ahead. I hear, I see Maître Altit whispering something, but ...

14 MS NAOURI: [12:27:13] (Interpretation)

15 Q. [12:27:14] Witness, quickly, still on your research, before you left, did you carry
16 out any research into the role of France in Côte d'Ivoire?

17 A. [12:27:28] Off the top of my head, I cannot remember.

18 Q. [12:27:34] Did you carry out any research into the role played by neighbouring
19 countries around Côte d'Ivoire such as Burkina Faso?

20 A. [12:27:51] No, probably, probably not.

21 Q. [12:27:56] Witness, you said today, page 31 of the French transcript, "The
22 information was that President Gbagbo had lost the elections and he didn't want to
23 stand down from power. The president elect and his troops were in the north and
24 that they were moving towards the south." End of quotation.

25 My question is, did you carry out any research into the electoral process in Côte

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1 d'Ivoire before you left?

2 A. [12:29:18] In terms of?

3 PRESIDING JUDGE TARFUSSER: [12:29:28] Just speak.

4 THE WITNESS: [12:29:30] I would have read articles about the election.

5 PRESIDING JUDGE TARFUSSER: [12:29:35] You took it, this is my question, you
6 took it as granted that there was one who won the election and then the other one
7 who didn't win.

8 THE WITNESS: [12:29:44] Yes, yes, yes.

9 PRESIDING JUDGE TARFUSSER: [12:29:45] So you didn't make any -- you didn't
10 put yourself a question: Is this --

11 THE WITNESS: [12:29:52] I would have read several articles. And I believe it was
12 sanctioned by the UN, was it not, the result?

13 PRESIDING JUDGE TARFUSSER: [12:30:02] Okay. Now we break, and we come
14 back at 2 o'clock for the third session. So we have a lunch break.

15 Thank you very much. The hearing is adjourned.

16 THE COURT USHER: [12:30:11] All rise.

17 (Recess taken at 12.30 p.m.)

18 (Upon resuming in open session at 1.59 p.m.)

19 THE COURT USHER: [13:59:55] All rise.

20 Please be seated.

21 PRESIDING JUDGE TARFUSSER: [14:00:10] Good afternoon. Good afternoon, Mr
22 Nott.

23 I give immediately the floor back to Madam Naouri for her questioning.

24 MS NAOURI: [14:00:37] (Interpretation) Thank you, your Honour.

25 Q. [14:00:45] Good afternoon, Mr Witness. Before the break we were discussing

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1 the elections, and you stated, and I'm going to quote what you said, page 55, line 19 to
2 22, and I'm going to -- "I read several articles, I believe, and if I'm not mistaken, there
3 was UN approval of that." End of quote.

4 My question is as follows, did you read Resolution 1765 adopted by the United
5 Nations?

6 A. [14:01:45] I cannot remember.

7 Q. [14:01:49] If you don't remember, I'm going to try to refresh your memory.

8 And we're going to display a document on the screen. I only have it in French, but I
9 will read out a passage that will be translated by the interpreters. The document is
10 CIV-D15-0051-5537, page 5538 and 5539.

11 PRESIDING JUDGE TARFUSSER: [14:03:13] Mr Nott, I can understand you do not
12 remember all the articles of newspapers or websites you have read, but this is an
13 official document coming from the United Nations. Is it likely that you have read it
14 or not? Now that you see, at least you will see it.

15 THE WITNESS: [14:03:34] I can't honestly tell you everything that I read six years
16 ago prior to going on my trip to Ivory Coast.

17 MS NAOURI: [14:03:52] (Interpretation)

18 Q. [14:03:56] Mr Witness, the document is now displayed on the screen. Do you
19 believe you saw or read this document during your research before you went to Côte
20 d'Ivoire? Do you think you had an opportunity to read this document?

21 PRESIDING JUDGE TARFUSSER: [14:04:13] Can we see the first page probably
22 because there is the logo.

23 MS NAOURI: [14:04:17] (Interpretation) Yes, you're perfectly right. Could the
24 court officer please display the first page of the document, please.

25 Q. [14:04:46] Can you see the first page of the document, Mr Witness?

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1 A. [14:04:49] Yes, I can.

2 Q. [14:04:53] Did you read this type of document when you were doing your
3 preparatory research before you went to Côte d'Ivoire?

4 A. [14:05:04] I cannot tell you. I do not remember.

5 Q. [14:05:11] Very well. Before you left for Côte d'Ivoire, you watched certain
6 reports on the station France 24, France 24; is that correct?

7 A. [14:05:37] I cannot remember. I would have watched lots of reports. I cannot
8 specifically say I watched some from that channel.

9 Q. [14:05:55] Mr Witness, in your witness statement, which is CIV-OTP-0021-1056,
10 paragraph 57, you state the following: "Seyi and I studied the Quicksilver proposal
11 and accepted to film a documentary on Côte d'Ivoire. At the time we knew roughly
12 what the situation was, according to Al Jazeera reports, BBC reports, France 24
13 reports and other media. I had understood that the President Laurent Gbagbo had
14 lost the elections and that he refused to stand down from power." End of quote.
15 Did you state that, Mr Witness?

16 A. [14:07:09] Yes.

17 Q. [14:07:11] I'd like to show you a video. The number is ERN CIV-D15-0001-0577.
18 The time code is 36.18 to 38.50. The transcription of this video is CIV-D15-004-1494.
19 Apparently I skipped a zero it's CIV-D15-0004-1494. And could we take over the
20 video.

