

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 International Criminal Court
2 Trial Chamber I
3 Situation: Republic of Côte d'Ivoire
4 In the case of The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé
5 ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera Carbuccion and
7 Judge Geoffrey Henderson
8 Trial Hearing - Courtroom 1
9 Wednesday, 12 July 2017
10 (The hearing starts in open session at 9.22 a.m.)
11 THE COURT USHER: [9:23:00] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:23:20] Good morning. Good morning to
15 everybody.
16 Good morning also to the witness, Mr Rhodes
17 WITNESS: CIV-OTP-P-0087
18 THE WITNESS: [9:23:42] Good morning.
19 PRESIDING JUDGE TARFUSSER: [9:23:45] Before starting the questioning by the
20 parties, we have some preliminaries to do. First of all, your complete identification.
21 Therefore, I ask you to give us your full name and date, place of birth, nationality and
22 all what is needed to identify you completely. Thank you.
23 THE WITNESS: [9:24:09] Okay. My name is Seyi Rhodes. I was born on 8th of the
24 10th, '78 in London. I'm a journalist. I live in London. I currently work from there.
25 I was working for Channel 4 at the time that we're going to be discussing.

1 PRESIDING JUDGE TARFUSSER: [9:24:23] And you are a British citizen?

2 THE WITNESS: [9:24:25] I am a British citizen, yeah.

3 PRESIDING JUDGE TARFUSSER: [9:24:28] So you worked at the time in 2009, 2010,
4 2011 as a journalist and you still work as a journalist for the same company?

5 THE WITNESS: [9:24:40] Pretty much, yeah.

6 PRESIDING JUDGE TARFUSSER: [9:24:41] Okay. So, Mr Rhodes, I hear you speak
7 quite quickly. Therefore, I would ask you to slow down because we have
8 interpretation and it is needed. This is a trial which is conducted in two languages
9 simultaneously, French and English and, therefore, we have interpreters, we have
10 court reporters, we have a double record of the case and, therefore, there is a need to
11 speak slow. If at a certain point in time, of course, you forget, I will make you a sign,
12 just slow down.

13 THE WITNESS: [9:25:32] Okay.

14 PRESIDING JUDGE TARFUSSER: [9:25:32] This Chamber, you are obviously aware,
15 has been established to try the case of the Prosecutor against Mr Gbagbo and
16 Mr Blé Goudé. And you are a witness called by the Prosecutor to this case. A
17 witness in front of the Court has to say the truth. Now, it doesn't matter if it is called
18 by one or the other party, but the only obligation is the truth. And to this effect I
19 would like, I would ask you to read the formula you have in front of you.

20 THE WITNESS: [9:26:09] I solemnly declare that I will speak the truth, the whole
21 truth and nothing but the truth.

22 PRESIDING JUDGE TARFUSSER: [9:26:14] Thank you very much. Obviously,
23 otherwise I inform you that giving false testimony is an offence against the Court.

24 If at any point in time you have an issue to raise with the Chamber, if you are tired, if
25 you want a break, whatever, just raise it with the Chamber and we will try to address

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 it.

2 And now if you are ready, I give the floor to the Office of the Prosecutor first and
3 followed by the two Defence teams for Mr Gbagbo and Mr Blé Goudé.

4 THE WITNESS: [9:26:50] Okay. Thank you. I'm ready.

5 PRESIDING JUDGE TARFUSSER: [9:26:52] Thank you very much.

6 Mr Demirdjian, yours the floor.

7 MR DEMIRDJIAN: [9:26:54] Thank you, Mr President. Good morning, your
8 Honours.

9 QUESTIONED BY MR DEMIRDJIAN:

10 Q. [9:27:00] And good morning to you, Mr Rhodes.

11 A. [9:27:02] Good morning.

12 Q. [9:27:02] We briefly introduced ourselves yesterday, but for the record my name
13 is Alex Demirdjian, and I will ask you a few questions for the Prosecution.

14 Very, very briefly I would like to canvass your background before we go to the events.

15 Is it true that you have graduated with a Bachelor of Arts in politics and sociology?

16 A. [9:27:20] That's correct, yes.

17 Q. [9:27:23] I'm pausing for the interpretation.

18 Okay. And which year was that in?

19 A. [9:27:31] I believe I graduated in 2001.

20 Q. [9:27:36] University of West England in Bristol?

21 A. [9:27:40] That's right, yes.

22 Q. [9:27:41] Okay. With respect to your professional experience, you started out
23 to work for a BBC programme called "Watchdog"?

24 A. [9:27:49] That's correct.

25 Q. [9:27:49] And this was in the consumers affairs department. Okay. This was

1 2002-2003. And I believe you also worked then on documentaries on teenage gangs
2 in London both for BBC and Channel 4?

3 A. [9:28:03] Yes, I did, yeah.

4 Q. [9:28:04] Okay. Now, you did also work in Nigeria for a travel series. You
5 also mentioned you travelled across West Africa; is that right?

6 A. [9:28:14] Yes, that's correct. I travelled really just for my own personal
7 experience. I have family in Nigeria, and it fitted and it was something that I
8 thought would be relevant to my future profession.

9 Q. [9:28:29] Very well. So since 2008 now you've been working as a freelance
10 journalist for Quicksilver Media --

11 A. [9:28:35] That's correct.

12 Q. [9:28:35] -- as part of the "Unreported World" series. Just tell us briefly, what is
13 the focus of "Unreported World"?

14 A. [9:28:41] So the aim of "Unreported World" as a series is to do what the name
15 says on the tin, in many ways is to try and report stories that don't get reported.
16 Obviously, to clarify, unreported in our context means stories that haven't been
17 necessarily reported widely in the UK on television. So there are stories that we
18 cover that maybe have been in the newspapers in the UK and certainly they've
19 received some coverage outside, but the UK audience is notoriously not particularly
20 involved with international affairs. And so it's our job to try and introduce them
21 sometimes to the very context of a country existing and explaining also what is going
22 on in that country.

23 Q. [9:29:27] Okay. Now, what is your role within, well, within the production of
24 "Unreported World" series?

25 A. [9:29:39] I'm a reporter on the series. The series is relatively unique in that we

1 have a very small team of people who are actually sent out on the ground. So it's
2 myself and a producer/director, in this case it was Alex Nott. And the two of us are
3 sent as the only representatives from England to go and make a documentary.
4 As a result my role is kind of twofold. I'm partly the onscreen presenter and I'm also,
5 I suppose, a kind of an assistant producer. While my cameraman or while my
6 producer/director is looking down the camera and focusing on the images and trying
7 to make sure that the story is being told fully, I'm the person who is out there on the
8 ground almost, I suppose, his agent who is making things happen, who is asking
9 questions, who is bringing people in to get involved in discussions and who is at
10 times having to lead the editorial line of what it is we're doing.

11 Q. [9:30:39] Okay. And perhaps one last question on your experience. Can you
12 tell us which stories or which countries or which conflicts you've covered through the
13 series of "Unreported World"?

14 A. [9:30:54] Wow.

15 Q. [9:30:55] A few examples perhaps.

16 A. [9:30:57] A few examples. I mean, I've been all over Africa from Zimbabwe,
17 Central African Republic twice actually, Senegal twice. I've reported from Nigeria as
18 well. And that's just in Africa. I've also covered various Central and South
19 American countries, Brazil, Bolivia, Guatemala. I was recently in South Korea. I
20 can pop up anywhere in the world to be honest.

