

Trial Hearing
WITNESS: CIV-OTP-0431

(Open Session)

ICC-02/11-01/15

1 International Criminal Court
2 Trial Chamber I - Courtroom 3
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
9 Wednesday, 25 May 2016
10 (The hearing starts in open session at 9.34 a.m.)
11 THE COURT USHER: All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: Well, good morning. Good morning to all.
15 I was informed that Ms Pack wants to address the Chamber on an issue without the
16 witness being present.
17 So, please, you have the floor.
18 MS PACK: Your Honour, could we go into private session to do that very briefly?
19 It would be one or two minutes.
20 PRESIDING JUDGE TARFUSSER: Can we please go into private session. Thank
21 you.
22 (Private session at 9.35 a.m.)
23 (Redacted)
24 (Redacted)
25 (Redacted)

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1 (Redacted)

2 (Redacted)

3 (Open session at 9.38 a.m.)

4 (The witness enters the courtroom)

5 THE COURT OFFICER: (Interpretation) We are in open session, Mr President.

6 PRESIDING JUDGE TARFUSSER: Thank you very much.

7 Good morning to the witness and thank you for being here.

8 In order not to lose any time, I will give immediately the floor, now it's to the Defence.

9 The Prosecution has finished its questioning. I give the floor to the Defence.

10 And I must say that I think I express also the ideas and the thoughts of the

11 interpreters and court reporters because you're the first witness who complies

12 completely with what is expected by them, because the way of answering, I mean

13 with the pace is perfect. I mean, just continue the same way. Thank you very

14 much.

15 WITNESS: CIV-OTP-P-0431 (On former oath)

16 THE WITNESS: Thank you.

17 PRESIDING JUDGE TARFUSSER: Yours the floor.

18 MR O'SHEA: Thank you very much, Mr President, your Honours.

19 QUESTIONED BY MR O'SHEA:

20 Q. Mr Walker, good morning.

21 A. Good morning.

22 Q. I'm afraid I'm not as good as you are. So we'll both have to pay attention

23 because we're both speaking affluent English, and we need to try to keep a gap to

24 allow the translators to translate.

25 Now, you mentioned during the course of your testimony that some of these young

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1 men viewed you as an American. Did you tell them you were an American?

2 A. I personally didn't tell them I was an American, no.

3 Q. But you're British, are you?

4 A. That is correct. Technically I'm actually British and American.

5 Q. Oh, I didn't know the United States allowed your nationality. So --

6 PRESIDING JUDGE TARFUSSER: They do. They do.

7 MR O'SHEA: They do, do they? Okay.

8 Q. Now you've explained --

9 A. I'm glad we got that clarified. I may have just lost my American citizenship.

10 Q. So you've explained that you wanted to in making this documentary, you
11 wanted to look at the presidential elections and the people involved?

12 A. That's correct, the process leading up to the elections and the statements that
13 were made about the elections that I found were interesting.

14 Q. Now, with that objective in mind, you obviously want to get as accurate a
15 picture as possible, don't you?

16 A. That's the goal, yes.

17 Q. And you've explained that you had limited funding?

18 A. Correct.

19 Q. We know that you also had limited time.

20 A. Correct.

21 Q. And in that context you had to make, I presume, some difficult choices as to
22 who to see and where to go?

23 A. Correct.

24 Q. But at the same time you want to get, don't you, as representative a picture as
25 possible?

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1 A. That would be the ideal situation, yes.

2 Q. And apart from the aspect of time and money, you had some other limitations
3 on your ability to do that, did you?

4 A. That's correct.

5 Q. For example, you wanted to see Guillaume Soro?

6 A. That's correct.

7 Q. But you did not succeed?

8 A. I did not succeed.

9 Q. Before you went to Ivory Coast for this project, you had never been to Ivory
10 Coast before, right?

11 A. That's correct.

12 Q. Had you visited other West African countries?

13 A. No.

14 Q. Now, I was interested to see that you studied at the University of Plymouth and
15 you got a bachelor's degree in marine science?

16 A. That is correct.

17 Q. And did you go on to do post-graduate studies?

18 A. No.

19 Q. Did you before you embarked on these projects study journalism?

20 A. The project in West Africa or the projects I started in the media field in the
21 Middle East or Afghanistan? Which would you be referring to?

22 Q. When you started working in the field of media, had you undertaken any
23 studies in journalism.

24 A. Not at a -- not at an official institution, no. I had interned at a variety of
25 documentary production companies that were making political films.

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1 Q. Do you have any background or education in political science?

2 A. In terms of a degree, I do not. But I consider myself to be -- well, that's an
3 opinion, sorry.

4 Q. That's okay. This kind of opinion is okay.

5 A. I consider myself to be educated on -- in the field of political journalism,
6 journalism in general. I taught journalism in Afghanistan.

7 Q. Do you have any education in African studies?

8 A. Beyond the research and reading, no.

9 Q. Now, you have openly admitted that you're not fluent in French?

10 A. That is correct.

11 Q. Do you read French?

12 A. No, I don't. I read -- I can decipher, I can understand words. I started -- as an
13 English person, our education involves French, the French language, from a very
14 young age. So I do understand French words.

15 Q. Well, I was taught by a Scotsman French.

16 But now you've mentioned your American friend and you want to keep some
17 anonymity and I'll respect that, although it's not required.

18 A. It was required by him.

19 Q. Yes. But not required by the Court. I'm just saying I will respect that in any
20 event.

21 Now, your American friend, it's right, isn't it, that at some stage he worked for
22 Human Rights Watch?

23 A. That's correct, after the fact, I believe.

24 Q. Oh, after the fact.

25 A. Actually, I don't believe. I know. It was after the fact.

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1 PRESIDING JUDGE TARFUSSER: Excuse me. After which fact? After being with
2 you in 2006 in Côte d'Ivoire?

3 THE WITNESS: That is correct.

4 PRESIDING JUDGE TARFUSSER: This is the fact. Okay. Thank you.

5 MR O'SHEA:

6 Q. Would you say that your passion is marine life?

7 A. No.

8 Q. When you went to Ivory Coast, you've explained that you went to
9 Yamoussoukro and Abidjan and Bouaké. Did you go to Doukouré?

10 A. I did not.

11 Q. Did you want to?

12 A. I don't believe so.

13 Q. In the north of Ivory Coast, apart from Bouaké, did you go to any other regions
14 of the north?

15 A. Yes. I went to a pré-regroupement camp on the outskirts of Bouaké, probably
16 an hour, around an hour from Bouaké.

17 Q. Now, we know from your video footage the people that you saw in the video
18 footage that we've seen. Did you give all of your video footage to the Prosecution
19 that you took in Ivory Coast or did you keep some of it back?

20 A. I gave the Court everything they asked for, which they assessed off of having
21 the tape logs for everything. So they knew everything I had filmed and requested
22 the specific tapes.

23 Q. Is there anything the Prosecution has not seen?

24 A. I believe if they -- I believe they haven't seen the tapes that they didn't request.

25 So they have read in the tape log what the footage was on those tapes, but it would be

1 correct to assume that they haven't seen that footage.

2 Q. Yes, thank you. When you were in Côte d'Ivoire, did you attempt to speak
3 with any of the government ministers?

4 A. Yes.

5 Q. Did you succeed?

6 A. No, I didn't.

7 Q. Did you attempt to speak to Mr Ouattara?

8 A. Yes, I did.

9 Q. Did you succeed on that front?

10 A. I didn't.

11 Q. Did you attempt to speak to Simone Gbagbo?

12 A. No.

13 Q. Did you speak to the family of Blé Goudé?

14 A. No.

15 Q. How many days did you spend in Bouaké?

16 A. I believe it was between four to six days.

17 Q. And the total length of your trip was two months, approximately?

18 A. Just over.

19 Q. Just over two months.

20 We've seen footage which consists mainly of you interviewing various individuals.

21 Did you attempt to get raw footage of events which had taken place in Ivory Coast
22 from other news agencies?

23 A. I did, yes.

24 Q. Did you succeed in that task?

25 A. I did, yes.

1 Q. Did the Prosecution view that material?

2 A. I believe they did. They -- actually, they did, yeah.

3 Q. Now, when you were in Côte d'Ivoire, presumably from what you've told me
4 before, you were not able to actually read the newspapers yourself?

5 A. In the sense that I could understand it 100 percent, that would be correct.

6 Q. Did you learn from the people you spoke to that different newspapers would
7 show more support for different sides of the conflict?

8 A. Absolutely. The media is very polarised there.

9 Q. Did you, for example, learn that Le Patriote is a newspaper which the local
10 community consider as more in support of the Ouattara side?

11 A. I believe I did know that, yes.

12 Q. And would that be the same with the newspaper called Nord-Sud?

13 A. I believe that's correct, yes.

14 Q. And would that also be the case with a newspaper called Le Front?

15 A. That's possible. I can't say right now if that was my impression at the time.

16 Q. Would that also be the case with a newspaper called 24 heures?

17 A. Again, that's possible. At the time that is not my -- I don't have a recollection.

18 Q. In talking to people in Côte d'Ivoire, did you learn or discover that sometimes
19 people were able to pay for articles to be published in the newspapers?

20 A. I was aware of that, yes.

21 Q. You have occasionally made reference to a phrase, "Young Patriots," which in
22 French we would say "Jeunes Patriotes." It's right, isn't it, that this is a very generic
23 phrase that essentially refers to any or all young people who supported Gbagbo?

24 A. No, I don't believe that. That's not my understanding of that phrase.

25 Q. Is it your understanding of the phrase "COJEP," that COJEP is an organisation?

1 A. Yes.

2 Q. But you're not suggesting, are you, that COJEP and the phrase "Jeunes Patriotes"
3 are the same thing?

4 A. I am suggesting that they are the same thing. COJEP includes the two words
5 "jeunes patriotes."

6 Q. Well, I have to suggest to you that the expression "Jeunes Patriotes" is broader
7 than the expression "COJEP." You wouldn't agree with that, right?

8 A. In the context of my experience of the interviews I had done with Mr Blé Goudé,
9 no, that wouldn't be my understanding.

10 Q. I'll allow my learned friends for Mr Blé Goudé to come back to that perhaps.
11 During the time that you were in Côte d'Ivoire for the purposes of preparing your
12 documentary, you spent some time with a group of rappers, didn't you?

13 A. That's correct.

14 Q. Can you estimate how many hours of footage is your time spent on the rapping
15 issue?

16 A. I would say that I spent between four and six days on the rapping issue filming
17 somewhere between two and three hours of footage.

18 Q. How much time did you spend on the issue of the orphanage?

19 A. Exactly two days.

20 Q. During the course of your interviews with various young men in the south of
21 the country, is it right that a repetitive theme in what you were told was that France
22 controlled and manipulated the politics of Ivory Coast?

23 A. Yes, that was a theme. That was one theme.

24 Q. And in these interviews with these young men it was further a repetitive theme
25 that their generation wanted to separate themselves from that control by France,

1 obtain their freedom, as it were, from France?

2 A. I would say that was one feeling that was communicated to me.

3 Q. And during your discussions with these young men, one theme which is not
4 present is an anti-Muslim sentiment?

5 A. Can you clarify if you are talking about the young men interviews that I
6 consider Young Patriot interviews or all the young men I interviewed for the film?

7 Q. Let me rephrase the question. In your interviews with young men who you
8 viewed as patriots, is it right that you are expressly told or you expressly heard the
9 sentiment that for their generation, tribalism and ethnic discrimination were not part
10 of the world that they wanted to live in?