21 THE COURT OFFICER: [14:08:08] You have the floor, evidence channel 2. It's
22 going to be a public video?

23 MS NAOURI: [14:08:22] (Interpretation) It is a public document.

24 Q. [14:08:32] Can you see the screen, Mr Witness, where we are going to be playing
25 the document?

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1 (Viewing of the video excerpt)

2 THE INTERPRETER: [14:08:58] The interpreters apologise. We don't have the
3 transcription of this document.

4 PRESIDING JUDGE TARFUSSER: [14:09:04] There is a transcription?

5 MS NAOURI: [14:09:20] (Interpretation) We're told that the transcription was sent.

6 THE INTERPRETER: Message from the interpreters: Could the court officer
7 perhaps send the transcript a second time. We have many transcripts up here. We
8 apologise for any delay.

9 MS NAOURI: [14:10:07] (Interpretation) The case manager is going to send them
10 to you once again and you can perhaps send them again to the interpretation booth so
11 as not to waste any time.

12 Madam court officer, did you get it?

13 THE COURT OFFICER: [14:10:56] Just received and sent forward to the
14 interpreters.

15 THE INTERPRETER: [14:11:11] Message from the interpreters: We have received
16 the transcript.

17 MS NAOURI: [14:11:20] (Interpretation) We shall now resume.

18 MR DEMIRDJIAN: [14:11:45] Your Honours, it appears that the version that we've
19 been sent of the transcript stops at the 34 minute mark, whereas counsel is playing a
20 clip from the 36 minute mark. So I don't believe it's been transcribed entirely. I'm
21 not sure if it's going to assist our interpreters.

22 MS NAOURI: [14:12:12] (Interpretation) Your Honour, apparently what my
23 learned friend has just said is indeed correct. We apologise for the
24 misunderstanding. We will send the transcript somewhat later with the timestamp
25 that corresponds to the correct -- the transcript that corresponds to the correct time

1 code.

2 (Viewing of the video excerpt)

3 PRESIDING JUDGE TARFUSSER: [14:15:27] Is now the English-speaking witness,
4 which doesn't know French, commenting on this?

5 MS NAOURI: [14:15:35] (Interpretation) We have two brief questions indeed. We
6 had sent the transcription for it to be interpreted, but since it was the wrong passage
7 we can't expect the interpreters to do it without the transcription. I have a couple of
8 questions.

9 Q. [14:15:52] Mr Witness, when you said that you watched France 24, here we saw
10 an extract, did you watch this along with Mr Rhodes?

11 A. [14:16:04] I can't possibly tell you from six years ago if I watched that news
12 report or not. If it was in French, I wouldn't have understood it. So the France 24 I
13 watch in the UK is in English.

14 Q. [14:16:17] My question is, did you watch extracts of the France 24 in French
15 along with Mr Rhodes so that he translate for you what you were seeing?

16 A. [14:16:33] I cannot remember.

17 Q. [14:16:37] Very well. Mr Witness, earlier today you stated that you had spoken
18 with a number of journalists and that there were records, transcriptions, of your
19 conversations with these journalists. Do you remember saying that?

20 A. [14:17:10] Yes, I do.

21 Q. [14:17:14] Do you have copies of these records, of these transcripts, of your
22 conversations?

23 A. [14:17:22] I'm sure I can get them.

24 Q. [14:17:27] Very well. So that if we were to ask you to provide them for us, you
25 could do that?

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- 1 A. [14:17:36] I can try, yes.
- 2 Q. [14:17:41] Do you know where those transcripts are kept today?
- 3 A. [14:17:49] I'd have to ask.
- 4 Q. [14:17:53] Who would you ask?
- 5 A. [14:17:58] I'd ask the people at Quicksilver.
- 6 Q. [14:18:03] Very well. One of the journalists you met was Marco Oved. Did
- 7 Marco Oved tell you whether or not he had met with Ivorian authorities?
- 8 A. [14:18:29] I can't remember a specific time, but do you just mean generally?
- 9 Q. [14:18:42] When you discussed with Marco Oved, did he tell you that he had
- 10 met with Ivorian authorities at the time, that is, from the Laurent Gbagbo
- 11 government?
- 12 A. [14:19:00] I don't want to answer because I can't remember, but if I was to have a
- 13 look at the transcripts, maybe it would be noted in there. But I don't remember.
- 14 Q. [14:19:10] Mr Witness, did you read Marco Oved's article published on NBC
- 15 news March 3, 2011 entitled, and I'm going to quote it in English, "Forces kill six
- 16 women marching in Ivory Coast." (Interpretation) End of quote.
- 17 A. [14:20:03] I cannot remember every article that I read six years ago, so I can't.
- 18 Q. [14:20:12] Mr Witness, you told us earlier that the angle, so to speak, for your
- 19 documentary was Blé Goudé versus the women in Abobo. Where did you get that
- 20 idea before you even left for Côte d'Ivoire?
- 21 A. [14:20:39] I think that idea, from memory, was that not suggested in a phone call
- 22 prior to me being -- while I was out in Ivory Coast? That was from my daily log, no?
- 23 Because we were trying to work out what story we could tell with the current security
- 24 situation. So that happened while I was out on the ground, I believe that.
- 25 Q. [14:21:10] That news dated March 19, 2011, shortly after you arrived, did you

1 have more information when you arrived about the march in Abobo that took place
2 on March 3, 2011?

3 A. [14:21:32] I cannot remember.

4 Q. [14:21:42] Did you contact Rukmini Callimacci before you left for Côte d'Ivoire?

5 A. [14:21:51] Yes, is that correct? Yeah. Rukmini. Rukmini, yeah, I did speak to
6 her before I left. I believe I can remember a transcript of that being somewhere. It
7 was either me or, yeah, it was either me or Seyi Rhodes, but I believe it was me.