21 Q. [9:31:21] Thank you. So I'd like to come to the year 2011 where I believe you
22 travelled to Ivory Coast.

23 A. Mm-mm.

24 Q. First --

25 PRESIDING JUDGE TARFUSSER: [9:31:29] Mm-mm is yes, please.

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 THE WITNESS: [9:31:32] Yes. Sorry.

2 PRESIDING JUDGE TARFUSSER: [9:31:33] No, because it has to go on the record.

3 Thank you.

4 MR DEMIRDJIAN: [9:31:36]

5 Q. [9:31:37] So tell us a little bit how do you come about to covering a story in Ivory
6 Coast in 2011?

7 A. [9:31:43] We initially were contracted to make a half hour documentary for
8 "Unreported World," and the most interesting issue at the time that wasn't being
9 widely reported when we were first contracted seemed to be the revolution that was
10 taking place in Libya.

11 We researched that story, and it quickly became apparent over a week or so that this
12 was becoming a big story that every news agency in the world was looking to send
13 people there, and it stopped meeting the remit of what "Unreported World" does.

14 PRESIDING JUDGE TARFUSSER: [9:32:18] Just please slow down a little bit,
15 because already there is fire in the booth.

16 THE WITNESS: [9:32:25] Okay. I'm sorry. Sorry, guys.

17 Sorry. Good. Sorry, where was I?

18 MR DEMIRDJIAN: [9:32:35]

19 Q. [9:32:36] You were saying that --

20 A. [9:32:36] The story in Libya.

21 Q. [9:32:38] Yes.

22 A. [9:32:38] The story in Libya no longer matched the remit of "Unreported World."
23 It appeared to be a well-reported story.

24 PRESIDING JUDGE TARFUSSER: [9:32:50] Put the microphone a little bit closer.

25 THE WITNESS: [9:32:53] Closer? Okay. I'll lean forward. Is that better? Good,

1 okay.

2 MR DEMIRDJIAN: [9:32:59]

3 Q. [9:32:59] If it helps, you can also bring it a little bit closer to you so you don't
4 have to constantly lean. Make yourself comfortable.

5 A. [9:33:08] I'll attempt to lower my chair, and then I can pull myself in. Thank
6 you.

7 Q. Thanks for that.

8 A. Hopefully that's better for everybody. Sorry, guys.

9 So the story in Libya quickly became very well reported. It was apparent that if we
10 went there, there were going to be a lot of news agencies, and the documentary that
11 we eventually made would be pretty repetitive compared to the other things that
12 were being broadcast in current affairs at the time. So we started looking around for
13 other stories. And the situation in Ivory Coast quickly kind of grabbed our attention.

14 Q. [9:33:41] Okay. So you mentioned a moment ago Alex Nott?

15 A. [9:33:45] Yes.

16 Q. [9:33:45] Can you tell us how do you come about to working together on this
17 story?

18 A. [9:33:52] The team at Quicksilver Media pair a reporter with a producer/director
19 often before a story is chosen. They choose us, I don't know exactly why and how, a
20 certain amount of mystery in that. But they pair people up who they think will work
21 effectively together to make an interesting documentary.

22 Q. [9:34:14] Tell us a little bit about your preparation. Before going to Ivory Coast,
23 how much time did you have and how did you prepare yourself for your story?

24 A. [9:34:23] We had just under two weeks to prepare for the story. The vast
25 majority of my research involved obviously reading a bit about the history of the

1 country, reading some of the reports that were being written at the time from
2 journalists who were based there or who had gone out there to cover the issue. And
3 the vast majority of the time I spent speaking on the phone with other journalists,
4 people who had been there or people who were based there at the time.

5 Q. [9:34:53] Okay. Did you also contact Ivorian journalists?

6 A. [9:34:59] Yes. I spoke to numerous Ivorian journalists. Alex doesn't speak
7 French, so in our research we divided the research so that ultimately I spoke to most
8 of the French speakers and he spoke to most of the English speakers.

9 Q. [9:35:15] Okay. Now, just very briefly perhaps, before you go down to Abidjan,
10 what do you learn about the conflict in Ivory Coast?

11 A. [9:35:26] It quickly became apparent that the conflict was fluid, that the situation
12 was changing very quickly. I could speak to somebody one day and then call the
13 very same person two days later and they would say different things.

14 It was apparent that operating on the ground as a foreign journalist was going to be
15 difficult. I don't think we realised how difficult. We were told quite clearly that it
16 was increasingly difficult to operate as a foreign journalist.

17 And ultimately I think our biggest focus or certainly my focus at the time was on the
18 humanitarian situation. We had -- the conflict hadn't yet developed in Abidjan, and
19 so you had a situation where a lot of people were living a very difficult life. There
20 were cholera outbreaks. There was a shortage of water. There was difficulty
21 moving around. And I was interested to try and document that humanitarian
22 situation to show people what a country was -- a country in crisis looked like.

23 Q. [9:36:31] Okay. Did you learn anything about the main figures, political or
24 civilian figures in the country?

25 A. [9:36:40] Laurent Gbagbo obviously was the figure who dominated most of my

1 research in that he was still president at the time, and obviously there was a lot of
2 conflict over the fact that the United Nations and various people felt that he had lost
3 the election and should stand down, and he wasn't doing so. So he was the main
4 character who jumped out.

5 Charles Blé Goudé didn't really come into my consciousness until I actually arrived in
6 Ivory Coast. I may have read his name, but in passing.

7 Q. [9:37:13] Now, you mentioned a moment ago that the United Nations and
8 various people felt that he had lost the election?

9 A. [9:37:20] Mm-mm.

10 Q. [9:37:21] Were you familiar with a meeting of the Africa Union before you
11 travelled to Abidjan? Can you tell us about that?

12 A. [9:37:26] Yes. That was a crucial part of my understanding of the situation.
13 The reports seemed varied. There were conflicting reports. Lots of people had
14 different opinions. The United Nations seemed to know where they were coming
15 from and international organisations seemed to all be on the same page.

16 Seeing that the African Union --

17 PRESIDING JUDGE TARFUSSER: [9:37:47] Slow down.

18 THE WITNESS: [9:37:50] The international organisations all seemed to agree, they
19 all seemed to say the same thing. But seeing that the Africa Union also said the same
20 thing the United Nations was saying, they felt that Laurent Gbagbo should step down,
21 that it would be better for the country. I believe in the communiqué I read they
22 didn't make a judgment about who had won, but they made it clear at this stage it
23 would be better if Laurent Gbagbo steps down and the process moved forward.

24 On reading that, I think I came to the conclusion that there was a consensus.

25 MR DEMIRDJIAN:

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 Q. [9:38:26] Very well. Now, you told us that the purpose of your trip was to
2 cover the humanitarian aspect. So was that the purpose of the documentary that you
3 would be producing for "Unreported World"?

4 A. [9:38:43] Yes. Ultimately we, and this is a big part of our job, we tried to
5 anticipate what was happening over the next few months. It takes maybe a month to
6 six weeks to film and edit our documentary. That's probably the quickest that we
7 can go. So you have to anticipate what might be happening in six weeks' time.
8 At that point we felt that in six weeks' time to two months' time people would be
9 interested to know how this situation that they were now hearing about in Ivory
10 Coast had developed, and we wanted to be able to make a documentary that would
11 illustrate that, that would show how the country progressed over a few weeks and
12 would hopefully explain to people how it got to the stage that it is now in the news.
13 We anticipated that by the end of the year there would likely be a violent conflict of
14 some sort.