11 A. I didn't get that impression from them, no, that they didn't want to live in a
12 world where -- I may have misunderstood your question. I'm sorry.

13 Q. All right.

14 A. None of those interviews anyone came and said, "We don't want to live in a
15 country where there's no discrimination between ethnicity" from my recollection.
16 That wasn't a theme.

17 Q. Is it right that you heard during the course of these speeches that Ivory Coast
18 consisted of more than 60 ethnic groups?

19 A. I was aware of that, yes.

20 Q. Again, with regard to what you may have heard, I will allow my learned friends
21 for Mr Blé Goudé to come back to that if they choose.

22 In what you heard from the Young Patriots, was it a recurring theme that they
23 wanted the rebels to disarm?

24 A. I would say from some, yes.

25 Q. Did you also hear the complaint from some young men that it was not correct

1 for people to be registered to vote who did not have official papers?

2 A. I heard that, yes.

3 Q. At one point during the course of your testimony you outlined that there were
4 people on that night when you felt that things were getting a bit tense, you said that
5 you felt that they were afraid that you might share plans with the authorities. Is that
6 something that somebody said to you, that you might share plans with the
7 authorities?

8 A. Yes, that's correct.

9 Q. When you spoke to Mr Wattao in the north of the country, is it right that he told
10 you that they had sufficient resources to go into combat?

11 A. That's correct, yes.

12 Q. When you spoke to Mr Konaté, is it right that he explained to you that at the
13 time of the coup d'état Guillaume Soro had asked him to come back from Germany to
14 Ivory Coast?

15 A. That is correct, yes.

16 Q. In your researches and investigations in Côte d'Ivoire, did you come to learn of
17 a link between Mr Wattao and the trafficking of diamonds?

18 A. I don't believe so.

19 Q. During the course of your researches, did you read Amnesty International
20 reports about Côte d'Ivoire?

21 A. I did, yes.

22 Q. Can I perhaps draw your attention to one of those reports and find out if you
23 remember seeing that report. The ERN, and my team will correct me if I'm wrong, is
24 CIV-D15-0001-3175.

25 MS PACK: Your Honour, I look at the date of this and it's 2003. Now, I appreciate

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1 that I also asked the witness about things he'd read and showed him a newspaper he
2 provided, but I did try and keep it within broadly the framework of his testimony.
3 So I just would say that I'm not sure that sufficient foundation has been established
4 for showing a report dated 2003. I think I've got the date right just looking at the top
5 of the document, to show that to the witness.

6 MR O'SHEA: Well, I'll remind the Chamber that when my learned friend was
7 challenged on the issue of the relevance of certain questioning, she pointed out that
8 she was trying to show a common plan over a period of years. And there's quite a
9 difference between an Amnesty International report and a newspaper, I would say
10 with respect.

11 PRESIDING JUDGE TARFUSSER: I would say the same. Please continue.

12 MR O'SHEA: So if that report could be brought up so the witness could see the front
13 page, so we can just see to begin with if he recognizes it.

14 Q. Can you see that, Mr Walker?

15 A. I can, yes.

16 Q. Is this one of the reports which you had occasion to read?

17 A. This specific report I did not read. I am familiar with the issue, the topic of the
18 report. I was aware of this incident.

19 Q. Were you aware of the incident of the assassination of gendarmes?

20 A. Yes, I was.

21 Q. Is that the incident you're referring to?

22 A. Yes.

23 Q. Yes.

24 (Counsel confer)

25 MR O'SHEA:

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1 Q. Yes, thank you very much. Now, you explained at the beginning of your
2 testimony yesterday, you said that "I am a hundred percent responsible for my
3 documentary."

4 A. That is correct.

5 Q. In terms of the decision-making with respect to the choices of video footage, the
6 choices of who to speak to, the choices of where to go, would you say that those
7 decisions were yours?

8 A. I would say those decisions were mine, correct.

9 Q. I'd like to show you a small piece of video footage. And again I'm turning to
10 friends on my team to correct me if I get this wrong. The ERN is CIV-OTP-0059-0010.
11 And the time code is 51.20. This is your video footage, just to be clear. It's seconds,
12 not minutes. It's 51 seconds and 20 milliseconds. We're going to play this from this
13 side.

14 In fact, I don't -- I may not need to play the video. Do you remember this part?

15 A. I do, yes.

16 MR O'SHEA: I'm told I should for protocol purposes play a little bit. So let's play
17 up to 51.020.

18 (Viewing of the video excerpt)

19 MR O'SHEA: I think we can stop there.

20 Q. Could you just explain the context of that particular footage?

21 A. This is a pré-regroupement camp just outside of Bouaké in the north of the
22 country.

23 Q. Do you know who those white soldiers are?

24 A. Do I know -- did I know at the time or do I know now?

25 Q. Now.

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1 A. I mean, I don't know for sure but -- I can't say I know for sure. I can -- I can
2 guess.

3 Q. Don't guess.

4 A. I never confirmed who they were.

5 Q. That's all right.

6 MR O'SHEA: I think this is one of the tapes -- is this one of the tapes which was
7 submitted or not?

8 MS PACK: No. This is a Rule 77 disclosure. It's tape 10 of the witness's tapes and
9 it's the Rule 77 disclosure. So not submitted, in other words.

10 MR O'SHEA: So we will submit it with -- let me just consult for a moment.
11 (Counsel confer)

12 MR O'SHEA: So we will submit tape 10, but we're relying on this.

13 PRESIDING JUDGE TARFUSSER: It is submitted because it's shown, so it is
14 submitted.

15 MR O'SHEA: Very well.

16 Q. When you were in Côte d'Ivoire, did you have occasion to meet the High
17 Representative of the United Nations, Gérard Stoudmann?

18 A. I don't believe so, not directly, no.

19 Q. Do you remember when you were speaking to Mr Wattao him telling you that
20 he was going out with Gérard Stoudmann and inviting you along or potentially
21 inviting you along?

22 A. I don't recall that, no.

23 Q. Let me try and refresh your memory from your video footage. The ERN is
24 OTP-0059-0010 and the timestamp is 00.00.27.

25 Before this is shown, it might be that what's being said is the chef de cabinet of

1 Gérard Stoudmann as opposed to Gérard Stoudmann himself, so I just clarify that
2 before we see this.

3 (Viewing of the video excerpt)

4 MR O'SHEA:

5 Q. Does that refresh your memory?

6 A. That -- it does, and that is Sidiki Konaté.

7 Q. Oh, sorry, sorry. Sidiki Konaté, yes.

8 Well, you might be wrong about that, but it doesn't matter.

9 A. I don't believe I'm wrong about that. I'm sorry.

10 Q. Okay. Well --

11 A. And I know for a fact I'm not wrong about that.

12 MS PACK: Your Honour, just to note also, I think there's going to be a transcript
13 submitted, so perhaps my friend should just check the names they have ascribed to
14 certain individuals in the transcripts that they have provided for this video, having in
15 mind the witness's evidence. But I think certain people have been identified as a
16 speaker and that might not be right, just for accuracy on the record.

17 I'm assuming the transcript is also going to be submitted.

18 MR O'SHEA: Yes. Well, I'm not challenging this witness's credibility, so I don't
19 think it's terribly important.

20 Q. So did you meet the chef de cabinet of Gérard Stoudmann?

21 A. I think it's possible very briefly that evening in passing we were introduced to
22 him, but I don't recall the connection. I do remember the evening, which is why I'm
23 sure it was Sidiki Konaté.

24 Q. All right.

25 MR O'SHEA: I'll just check with my team for one moment.

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1 (Counsel confer)

2 MR O'SHEA:

3 Q. Yes, Mr Walker. Thank you very much for your questions.

4 A. You're welcome.

5 Q. For your answers.

6 PRESIDING JUDGE TARFUSSER: This I presume concludes --

7 MR O'SHEA: That was implied, yes. I've concluded my cross-examination.

8 PRESIDING JUDGE TARFUSSER: Okay.

9 MR O'SHEA: Not cross-examination, sorry.

10 PRESIDING JUDGE TARFUSSER: Thank you very much.

11 Mr Walker, now I give the floor to the Defence of Mr Blé Goudé, and I presume that

12 Mr Knoops is questioning because he's on his feet.

13 Yours the floor.

14 MR KNOOPS: Thank you, Mr President. Good morning.

15 QUESTIONED BY MR KNOOPS:

16 Q. Mr Walker, good morning. My name is Knoops. I'm a lawyer, one of the

17 counsel of Mr Blé Goudé. Welcome to this Court. Mr Zokou on my left side, also

18 counsel, will also after me have some questions for you.

19 May I ask my learned friend to borrow your lectern.

20 We have our equipment, Mr Walker.

21 PRESIDING JUDGE TARFUSSER: Excuse me, Mr Knoops.

22 MR KNOOPS: Mr President.

23 PRESIDING JUDGE TARFUSSER: I think that by getting older you should

24 be more --

25 MR KNOOPS: That's true, Mr President. Yes, yes.

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1 PRESIDING JUDGE TARFUSSER: You should be happy if things are far away from
2 you.

3 MR KNOOPS: I try to prolong my pension, Mr President --

4 PRESIDING JUDGE TARFUSSER: Okay.

5 MR KNOOPS: -- by using the lectern. Thank you.

6 Q. Mr Walker, good morning, I have several questions on your research after
7 which I intend to go to several video clips with you considering in specific some of
8 the encounters you had with Mr Blé Goudé, if that's fine with you.
9 First of all, my learned friend Mr O'Shea already aborded on several questions on the
10 methodology of your report, your research. My first question to you is you spoke to
11 several individuals during your stay in Côte d'Ivoire. You said it was approximately
12 two to three months. Did you check any identities of those individuals? Did you,
13 for instance, ask them for identity cards?

14 A. First, good morning.

15 Q. Thank you.

16 A. I don't believe I did.

17 Q. Because in paragraph 40, four-zero, of your statement you explain the way you
18 set up your research and you say in paragraph 40, that's OTP-0058-0623, "I made
19 notes while I was filming." And then in the same paragraph you say, "For example
20 I would make notes on particular Young Patriot members and how what they said or
21 did was a good example of the feeling of the youth at that time on a particular
22 subject."

23 In specific, Mr Walker, to this reference, speaking you say to particular Young Patriot
24 members, that's your qualification, did you check these individuals on their
25 identities?

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1 A. Considering that the issue of identification was an extremely sensitive topic at
2 the time, I didn't ask the people I interviewed for identification, correct.

3 Q. For instance, you have mentioned yesterday to the Chamber names like
4 Mr Température, Captain Morgan, that's transcript page 82, and a person we named
5 as Jean-Claude, transcript page 75, line 18. Now, those individuals, did you check
6 on their identities?

7 A. In terms of an official identification?

8 Q. Yes.

9 A. No, I didn't.

10 Q. And did you, for instance, check the real name of the person you identified as
11 Mr Température?

12 A. I did have his first name and I cross-referenced when I could the other names of
13 the people that I used in the film.

14 Q. But with respect to Mr Température, you just have his first name; is that correct?

15 A. That is correct.

16 Q. Now, with respect to a person you mentioned as Captain Morgan, transcript
17 page 82, were you able to make any identification of this individual?

18 A. Through an official ID? Through an official identification, no. I think I had
19 his first name, actually.

20 Q. And with respect to a person you identified as Mr Jean-Claude, that's transcript
21 page 75, line 18, did you identify his full name?