8 Q. [14:22:12] Did you read the articles that she wrote dealing with the
9 post-electoral crisis in Côte d'Ivoire?

10 A. [14:22:25] I cannot tell you if I did or not.

11 Q. [14:22:40] And what about the journalists who were with you on site, in
12 particular, at the Novotel hotel? What language did you speak with them?

13 A. [14:22:59] So English would be the only language that I can speak.

14 Q. [14:23:08] So those journalists were basically your only source on site during
15 your mission, in other words, English-speaking journalists?

16 A. [14:23:38] I don't understand French, so that would be where I would get my
17 information from. And then Seyi, he was my work colleague, could understand
18 French.

19 Q. [14:23:52] Did Rukmini put you in contact with the rebels?

20 A. [14:24:07] I cannot remember that.

21 Q. [14:24:11] Did you try to contact local journalists, that is, Ivorian journalists?

22 A. [14:24:26] I probably wouldn't have personally done that because I wouldn't
23 have been able to communicate with them. Do you mean while I was in the Ivory
24 Coast, or do you mean while I was in the UK?

25 Q. [14:24:42] Both.

1 A. [14:24:43] Well, I can't speak French, so I would say that if they could speak
2 English, maybe I would have spoken to them, some. I cannot remember.

3 Q. [14:24:54] Did you coordinate with Mr Rhodes as to the various -- as to how you
4 proceeded on location?

5 A. [14:25:18] We would have discussions and then they would be fed back to my
6 colleagues in the UK, and then we would discuss on how to progress, what was safe
7 to cover, what wasn't.

8 Q. [14:25:34] Very well. So if Mr Rhodes had contacted Ivorian journalists, he
9 would have spoken to you about it; is that correct?

10 A. [14:25:50] I would believe so, but I cannot remember.

11 Q. [14:25:56] Mr Witness, didn't you keep any notebooks from the preparation of
12 your mission? You didn't keep any journals or notes as to what was going on?

13 A. [14:26:12] I would have done, yes, I would have done.

14 Q. [14:26:20] Do you still have those notebooks?

15 A. [14:26:22] I may do. I may. I may still have a log on the Quicksilver office
16 computer. The main person who was keeping notes on location as I was filming
17 would have been Seyi.

18 Q. [14:26:41] But my question was, did you yourself take notes before you left or
19 during the mission?

20 A. [14:26:53] I would have taken notes from people that I spoke to prior to leaving,
21 and that should be on a computer at Quicksilver. And I would have taken rough
22 notes on what I'd shot, and that was mainly fed back to what you can read in the log
23 that Quicksilver has, which is, I think, annex 1.

24 Q. [14:27:22] Very well. And if we wanted to retrieve those notes on the
25 Quicksilver computer or handwritten notes, could we do that today? Would it be

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1 possible?

2 A. [14:27:37] I don't know.

3 Q. [14:27:41] Very well. Mr Witness, did you contact any NGOs before you left?

4 A. [14:27:52] I believe we tried to contact UNICEF and maybe Save The Children.

5 I cannot remember 100 per cent.

6 Q. [14:28:12] Did you try to contact Human Rights Watch?

7 A. [14:28:21] I cannot remember.

8 Q. [14:28:28] Do you know Corrine Dufka?

9 A. [14:28:41] Sorry, could you say the name again please.

10 Q. [14:28:43] Corrine Dufka?

11 A. [14:28:45] It doesn't ring a bell.

12 Q. [14:28:48] Do you know Matt Wells?

13 A. [14:28:53] It doesn't -- no, it doesn't ring a bell. I don't think so.

14 Q. [14:28:58] Very well. Mr Witness, today you spoke about a visit to an army

15 barracks. Can you tell us exactly where that was?

16 A. [14:29:26] I cannot remember the name of the army barracks, but it was in

17 central Abidjan, not too far from the hotel we were staying in, the Novotel. It was

18 central.

19 Q. [14:29:41] Who told you to go there that day?

20 A. [14:29:49] I believe that we made our own decision to go there because -- this is

21 from memory -- that is where people have been told to go to sign up to join the army,

22 to join the military. That's from my memory. And so we made the decision to go

23 down there and to see people enrolling.

24 Q. [14:30:15] How did you get that information?

25 A. [14:30:20] From what I believe, it came out of the rally, I believe.

1 Q. [14:30:31] I'd like to show you a video. The number is CIV-OTP-0015-0500.
2 The time code is 2.07 to 2.15. There is no transcription for this video. And we'll
3 take control, if you will.

4 MS HUCK: [14:31:20] (Interpretation) Your Honour, could we have the number
5 from the Defence list of items, the number for this video?

6 MS NAOURI: [14:32:00] (Interpretation) I have been told that there has been a
7 slight omission with our list, and I apologise. As I said earlier, the list was
8 notification -- well, the list was disclosed quite late. And I believe that the item was
9 disclosed, and we do want to show this footage to the witness, with the indulgence of
10 the Chamber and the parties. Very well. Let's go ahead, please.

11 (Viewing of the video excerpt)

12 MS NAOURI: [14:32:53] (Interpretation)

13 Q. [14:32:58] You just saw this footage, Mr Witness, didn't you?

14 A. [14:33:02] Yes.

15 Q. [14:33:05] Where was the footage shot, inside or outside the barracks?

16 A. [14:33:14] From memory, I filmed what -- that specific little clip there, what
17 you've just shown me there?

18 Q. [14:33:21] Yes.

19 A. [14:33:23] Driving in.

20 Q. [14:33:26] And you yourself never actually went into the barracks themselves?

21 A. [14:33:34] I never physically went into a building. We got out of the vehicle,
22 walked over to the edge. There were lots and lots of people there.