15 Q. [9:39:35] Okay. So when do you arrive in Abidjan?

16 A. [9:39:40] I don't have the exact date on me, I'm afraid, but it was, yeah, around
17 March.

18 Q. [9:39:45] Okay. In your statement which is --

19 THE COURT OFFICER: [9:39:49] Make a pause between questions and answers,
20 please. Thank you.

21 MR DEMIRDJIAN: [9:39:53]

22 Q. [9:39:53] Yes. In your statement, which we have here as CIV-OTP-0011-0201, at
23 paragraph 29, you indicate you flew out for Abidjan the 17th of March. Does that
24 refresh your memory?

25 A. [9:40:15] That makes sense, yes.

1 Q. [9:40:16] Okay. Now, when you arrive in Abidjan, are you in touch with
2 someone on the ground there?

3 A. [9:40:21] Yes. We employed a local fixer, also known as a local producer.
4 They would act as a translator on the ground and as a journalist and fixer who had
5 good contacts in the media would be able to put us in touch with the kinds of people
6 who we needed to meet.

7 Q. [9:40:43] Okay. And can you give us the name of this fixer?

8 A. [9:40:47] Do I have to?

9 Q. [9:40:49] It is okay to say it in public, yes.

10 A. [9:40:51] His name was Alexis Konan.

11 Q. [9:40:57] And once you arrive in Abidjan, are you still in contact with
12 Quicksilver Media, your office in London?

13 A. [9:41:06] Yes. Because we were being sent to a relatively dangerous situation,
14 we knew that before we even left, the procedure was I believe that we were going to
15 check in with the office twice a day, once in the morning, once in the evening. Every
16 production team is given a schedule of that sort. And it's ranked according to how
17 dangerous the place you are going is, two, three, four check-ins a day aren't
18 uncommon.

19 We were I believe when we first went on a two check-in schedule and that increased
20 over time.

21 Q. [9:41:43] Okay. And when you called Quicksilver Media, who did you speak
22 to?

23 A. [9:41:49] The majority of the time we spoke to George Waldrum, who was our
24 series producer, our immediate line manager.

25 Q. [9:42:00] Okay. And were these calls recorded somewhere?

1 MS NAOURI: [9:42:07] Pardon.

2 (Interpretation) I beg your pardon, your Honour. There are numerous messages
3 regarding the speed of the speakers, saying that the court reporters are not able to
4 record the debate. Could the speakers please be so kind as to make a pause, because
5 otherwise the transcript is not usable.

6 PRESIDING JUDGE TARFUSSER: [9:42:33] Well, more than saying it, I can't. I say
7 it continuously.

8 THE WITNESS: [9:42:39] I'll do my best. I'm very sorry.

9 PRESIDING JUDGE TARFUSSER: [9:42:41] Okay.

10 MR DEMIRDJIAN: [9:42:42] I'm part of the problem, too.

11 PRESIDING JUDGE TARFUSSER: [9:42:45] Yes.

12 MR DEMIRDJIAN: [9:42:45] Yes.

13 PRESIDING JUDGE TARFUSSER: [9:42:46] But just if you wait to respond for a few
14 seconds and then respond, because otherwise they have to -- you know, they overlap,
15 they hear overlapping speakers and they miss much of it. Please.

16 MR DEMIRDJIAN: [9:43:03] I should know better, your Honours. Yes.

17 PRESIDING JUDGE TARFUSSER: [9:43:06] Please. You should be more used to.

18 MR DEMIRDJIAN: [9:43:11]

19 Q. [9:43:12] So where was I? Yes. Could you tell us whether these calls were
20 recorded somewhere, the calls to George Waldrum?

21 A. [9:43:21] Yes. Every team has what we call a daily log. Every call that we
22 make to the office is recorded in the daily log.

23 Q. [9:43:34] Very well. Now, once you arrive on 17 March, how do you decide
24 what you are going to film and where to go?

25 A. [9:43:47] That's a brilliant question. The most pressing thing that we have to

1 deal with on the ground is availability. Not everybody is available to speak to us
2 when we want to speak to them, and not everybody is necessarily doing something
3 that we can film when we want to speak to them.

4 For instance, when filming with an NGO who are delivering aid to people in a
5 difficult situation, you really want to film with them while they're delivering that aid.
6 If they're having a meeting, it's less interesting to film.

7 So on the whole, our decisions are made by what's available. We have some
8 priorities. Obviously we want to look at the humanitarian situation. So looking at
9 the work of NGOs, looking at the work of churches and different people who were
10 helping at the time was going to be crucial. But finding somebody who was
11 available to speak to us and doing something that we could film was our main
12 priority in the early days.

13 PRESIDING JUDGE TARFUSSER: [9:45:01] Can I make just a question. Who was
14 the leader of the team? Who decided ultimately where to go? If you and Mr Nott
15 were not in agreement, who took the decision?

16 THE WITNESS: [9:45:21] It can be hard to try and explain. But we're a team of two.
17 If perhaps we're a team of three, there might be more need for hierarchy. In a team
18 of two, really, decisions are made very collaboratively.

19 As I've indicated, sometimes availability of an interviewee or a filming situation was
20 our main concern. And so there weren't really a huge number of disagreements.
21 It's not like we had a number of options in front of us most days. So we woke up, we
22 looked at what was available and we did what was available.

23 Discussions in which we both had a different opinion as to what should be done were
24 pretty easily dealt with in terms of if he wanted to do A, we were going to do A at
25 some stage. And if I wanted to do B, we would get that done, too. It was all about,

1 as I keep saying, availability and what could be done at any particular moment.

2 PRESIDING JUDGE TARFUSSER: [9:46:18] Okay. Thank you.

3 MR DEMIRDJIAN: [9:46:22]

4 Q. [9:46:23] Very well. And now in terms of availability, can you tell us
5 throughout your trip, just as a general overview before we get to specifics, who did
6 you end up speaking to and which locations did you visit?

7 A. [9:46:41] So in those first few days we focused on NGOs. We visited a number
8 of different people who we spoke to. Mostly we didn't have the opportunity to film
9 with as many I think in the first few days as we would have liked on the list of the
10 people like UNICEF and various agencies who were operating on the ground at the
11 time.

12 Q. [9:47:10] So if we go perhaps chronologically, the first day you arrive on the 17th
13 according to your statement. The next day, and I will not deal with it in detail, but I
14 believe you visit the UNHCR?

15 A. [9:47:25] Yes.

16 Q. [9:47:25] So like I said, I'm going to skip over that day. On the third day, on the
17 19th, do you remember where you went?

18 A. [9:47:32] I don't. Can you remind me?

19 Q. [9:47:34] Certainly. So would it also assist you if we take a look at the daily
20 log?

21 A. [9:47:39] Yeah, that would help.

22 Q. [9:47:40] Yeah? Okay. If we can call up --

23 MS NAOURI: [9:47:43] (Interpretation) I beg your pardon. I think if we were to
24 show the witness the daily log to refresh his memory, that could also provide
25 substantive information. Could you kindly not refresh his memory by showing him

1 the daily log and not display it on the screen.

2 MR DEMIRDJIAN: [9:48:19] Let me see, your Honours, so the objection is to simply
3 refresh the witness's memory by telling him what's in it without showing it to him?
4 That's perfectly fine.