22 A. His full name? I don't believe so, no.

23 Q. And did you speak directly to these three individuals, Captain Morgan,
24 Mr Jean-Claude and Mr --

25 A. I did, yes.

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1 Q. So you had a chance to make an identification. What was the reason you
2 apparently did not check on their identities and their --

3 A. One of the reasons would be for my own safety. If I'm interviewing someone
4 at a roadblock in a time of unrest, then walking up to someone and asking for an
5 identification would be a questionable decision for my safety.

6 Q. Right. So actually the notes you took, you refer to in paragraph 40 of your
7 statement, were based on encounters with individuals of whom you do not have the
8 exact identities; is that a correct summary?

9 A. If your definition of the correct identity is an official document, then that would
10 be correct, yes.

11 Q. Thank you. In the same paragraph you -- I just quoted from that paragraph 40,
12 you mention particularly Young Patriot members who apparently expressed the
13 feeling of the youth at that time on a particular subject, right?

14 A. Mm-hmm.

15 Q. So is it fair to say that for you the Young Patriots were individuals who were
16 representing the youth of Côte d'Ivoire?

17 A. All the youth?

18 Q. Well, you mentioned the feeling of the youth at that time.

19 A. The feeling of the youth who were Young Patriots because that's who they were
20 representing.

21 Q. So in your view there's no differentiation between Young Patriots and the youth
22 in general in Côte d'Ivoire?

23 A. No, that's not what I'm saying. I'm sorry if I confused you with that.

24 Q. At that time, Mr Walker, did you did any investigation, research on how many
25 youth organisations were in existence in Côte d'Ivoire?

1 A. I had done some research, yes. There were a number.

2 Q. What is a number in your calculation based on your research?

3 A. The -- within Abidjan there were a handful of smaller youth organisations
4 under the umbrella of the Patriotic Galaxy. Some would describe those youth
5 members as Young Patriots too.

6 Q. I'm not asking you to give any opinion, just if you would be so kind to stick to
7 the question. The question is how many organisations in your estimation existed at
8 that time. You say in Abidjan a handful. Is that correct? Is that your --

9 A. A handful under the Patriotic Galaxy, correct. And then a handful of two or
10 three different student unions -- student organisations, sorry.

11 Q. Did you do any research concerning this topic outside Abidjan?

12 A. No.

13 Q. Did you contact all these organisations which you refer to as being in existence
14 in Abidjan at that time in your view a handful?

15 A. Yes.

16 Q. And you spoke to individuals belonging to these various groups?

17 A. Yes.

18 Q. Were you able to make any identifications of those individuals?

19 A. Beyond a -- beyond an official --

20 Q. Yes.

21 A. -- identification?

22 Q. Yes.

23 A. No.

24 Q. Right. That was my first topic I've asked you to comment on.

25 My second point in regard to your statement in terms of explaining your

1 methodology refers to the use of a so-called fixer.

2 A. Mm-hmm.

3 Q. In your statement at paragraph 46, 47.

4 That's the statement of Mr Walker OTP-0058-0624 going to 0625.

5 You describe summarises in paragraph 46 and 47 that you -- apart from your

6 American friend, you made use of a local fixer who assisted you in Côte d'Ivoire and

7 in specific you say, paragraph 47, you said, "If we needed to meet someone who had

8 experience with FESCI, for instance, we would ask the fixer, who would help us." In

9 the same paragraph you say, "The fixer had a northern last name but I did not get the

10 impression that he was biased." Right?

11 A. Correct.

12 Q. So in your submission the fixer was somebody coming from the north?

13 A. Someone --

14 Q. That person had roots in the north because of his name?

15 A. Correct.

16 Q. Yes? How were you able to detect or to establish that this individual,

17 apparently having roots in the north of the country, did -- was -- didn't have any form

18 of biasness? Because you said, "I didn't get the impression he was biased in any

19 way." How were you able to establish that?

20 A. Because he had friends in the leadership of FESCI.

21 Q. And how were you able to detect that he had friends in the leadership of FESCI?

22 A. I met those friends.

23 Q. And also here is my question: Did you make any official identification of those
24 friends?

25 A. No.

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1 Q. Thank you. Now coming back to some of the interviews you took, did you
2 speak to an individual you which you identified yesterday as Mr Serge Koffi?

3 A. Sorry, can you repeat the question.

4 Q. Yesterday, it's transcript page 65, line 9, you identified an individual with the
5 name of Serge Koffi as the at that time leader of FESCI. Did you speak to him?

6 A. I did not speak to him, no.

7 Q. Okay. Did you -- with reference to the name of Kedjebo Touré, you mentioned
8 his name yesterday in transcript page 54, line 6 till 7?

9 A. That's the wrong name, by the way.

10 Q. Well, it's --

11 MS PACK: (Microphone not activated) Sorry, I don't think that was the name that
12 was -- it might have come out wrong on the --

13 MR KNOOPS: Transcript.

14 MS PACK: -- transcript. I haven't got the transcript, but I think there were two -- I
15 think my friend has mixed up two names. Just to be clear.

16 PRESIDING JUDGE TARFUSSER: But I'm sure that the witness is good enough to
17 know if he has mixed up or not.

18 MR KNOOPS:

19 Q. My learned friend, Mr Zokou, has apparently the correct name, if I pronounce it
20 correctly. I'm sorry for any --

21 A. No problem.

22 Q. -- mispronouncement. This is Watchard Kedjebo Touré?

23 A. That's two people. Watchard Kedjebo --

24 Q. Yes, Kedjebo and Touré Zéguen?

25 A. Correct, two people.

1 Q. Two people, sorry. Yes. So two people. So my question -- yeah, so two
2 individuals. Thank you for clarification, Mr Zokou.

3 That's the advantage of having local counsel here, Mr President.

4 Mr Walker, you referred to these two individuals. Were you able to speak to them?
5 Did you interview them?

6 A. I did not interview them, no.

7 Q. Okay. How were you able to establish that Mr Serge Koffi was at that time the
8 leader of FESCI?

9 A. It was a known fact that he was one of the leaders.

10 Q. So it's not based on your knowledge that you heard it or were told by someone?

11 A. Read it, was told by someone, yeah.

12 Q. Where did you read it, can? You remember where you read it?

13 A. I believe in a report on FESCI.

14 Q. Speaking about FESCI, did you know from what time Mr Koffi was the leader of
15 FESCI?

16 A. I believe it was around that time period.

17 Q. You told the Chamber yesterday that one of your purposes, that one of your
18 purposes for coming to Côte d'Ivoire was to meet Mr Blé Goudé, get familiarised with
19 his history. Did you do any research on his background in terms of his relationship
20 with FESCI?

21 A. I did a lot of research on his background and I also interviewed people who
22 were with Mr Blé Goudé in FESCI. I did a number of interviews, yes.

23 Q. Can you tell the Chamber to what year Mr Blé Goudé had any affiliation with
24 FESCI?

25 A. It's in my notes. I can't say specifically, but it would have been in the 90s.

1 Q. And you were familiar with his successor after he left in the 90s?

2 A. Well, there was -- I mean, we're getting into some complicated structural
3 organisation.

4 Q. No, I'm not asking you to go into the organisation. I'm just asking are you
5 familiar with the successor of Mr Blé Goudé in FESCI?

6 A. I believe I am, but I can't be sure. I think I interviewed him.

7 Q. All right. Do you know the reason why Mr Blé Goudé left FESCI in the 90s?

8 A. Beyond my research?

9 Q. Well, if it's based on your knowledge now, that would not be I think what we
10 ask you to do. But at that time when you did your research in Côte d'Ivoire, did you
11 learn anything about the reason why the relationship between FESCI and Blé Goudé
12 was broken?

13 A. In the interviews I carried out with other FESCI members, yes, there were some
14 issues.

15 Q. Did you do any research on the reasons why Mr Blé Goudé did set up COJEP?

16 A. Yes, I asked Mr Blé Goudé about that myself.

17 Q. Yeah. And what was his answer?

18 A. He wanted to organise youth who weren't able to go to school. He wanted to
19 pass on his knowledge to youth outside of educational institutions.

20 Q. Can you confirm based on your research that the establishment of COJEP was
21 almost directly after Mr Blé Goudé left FESCI in the 90s?

22 A. It would have occurred around that time, yes.

23 Q. Thank you.

24 MR KNOOPS: Mr President, I finished this topic. I can move on, but I'm now
25 going to several videos.

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- 1 PRESIDING JUDGE TARFUSSER: We go to several videos after the break.
- 2 MR KNOOPS: Thank you, Mr President.
- 3 PRESIDING JUDGE TARFUSSER: Thank you. At 11.30.
- 4 THE COURT USHER: All rise.
- 5 (Recess taken at 10.54 a.m.)
- 6 (Upon resuming in open session at 11.32 a.m.)
- 7 THE COURT USHER: All rise.
- 8 Please be seated.
- 9 PRESIDING JUDGE TARFUSSER: Good morning once again.
- 10 Good morning to the witness.
- 11 And I give immediately the floor to Mr Knoops for the continuing of his questioning.
- 12 MR KNOOPS: Thank you, Mr President.
- 13 Q. During the break there was one follow-up question which came up on the topic
- 14 we aborded just before the break, Mr Walker, just briefly on the subject of FESCI. Do
- 15 you know when Mr Blé Goudé was elected as the leader of FESCI? Do you have any
- 16 information gathered on this question?
- 17 A. I had gathered a lot of information. Off the top of my head I would have to say
- 18 that it was early 90s, early to mid 90s, but any more specific information I would have
- 19 to refer to my research.
- 20 Q. If I suggest to you it was December 1998, would that trigger any recollection?
- 21 A. I guess that would make sense. I thought it was mid 90s.
- 22 Q. Right.
- 23 A. But that's entirely possible. It's been --
- 24 Q. Certainly?
- 25 A. -- a while.

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1 Q. How many years was he the elected leader of FESCI according to your research?

2 A. Again, without seeing the research, hard for me to say, but, I mean, I would just
3 be guessing at this point, two, two years, one to two years.

4 Q. If I suggest to you 2001, could it be in accordance with your --

5 A. That's possible.

6 Q. You know the name of his successor? I asked it before. May I suggest to you
7 the name Mr Dibopieu, does that --

8 A. That's possible.

9 Q. -- ring a bell? Dibopieu, Mr Dibopieu?

10 A. Can you spell that, please.

11 Q. D-I-B-O-P-I-E-U?

12 A. That's possible, without referring -- again, without referring to my notes.

13 Q. Yeah. The successor of Mr Dibopieu --

14 MS PACK: Your Honour, can I just -- just an objection as to whether this is going to
15 turn into a FESCI examination because --

16 MR KNOOPS: No, no. No, it's not. It's not. Just two short follow-up questions
17 just to -- well, we have to verify of course certain information, but I will be very brief,
18 Mr President. I assure you it's just two questions, if the Court allows me to.

19 PRESIDING JUDGE TARFUSSER: Just go ahead.

20 MR KNOOPS: Thank you, Mr President.

21 Q. The replacement for Mr Dibopieu, may I suggest to you the name of Kuyo Serge,
22 does that ring a bell to you? Is that in accordance with your --

23 A. Again, that's highly possible. The scope of my research was on specific people
24 who were relevant to --

25 Q. Yeah. To conclude this topic, is it fair to say, Mr Walker, that when you came

1 to Côte d'Ivoire in 2006, FESCI had at that time three successors after the leadership of
2 Mr Blé Goudé of FESCI?