23 Q. [14:33:50] And you yourself, you never saw any recruitment per se?

24 A. [14:33:56] Personally, I did not see.

25 Q. [14:34:02] Did you ask any questions later to see about whether these people

1 were going to be recruited by the army or not?

2 A. [14:34:14] I did not ask any questions. Seyi would be the one asking the
3 questions there to the people that we interviewed. And I cannot remember what
4 their answers were.

5 Q. [14:34:34] Well, my question is this, the day after you went to the barracks, did
6 you do any follow-up to see what had happened with these people who had turned
7 up to enlist in the army, as you put it?

8 A. [14:34:52] I cannot remember.

9 Q. [14:34:57] Mr Witness, you also told us today that you visited a roadblock in the
10 Riviera area. How was that visit to the roadblock organised?

11 A. [14:35:34] I didn't know it was that area, Riviera. That's the first I've heard of it.
12 But it was arranged, if memory serves me correct, through our fixer.

13 Q. [14:35:52] And your fixer told you about this in advance?

14 A. [14:35:58] I would have, well, from memory, I probably would have said that we
15 wanted to get access to try and film and speak to people at a checkpoint.

16 Q. [14:36:09] Mr Witness, page 22 of today's French transcript, you said this, "In
17 fact, the fixer went up to those people at the contact point without us. And then he
18 thought it would be completely safe for us to film and it would be a good spot. We
19 were well received and this was something quite rare."

20 A. [14:36:53] Yes. So the fixer would have gone ahead.

21 Q. [14:36:57] Thank you. My question is this, did you have authorisation to film?

22 A. [14:37:06] Did the people give their permission to be filmed? Yes, they would
23 have given an on-camera consent.

24 Q. [14:37:15] Very well. And how long did you spend at this roadblock?

25 A. [14:37:21] I cannot remember.

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1 Q. [14:37:24] Very well. Now, Mr Witness, I'm going to show you some video
2 footage.

3 PRESIDING JUDGE TARFUSSER: [14:37:32] Excuse me, you can't remember. But
4 was it minutes or was it --

5 THE WITNESS: [14:37:35] No.

6 PRESIDING JUDGE TARFUSSER: [14:37:36] -- an hour or two?

7 THE WITNESS: [14:37:37] I would say it would be no more than an hour.

8 PRESIDING JUDGE TARFUSSER: [14:37:40] Okay.

9 MS NAOURI: [14:37:48] (Interpretation) My apologies.

10 Q. [14:37:51] Now, this is CIV-OTP-0015-0592. Time code is from 00.00 to the 23rd
11 second.

12 THE COURT OFFICER: [14:38:51] For the record, is this confidential or public,
13 please?

14 MS NAOURI: [14:38:55] (Interpretation) These are rushes, so they are entirely
15 public, madam court officer, thank you. Thank you for your patience. We're just
16 dealing with a minor technical issue.

17 Q. [14:40:10] We are now ready, Mr Witness. We will show the footage.

18 (Viewing of the video excerpt)

19 MS NAOURI: [14:40:34] (Interpretation)

20 Q. [14:40:37] Mr Witness, you were allowed to film at this roadblock that we're
21 talking about, the one that Mr Rhodes is talking about in this excerpt, this bit of
22 footage, you were allowed, weren't you?

23 A. [14:41:02] I don't know which roadblock we were heading to right there from
24 the footage, but what I would say is that until you get out and you're seen with a
25 camera, you don't know what reaction you are actually going to get, even if you have

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1 been given approval to film there.

2 Q. [14:41:23] Very well. But this meeting at the Riviera roadblock went very well,
3 didn't it?

4 MR DEMIRDJIAN: [14:41:33] Objection, your Honours.

5 PRESIDING JUDGE TARFUSSER: [14:41:35] Mr Demirdjian.

6 MR DEMIRDJIAN: [14:41:37] I think counsel is skipping steps here, your Honours.

7 I mean, we don't even see the footage of the roadblock, and the witness is being asked
8 to comment whether they were allowed to record. I think this doesn't follow from
9 her previous questions nor the answers.

10 PRESIDING JUDGE TARFUSSER: [14:41:51] We are talking about here of one
11 roadblock where everything went well after asking, and that's it. And now you ask
12 again if it went well. Of course it went well.

13 MS NAOURI: [14:42:00] (Interpretation) You are correct, your Honour, about
14 the -- well, my question is, I'm trying to determine, since the witness has said that
15 everything went just fine, yes, he has said that. And that -- he said that it was set up
16 in advance, but why say that? And why then use that in the documentary?

17 PRESIDING JUDGE TARFUSSER: [14:42:42] Here you showed him footage. And
18 he said, the witness said he doesn't know if this is footage -- if this is the moment
19 where they're headed to the roadblock he was talking about. That's it.

20 MS NAOURI: [14:43:03] (Interpretation) Yes. It's the rushes that came after the
21 footage from the OTP. And this is a follow-up, a chronological follow-up of the
22 footage that was shot by the witness, according to what he's been telling us. But if
23 the witness doesn't remember that it was at la Riviera, that is very clear.

24 THE WITNESS: [14:43:30] I do not remember if that piece to camera is associated
25 with that checkpoint.

1 MS NAOURI: [14:43:55] (Interpretation)

2 Q. [14:43:56] So now, Mr Witness, when you spoke to the young people at the
3 Riviera roadblock, did they tell you that they were setting up roadblocks for
4 self-defence?

5 A. [14:44:11] I could not tell you. I do not, I do not know. Is that, that, that
6 footage, it's not in the final film, is it not? I cannot remember, because I don't think
7 that was broadcast.