5 Q. [9:48:34] So on 19 March, it indicates that, let me just quickly look here, you
6 spoke to UNICEF. And this is on page 0021-0869. I'm sorry, I think -- just a second.

7 MS NAOURI: [9:48:55] (Interpretation) Your Honour, the objection was not
8 entirely that. I think it would be more appropriate to ask the witness what he was
9 doing and on what date he was doing it. But if counsel says "You wrote in the daily
10 log this or that," you are basically telling the witness what he did and indirectly
11 testifying on --

12 MR DEMIRDJIAN: [9:49:21] Your Honours, I'll make it much simpler.

13 Q. [9:49:21] At paragraph 44 of your statement, it indicates that on 19 March you
14 went to UNICEF office.

15 A. [9:49:26] Yes, that's correct.

16 Q. [9:49:27] Do you recall that?

17 Okay. Let's start from there. Can you tell us what you did there?

18 A. [9:49:32] I believe at the UNICEF office there were a number of Liberian
19 refugees who had sought refuge there. Is that the correct place? Am I getting
20 mixed up there? The images I have were of -- are of, you know, a large number of
21 refugees in the car park area. And they all told me stories of how they came to be
22 there.

23 Q. [9:49:59] Okay. Now, later that day on 19 March, did you go to a rally?

24 A. [9:50:06] Yes, we did.

25 Q. [9:50:13] Can you tell us how do you come about to learn about this rally?

1 A. [9:50:21] Through our fixer, Alexis, we heard that there was going to be a rally
2 taking place, and it was suggested to us that we may be able to get access to go and
3 film it. We spoke to a few other foreign journalists who were staying in the same
4 hotel as us. It became apparent that not many of them were going. So there was, I
5 believe we took some hours to arrange, to make security arrangements and so on to
6 be sure that we were doing something sensible. But it seemed like a good
7 opportunity to try and illustrate what was happening in the country at the time.

8 Q. [9:50:59] In your exchanges with Alexis, in which language did you express
9 yourself?

10 A. [9:51:10] It varied. It varied a lot. Alexis's English improved over the time
11 that we spent with him, as did my French. But initially I think that it was easier if I
12 discussed things with him in French and translated to Alex.

13 MR ALTIT: [9:51:31] Pardon.

14 PRESIDING JUDGE TARFUSSER: [9:51:34] Maître Altit.

15 MR ALTIT: (Interpretation) [9:51:36] Yes, thank you, your Honour. I apologise,
16 but just to say that we are having a problem with the transcript. The French
17 transcript is only partial in nature. And every 10 or 12 lines we see a message from
18 the French court sténotypiste saying that they cannot transcribe everything. So just
19 to warn the Chamber about this problem. And we really don't know quite what to
20 do.

21 MR DEMIRDJIAN: [9:52:14] I can try to go even slower.

22 PRESIDING JUDGE TARFUSSER: [9:52:15] Yes. But now I think we are slow in
23 the last five minutes at least, I think we have slowed down quite a lot. I don't know
24 what the problem is now.

25 MR DEMIRDJIAN: [9:52:31] I'll try to go even slower if that assists.

1 PRESIDING JUDGE TARFUSSER: [9:52:34] Well, even slower, I mean ... please go
2 ahead.

3 MR DEMIRDJIAN: [9:52:40] Thank you, Mr President.

4 Q. [9:52:43] Okay. Mr Rhodes, could you tell us perhaps the level of your French
5 at the time?

6 A. [9:52:48] That's a very difficult question to answer. I find to this day -- I mean,
7 okay, I should stop by pointing out my partner is French. We have two children
8 together now. My mother speaks French fluently. And I grew up, she worked in
9 the air lines, so I grew up around French speaking air hostesses and so on whenever
10 we travelled.

11 French is my second language. But I'm an English person. And my need to speak a
12 second language is limited in most cases. Most countries I go to I can express myself
13 in my first language. As such, I am less confident in French. But when I absolutely
14 need to, it serves me well.

15 Q. [9:53:37] You could hold up a conversation in French?

16 A. [9:53:47] Yes, just about.

17 Q. [9:53:49] Okay. You mentioned a moment ago that before reaching Abidjan,
18 you had learned that it would be difficult for foreign journalists in Ivory Coast.
19 What did you learn about the reactions of the local population exactly with respect to
20 foreign journalists?

21 A. [9:54:11] The foreign journalists I spoke to made it very clear to me that
22 operating on the ground as a white person, particularly with a camera of any sort, still
23 or video camera, would attract a huge amount of hostile attention.
24 Photographers described being unable to take photos because they were surrounded
25 by people shouting and pointing. Others described having equipment stolen or

1 destroyed. It was difficult. It was clearly a difficult situation.

2 Q. [9:54:55] And did you come to learn why there was this hostile attention?

3 A. [9:55:07] Yes. It was explained to me that the announcement of the election in
4 the Ivory Coast had been controversial, that a journalist from France 24 had
5 announced the result of the election before the official announcement. I assumed
6 that that was to do with polling, that they had done some polls of their own, and they
7 were confident in what the result would be.

8 The Ivorian people as I understood it took exception to that. They didn't like the
9 idea of a journalist, in particular a French journalist, calling their election. And they
10 saw it and it was being widely reported, whether that be in actual newspapers or just
11 on social media amongst individuals, it was being widely reported that this was
12 evidence of corruption on behalf -- on the part of the French and the United Nations.

13 Q. [9:56:09] Very well. So moving back to the rally on 19 March, so you learned
14 about this rally through your fixer.

15 A. [9:56:19] Yes.

16 Q. [9:56:21] So what does he tell -- does he tell you anything about what's expected
17 of this rally? What could you expect to film once you get there?

18 A. [9:56:30] I have to say that was probably not Alexis's strongest point in terms of
19 preparing us for what was about to happen.

20 It was apparent that there would be a large number of supporters of Blé Goudé and
21 Laurent Gbagbo. It was apparent that the area we would be going to was a
22 stronghold of theirs in which they received a lot of votes, and I believe there was an
23 ethnic link between Laurent Gbagbo and the people who lived in that particular area.
24 We were told that it would be difficult to even get into the area, frankly, in our car
25 with our camera, unless we had the right approval from the right people. And we

1 were told that the right people would be anybody who was in Charles Blé Goudé's
2 entourage. Ultimately it was his rally, it was his event, and so we needed to speak to
3 them.

4 Q. [9:57:26] And did you get to speak to anybody in his entourage to have access to
5 the rally?

6 A. [9:57:35] Yes. I personally didn't. Alexis, our fixer, handled those
7 conversations along with another local journalist, whose name is Bud Lemire (phon),
8 who was introduced to me via mutual contacts before I actually went to Abidjan as
9 part of my process of talking to different people and trying to get names of different
10 people I could work with on the ground.

11 Between the two of them they were able to make contact with Charles Blé Goudé's
12 press team. It was made clear to the press team that we were foreign journalists, that
13 we were unsure about being able to access the area safely, and it was suggested by
14 them that we might have an escort, which was provided. It was essentially a group
15 of young men from the Young Patriots organisation, which was Charles Blé Goudé's
16 organisation. And we were told that if we stayed with them, that they would be able
17 to navigate and clear our way into the rally.

18 Q. [9:58:36] When you say "clear our way into the rally," could you tell us a little bit
19 what was moving about in Abidjan like in those early days of your trip?