3 A. Yes, that's, that's highly possible.

4 Q. Thank you. When you came to Côte d'Ivoire, and I go to your statement, para
5 49 of the statement you gave to the Office of the Prosecution, that's OTP-0058-0625,
6 paragraph 49, you say, Mr Blé was staying at hotel Ivoire. "Mr Blé Goudé was on an
7 active peace tour and he was very accessible to the media."

8 What I would like you to look at is your statement saying Mr Blé Goudé was on an
9 active peace tour. Was that your observation that Mr Blé Goudé was on an active
10 peace tour?

11 A. That was his observation. That was what he told me.

12 Q. We come back to this question later.

13 The focus of your research at that time was Mr Blé Goudé and Mr Djué; that's correct?

14 A. Eugene Djué?

15 Q. Yes, Eugene Djué. And you --

16 A. Correct.

17 Q. Thank you. In total you met Mr Blé Goudé three times?

18 A. That's not entirely correct. When we -- when we say I met him on more than
19 three times, but within certain time frames. For example, in Yamoussoukro, I met
20 him at the rally, the morning after, a separate occasion of that evening. So when we
21 say three times, we could say three separate occasions, I guess.

22 Q. Okay. During these occasions, were you ever intimidated by Mr Blé Goudé?

23 A. Never, no.

24 Q. I would like now to show you three portions of the Yamoussoukro speech clip
25 and ask you to first look at the clip, it will be short, and then I'll come back to you

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1 with a question, Mr Walker. The first clip is OTP-0059-0013, timestamp 02.35 till 3.01.

2 It's at your transcript 0063-2899, pages 2900, lines 32 to 37.

3 And we ask the translators to translate. Thank you. Thank you very much. We
4 can start.

5 (Viewing of the video excerpt)

6 THE INTERPRETER: (Interpretation of the video excerpt) Because a structure that
7 does not have a basis is a giant with clay feet. Our duty is not only to hold public
8 rallies but to educate, to provide political training. And we have decided to make a
9 tour of Côte d'Ivoire, whatever the case may be, wherever we are invited in order to
10 make a foundation upon which COJEP can rest. But I would like to make the most
11 of this opportunity to ask Ivorians to not boycott the audience but to go and register
12 in great numbers on the lists so that tomorrow all the fighting that we have done
13 should not be in vain.

14 MR KNOOPS:

15 Q. Mr Walker, you recall this speech of Mr Blé Goudé, specific portion?

16 A. I do, yes.

17 Q. Yeah. And in your encounters with Mr Blé Goudé, was he always advocating
18 this ideology, this view on the audience foraine?

19 A. Yes, he was.

20 Q. I would like to show you now a second portion of the speech in Yamoussoukro.
21 That's clip -- it's the same one, but then the timestamp 04, 4.23, 05, 5.26. It's the same
22 page number I think. So we just have the timestamp.

23 We ask the translators to translate this portion, yes.

24 Play it, please.

25 (Viewing of the video excerpt)

1 MR KNOOPS:

2 Q. Also my question, Mr Walker, you recognize this portion of the speech of
3 Mr Blé Goudé?

4 A. Yes, I do.

5 Q. And here you see Mr Blé Goudé urging people all over the country to register to
6 vote and his expression that he is against weapons, prefers democracy. In the
7 encounters you just described with Mr Blé Goudé, was it always his stance, his view
8 to not use violence?

9 A. Yes, that was correct.

10 Q. Thank you. The last portion of the clip, tape 13, I would like to show you,
11 Mr Walker, is -- sorry, not -- clip 18. It's CIV-OTP-0059-0018. The timestamp is
12 40.31 till 47.38. Transcript 0063-3226, page 3238, lines 494 till 501.

13 Please show the clip.

14 (Viewing of the video excerpt)

15 THE INTERPRETER: (Interpretation of the video excerpt) You see, now he's
16 saying that he's working with Gbagbo, that they are together. Well, I'm looking and
17 they're talking about audience foraine for the Ivorians to come and register in order to
18 have identity papers to go and vote. Okay. Okay. I said that I am in agreement.
19 He says that he will not go and distribute Ivorian nationality to all and sundry. It's
20 he who is saying that. So I, Joseph, I am not going to go -- I'm not going to say any
21 old thing any old where. A political leader, he doesn't say anything in any old
22 fashion. That's why I'm keeping quiet and I'm watching. And I call upon all
23 Ivorians to go, to go and register on these lists. I call upon the Ivorians to take part
24 in large numbers in these audience foraine. I invite Ivorians to convince their
25 neighbours, their cousins, their uncles, their brothers to go and register on the list.

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1 MR KNOOPS: Thank you.

2 Q. Mr Walker, also here, well, it's obvious that you have seen this clip before?

3 A. Correct.

4 Q. Here you see Mr Blé Goudé encouraging people to go and participate in the
5 audience foraine. Also here is my question during the encounters with

6 Mr Blé Goudé was that his view, his ideology that those audience foraine should be
7 admissible for everyone, irrespective ethnicity, religion, et cetera?

8 A. I believe so, yeah.

9 Q. Thank you. Now, I want to show you a short clip on the speech at the Palais
10 de la Culture, 11 June in Treichville. That's for *CIV-OTP-0059-0006 timestamp 16.43
11 till 15.55. Sounds odd to me because it runs back. I think it must be 17.55. It's
12 transcript OTP-0063-3206, page 3211, lines 188 till 190.

13 And also, Mr Walker, please have a look at the clip and I'll have a similar question to
14 you after showing the clip, which deals with the rally at the Palais de la Culture on 11
15 June 2006 in Treichville.

16 Yes, you can play the clip.

17 (Viewing of the video excerpt)

18 THE INTERPRETER: (Interpretation of the video excerpt) And that's what I
19 wanted to tell you, you young people who are in this room. You are young Dioula,
20 you are young Baoulé, you are young Bété, you are young Ébrié, young Attié, young
21 Abé, you are the Côte d'Ivoire of tomorrow. You are the Côte d'Ivoire who has
22 decided to wean themselves from France's maternal milk.

23 MR KNOOPS:

24 Q. Thank you, Mr Walker, for watching. You recognize the clip, the rally, Palais
25 de la Culture.

1 A. I do, yes.

2 Q. And here you see Mr Blé Goudé urging the youth to organise meetings to
3 synthesise each other and to invite them to participate in the voting process
4 irrespective of ethnicity, is this the recollection you have from your meetings with
5 Mr Blé Goudé?

6 A. That is correct, yes.

7 Q. Thank you. Now I want to move on to the interview with Mr Blé Goudé in the
8 hotel Ivoire on 30 June of 2006. And in specific we have selected three portions of
9 this interview, it will be short clips, to show you and pose a question to you
10 afterwards. First portion is OTP-0062-0141, minute 30, three-zero, seconds 53 till
11 32.06. It's the transcript 0063-3017, page 3023, lines 236 till 244.

12 You can play the clip.

13 (Viewing of the video excerpt)

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

16 "Journaliste 2 : How powerful are they?

17 CBG : I don't know, but I know that they can change things. They are well-organized
18 and they got a rapid and fast capacity of gathering, which is very important. [Rires]
19 Which is very very important. Because when there is an attack of the rebels, or of the
20 French army, we know that we don't have weapons. Our force, our strength, is our
21 gathering, our demonstration [phon.], how huge our demonstration [phon.] can be, to
22 show the opp ... the French people that we are determined and we know what we
23 want. And you are so many people and when you are numerous people
24 demonstrating in the street, you know that the media immediately, they consider you.
25 And your message can go far. So that, I mean, your opponent can stop what he is

1 doing."

2 MR KNOOPS:

3 Q. Mr Walker, of course you will recognize this interview because you conducted
4 it yourself, but in specific to this portion, in all your encounters with Mr Blé Goudé,
5 was this his ideology, how to approach his political ideas, how to execute them?

6 A. The organisation of the youth, is that --

7 Q. No, no. I'm asking you, you just heard Mr Blé Goudé saying that his view was
8 that no weapons should be used. Was this view also expressed by him during all the
9 meetings you had with him?

10 A. That was his expression, yes.

11 Q. Thank you. Second portion of the interview is the same video but at minutes
12 47 till 47.39, transcript same number, 63-3017, but pages 3026, lines 349 till 353.

13 (Viewing of the video excerpt)

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

16 "... then I am not going to stop my fight because I am sanctioned. Those who have
17 taken those sanctions against me, if their aim is to influence me or to intimidate me, I
18 think they are mistaking. Because I am not going to stop. Because this fight is for our
19 dignity. I will never take any weapons against any Ivorian or any stranger or any
20 people. But I will use my words to protest. I will use the force of the street to protest
21 because I think this is the modern way of protesting."

22 MR KNOOPS:

23 Q. So, Mr Walker, it's my question to you, during the encounters with
24 Mr Blé Goudé, was this his view how to approach the problems in Côte d'Ivoire?

25 A. It's difficult for me to answer these questions because I know the information I

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1 had at the time I made the interview. So if we're talking about words only, then
2 you're correct.

3 Q. Yes. I'm not asking any interpretation to you, but just I ask you whether this
4 was indeed said by Mr Blé Goudé to you on the occasions you met him. And you
5 said yes?

6 A. That is correct, yes.

7 Q. Yes.

8 MS PACK: Your Honour, in fairness to the witness, he's being asked more than that.
9 I mean, he's generally being asked for his opinion here and there, so if he feels like he
10 wants to say a bit more, then he should say a bit more because he is being asked his
11 opinion about the various meetings and so forth. And I've let it go but --

12 MR KNOOPS: No, no, Mr President. I just -- I didn't ask the witness for an opinion.
13 I just asked him whether these words were expressed by Mr Blé Goudé during this
14 interview and on the other encounters. I'm not asking what was in view of the
15 witness his interpretation of those words, simply: Was this said by Mr Blé Goudé,
16 yes or no?

17 PRESIDING JUDGE TARFUSSER: It's the questions which cannot elicit an opinion,
18 but what the witness wants to say spontaneously he can say though. So it's the
19 lawyers who are bound by the fact that they should not ask opinions, but then the
20 witness can say what he thinks is relevant for the case.

21 But I'm happy, please, please go on with your questioning.

22 MR KNOOPS: Thank you, Mr President. I'm especially avoiding to elicit from the
23 witness opinion evidence.

24 Q. Mr Witness, in this regard -- sorry.

25 A. The issue is that it wouldn't be opinion. It wouldn't be my opinion. My

1 research at that point when I made the interview, a lot of research was that there were
2 weapons involved, and that's my research, not an opinion, it's my research.

3 Q. Well, you're not here as an expert. You're here as a witness. And --

4 A. I witnessed people telling me that they had weapons.

5 Q. Yeah, but that's outside the scope of my question. My question is whether
6 during the encounters you had with Mr Blé Goudé, whether this was expressed by
7 him as his view. Not what your other research learned you or didn't learn you. So
8 that is the question.

9 And my follow-up question is: Can you confirm that Mr Blé Goudé in this regard
10 used the examples of Nelson Mandela and Martin Luther King to you? Can you
11 confirm that?

12 A. Yes, I can confirm that.

13 Q. Yes. There is still one portion left. That's same video but then the timestamp
14 is 53.32 till 54.45. That's page -- same transcript, 3017, page number 3027, lines 417
15 till 425. That's my last portion of the interview I would like to show you, Mr Walker.
16 Yes.

17 (Viewing of the video excerpt)

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

20 "Journaliste 2 : ... it went, and Al GORE. If there is election in this country and if the
21 current president does not win, do you see a scenario that that could happen?