8 Q. [14:44:29] Mr Witness, allow me to answer. Now, this rush was not in the final
9 documentary. And in a way you've anticipated one of my questions. Now, before,
10 you see, you were there for two hours. You spoke for a long time with these young
11 people, you through Rhodes. Why didn't you use a few rushes, what any rush that
12 you might have had about that two hours that you spent at the roadblock, or
13 everything went very well as you said?

14 A. [14:45:10] It's just the editorial decision that was made once we got back to
15 Oxford, that I would have sat down with my exec and my series editor, and we
16 decided not to use it in the finished film.

17 Q. [14:45:21] Very well. Do you remember while you were talking to those young
18 people, did they perhaps say that someone had authorised them to set up those
19 roadblocks? Might they have said something like that?

20 A. [14:45:57] I've got no idea. I cannot remember.

21 Q. [14:46:00] Very well. Do you remember whether those young people talked to
22 you about RHDP youths who joined up with them?

23 A. [14:46:20] Sorry, who? R --

24 Q. [14:46:35] Did these young people explain to you that other young people from
25 the RHDP joined them?

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1 A. [14:46:41] I do not remember.

2 Q. [14:46:47] Do you know what the RHDP is?

3 A. [14:46:52] I cannot remember what that would stand for. I haven't looked at
4 this story for quite some time.

5 Q. [14:47:03] Very well. Mr Witness, I'd now like to show you CIV-OTP-0015-0594,
6 time code 24.44 to 27.17. Now, there is no transcript for this particular piece of
7 footage.

8 (Viewing of the video excerpt)

9 MS NAOURI: [14:50:27] (Interpretation)

10 Q. [14:50:28] Mr Witness, now, you're the one who shot this footage, aren't you?

11 A. [14:50:34] That's correct.

12 Q. [14:50:35] And Mr Rhodes was asking the questions in English, and so you
13 understood the questions perfectly?

14 A. [14:50:44] That's correct.

15 Q. [14:50:44] Did he explain the contents of the answers to you?

16 A. [14:50:57] I'm sure at some point maybe in a few more minutes down the line he
17 would have done a piece to camera explaining what he's just been told. I can't
18 remember the footage that well. But yeah, generally, it's question, answer and then
19 piece to camera explaining what he's just been told.

20 Q. [14:51:20] Mr Witness, you were part of the editorial choices, weren't you, for
21 the preparation of the final document, documentary?

22 A. [14:51:34] So yeah, me myself, Seyi, the executive producer and the series editor.

23 Q. [14:51:44] Well, wasn't it important for you to know exactly what was said so
24 you could decide what to keep and what to discard when preparing the final
25 documentary?

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1 A. [14:51:59] So I don't know if further down the line Seyi would summarise what's
2 just been said in the rushes.

3 Q. [14:52:05] And did you prepare any transcripts of everything you filmed?

4 A. [14:52:16] From memory, I cannot 100 per cent remember, but some things
5 would have been transcribed, others wouldn't.

6 Q. [14:52:27] And did you use the transcripts when you prepared the
7 documentary?

8 A. [14:52:36] I would have used some transcripts when I prepared the
9 documentary.

10 Q. [14:52:43] And you personally, did you ask for some parts of the footage to be
11 transcribed?

12 A. [14:52:54] Yes, I probably would have asked for specific scenes to be transcribed,
13 yes.

14 Q. [14:53:01] And how did you make those decisions? How did you decide which
15 scenes would be transcribed?

16 A. [14:53:11] Through conversations with Seyi.

17 Q. [14:53:15] Very well. Mr Witness, I'd like to show you something else now.

18 This is public, CIV-OTP-0015-0504. Timestamp 7.23. Allow me to correct. I
19 misread the reference number, 0015-0594, 7.23 to 7.54, timestamp 7.23 to timestamp
20 7.54.

21 (Viewing of the video excerpt)

22 MS NAOURI: [14:54:47] (Interpretation)

23 Q. [14:54:51] Mr Witness, what were these vehicles that we just saw in this footage?

24 A. [14:54:59] They would appear to look like the United Nations.

25 Q. [14:55:06] And they weren't being stopped at the Riviera roadblock, were they?

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1 A. [14:55:15] They drove on, the footage shows they drove straight past.

2 Q. [14:55:20] Very well. Thank you.

3 PRESIDING JUDGE TARFUSSER: [14:55:31] We saw the same thing.

4 MS NAOURI: [14:55:34] (Interpretation) Yes, indeed. But now the item is on the
5 case record. Thank you, your Honour.

6 Q. [14:55:45] Mr Witness, today you told us, page 23, lines 16 to 26, that you spoke
7 to Alassane Ouattara's forces when you were alongside some French forces. What
8 did you talk about when you talked to the Ouattara forces?

9 A. [14:56:14] I cannot remember. You'll have to view the footage.

10 Q. [14:56:45] Well, you've told us that if I don't show you the footage, you can't
11 remember speaking to pro-Ouattara forces.

12 A. [14:56:56] I can remember. I can remember speaking, or filming Seyi speak, to
13 people who said that they were pro-Ouattara forces.

14 Q. [14:57:14] And do you remember where that was?

15 A. [14:57:16] No, I do not. But it was out on patrol with the French military while
16 they were doing evacuations, I believe, of local communities.

17 Q. [14:57:31] Do you remember the day, Mr Witness?

18 A. [14:57:45] Without looking at my log from Quicksilver, no, I couldn't give you
19 an accurate date.

20 Q. [14:57:57] Very well. And what was the patrol comprised of?

21 A. [14:58:07] The patrol, the pro-Ouattara patrol, or do you mean the French
22 military patrol?

23 Q. [14:58:23] Both, Mr Witness.

24 A. [14:58:26] What was, what was the role? Sorry, could you repeat the question?

25 Q. [14:58:37] Well, let's take it one step at a time. The French patrol, what was it

1 made up of?