20 A. [9:58:54] Abidjan was, it was just my first time there, but it was a difficult place
21 to move around. There were regularly checkpoints on street corners and on main
22 roads.

23 Our fixer and driver didn't always seem to know when a checkpoint was coming.
24 They popped up and disappeared, often even within the course of a day. We'd go
25 past the same point, and the checkpoint wouldn't be there.

- 1 The people manning these checkpoints were not always in an official uniform.
2 Sometimes they were. Sometimes they had a police uniform of some sort or half a
3 police uniform.
4 Sometimes they had bits of military equipment. They weren't normally at this early
5 stage armed with weapons as such. They didn't have guns. They sometimes had
6 sticks, planks of wood, machetes.
7 And it made moving around the city very, very tense. At any stage of the way you
8 weren't sure if you were going to be able to get down the road, and you weren't
9 exactly sure if you'd have all your equipment, your money, your phone, whatever,
10 with you when you did.
11 The checkpoints were intimidating. It seemed like that was ultimately the point, was
12 to intimidate. I could see from my car other cars sometimes handing money over or
13 handing what looked to be money over to the guys at the checkpoint before they were
14 allowed to leave.
15 I didn't -- we didn't actually have to do that on the whole. Alexis was very good at
16 stating his case and being very strong and making the people on the checkpoint feel
17 that he was, he was important and shouldn't be stopped. Certainly in those early
18 days, that tactic worked very well.
19 But we knew that as we got towards this particular rally, there would be more
20 checkpoints and that it would be harder and harder for Alexis to talk his way through
21 if we didn't have the right people with us.
22 Q. [10:00:58] Okay. So on your way to this rally, did you indeed have some form
23 of escort as you were mentioning a moment ago?
24 A. [10:01:15] Yes, we did.
25 Q. [10:01:20] Were you all travelling in the same vehicle or were you in separate

1 vehicles?

2 A. [10:01:25] No. As I remember it, we stopped at a predetermined place, I
3 believe a petrol station, where we met with the group of young men who were
4 supposed to be escorting us. They continued in the car in front of us. But I believe
5 one person may have got into our car. I'm sorry, but the details of that are a little bit
6 vague.

7 Q. [10:01:49] Do you remember what these escorts were wearing by any chance?

8 A. [10:01:58] The escorts were wearing what I can only describe as Young Patriot
9 uniforms. In some cases their T-shirts said "Young Patriots, Jeunes Patriotes" on it.
10 In other cases they were simply wearing a bright green or bright orange football shirt,
11 football top of some sort, which was kind of an unofficial uniform for the group.
12 And that reassured me that they would be identifiable as people who could vouch for
13 us.

14 Q. [10:02:32] All right. So, first of all, do you remember what was the district or
15 the neighbourhood where that rally was held?

16 A. [10:02:38] That was in Yopougon.

17 Q. [10:02:41] And tell us a little bit before we go to the specifics, when you get there,
18 what is the scene? What do you see?

19 A. [10:02:50] As we arrive, we're in a bit of a traffic jam. And every car in front of
20 us has stopped or slowed down because there are what appear to be three or four
21 checkpoints almost next to each other. A car would go, stop, speak to a group of
22 guys, drive another couple metres forward and somebody else would stop them and
23 say, "Hey, what are you doing?" We could see this happening in front of us.
24 All the way down the road there were groups of young men in orange football kits or
25 green football kits, sometimes jogging, sometimes marching, sometimes just standing

1 around by the side of the road. A lot of them were armed were makeshift weapons
2 of some sort.

3 There were makeshift barriers in the road, sometimes with tyres and large bits of
4 wood, just to slow cars down. It was pretty chaotic, but organised chaos. You
5 could see that there was an event going on further on, and these people were
6 marshalling the traffic and acting as security for this event.

7 Q. [10:04:06] Okay. So just one last question before I move to another aspect here.
8 Once you get there, you eventually get out of the car, I suspect?

9 A. [10:04:18] Yes, yes, that's correct.

10 Q. [10:04:19] And at that moment, what do you see?

11 THE COURT OFFICER: [10:04:23] Pause, please, between questions and answers.
12 Thank you.

13 THE WITNESS: [10:04:28] When I got out of the car, the first thing that hit me
14 actually was the noise. There was the sound from just around the corner of what
15 sounded like thousands, tens of thousands of people chanting and singing. There
16 were a number of armed men walking around, very few of them in any kind of
17 recognisable uniform of any sort. But they had assault rifles and what looked like
18 pretty professional looking military equipment. They had a mixture of different
19 types of rifles, different types of handguns and a few of them had machetes and
20 chains. There seemed to be a larger concentration of these armed people, and their
21 weapons were less makeshift.

22 At this point it seemed like the real, the serious guys, were concentrated around this
23 area.

24 There were a lot of people milling around. It was hard to tell exactly who was who.
25 But within a few seconds I'd already started to hear negative comments, people

1 telling me to go home. People telling me I wasn't welcome. Whispers about "Here
2 come the journalists" in a derogatory fashion.

3 Q. [10:05:46] Very well. In a moment I would like to show you some footage, but
4 before I get to that, can you tell us in a nutshell what happens during this rally, what
5 you are able to capture, who you are able to speak to?

6 A. [10:06:04] So when we first arrived, not much was happening. There was a
7 group of people on stage who were -- they were chanting what I assumed to be
8 traditional songs. They were whipping the crowd up, making statements saying,
9 saying things about the Ivory Coast and encouraging people to generally feel positive.
10 They were preparing everybody, verbally preparing everybody for the arrival of
11 Charles Blé Goudé. They referred to him as "your leader, The General." He was
12 clearly a very important person. And it was quite apparent from everything that
13 was happening in the preamble that his arrival and his presence here was what
14 everybody was here for.

15 After a period of preamble, Charles turned up himself. The crowd went wild. It
16 was like a rock star had arrived at a concert.

17 And, you know, he clearly knew how to work the crowd. This was obviously a man
18 who had done this before and was well loved and had a good relationship with the
19 people who loved him.

20 So we walked around. He shook hands. He waved. He did the superstar thing.
21 And I watched this and was clearly -- I was impacted. This is clearly an important
22 person who was having a big effect here and now.

23 He eventually went on stage, and he delivered a speech in which he gave his opinion
24 on the political situation, summarised briefly as the French and western countries are
25 looking to continue their imperialist objectives and take over your country, and you

1 as the people of Ivory Coast should stand up and fight back ultimately.

2 Q. [10:08:03] Did you have any exchanges with him?

3 A. [10:08:17] I did have a brief exchange with Charles Blé Goudé. It seemed very
4 important to us. This was -- going back to the earlier question about how Alex and I
5 operate, in a couple of very quick brief exchanges between the two of us, we both
6 agreed very quickly that this man needed to know that we were here, that everybody
7 here needed to see that we were here for him and that he agreed, he approved of us
8 being here. It was very important to show that.

9 Also for the documentary, we figured, you know, this would be our first meeting
10 with him. It would be our introduction to him in the documentary, so it was
11 important that I should shake his hand, introduce myself, and try and leave us in a
12 position where we might get to speak to him again.

13 And to that end I was encouraged and we encouraged Alexis to help us get on the
14 stage so that we could shake hands with him and thank him, which is what we did.