22 CBG : You know, formerly I was talking about education. When people are
23 well-educated, politically, and they trust the institution of their country and they
24 respect the law of the country, when a decision is made by the institution, they
25 respect it. This is what happened in AMERICA. When people were quarrelling about

1 the result of the election and then the institution in charge of the result said: BUSH is
2 the winner. It was finished, no one took weapons. But in AFRICA it is different. This
3 is why I said the responsibility, the duty of our generation, is to educate people to
4 respect the institution, to respect the law and to have another way of, I mean, giving
5 their point of view instead of taking weapons."

6 MR KNOOPS:

7 Q. So this was almost at the end of the interview with you and Mr Blé Goudé.

8 Also here you can confirm that this was Mr Blé Goudé's view on this point?

9 A. At that moment in time, to me that was his view, yes.

10 Q. Thank you. I move on now to the press conference Mr Djué gave on 22 June in
11 Yopougon. You went into that press conference yesterday. Can you recall,
12 Mr Walker, whether Mr Djué made any reference at that point in time to COJEP
13 during the press conference?

14 A. I believe, yeah, I believe he made reference to COJEP, yeah.

15 Q. May I suggest to you that he didn't make a reference to COJEP?

16 A. Which meeting are we talking about? I'm sorry.

17 Q. The press conference in the café maquis or the maquis, 22 June.

18 A. And your question is did he make a reference --

19 Q. Yes.

20 A. -- to COJEP?

21 Q. Yes, yeah.

22 A. And you're saying that he didn't and I'm saying that that's also likely, yes.

23 Q. Thank you. It's also likely that he didn't refer to it, just to clarify?

24 A. Yeah, it's possible he didn't refer to it on the information we have, yes, correct.

25 Q. Now, with regard to the gathering at the speakers' corner on 12 July 2006 in

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1 Yopougon where Mr Djué also spoke, did Mr Djué make any reference to COJEP?

2 A. Specifically that's hard for me to recollect. I can't remember either way.

3 Q. May I suggest to you that --

4 PRESIDING JUDGE TARFUSSER: But that's it. I mean --

5 MR KNOOPS: That's it, yeah.

6 PRESIDING JUDGE TARFUSSER: -- he doesn't recall it and that's it.

7 MR KNOOPS:

8 Q. Can you recall, Mr Walker what you said about this subject in your statement to
9 the Prosecution?

10 A. You could -- you can remind me. But I -- I don't recall, no.

11 Q. This statement, which was given in 2014, so almost two years earlier than today,
12 you stated in this regard, it's paragraph 83, OTP-0058-0634, and we're speaking about
13 the speakers' corner in Yopougon on 12 July. In paragraph 83, you say:
14 "I think they also made reference to Blé Goudé, but I am not sure."

15 A. I can for sure say that the Young Patriot members I interviewed at that speakers'
16 corner made reference to Blé Goudé.

17 Q. But I'm referring now to the speech --

18 A. To Djué's speech?

19 Q. -- of Djué in the speakers' corner.

20 A. I don't believe Djué made reference to Blé Goudé.

21 Q. Yeah.

22 A. Not Djué.

23 Q. Thank you.

24 A. It would be in the -- in the original transcript.

25 Q. Yes.

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1 Now I move on to some of the topics you abored on yesterday. First of all, I would
2 like to delve deeper with you into the issue of the roadblocks, barrage, how we can
3 qualify it. Is it my -- is my understanding correct that when you went from Abidjan
4 to Yamoussoukro the first time you encountered some roadblocks?

5 A. That is correct.

6 Q. I think you told --

7 A. Yes.

8 Q. -- the Chamber four till five?

9 A. Yes.

10 Q. Can you tell the Chamber what route you took from Abidjan to Yamoussoukro?

11 A. The only specifics I could give would be the main bus route from Abidjan. I
12 can't --

13 Q. Yes?

14 A. -- give specifics of --

15 Q. Was that --

16 A. -- the road.

17 Q. Was that, in your recollection, the main road where the bus --

18 A. Yes. It would have been the main route.

19 Q. The highway?

20 A. Yes.

21 Q. So it is your submission that on that highway there were four till five
22 roadblocks?

23 A. On the way to Yamoussoukro, correct.

24 Q. Okay. Did you film those roadblocks?

25 A. No, I didn't film those roadblocks. That would have been a careless thing to

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1 do.

2 Q. Yet it's my understanding that during one of these trips you were accompanied
3 by one of the cars of Mr Blé Goudé?

4 A. That would be the return trip.

5 Q. Yes. And on this return trip you made any footage of these roadblocks?

6 A. I believe I was told not to film.

7 Q. Yet you were with his people?

8 A. That is correct.

9 Q. And you didn't film those roadblocks?

10 A. I did not.

11 Q. No.

12 Now, yesterday, maybe we can maybe then show this --

13 (Counsel confer)

14 MR KNOOPS:

15 Q. I'll show you a clip the Prosecution showed you yesterday. It's on tape number
16 10. That's CIV-0059-0007, 007, timestamp 4.50 till 5.37. It was a clip which was
17 shown right at the end of the examination by the Prosecution yesterday.

18 Mr Walker, please look again at the clip. It's already been shown yesterday, but I
19 have a specific question to you.

20 (Viewing of the video excerpt)

21 MR KNOOPS:

22 Q. Now, Mr Walker, this was filmed apparently during the alleged shutdown of
23 Abidjan, the 19 July. Is this your qualification of a roadblock what we just saw?

24 A. Correct. It blocks the road from traffic, correct.

25 Q. And in your view then this is one of the roadblocks you have in mind when you

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1 speak about roadblocks or barrage?

2 A. Now this would be different than the ones going to Yamoussoukro. I mean,
3 these are the ones in Abidjan. So when I am saying "roadblock" and referring to this
4 footage, yeah. I'm sorry if I -- I'm not sure of your question.

5 Q. So for you this is a roadblock, the same as the roadblock you encountered
6 apparently on the highway from Abidjan to Yamoussoukro?

7 A. No. That's not what I'm saying. I'm saying this is -- there are different -- there
8 were different types of roadblocks I encountered. The ones from Abidjan to
9 Yamoussoukro were more substantial, they were controlled by non-uniformed youth
10 with weapons. These roadblocks were controlled by also un-uniformed youth with
11 weapons other than firearms.

12 Q. But it is your testimony that Abidjan, the whole city, it's -- your statement was
13 shut down --

14 A. The --

15 Q. -- based on your observation of these type of roadblocks, isn't it?

16 A. That is correct.

17 Q. And the roadblocks you encountered during the so-called shut down of Abidjan
18 were these type of roadblocks?

19 PRESIDING JUDGE TARFUSSER: Excuse me, but he said no. I think we are trying
20 to elicit something. I think it's quite clear what the witness said, so I don't know why
21 you insist in trying to elicit something different.

22 MR KNOOPS: I'm curious why -- what is then the definition of the -- no, I'm asking
23 opinion evidence. Sorry.

24 THE WITNESS: So we can -- we can refer to Mr Blé Goudé's statement on the news
25 that night when he says the Young Patriots blocked, put up barricades in Abidjan.

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1 We could use that definition, which is -- was also my experience.

2 MR KNOOPS:

3 Q. In your statement to the Office of the Prosecution, you have mentioned, in the
4 context of the press conference of Mr Djué on the 2nd -- 22nd June that, that's
5 OTP-0058-0632, paragraph 78, that in front of Djué's maquis were -- was a roadblock,
6 or were roadblocks "which were passively manned by youths." And these
7 "checkpoints were more symbolic than anything else."

8 A. That is correct, different than the roadblocks going to, on the main road, going
9 to Yamoussoukro and different to the roadblocks or barricades on this day of the
10 shutdown.

11 Q. Yeah.

12 A. Different.

13 Q. What is the understanding of the word "symbolic" in this context, in this
14 paragraph 78?

15 A. Symbolic as in we control access to this part of the street.

16 Q. So in other words, there were various types of roadblocks in your estimation?

17 A. Yes, there were.

18 Q. Okay. In this regard, Mr Walker, how were you able to differentiate between a
19 young man in Côte d'Ivoire and an individual qualified by you as a Jeunes Patriotes?

20 A. A number of reasons. If I'm at a meeting, if I'm at a Young Patriot meeting and
21 they're telling Young Patriots to go to their usual intersections and barricade the road,
22 and I go to the road and I meet young men who identify themselves as Young Patriots,
23 and then in the evening if I watch a news clip of Mr Blé Goudé telling the -- the news
24 show that the Young Patriots have blocked the roads with their barricades, then my
25 assumption is that those young men are Young Patriots.

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1 Q. So it's an assumption. My question is: If you see a person on the street, and
2 you described yesterday in the transcript page 20, line 25, transcript page 21, page 2
3 till 4, when you were asked by the Prosecution in regard to the roadblocks in
4 Yamoussoukro:

5 "Can you describe the young men ...?"

6 You say: "They were wearing street clothes. They were not official looking."

7 A. That is correct.

8 Q. So purely based on observing an individual dressed in street clothes, not official
9 looking, how were you able to identify whether that individual, based on just how he
10 looks, whether --

11 A. As a -- as a journalist, I would never assume someone is who they are just by
12 looking at them. I would have the context of the -- of the situation around the
13 incident.

14 Q. So it's for you the context, but you are -- you agree that, based on what you see
15 on the street, and you didn't make any identification of individuals, you agree with
16 me that you're not able to say, based on what you saw on the streets, whether an
17 individual dressed in street clothes belonged to the so-called Young Patriots? You
18 would agree with me in that?

19 A. I'm agree -- I'm sorry, I -- I lost the -- I lost your question. Would I agree --

20 Q. Abstract it from the context --

21 A. Mm-hmm.

22 Q. -- simply based on seeing an individual dressed in street clothes without
23 making any identification of that individual, would you agree with me that you are
24 not able to say whether that person belonged to a certain group?

25 A. You can't extract it.

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1 Q. Okay.

2 A. It's too dangerous to extract it.

3 Q. Right. So you would agree with me that --

4 A. I'm not agreeing with you.

5 Q. So you're saying this Chamber that you're able to say, based on how somebody
6 looks without asking him about his identification --

7 A. That situation doesn't exist.

8 Q. Well, I'm asking you --

9 MS PACK: Your Honour, I think asked and answered a few times.

10 PRESIDING JUDGE TARFUSSER: I know, but -- me too. But I mean I agree with
11 you that nobody has written here on the -- in front what he is, so I think the question
12 is answered --

13 MR KNOOPS: Okay.

14 PRESIDING JUDGE TARFUSSER: -- by saying from out of the context he can,
15 otherwise he can't.

16 MR KNOOPS: Okay.

17 PRESIDING JUDGE TARFUSSER: I would say.

18 THE WITNESS: I mean it's not -- it's not a -- it's not an assessment I can take lightly.

19 MR KNOOPS:

20 Q. Did you interview individuals on the road?

21 A. I did, yes.

22 Q. How many?

23 A. One -- one for sure. One substantial interview. I don't recall if there were
24 other -- I'm actually pretty sure it was -- on camera it was one, but I believe that I did
25 try to interview a couple others and deemed it unsafe.