2 A. [14:58:49] They had -- I can't remember how many vehicles they had, but they
3 had eight. I believe they may have had a few armoured personnel carriers. I can't
4 remember how many vehicles or soldiers, but they were helping local communities
5 evacuate, or local members of the community evacuate.

6 Q. [14:59:17] Very well. And which unit was it? Was it the Foreign Legion,
7 paratroopers?

8 A. [14:59:24] I cannot remember.

9 Q. [14:59:26] And now could you tell us about the pro-Ouattara forces? That
10 patrol, what was that comprised of?

11 A. [14:59:48] All I can remember is maybe two, maybe two vehicles just pulling up
12 and then men getting out that were wearing a mixture of camouflage clothing and
13 then ordinary clothing, and they were armed.

14 Q. [15:00:09] Armed with what?

15 A. [15:00:17] With guns.

16 Q. [15:00:21] So they could merge into the civilian population; is that correct?

17 A. [15:00:33] No. I don't, I don't -- they were driving civilian vehicles as far as I'm
18 aware. But they had a mixture of -- I don't think there is any way they could have
19 merged into civilian population with huge guns. And they were wearing a mixture
20 of camouflage clothing, if I can remember. One of the guys was definitely wearing
21 camouflage.

22 Q. [15:00:58] Very well. Witness, when you were at the French military base, did
23 you see any civilians?

24 A. [15:01:46] Yes, there were, yeah, there were lots inside the base.

25 Q. [15:01:53] Were there other journalists?

- 1 A. [15:01:58] Yes, there were lots.
- 2 Q. [15:02:02] How many?
- 3 A. [15:02:06] I couldn't give you an accurate figure, but maybe roughly, I don't
- 4 know, 30 of us were staying in just one big kind of group.
- 5 Q. [15:02:19] All right. And where in Abidjan was the base?
- 6 A. [15:02:28] I cannot -- was it Port-Bouët, Port-Bouët? That name rings a bell.
- 7 Maybe near Treichville, because I believe that's where -- but that's me having a guess
- 8 from six years ago.
- 9 Q. [15:02:51] Do you remember the name of the base? What was it called?
- 10 A. [15:02:55] I'm having a very -- I'm having -- I'm guessing here. I believe it was
- 11 called maybe Port-Bouët maybe. But I believe it was, I believe it was in, yeah -- I
- 12 can't, I can't fully remember.
- 13 Q. [15:03:13] And it was the base for which unit?
- 14 A. [15:03:22] I could not tell that. It was the base that -- well, when the French
- 15 military evacked us, that was where, the people from the Novotel, that's where they
- 16 took us to.
- 17 Q. [15:03:32] And how many days did you spend at the base, Witness?
- 18 A. [15:03:50] I'd have to look at the log that Quicksilver recorded through my
- 19 phone calls with them.
- 20 Q. [15:03:59] Very well. But approximately, because you're the one who was there
- 21 at the military base, so roughly how many days, one, two, a week, two weeks?
- 22 A. [15:04:09] Roughly, five, five days maybe; four to five days maybe. But that's --
- 23 Q. [15:04:21] You were still at the base, were you not, when the presidential
- 24 residence was shelled?
- 25 A. [15:04:34] I cannot remember.

- 1 Q. [15:04:44] But, Witness, you'll recall the shelling, do you not?
- 2 A. [15:04:52] I cannot remember.
- 3 Q. [15:04:59] Witness, did you see any helicopters leaving from the military base
- 4 where you were? You have to say yes out loud rather than just nod your head.
- 5 A. [15:05:24] Yes, yes, I did.
- 6 Q. [15:05:29] Where were the helicopters going?
- 7 A. [15:05:39] I do not remember.
- 8 Q. [15:05:45] How many helicopters did you see leaving the French base?
- 9 A. [15:05:49] I cannot remember how many helicopters I saw.
- 10 Q. [15:05:57] Did you find out about French military operations while you were at
- 11 the camp?
- 12 A. [15:06:10] I believe from memory that they would, the French military
- 13 would -- there was a press officer there that would speak to us, but I cannot
- 14 remember any of the specifics from there.
- 15 Q. [15:06:31] You don't know whether the French forces were attacking the Ivorian
- 16 forces?
- 17 A. [15:06:44] I cannot remember.
- 18 Q. [15:06:49] Very well. Witness, while you were in Côte d'Ivoire, you went to
- 19 Anyama, didn't you?
- 20 A. [15:07:02] Sorry, can you repeat that?
- 21 Q. [15:07:05] Yes. Did you go to Anyama?
- 22 A. [15:07:10] The name rings a bell. And I believe that name is in the log that
- 23 Quicksilver recorded. Maybe if you can give me some more details about what I
- 24 filmed there.
- 25 Q. [15:07:29] Will it refresh your memory if I said that you filmed a refugee camp?

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1 A. [15:07:34] Yes, yep. Was that the one at the Malian embassy or was that
2 another one?

3 Q. [15:07:47] No. It's not the one at the Mali embassy. You filmed a refugee
4 camp at Anyama. Do you remember that?

5 A. [15:07:55] Briefly. I remember going there.

6 Q. [15:08:00] Fine. And on the way to Anyama, you came across rebel roadblocks,
7 did you not?

8 A. [15:08:12] I cannot remember.

9 Q. [15:08:16] Have you heard about Anonkoua-Kouté? Have you heard that
10 name?

11 A. [15:08:29] I don't think I have.

12 Q. [15:08:33] So you did not know that a few days before you went to Anyama that
13 there was a rebel attack against a village and women were burnt alive and had their
14 throats cut?