15 Q. [10:09:16] Very well. Just a second, please.

16 (OTP counsel confer)

17 MR DEMIRDJIAN: [10:09:44]

18 Q. [10:09:44] Just one point of clarification. You were mentioning that on the way
19 to the rally you were being stopped at various points and you saw makeshift
20 weapons. Can you clarify what kind of makeshift weapons you saw?

21 A. [10:09:54] From memory, I believe I saw a large chain, which somebody had sort
22 of half of it wrapped around his hand and was waving the other half around. I saw
23 a large plank of wood which was being waved, you know, in a threatening manner.
24 And I saw other less makeshift weapons, machetes, which is sort of more obviously
25 weapon like.

1 Q. [10:10:20] So I'd like to show you a clip now. What I would like to tell you,
2 what we are going to show you are not excerpts of the documentary. We're going to
3 stick to the original rushes.

4 A. [10:10:35] Okay.

5 Q. [10:10:35] So the raw unedited version. So just to give you a chance to situate
6 yourself, I would like to show you a brief clip that lasts about a minute and then we'll
7 go back to specific elements of that same footage, okay.

8 So just a question for your understanding, when we show these footages, would you
9 rather hear the raw footage without any translation, because you are currently
10 probably on the English channel?

11 A. [10:11:02] The English channel is fine for me, thank you.

12 Q. [10:11:04] Because then you will get translation also. Is that fine with you?

13 A. [10:11:07] I should be all right.

14 Q. [10:11:08] Okay. Very well. If at any point it is confusing, just let us know.

15 A. [10:11:15] I will do.

16 MR DEMIRDJIAN: [10:11:17] So the first clip, your Honours, we would like to show
17 is 0015-0435 from the beginning until 1.11. This is at tab 5.

18 For the interpreters, the transcript is 0019-0295 at page 0296, lines 1 to 11.

19 THE COURT OFFICER: [10:11:47] In evidence channel 2 and the Prosecution has the
20 floor.

21 MR DEMIRDJIAN: [10:11:54] Thank you.

22 Are the interpreters ready? Can we go ahead?

23 THE INTERPRETER: [10:11:58] Message from the interpreters: Transcripts
24 received shortly before the start of the hearing, so unfortunately the interpreters did
25 not have time to print out the transcripts or review them.

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 MR DEMIRDJIAN: [10:12:14] Is that a yes from the interpreters?

2 PRESIDING JUDGE TARFUSSER: [10:12:16] No. They have not -- they have
3 received it only very short before the hearing, and so they have had no time to review
4 it and to see it before.

5 MR DEMIRDJIAN: [10:12:31] Right.

6 PRESIDING JUDGE TARFUSSER: [10:12:32] Well, I don't understand why they
7 come always so late.

8 MR DEMIRDJIAN: [10:12:35] I believe the first part may not need interpretation.
9 So we can play this one without interpretation. It's just footage of what we see. Let's
10 see if that works, otherwise --

11 PRESIDING JUDGE TARFUSSER: [10:12:48] No, no. They have it. Just have
12 communicated their difficulties.

13 MR DEMIRDJIAN: [10:13:03] Let's go ahead and play it.

14 (Viewing of the video excerpt)

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

17 [00:00:00. Début de la transcription. Vue sur une foule qui se tient derrière des
18 barrières de sécurité]

19 Seyi RHODES [SR] : Lets go over to the barricades and let's just have a chat. What do
20 you reckon?

21 [La caméra balaie sur la foule et on aperçoit SR]

22 SR : When you are ready let's just have a chat with the crowd. Yeah, I'm going to need
23 some translation. I'll tell you what we are doing before we go over there.

24 Intervenant non identifié 1 [iNil] Talk to me?

25 SR : I'm just talking to you now, are you happy? This is my level. You alright? Right,

1 we've just walked into the main centre of the rally and feels like I'm in a
2 pro-GBAGBO cauldron, I'm surrounded by his supporters on all sides and whenever
3 I make eye contact with anyone they make it quite clear that I'm not really welcome
4 here. But I'm going to try and have a word with them anyway and see what they're
5 here for.

6 MR DEMIRDJIAN: [10:14:28]

7 Q. [10:14:29] Very well. Now, Mr Rhodes, you recognise the location we just saw?

8 A. [10:14:32] Yes, I do.

9 Q. [10:14:33] First of all, could you tell us where you're located when this is being
10 recorded, which part of the rally we are at?

11 A. [10:14:53] So I'm in the centre as I describe it like a cauldron, it's kind of a circle.
12 The crowd, there are some barriers holding the crowd back in a sort of a semicircle.
13 And the central area has a large stage set up in the middle of it. And I'm kind of in
14 that central area.

15 Q. [10:15:15] Thank you. I'd like to take you back to the 8 seconds point in this
16 footage. I want to show you a brief image. So if we can play.

17 (Viewing of the video excerpt)

18 MR DEMIRDJIAN: [10:15:41]

19 Q. [10:15:41] So at the 8 seconds mark, do you see in the middle of the screen a man
20 with a helmet?

21 A. [10:15:48] Yes.

22 Q. [10:15:49] Can you tell us what we are seeing and if you had seen similar
23 individuals during your time in Abidjan?

24 A. [10:15:56] Yes. That's an image I actually associate more with the end of my
25 period in Abidjan. So it's interesting to have a visual reminder that these guys were

1 around. There were more of them later on in the weeks that followed. But every
2 now and then I'd see, yeah, a van load of guys in that kind of equipment, basically
3 with something over their faces and carrying guns.

4 I wasn't able to ascertain ever if they were the same as, for instance, as the guy on the
5 left here with a backpack, he also has a gun. I couldn't figure out if they were from
6 the same group. But they often, people like them often seemed to operate together.
7 But it was kind of clear always that the people with their faces covered were slightly
8 different.

9 Q. [10:16:45] And when you say you later saw them in the conflict, when, when
10 and in which circumstances would you see them?

11 A. [10:17:07] Most of the time I saw people with their faces blacked out either
12 during a rally or during some kind of large event, particularly when Charles was
13 speaking. And I also saw them just kind of driving around town really fast in a
14 pickup truck of some sort heading from A to B.

15 Q. [10:17:29] I'd like us to continue playing and pause at the 21 second mark,
16 please.

17 (Viewing of the video excerpt)

18 MR DEMIRDJIAN: [10:17:54]

19 Q. [10:17:55] We see two individuals facing the crowd here with orange shorts or
20 outfits. Did you come to learn as to who these people were? And can you tell us
21 about what they're wearing?

22 A. [10:18:12] Obviously these two boys specifically I don't know. But whenever I
23 saw anybody in that uniform, or there were various variations using those colours, a
24 football strip, I would assume that they were Young Patriots. More often than not
25 when I saw them there would often be somebody else with a T-shirt that actually said

1 "Young Patriots" on it who looked like either a supervisor or a slight manager of the
2 group in some way.

3 Q. [10:18:41] Thank you. I'd like us to move to another clip. The ERN is
4 0015-0459.

5 For the interpreters, the transcript is 0063-1596. They should go to page 1597 to
6 cover lines 1 to 29. So we shall begin from the 52 second. From the beginning until
7 the 52 second mark. Sorry.

8 (Viewing of the video excerpt)

9 THE INTERPRETER: [10:20:20] The interpreters have not received this transcript,
10 and it is well nigh inaudible in parts.