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- 1 Q. So during --
- 2 PRESIDING JUDGE TARFUSSER: May I just ask what you mean by "on the road,"
- 3 on the road from Abidjan to Yamoussoukro, or three months on the road?
- 4 MR KNOOPS: Three months on the road, yes.
- 5 THE WITNESS: Oh, I'm sorry.
- 6 MR KNOOPS:
- 7 Q. Apologies. How many individuals did you interview during your --
- 8 A. The entire stay?
- 9 Q. Yes, which were on the road, on the street?
- 10 A. Oh, okay.
- 11 MS PACK: Which streets? I don't think --
- 12 PRESIDING JUDGE TARFUSSER: Meaning not at Yopougon, not at the rallies.
- 13 MR KNOOPS: Yeah.
- 14 PRESIDING JUDGE TARFUSSER: This is my understanding. Is it not at
- 15 Treichville but --
- 16 MR KNOOPS: Yeah.
- 17 PRESIDING JUDGE TARFUSSER: -- just freely.
- 18 THE WITNESS: On -- on the street? Interviews conducted on the street? Many.
- 19 I would need a -- some time to give you --
- 20 MR KNOOPS:
- 21 Q. Yeah.
- 22 A. -- an exact number.
- 23 Q. But also here you never verified their identities. And you already answered
- 24 that question, that also counts for these interviews?
- 25 A. Did I see an official document of their identity, no.

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1 Q. Yeah.

2 A. Verified in other ways.

3 Q. In your statement to the Office of the Prosecution, you told the Prosecutor, that's
4 page 627, paragraph 56, that it was "several organisations that made up the Galaxie
5 Patriotique, each of which had its own leader."

6 Can you confirm saying this to the Office of the Prosecution?

7 A. That is correct.

8 Q. Thank you. Now, with respect to the shutdown of Abidjan, going back to that
9 issue, you stated to the Office of the Prosecution, and I ask you whether you can
10 confirm this, which is OTP-0058-0637, paragraph 94, you describe there that "the
11 barricades" during the shutdown "were sometimes disorderly." And you say, I
12 don't -- "I do not recall seeing anyone wearing COJEP T-shirts at the barricades."
13 Can you confirm this?

14 A. This is the -- this is the day of the shutdown, correct?

15 Q. Yes, the 19th.

16 A. I can confirm this, yes.

17 Q. Thank you.

18 I have two questions left for you on two topics. First is the meeting at the mayor's
19 office, which was 18 July in Yopougon, where you were there for a FESCI rally.
20 Now yesterday, and that's transcript page -- it runs actually from 74, 75 to 76.
21 You -- and I believe this clip was also shown to you yesterday by the Office of the
22 Prosecution, which was with the timestamp 22.23 till 23.40. You describe that an
23 individual came back from a meeting and suggested that:
24 The top official -- "... our top official. I would like to mention General Blé Goudé,"
25 which is said by that individual, "has asked us to pass on" this "message to you."

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1 You have the recollection to this video clip, I understand?

2 A. That is correct, yes.

3 Q. Yeah. Now, two questions on this topic to you, Mr Walker. First of all, did
4 you speak ever with Mr Blé Goudé about this suggestion --

5 A. No, I --

6 Q. -- made by this individual?

7 A. No, I didn't.

8 Q. Was there a reason why not asking him about the suggestion made by this
9 gentleman in this --

10 A. I believe that that event occurred after I had spent the -- a number of occasions
11 with Mr Blé Goudé.

12 Q. Right. My second question is: It's your understanding that this individual
13 with others came back from a meeting on an emergency basis, which is mentioned in
14 the transcript at page 75, line 5 till 8. Were you able to check on this meeting which
15 allegedly took place before this individual spoke about Mr Blé Goudé? Apparently
16 there was a meeting before this individual stood up and gave this information.

17 A. Yes, that is correct.

18 Q. And my question to you is: Were you able to verify whether this meeting
19 indeed took place?

20 A. I wasn't able to verify that because I wasn't allowed to leave that area.

21 Q. And did you make any identification on that individual who spoke after having
22 that meeting?

23 A. No, I didn't.

24 Q. You didn't, okay. Thank you.

25 Now, my last question, Mr Walker, concerns -- we have a similar question as

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1 the -- well, somewhat different from the Defence team of Mr Gbagbo, it concerns the
2 video of the Prosecution, 0059-0010, with the timestamp 00.49.00 till 00.00.58. I
3 would like to play this clip. And we have some different questions on this similar
4 clip to you.

5 (Viewing of the video excerpt)

6 MR KNOOPS:

7 Q. Mr Walker, with respect to this footage, during your trip in the north, were you
8 able to see other white individuals similar as the one -- or, not similar but white
9 individuals as depicted in this clip amongst the rebels?

10 A. Is the question so not --

11 Q. Maybe I can -- I should be more specific. Did you see other white uniformed
12 individuals amongst the rebels when you were in the north during your trip?

13 A. I don't believe so.

14 PRESIDING JUDGE TARFUSSER: You don't believe so? I didn't get it.

15 THE WITNESS: Yeah, I'm sorry. I don't believe so.

16 PRESIDING JUDGE TARFUSSER: Okay.

17 MR KNOOPS:

18 Q. How many of these individuals you saw in total?

19 A. If we are talking about the white men in uniform --

20 Q. Uniforms, yes.

21 A. -- I would say my recollection is between two and three, two to three.

22 Q. Were you able to see on their military attires an emblem of their nationality?

23 A. I wasn't, no.

24 Q. Did you hear them speaking?

25 A. No.

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1 Q. Were you interested to speak to them or were you not allowed to speak to
2 them?

3 A. I mean, I can say now that I would have been interested in speaking to them.
4 Back then, I don't recall.

5 Q. No.

6 A. I was focused on other interviews.

7 Q. Yeah. What type of activities, if you were able to see it at all, were they
8 performing in that military camp?

9 A. They were just observing.

10 Q. Did you see them speaking to the rebels there in the north, having conversations
11 with them?

12 A. I mean, that's hard to answer. I mean, they're standing right there. I'm sure
13 there was some conversation.

14 Q. Okay. Did you have at that time information that they worked for private
15 military companies or for a government?

16 A. I didn't have that information.

17 Q. We want to return to your meeting, finally, Mr Walker, with certain people in
18 the north, Wattao and Mr Sidiki Konaté, and we just show you four very short clips
19 and come back to you with a question whether you have any recollection of those
20 events you see in those clips, four short clips we play after each other.

21 PRESIDING JUDGE TARFUSSER: Can you give the reference?

22 MR KNOOPS: I'm sorry, Mr President, you're correct. It's OTP-0059-0010,
23 timestamp 12.44 till 13.20, transcript D-15-0004-1420. And the second would
24 be -- well, let's first play this clip, very short and then I give you the --
25 (Viewing of the video excerpt)

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1 THE INTERPRETER: (Interpretation of the video excerpt) So you're in charge of
2 security throughout the zone?

3 Yes, I am specifically in charge of security within the zone of the Forces Nouvelles.

4 And in addition to that I am coordinator with the secretary general, the staff
5 headquarters and the other commanders within the zone.

6 Apologies from the interpreters. We only started the interpretation halfway through
7 because it was not on your list. Thank you.

8 MR KNOOPS: Apologies, madam translator.

9 Q. Mr Walker, you recall this clip?

10 A. I do, yes.

11 Q. Yes. Second one is clip OTP-0059-0011, time code 09.35 till 10.27, transcription
12 D15-0004-1422.

13 And please we would appreciate -- oh, it's in English. Sorry. It's in English, so it
14 can be played.

15 (Viewing of the video excerpt)

16 MR KNOOPS:

17 Q. Mr Walker, do you recognize the individuals in this footage?

18 A. I do, yes.

19 Q. Yes. And did you -- can you confirm that these individuals according to your
20 research belong to the so-called New Forces?

21 A. That is correct.

22 Q. Did you speak to them?

23 A. That is correct.

24 Q. On what subject you spoke to them?

25 A. On the -- on many subjects, on the organisation of the north of the election

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1 process, of the identification process, of -- we discussed Mr Blé Goudé's history, we
2 discussed the history of FESCI, we also discussed the Young Patriots. Many topics.

3 Q. Last clip is OTP-0059-0011, timestamp 43.15, 44.37 with an English transcript,
4 D15-0004-1422.

5 (Viewing of the video excerpt)

6 MR KNOOPS:

7 Q. Mr Walker, you can confirm the interview you took with this gentleman?

8 A. I can, yes.

9 Q. Yes. And the last clip we would like introduced is OTP-0059-0010, with time
10 code 22.14 to 22.35 seconds, French transcript D15-0004-1420.

11 And we ask the translators to give the English translation for this portion. Thank
12 you.

13 (Viewing of the video excerpt)

14 MR KNOOPS:

15 Q. Also, Mr Walker, you can confirm that you took this interview?

16 A. That is correct, yes.

17 Q. Thank you.

18 THE INTERPRETER: Apologies from the English interpreter. My microphone was
19 not on. Apologies.

20 MR KNOOPS: Mr President, should we then for the transcript of the court --

21 PRESIDING JUDGE TARFUSSER: We are fine.

22 MR KNOOPS: You're fine.

23 PRESIDING JUDGE TARFUSSER: Yes, yes.

24 MR KNOOPS: Mr President, that concludes my questioning. And Mr Zokou has
25 some additional questions which could be dealt with after the break or we could start

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1 now. It's up to the Court.

2 PRESIDING JUDGE TARFUSSER: No. I think if it's -- I don't know how long it
3 takes.

4 MR ZOKOU: (Interpretation) Yes, Mr President. I would like to start after the
5 break because I won't take up the entire session to come. So it will take me
6 approximately one hour in duration.

7 PRESIDING JUDGE TARFUSSER: Okay. Thank you very much.

8 So now we break and we -- we will give the floor to the OTP, which stands up.

9 MS PACK: Thank you very much, your Honour. It was just to make sure that the
10 transcript that just got submitted ending 1420, that it goes in confidentially because of
11 the names that are on, one -- of the names that appears on it. So just to make sure
12 that that's the case.

13 PRESIDING JUDGE TARFUSSER: Which one you mean?

14 MS PACK: The one that just got called out by my friend, Mr Knoops. It's
15 CIV-D15-0004-1420. It's just that one. There is just a name appearing on that that
16 we mentioned in private session.

17 PRESIDING JUDGE TARFUSSER: Okay.

18 MS PACK: Thank you.

19 PRESIDING JUDGE TARFUSSER: Okay. Thank you very much.

20 So, Mr Witness, I think we break now for the lunch break. We will resume at 2.30
21 p.m. and I believe very much that your testimony will finish today so that you are
22 then relieved. So tomorrow you can go wherever you want. Thank you very much.
23 See you at 2.30.

24 THE WITNESS: Thank you.

25 THE COURT USHER: All rise.

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1 (Recess taken at 12.51 p.m.)

2 (Upon resuming in open session at 2.32 p.m.)

3 THE COURT USHER: All rise.

4 Please be seated.

5 PRESIDING JUDGE TARFUSSER: Good afternoon. I think we have the last
6 session now.

7 I would give the floor to the Defence of Mr Blé Goudé again. I think it's Mr Zokou
8 who is going to question the witness, if I'm not mistaken.

9 MR KNOOPS: Yes, Mr President. Mr Zokou will pose the last set of questions to
10 the witness, Mr President. Thank you.

11 PRESIDING JUDGE TARFUSSER: Okay. Thank you very much.
12 The floor is yours.

13 MR ZOKOU: (Interpretation) Thank you, your Honour.

14 QUESTIONED BY MR ZOKOU: (Interpretation)

15 Q. Good afternoon, Witness.

16 A. Good afternoon.

17 Q. I am Zokou Seri, a member of Mr Blé Goudé's Defence team.

18 Now, following up upon the questions put by my colleague, Mr Knoops, I'd like to
19 ask you a few questions. I'd like us to hark back to one particular point, namely
20 your trip to Yamoussoukro. Now here you mentioned the fact that on 8 June 2006,
21 you travelled from Abidjan to Yamoussoukro; is that correct?