15 A. [15:08:53] I cannot remember.

16 Q. [15:08:58] Witness, do you know that rebels or did you know that rebels were
17 mixing and hiding among the civilian population in April 2011?

18 A. [15:09:37] Only that they had a presence in Abobo. That's from memory, that
19 they had a presence in Abobo, which was why we were trying to go there.

20 Q. [15:09:50] Witness, I'm going to show you CIV-OTP-0015-0661. There is no
21 transcript. It will be in English. And there is no time code.

22 (Viewing of the video excerpt)

23 MS NAOURI: [15:11:12] (Interpretation)

24 Q. Witness, you shot that footage, did you not? So you heard what Rhodes said.

25 A. [15:11:28] Yes.

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1 Q. [15:11:31] So you knew that rebels were hiding civilian population in
2 April 2011?

3 A. [15:11:47] So that footage relates to when we were with the French military
4 filming and evac, and that was the first time that I had seen them. And I don't know
5 where they were driving from, and I don't know where they were driving to. I know
6 I was under the -- from memory, I was under the assumption that they had just
7 entered the city. But I cannot remember what they said during their interview.
8 You'll have to have a look at the transcript.

9 Q. [15:12:16] Did you see what type of weapons they had?

10 A. [15:12:25] I saw the weapons. I probably couldn't tell you exactly what they
11 were.

12 THE INTERPRETER: [15:12:48] Microphone please, for counsel.

13 MS NAOURI: [15:12:50] (Interpretation)

14 Q. [15:12:52] Witness, when you were involved in your research before you left and
15 when you're in Côte d'Ivoire, did you learn who Guillaume Soro was?

16 A. [15:13:06] I cannot remember.

17 Q. [15:13:11] You didn't look into the prime minister of Côte d'Ivoire before you
18 left?

19 A. [15:13:22] I cannot remember.

20 Q. [15:13:27] Very well. Witness, you went to the Golf Hotel when you were in
21 Abidjan, did you not?

22 A. [15:13:43] That is correct, yes.

23 Q. [15:13:47] Do you remember when you went to the Golf Hotel?

24 A. [15:13:55] Not without looking at the Quicksilver log.

25 Q. [15:14:00] Who organised that visit?

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1 A. [15:14:07] I cannot remember. Most likely, either I or Seyi would have asked
2 the fixer Alexis to look into it.

3 Q. [15:14:20] How was your transport to the Golf Hotel organised?

4 A. [15:14:33] I believe we got a helicopter there, but my memory is pretty -- I can't
5 really remember that much. But I believe we got a helicopter there.

6 Q. [15:14:42] Witness, in your statement to the OTP, you said, and it's reference
7 0021-1056-R03, page 1071, paragraph 78, and I'll quote it to you, "On 23 March 2011,
8 we managed to get onto a UN helicopter and we went to the Golf Hotel. We briefly
9 met some of the dignitaries from the Ouattara side and we were able to interview a
10 presenter from a pro-Ouattara TV station set up at the Golf Hotel. I can confirm the
11 date is as noted because our daily log for the Ivory Coast gave 22 March 2011 and that
12 we would be going to the Golf Hotel the next day." End of quotation.

13 Is that correct?

14 A. [15:15:57] I believe so.

15 Q. [15:15:58] Explain to us how the UN organised your transport to the Golf Hotel.

16 A. [15:16:10] I cannot remember from six years ago. I cannot remember.

17 Q. [15:16:18] You no longer remember who came to meet you and who took you to
18 the UN helicopter?

19 A. [15:16:26] No, I do not.

20 Q. [15:16:29] You don't remember where you boarded the UN helicopter?

21 A. [15:16:34] I do not.

22 Q. [15:16:38] How long did it take you to organise a visit to the Golf Hotel?

23 A. [15:16:47] I do not know how long it took.

24 Q. [15:16:53] Did you have to make a formal request to the UN, for instance, or to
25 the authorities at the Golf Hotel?

1 A. [15:17:04] I do not remember.

2 Q. [15:17:08] Were you in contact with the UN during your stay in Côte d'Ivoire?

3 A. [15:17:20] I believe we did have some telephone numbers, but I could not tell
4 you the names of the people associated with those numbers.

5 Q. [15:17:28] Were there other journalists aside from you and Rhodes in the UN
6 helicopter?

7 A. [15:17:40] I cannot remember.

8 Q. [15:17:43] And it was easy for you to get to the Golf Hotel, was it not?

9 A. [15:17:55] I believe so.

10 Q. [15:17:59] Was there much to-ing and fro-ing of helicopters leaving from or
11 arriving at the Golf Hotel when you were there?

12 A. [15:18:11] I remember we had to wait quite some time for a helicopter back.
13 That I do remember.

14 Q. [15:18:16] Did you see any diplomats at the Golf Hotel?

15 A. [15:18:26] I cannot remember. I don't remember filming with any, although I
16 do remember filming with, I believe, if I can remember, a TV presenter.

17 Q. [15:18:40] It's not very clear, Witness. Did you or did you not film anything at
18 the Golf Hotel?

19 A. [15:18:54] I believe, from memory, I believe I did.

20 Q. [15:19:01] And where is that footage today?

21 PRESIDING JUDGE TARFUSSER: [15:19:06] But he said he can't remember. I don't
22 know if he did or didn't. So you can't ask where is the footage which he does not
23 remember he has shot.

24 MS NAOURI: [15:19:17] (Interpretation)

25 Q. [15:19:27] Why did you not film anything at the Golf Hotel?

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1 PRESIDING JUDGE TARFUSSER: [15:19:30] He has said he doesn't remember if
2 anything was shot. That's what he said.