11 PRESIDING JUDGE TARFUSSER: [10:20:26] Interpreters have not received this
12 transcript.

13 MR DEMIRDJIAN: [10:20:37] I'm informed they were all sent yesterday by emails,
14 your Honours.

15 THE COURT OFFICER: [10:20:43] We received the transcript yesterday at 6 p.m.
16 from the Prosecution, and this morning at 8.30 it was sent to the interpreters and the
17 court reporters.

18 PRESIDING JUDGE TARFUSSER: [10:20:54] I give up to understand these debates, I
19 must say. Well, I will not give up, but ...

20 MR DEMIRDJIAN: [10:21:05] Very well.

21 Q. [10:21:06] Mr Rhodes, we heard these individuals say that they were guerrier.
22 Did you hear that term?

23 A. [10:21:15] Yes.

24 Q. [10:21:15] Okay. What did that mean to you?

25 A. [10:21:16] Okay. So as I understood it, these guys were traditional dancers,

1 traditional war dancers. The costumes they're wearing and the role of guerrier is, I
2 was told, to prepare people for warfare essentially. They perform a traditional dance
3 and they prepare soldiers, young men who were going out to fight.

4 Q. [10:21:43] Very well. The next footage is at 0015-0460. It's a continuation of
5 the previous clip.

6 For the interpreters the transcript is 0019-0150, pages 0151 to 0152. We'll be covering
7 lines 1 to 41. The clip will start from the beginning until 2.52. I'm afraid to ask if
8 the interpreters are ready.

9 MR N'DRY: [10:22:28] (Interpretation) Your Honour.

10 PRESIDING JUDGE TARFUSSER: [10:22:39] Maître N'Dry.

11 MR N'DRY: [10:22:39] (Interpretation) Your Honour, as we said earlier on, I don't
12 know whether we've got a correct translation. According to what I see on the
13 transcript, if we go back to the question you just asked before -- what was it exactly?
14 It was to do with the warriors.

15 MR DEMIRDJIAN: [10:22:58] (Interpretation) The question is correctly translated. I
16 will read it in French as well. It's exactly what I said.

17 MR N'DRY: [10:23:05] (Interpretation) What exactly did you say?

18 MR DEMIRDJIAN: [10:23:08] (Interpretation) It's on the transcript exactly what I
19 said.

20 MR N'DRY: [10:23:10] (Interpretation) You asked for his opinion? You asked for
21 his opinion or you asked what exactly the warriors said?

22 MR DEMIRDJIAN: [10:23:25] I see where counsel is driving at, your Honours. The
23 question was to ask the witness whether he understood what these people were from
24 his exchange with them, and he gave us an answer.

25 PRESIDING JUDGE TARFUSSER: [10:23:38] Well, good.

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 MR DEMIRDJIAN: [10:23:39] So can I play the video?

2 PRESIDING JUDGE TARFUSSER: [10:23:46] Can the video be played?

3 THE INTERPRETER: [10:23:49] We do not have the transcripts, your Honour. I'm
4 very sorry.

5 PRESIDING JUDGE TARFUSSER: [10:23:55] Well, I do not know where the lack is
6 or where the problem is. But I am told that they do not have the transcript.

7 THE COURT OFFICER: [10:24:06] I just sent it to the interpreters.

8 THE INTERPRETER: [10:24:09] Your Honour, the problem is that the transcripts
9 were sent very late, early this morning, in fact, and that it was materially impossible
10 to print them all out before the hearing began.

11 MR DEMIRDJIAN: [10:24:22] For this one we do need a translation, so it would be
12 really appreciated if the interpreters can find it.

13 PRESIDING JUDGE TARFUSSER: [10:24:28] We're waiting.

14 (Trial Chamber confers)

15 PRESIDING JUDGE TARFUSSER: [10:25:02] Can you tell us when you are ready?
16 We're waiting for the interpreters.

17 THE INTERPRETER: [10:25:08] Your Honour, I am very apologetic about this, but
18 we do not materially have the transcripts here in front of us.

19 PRESIDING JUDGE TARFUSSER: [10:25:21] And what has to be done in order to
20 have the transcript materially in front of you?

21 THE INTERPRETER: [10:25:29] The team leader is going to answer you, your
22 Honour.

23 THE INTERPRETER ENGLISH-FRENCH: [10:25:33] Your Honour, with all due
24 respect, the agreement was that the interpreters would receive the transcripts 24
25 hours in advance so that we have time to print them out. We don't have access to a

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 printer immediately. And the freelance interpreters do not have access to computers
2 to even check their emails while they're interpreting. That's why we agreed on a
3 24-hour advance notice. When we receive tens and 20 different transcripts, it is
4 really difficult to print them out before we come in the booth, your Honour.

5 PRESIDING JUDGE TARFUSSER: [10:26:09] Well, I do regret that after one year and
6 a half of trial we are still in this position. This comes up on a continuous basis. I
7 mean, it's not the first time. So I would please ask somebody to print it out, to bring
8 it to the interpreters so that we can proceed with the trial.

9 THE INTERPRETER ENGLISH-FRENCH: [10:26:27] Your Honour, this is a message
10 from the interpreters. In the Ongwen trial, a solution was found. The Prosecution
11 provides a folder to the interpreters and it has all the transcripts.

12 PRESIDING JUDGE TARFUSSER: [10:26:41] Are there -- excuse me, excuse me a
13 minute. Are there other situations like this we will face in the next half an hour, an
14 hour, whatever?

15 MR DEMIRDJIAN: [10:27:20] Your Honours, yes.

16 PRESIDING JUDGE TARFUSSER: [10:27:21] Yes. So we suspend here. I would
17 like that this is solved, this problem. And we come back at 11 o'clock, we make the
18 break now, we come back at 11 o'clock. But then I would like the problem solved.
19 Okay. Thank you very much. The hearing is adjourned to 11 o'clock.

20 THE COURT USHER: [10:27:39] All rise.

21 (Recess taken at 10.27 a.m.)

22 (Upon resuming in open session at 11.06 a.m.)

23 THE COURT USHER: [11:06:53] All rise.

24 Please be seated.

25 PRESIDING JUDGE TARFUSSER: [11:07:07] Yes, here we are again. I hope, really

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 hope that the problem is solved. And I would urge the Prosecutor to send it earlier,
2 probably also not only to the court officer, but also directly to the interpreters. This
3 would probably help.

4 Now the floor is to the Office of the Prosecutor.

5 MR DEMIRDJIAN: [11:07:35]

6 Q. [11:07:44] Mr Rhodes, sorry for that interruption.

7 A. [11:07:47] That's fine.

8 Q. [11:07:48] We left off on the image of these warriors, dance warriors you
9 mentioned. So I'd like to show you -- should we take a moment -- another clip.

10 For the record, the ERN is CIV-OTP-0015-0460. We will show a clip from the
11 beginning until the 2.52 second mark and the transcript is 0019-0150, pages 151 and
12 152, lines 1 to 41.

13 All right. Let's play it.

14 (Viewing of the video excerpt)

15 THE INTERPRETER: [11:08:48] (Interpretation of the video excerpt) Well, okay.

16 Yeah, wait, wait.

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

19 SR : What will you do to OUATTARA supporters?

20 THE INTERPRETER: (Interpretation of the video excerpt) Eh, sorry. We're
21 carrying out the resistance, because for a long time now we've been sitting here
22 saying nothing, waiting for instructions from General Blé. And today the general is
23 going to be here. So whatever he decides, we're ready.