22 A. That is correct.

23 Q. Can you confirm that on that day a number of young people were at a
24 roadblock -- or, rather, at several roadblocks where you had been stopped?

25 A. That is correct, yes.

1 Q. Could you tell us whether the roadblocks had been set up upon the request of
2 Mr Charles Blé Goudé?

3 A. I couldn't say that, absolutely not.

4 Q. Thank you, sir. If we could now move on to another point. It has to do with
5 your participation at a meeting. But before we get to that point, this morning,
6 Mr Walker, when my learned colleague put a number of questions to you, Mr O'Shea,
7 you said that the COJEP and the Young Patriots were one and the same thing. Can
8 you confirm that?

9 A. That's my understanding, yes. That was my understanding, yes.

10 Q. Very well. Now, on 26 June 2006, you attended a lecture by the leader of the
11 Young Patriots movement; is that not so? Can you confirm that you were there?
12 And this was a meeting or a gathering that you mentioned this morning as well with
13 Mr Eugene Djué?

14 A. This is correct, yes.

15 Q. During this gathering, a number of leaders were present and were introduced
16 by Mr Eugene Djué. Now, you were in attendance at the meeting and can you tell us
17 whether the leaders who were at the meeting were introduced as members or leaders
18 of COJEP?

19 A. This would be something that I couldn't recall specifically other than they were
20 members of -- they were leaders of the youth movement. I mean, I can't, without
21 looking at notes, my notes or the transcripts, tell you exactly how they were
22 introduced. That information would be in the tape log, in that tape transcript.
23 MS PACK: Your Honour, just to correct also just the date that my friend indicated in
24 his question. I think unless the translation is wrong, it was the 26th that I think my
25 friend put and it should have been 22 June, just to make that clear.

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1 PRESIDING JUDGE TARFUSSER: (Microphone not activated)

2 THE WITNESS: Can we confirm which -- so, therefore, can we confirm which
3 meeting this was? Was it the -- are we talking about the daytime meeting?

4 MR ZOKOU: (Interpretation)

5 Q. I was mentioning 22 June 2006, the meeting at the maquis of Mr Djué, does that
6 ring a bell? I'll try to refresh your memory. And we will show one particular
7 passage from the video. CIV-OTP-0059-0003, timestamp or time code is
8 1 -- correction, 26.02 to 29.22.

9 MS PACK: Your Honours, perhaps before, there is a transcript perhaps that my
10 friend might want to refer to. I don't know whether that -- what passage is being
11 referred to, but just in case for the interpreters, in case it would be helpful, it's
12 0086-0732 if it's from that extract that my friend is going to be playing.

13 MR ZOKOU: (Interpretation) What I have here is CIV-OTP-000 -- allow me to
14 repeat, CIV-OTP-0086-0132, and as for the page number, 0737, line 163 to line 179.

15 MS PACK: I just wanted to -- just hopefully it will help just to correct that reference.
16 It was 0086 and it should be 0732, and that's item 14 on the list of material.

17 MR ZOKOU: (Interpretation) Very well.

18 PRESIDING JUDGE TARFUSSER: It's difficult to read numbers I see.

19 (Viewing of the video excerpt)

20 THE INTERPRETER: (Interpretation of the video excerpt) Alongside him because
21 you have a number of movements, the movements that you find here.

22 Message from the interpreters: There seems to be confusion regarding the line
23 numbers.

24 (Interpretation of the video excerpt) You have the GSP, you have the FPI, you have
25 the 1024. All of those groups are part of the National Front for Total Liberation.

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1 You call them the New Forces still. *And so in the Nouvelles Forces, you now find
2 [incomprehensible], the Mouvement de libération du grand centre, the MLGC; the
3 CNLB, which is the Comité national de libération de BOUAKÉ; the Front de libération
4 du Nord. Somebody talked about the Voix du Nord earlier, and let me point out that
5 the movement became the Front de libération du Nord a while back, headed up by
6 our friend FOFANA YOUSSEF. And then you have the Mouvement des radicaux
7 civilisés [applause]. It would seem that many already know each other, but we are
8 [incomprehensible]. Yes, and so we are all here today. I told you this is a solemn day.
9 Thank you to the press.

10 MR ZOKOU: (Interpretation)

11 Q. Mr Witness, you've just viewed this footage, which I believe should refresh your
12 memory. In light of this footage, now, the people who were present -- who were
13 introduced, rather, by Mr Eugene Djué, were those people introduced as members or
14 as leaders of the COJEP?

15 A. My recollection is they were leaders -- introduced as leaders from the Patriotic
16 Galaxy, which was COJEP was part of the Patriotic Galaxy. And these leaders were
17 leaders of other groups.

18 Q. I shall repeat my question to you. Amongst the people who were introduced
19 as leaders of the various movements, were any introduced as members or leaders of
20 the COJEP? It's just -- really, I just want a yes or a no from you. That's what I want
21 in way of a reply.

22 A. No. In my recollection.

23 Q. Thank you, Mr Witness. We are going to discuss one particular event, and I'm
24 going to have to go back to you and your objective when you went to Côte d'Ivoire.
25 And you mentioned here in the courtroom that your objective was to understand the

1 story of Charles Blé Goudé, his ideas, his education and so on; is that correct?

2 A. That is correct, yes.

3 Q. So that means whereas now what Mr Blé Goudé was saying to the media and what
4 he was doing, his activities must have necessarily been of interest to you during your
5 stay in Côte d'Ivoire or even afterwards because you were intending to make a
6 documentary; isn't that the case?

7 A. His statements before I went to Côte d'Ivoire, his statements during my time in
8 Côte d'Ivoire, correct.

9 Q. Thank you. So as part of your testimony here you have provided the OTP with a
10 number of speeches given by Mr Charles Blé Goudé, and you say that you filmed
11 them and you also took information from the RTI. And you were interested in the
12 story, so you took these various speeches from these sources; are we in agreement?

13 A. We are in agreement, yes.

14 Q. Did you watch the RTI during your stay a great deal? I believe that's what you
15 said, that you had watched the RTI quite a bit.

16 A. That would be correct.

17 Q. Very well. And during the investigations, you monitored Mr Blé Goudé quite
18 closely, but you also said that you were keeping a very close eye on the situation in
19 terms of the election and the audience foraine, the process for registration of voters?

20 A. That is correct, they're one and the same. The audience foraine was in preparation
21 for the election.

22 Q. I'd like to play some footage for you -- I beg your pardon. There is a technical
23 problem, but I think we will be able to deal with it in a few moments. Now, Witness,
24 I'll be showing you the footage a bit later because of this technical problem we're
25 having right now, but we will be harking back to this footage a little bit later. Thank

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1 you for your understanding. Now, let us discuss the events relating to the press.

2 And I do have some good news. So I will go back to the footage that I wanted to
3 show you, if you could look at this. Now, this is reference CIV-D25-0002-0008, time
4 code 05 to 00.52. Thank you for listening so carefully.

5 MS PACK: He has a transcript as well, in fact, that my learned friend might wish to
6 read out that's been provided.

7 MR ZOKOU: (Interpretation) This is CIV-D25-0002-0008 at page 0002, and this is a
8 public document.

9 MS PACK: Perhaps while they're waiting I can correct that transcript it was
10 0008-0002.

11 PRESIDING JUDGE TARFUSSER: I do not understand this. It seems very difficult
12 to read numbers.

13 (Viewing of the video excerpt)

14 THE INTERPRETER: (Interpretation of the video excerpt) The young people of
15 Côte d'Ivoire are calling out to the older people urgently, that is to say to the political
16 parties, the FPI, the RDR, the PDCI, the MFA, the PIT and all the other political
17 parties, the UDCPI and all the other political parties, they are calling upon them to
18 quickly organise a forum that will deal with this issue of the audiences foraines so
19 that they can agree upon a minimum so as to avoid our country becoming another
20 Rwanda.

21 MS PACK: Can we have a date on the record for that?

22 PRESIDING JUDGE TARFUSSER: You mean when it was taken? It was said I
23 think at the beginning, 26 July 2006. I read something like this. At the beginning of
24 the footage.

25 MR ZOKOU: (Interpretation) Yes, that is the case, 26 July, that date is known.

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1 PRESIDING JUDGE TARFUSSER: Please, please continue.

2 MR ZOKOU: (Interpretation) I may continue? Thank you very much, your
3 Honour.

4 Q. Now, Mr Walker, so you spent some time in Côte d'Ivoire. We won't really go
5 back to that particular point. Now, during your time in Côte d'Ivoire or afterwards,
6 did you have an opportunity to view what we just saw together, that particular
7 footage?

8 A. Excuse me. I think at some point I had seen that, yes.

9 Q. Very well. Thank you. So I was referring to the fact that you provided some
10 documents to the Prosecution. Why? Why is it that this particular footage was not
11 provided to the Prosecution? Why was it not mentioned in any of your accounts
12 about Mr Blé Goudé?

13 A. You are referring to the newspapers that I submitted?

14 Q. I'm referring, and we can look at the newspaper if you like, but yes, the
15 newspaper articles, the footage you shot, and you also, you also provided a number
16 of articles from the press. I think we understand one another.

17 A. The reasoning behind providing the newspapers and the footage that I didn't
18 shoot, the footage that I recorded from the local TV, RTI, would be to confirm my
19 experiences in the country at the time. Whilst the newspapers were -- could be
20 perceived as supportive of one side or the other, the newspapers I submitted, the
21 pictures represented my experience.

22 Q. I beg your pardon, Mr Witness. I'm sorry. Let's go one step at a time. Let's
23 just discuss the footage that we just saw which was broadcast on RTI, the RTI that you
24 were watching, and I believe you took some materials from that for your own
25 particular work. We agree on that point. So that is why I'm asking you this:

1 Under those conditions, why was it that this item was not included in the materials
2 you used or the materials that you handed over to the Prosecution?

3 A. That's very simple: They didn't reflect my experience or my experiences of the
4 day or the days where I attended Young Patriots meetings, when I attended the -- or
5 when I was president -- excuse me -- when I was present for the shutdown of Abidjan.
6 These -- this clip wasn't representative of what actually happened on those days.

7 Q. You have not said -- you have just said that this footage was not representative
8 of what happened on that day, which means that you know the substance of this
9 footage. And if so, what does it relate to?

10 A. It relates to a politician's message rather than the reality I experienced in Côte
11 d'Ivoire.

12 Q. Mr Witness, you are making an observation there, but that is not what I was
13 expecting. But we will move on. We are saying that you were actually aware of the
14 contents of this video footage. Now, let me ask you this question: Have you ever
15 heard of the Café Versailles agreements or accords?

16 A. I can't specifically say that I'm familiar with them. I have heard of -- I have
17 heard of those accords, correct.

18 Q. And based on what you know and on what you have seen, this appeal that was
19 made, what was the purpose?

20 A. The appeal of the -- we are discussing the appeal of the footage, correct?

21 Q. Yes, of the video footage and the fact that you were aware of the contents of this
22 event, the footage itself.

23 A. It's a summary of bringing -- the need to bring everyone together in supporting
24 the process.

25 Q. If I understand you correctly, you were aware of that statement appealing for

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1 calm following the crisis that had just taken place in Abidjan, that is a crisis relating to
2 the audience foraine; would you agree with me on that?