3 MS NAOURI: [15:19:33] (Interpretation) Your Honour --

4 Q. [15:19:52] Why in your documentary do you not talk about that visit to the Golf
5 Hotel?

6 MS HUCK: [15:19:59] (Interpretation) Your Honour, the documentary is not filed
7 as evidence. We're asking what is the relevance of this?

8 MS NAOURI: [15:20:08] (Interpretation) As the purpose of his mission to Côte
9 d'Ivoire was to make a documentary, so it's explaining all of his travel around, and
10 that is the reason why we're putting the questions, and we've put very few questions
11 intentionally. So we're trying to understand --

12 PRESIDING JUDGE TARFUSSER: [15:20:25] But we don't know anything about the
13 documentary; you have never seen it; it's not in the record of the case; we don't know
14 if it's true that he didn't speak about the Golf Hotel. He doesn't know. We don't
15 know.

16 MS NAOURI: [15:20:36] (Interpretation) Très bien.

17 PRESIDING JUDGE TARFUSSER: [15:20:41] Put it in the record of the case and
18 then you can ask.

19 MS NAOURI: [15:20:51] (Interpretation)

20 Q. [15:21:06] Witness, who were the dignitaries from the Ouattara side that you
21 interviewed at the Golf Hotel?

22 A. [15:21:12] I'm pretty certain I didn't interview any dignitaries at the Golf Hotel,
23 I'm pretty certain. I believe I may have met some, as in physically seen them. All I
24 can remember is I think I interviewed a TV presenter there.

25 Q. [15:21:34] Very well. Who did you meet, if you remember?

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1 A. [15:21:38] I'm afraid I do not remember.

2 Q. [15:21:43] Fine. And who was the journalist or presenter from the pro-Ouattara
3 TV station that you spoke to?

4 A. [15:21:56] I couldn't name him.

5 Q. [15:22:02] Do you remember the name of the TV station for which that person
6 worked?

7 A. [15:22:08] No, I don't.

8 Q. [15:22:09] And if I say TCI, does that refresh your memory?

9 A. [15:22:19] I don't -- no, no, it doesn't.

10 Q. [15:22:25] Witness, when you were in Côte d'Ivoire, did you personally watch
11 TCI?

12 A. [15:22:33] Is that, is that, that's the channel that gets broadcast out of the Golf
13 Hotel? Okay.

14 Q. [15:22:42] Yes, Witness, indeed.

15 A. [15:22:48] I believe, I mean, I think there is some footage in the film where we
16 see Alassane Ouattara saying that he's now the president. And I believe -- I cannot
17 remember, but I believe that may have been the channel. I filmed it. It was in the
18 documentary. Seyi talks about it on camera. I just can't remember the name.

19 Q. [15:23:10] Very well. Witness, today you said on page 12 at lines 16 to 25, and
20 I'll give it to you in English because I noted this in English, "Both sides of the story."
21 End of quotation.

22 But you've got on the one hand an armed group, what you say is an armed group,
23 and on the other hand victims. Why are you taking them as the two sides? Why do
24 you not take victims versus victims or armed group versus armed group? Because
25 you said today that you knew that there were armed groups in Côte d'Ivoire.

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1 A. [15:24:38] Well, the only other time, the only area I knew where that was was
2 Abobo, and we tried to get there, but we could not get there.

3 Q. [15:25:01] Witness, did Quicksilver ask you to return to Côte d'Ivoire afterwards
4 to make another documentary on Côte d'Ivoire?

5 A. [15:25:48] From memory, no.

6 Q. [15:25:52] Did Quicksilver, independently of you, make another documentary
7 on Côte d'Ivoire after your documentary?

8 A. [15:26:13] I don't believe so, but you'd have to check. I don't know. I don't
9 believe so. I'm sure they would have called me and asked me if they were doing so.

10 Q. [15:26:30] Witness, did you carry out further investigation into Côte d'Ivoire
11 once you'd left the country?

12 A. [15:26:41] I'm sure we would have kept our eyes on news feeds and things like
13 that and stories coming out, but only during the actual editing of the show.

14 Q. [15:26:56] And what do you remember from that time?

15 A. [15:27:01] Not much.

16 Q. [15:27:10] Did you know that there had been arbitrary arrests in Côte d'Ivoire?

17 A. [15:27:23] I don't believe so.

18 Q. [15:27:28] Did you know that there were reprisals against civilians after your
19 departure?

20 A. [15:27:54] Well, I don't remember.

21 PRESIDING JUDGE TARFUSSER: [15:27:58] Okay.

22 MS NAOURI: [15:27:59] (Interpretation) Thank you, Witness.

23 MR ALTIT: [15:28:04] (Interpretation) Your Honour, this brings us to the end of
24 our cross-examination of the witness.

25 PRESIDING JUDGE TARFUSSER: [15:28:14] I ask now the Office of the Prosecutor if

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- 1 there is a need for re-questioning.
- 2 MS HUCK: [15:28:24] (Interpretation) No, your Honour, we don't have any
- 3 additional questions.
- 4 PRESIDING JUDGE TARFUSSER: [15:28:27] Thank you very much. This
- 5 concludes your testimony here in front of the International Criminal Court. Thank
- 6 you for having been here. I wish you a safe trip back, although it's not so far as with
- 7 other witnesses. Thank you very much.
- 8 The witness can be brought out.
- 9 (The witness is excused)
- 10 PRESIDING JUDGE TARFUSSER: [15:28:48] I just have to adjourn the hearing to
- 11 tomorrow morning 9.15 for the next witness, Witness 87. The hearing is adjourned.
- 12 THE COURT USHER: [15:29:00] All rise.
- 13 (The hearing ends in open session at 3.29 p.m.)