3 A. I would agree that I was aware of statements similar to those, not specifically
4 this one, but similar to those -- to this statement made by Mr Blé Goudé.

5 Q. Very well. Let us conclude on this particular issue. You mentioned the
6 Fraternité Matin newspaper as well as other newspapers that you handed over to the
7 Prosecutor, articles on Charles Blé Goudé and others. You did confirm that, didn't
8 you?

9 A. This is correct, yes.

10 Q. I'm going to show you one of the documents that you provided to the
11 Prosecutor and then we will talk about it. The document has to be displayed by the
12 technical service, and the reference is CIV-OTP-0058-0657.

13 Did the Registry receive my request?

14 THE COURT OFFICER: (Interpretation) Your Honour, the document as requested
15 by counsel is available on evidence 1.

16 MR ZOKOU: (Interpretation)

17 Q. Mr Witness, you can see that document on your screen. Can you simply
18 confirm the name of that newspaper?

19 A. Fraternité Matin.

20 Q. Thank you very much. That is indeed correct. You have good eyesight.

21 A. It's not that good. I need to clarify, I think there needs to be a clarification of
22 these -- why these documents were submitted.

23 Q. We are going to revert to that, but for the time being, I am going to proceed with
24 my questions.

25 I'm now going to show you an edition of the same newspaper talking about the same

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1 event during that period in Côte d'Ivoire and I am going to read out a few excerpts,
2 two excerpts from that.

3 Once again I turn to the Registry. It is CIV-D25-0008-0006. Thank you.

4 PRESIDING JUDGE TARFUSSER: Excuse me. We are not again making the trial
5 on the newspaper, I hope, because also yesterday I said the same thing to the
6 Prosecutor. We can't make a trial on the newspaper.

7 MR ZOKOU: (Interpretation) As far as we are concerned, that is obviously not the
8 case. When I get to the crux of the matter, you will realise that it really has nothing
9 to do with what you said yesterday. Thank you. Thank you.

10 Q. Mr Walker, during your stay in Côte d'Ivoire or subsequently, did you ever
11 come across this document which is displayed on your screen?

12 A. I don't believe so.

13 Q. It is a newspaper of 26 July. You were still in Côte d'Ivoire on that date?

14 A. That is correct, I was.

15 Q. And you would agree with me that at the front page of this newspaper, there is
16 Mr Charles Blé Goudé, who occupies practically three quarters of the front page of
17 that newspaper in relation to the activities that we have just talked about. Do you
18 agree that he's on the front page of that newspaper?

19 MS PACK: Your Honour, I just don't know what -- what questioning can be put
20 now about this newspaper. I mean, he can say that he can look at the picture and
21 what have you, but he already said he didn't see this before, so there is no further --

22 PRESIDING JUDGE TARFUSSER: We will see. I'm very your curious as well, yes,
23 because as I said before, I just can repeat myself, but I'm very curious to hear the
24 question.

25 THE INTERPRETER: Correction from the interpreter: The newspaper was actually

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1 dated 28 July.

2 MR ZOKOU: (Interpretation) Thank you.

3 Q. Mr Witness, you do confirm that you never saw this newspaper or knew about
4 it; is that your testimony?

5 A. It's possible I saw it. It's possible I saw every single newspaper in the next
6 couple of days, but let's just say, let's just say no. It's nothing that -- it wouldn't have
7 been of relevance to me because --

8 Q. Okay.

9 A. I can explain later but --

10 MS PACK: Can he explain.

11 PRESIDING JUDGE TARFUSSER: You can explain, you can explain why.

12 THE WITNESS: Yeah, I can explain why.

13 MR ZOKOU: (Interpretation) Let me complete my question and then he will
14 explain.

15 PRESIDING JUDGE TARFUSSER: Excuse me. He said he can explain.

16 Please explain why it doesn't come to your mind.

17 THE WITNESS: Well, I think there's been some misunderstanding about why
18 certain newspapers were submitted by myself. They weren't submitted through a
19 choice of newspaper that was favoured to one side or the other. They simply were a
20 confirmation of dates and events that I witnessed. So when I -- and I -- from my
21 recollection, I didn't use these newspapers in my finished film.

22 The reason I have many newspapers, and it's quite possible I have this newspaper at
23 home, I collected all newspapers. The ones I submitted were to collaborate the dates
24 where I was where I said I was and they reflected very simply what happened.

25 There is a picture on one of them I submitted and it says "Abidjan paralysed." I was

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1 in Abidjan. It was paralysed.

2 There is a quote from another one that says, N'Guessan says "We need to stop mobile
3 courts." We all know the quote. That was a part of my experience and the reason I
4 went to Young Patriot meetings, because they were discussing those comments.

5 The papers were -- they're not relevant to my film. They're there as a simple
6 documentation, collaboration, corroboration, excuse me, of the dates that I -- and the
7 events that I witnessed.

8 PRESIDING JUDGE TARFUSSER: Okay. Thank you.

9 Please go ahead.

10 MR ZOKOU: (Interpretation)

11 Q. Following that explanation that you have just given to us, can you confirm that
12 in the selection of newspapers that you handed over to the Prosecutor, they included
13 24 heures, Le Patriote, Le Front and many of the newspapers that you recognized this
14 morning when counsel was questioning you as newspapers that were pro-Ouattara;
15 can you confirm that?

16 A. If those were submitted to the OTP, then they are from me and I submitted them.
17 It's of course.

18 Now, the other thing to consider is, as we discussed before, I don't read French
19 fluently, so I'm not entirely sure that I would know what way a certain paper goes or
20 doesn't go. I'm just looking at the pictures and the headings.

21 Q. Thank you. But let me bring you back to a statement that you made, page 10,
22 line 22 and page 11, line 19 of the transcription of today. On page 11, line 3, there
23 was a question put to you about the patriot and other newspapers that -- whether
24 they were considered as pro-Ouattara. And you said yes. That was your answer.
25 Do you confirm that testimony?

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1 MS PACK: Your Honour, you do specifically state in your directions to avoid
2 repetition. And I think when a question has been asked and answered, then it
3 probably shouldn't be asked and then answered again in the next session.

4 PRESIDING JUDGE TARFUSSER: Please go ahead but, I mean, this question was
5 already posed, was already answered. We are repeating ourselves.

6 THE WITNESS: I'm happy to confirm that. There's many newspapers. The ones
7 that were named were three.

8 MR ZOKOU: (Interpretation)

9 Q. Very well. Now, I would like to ask you were there other newspapers,
10 especially a pro-Gbagbo newspapers that you did not hand over, in any case, in other
11 words, did you do a selection or not?

12 A. The selection I made was purely to, as I've said, the selection I made was purely
13 to corroborate the things that I witnessed and were in my events that were in my film.

14 Q. Thank you, Mr Witness. Mr Walker, you are a journalist. We agree on that,
15 right?

16 PRESIDING JUDGE TARFUSSER: But this cannot be a question. He should say
17 yes? You're a journalist, full stop.

18 MR ZOKOU: (Interpretation)

19 Q. It is because when you're a journalist there are certain secret principles
20 applicable to the profession. As a journalist, do you understand that impartiality,
21 objectivity, neutrality and balance of information are fundamental principles in the
22 profession of journalism?

23 A. I'm aware of these concepts, yes. When it comes to facts, I'm not objective.

24 Q. Thank you, indeed.

25 We are going to conclude with this, and I'll read out a statement to you. But before

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1 that, I've spoken about objectivity, neutrality. Now, in light of your activities in Côte
2 d'Ivoire and your work with Mr Charles Blé Goudé as well as the importance that you
3 attached to that mission, do you believe that you conducted yourself as an honest,
4 neutral and impartial journalist?

5 PRESIDING JUDGE TARFUSSER: Please do not respond to this question. It's an
6 opinion. You're asking an opinion.

7 Please, go ahead.

8 MR ZOKOU: (Interpretation) Thank you. But I thought that at some point we
9 could solicit the witness' opinion.

10 Q. I will end, Mr Witness, by reading out to you paragraph 16 of your statement to
11 the Prosecutor. It is CIV-OTP-0063-0892. And you state as follows:

12 "Now that Blé Goudé and Laurent Gbagbo have been charged, this story" that is what
13 you did "this story is interesting again, and I'm beginning to believe that my work
14 was more relevant than I thought it was."

15 Do you confirm having made that statement?

16 A. Absolutely, yes.

17 Q. Thank you, Mr Walker. And I wish you a safe trip back home, that is if others
18 don't ask you any further questions.

19 PRESIDING JUDGE TARFUSSER: Now the floor is to the Prosecutor if there is some
20 question. Is there a questioning asked?

21 MS PACK: Nothing arising, thank you.

22 PRESIDING JUDGE TARFUSSER: Thank you very much.

23 So obviously there is also no further questions by the Defence because it was the last
24 one to have the floor.

25 So Mr Walker, I thank you very much for having been here to give your testimony,

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1 for your patience, for your time. Have a safe trip back wherever you go. And
2 thank you very much.

3 And I will now ask the court usher to accompany the witness outside.

4 And then we have just one housekeeping thing to --

5 THE WITNESS: Thank you.

6 PRESIDING JUDGE TARFUSSER: -- to discuss. Thank you.

7 (This witness is excused)

8 PRESIDING JUDGE TARFUSSER: Let me just say that from your questioning, and I
9 obviously refer to all three of the Defence, from your questioning I understand that
10 while studying the new directives and the conduct of proceedings, you skipped
11 paragraphs 22, 23, 27, 28 and 29. So I just would ask you to maybe look at them for
12 the next time.

13 This said, this was a very short week. The week is over because we ran out of
14 witnesses.

15 We received just now -- yesterday a courtesy copy and just now a few, a couple of
16 hours ago, the notification on Witness 48, which should have been the next, but still
17 can't be the next because of personal reasons. We don't go further into it because
18 we're in open session.

19 That means that we only some times today we should, if you don't know something
20 better at this point in time already about witnesses 97 and 520, do you know if 97
21 is -- if 97 comes on Monday?

22 MS PACK: It would be a week on Monday, wouldn't it, because there's a week's
23 break, yes.

24 PRESIDING JUDGE TARFUSSER: Well, Monday 6th, yes.

25 MS PACK: Yes.

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1 PRESIDING JUDGE TARFUSSER: Yes.

2 MS PACK: I'm afraid I'm not fully up to speed on what the emails have been,
3 exchangings I've been -- whilst I've been in court I'm afraid, your Honour. My
4 understanding is a week on Monday I had thought that the witness is available, but I
5 wouldn't want to necessarily confirm that. Mr MacDonald is in the building and
6 could certainly come down and update you or update the parties by email later, but
7 I'm afraid I haven't been fully following that while I've been in here I'm afraid.

8 PRESIDING JUDGE TARFUSSER: Okay. So let's say that we will have obviously
9 P-97 as next witness, and immediately following after P-520, which is video link
10 witness, and we'll see how to further proceed as to Witness 48. But obviously
11 Witness 48 can come only after the 27th because of the reasons of the suspension and
12 et cetera. But I think we should -- by now, we have on Friday the status conference,
13 so probably we'll have the exchange on TC1 account, but then we have, say, the
14 solution for sure on Friday latest. Is that okay?
15 If there are no other issues to be discussed, I will adjourn the hearing to Monday
16 tentatively with Witness P-97 and then on Friday, of course, with the status
17 conference. Thank you.

18 THE COURT USHER: All rise.

19 (The hearing ends in open session at 3.29 p.m.)