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

1 SR : Et... les ... the supporters of OUATTARA they are Ivoirian as well, no ?

2 THE INTERPRETER: (Interpretation of the video excerpt) Yes, Ouattara supporters
3 are also Ivorians, but we, we are in the camp of the president and we're fighting for
4 constitutional legality. We're fighting for the constitution, for our country. Our
5 country is in a place where people can just come and go. People have to respect us.
6 It's our constitution. And the decision has been made. And what else do people
7 want? I don't know.

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

10 SR : The things you are talking now are political, yeah? But... you are talking about
11 politics, why are you willing to fight for this? Vous dites quelque chose political
12 [phon], oui? Mais aussi vous dites que nous voulons le fight... fighting?

13 THE INTERPRETER: (Interpretation of the video excerpt) You are talking about
14 fighting.

15 Well, yeah, we're involved in politics and also diplomacy. But, you know, we
16 control information and communication. And fake news is just not going to make it.
17 The information the leaders receive over there, it's all lies. What's going on on the
18 ground here is not -- they're not really finding out about what's really going on.
19 You, yourself, you can see on TV people are making up stories about supposed deaths
20 that people weren't even -- weren't dead. And they're making people believe that we
21 killed people, whereas that never happened, and we're here. We're tired of all this
22 injustice. And we want the international community to open their eyes and to see
23 what is really going on and who has the majority in Côte d'Ivoire.
24 It's President Gbagbo.

25 And in any case, what people are saying, they're in the majority. But you can see

1 with your own eyes.

2 Mr Gbagbo Laurent has said that he's tired and that he's going to resign. And if he
3 says that, will you follow that?

4 Well, if he says he's tired and that he wants to stand down from power, are you ready
5 to give in?

6 Well, he wants peace in Côte d'Ivoire. I want peace. I want peace. And if he
7 resigns, we will stay quiet. We will be tranquil. But what we can't accept is that the
8 others come.

9 MR DEMIRDJIAN: [11:11:56]

10 Q. [11:11:56] So, Mr Rhodes, when you are interviewing these dance warriors or
11 dance fighters, here one of them says at the beginning that they were waiting for
12 instructions from General Blé.

13 Now, as you arrived to this rally, did you already have any information that any
14 instructions were going to be passed?

15 A. [11:12:21] From memory, I do remember being told that there was going to be a
16 big announcement, that this wasn't just an ordinary rally, that Blé Goudé had
17 something to say that was going to move the debate forward in some way.

18 Q. [11:12:42] Okay. And towards the end of the clip we also hear this warrior say
19 that if Laurent Gbagbo resigns, they will stay quiet.

20 During your interviews in Abidjan, did anyone else say something along the same
21 lines, that if Gbagbo steps down, they will stay quiet?

22 A. [11:13:05] I don't remember anybody specifically saying, saying it as clearly as
23 that. That was probably one of the clearest expressions of the sentiment. But it was
24 the sentiment that I heard regularly, that people's anger and people's desire to do
25 something about this situation was as much led by the president and the government

1 and their actions and what they were saying and people were responding to that.

2 Q. [11:13:39] Very well. I'm going to move to another scene of the same event.

3 Could we show video 0015, 0015-0462. We will go from the 2.47 seconds to 3.47

4 seconds.

5 And for the interpreters, the transcript is 0063-2893. We will look at lines 2894, sorry,

6 pages 2894, 2895, from lines 30 to 43. Let's just wait a few seconds to give the

7 interpreters time. Right, okay. We can play from here.

8 (Viewing of the video excerpt)

9 THE INTERPRETER: [11:15:24] (Interpretation of the video excerpt) In white?

10 Which one? Which one?

11 In white.

12 Who is it? Who is it?

13 Charles Blé Goudé. I want to ask you to give a round of applause to General Charles

14 Blé Goudé, the leader of the Patriotic Galaxy (inaudible in the transcript) President

15 Gbagbo.

16 MR DEMIRDJIAN: [11:15:52]

17 Q. [11:15:52] Mr Rhodes, in the early part of the footage, we saw a number of men

18 passing by with arms. And we can go back to, can you just simply go back to 2.47

19 and pause where we see the first men coming in with weapons, because there are two

20 sets of men coming in. If we can move to the first one, please.

21 We can play from here and we'll pause. So go back to 2.47. Yeah, let's press play.

22 (Viewing of the video excerpt)

23 MR DEMIRDJIAN: [11:16:28] Pause here. Thank you.

24 Q. [11:16:29] Mr Rhodes, during your time at this rally, did you come to learn who

25 these individuals were?

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 A. [11:16:39] I don't believe I ever got a definitive answer as to who they were.
2 Some are police, some were connected to the military, and some were members of
3 Charles Blé Goudé's personal protection team. I didn't know the difference between
4 them.

5 PRESIDING JUDGE TARFUSSER: [11:16:55] Can we just recall on the record the
6 date of this?

7 MR DEMIRDJIAN: [11:16:59] The date, your Honours?

8 PRESIDING JUDGE TARFUSSER: [11:17:00] Yes.

9 MR DEMIRDJIAN: [11:17:01] Yes, at the beginning of this segment of my questions
10 we were at 19 March.

11 Q. [11:17:08] Mr Rhodes, did you know when you were there as to the precise
12 location, if it had a name or something? Do you remember that? Because you told
13 us you were in Yopougon.

14 A. [11:17:19] In Yopougon, yeah. I didn't know the exact part of Yopougon, no.

15 Q. [11:17:24] Very well. If we can continue playing a few more seconds until we
16 see the second set of individuals.

17 (Viewing of the video excerpt)

18 MR DEMIRDJIAN: [11:18:03]

19 Q. [11:18:07] Do you see, Mr Rhodes, the individuals, one of them with the red
20 beret?

21 A. [11:18:12] Yes.

22 Q. [11:18:12] And others with military uniforms. Did you find out who these
23 individuals were?

24 A. [11:18:17] So obviously these particular individuals I was never told, but
25 assumed obviously that they are from the military. I later learned that the red berets,

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 I forget the name of the unit, but it's an elite Ivorian army unit, who I did see around a
2 lot, and I believe they were based or they had a position opposite my hotel. So I
3 could see them from my hotel room. I regularly saw the red berets moving around.

4 Q. [11:18:45] Thank you very much. Now we're going to --

5 PRESIDING JUDGE TARFUSSER: [11:18:51] And your hotel was the Novotel?

6 THE WITNESS: [11:18:53] My hotel was the Novotel, that's correct.

7 MR DEMIRDJIAN: [11:18:59]

8 Q. [11:19:00] We will skip to the 5.22 seconds mark.

9 For the interpreters, it's the same ERN, you just have to go down to line 76. And
10 we'll cover line 76 to 80. So for the record it's 5.22 to 5.45.

11 (Viewing of the video excerpt)

12 THE INTERPRETER: (Interpretation of the video excerpt) Raise your arms. Raise
13 your arms, everybody.

14 MR DEMIRDJIAN: [11:19:47]

15 Q. [11:19:48] Right. So I just wanted to show this brief footage where we see
16 Mr Blé Goudé. At this stage he's a little bit elevated; is that right?

17 A. [11:19:56] Yes, that's correct.

18 Q. [11:19:57] And is it correct to say that you go and meet him at around this time?

19 A. [11:20:01] I believe it was soon after. I am not watching the whole footage.

20 From memory I believe that he did a little walk around of this central area, walking
21 around the stage, waving, shaking hands. He went up onto the stage, waved so that
22 everybody could see him. And then he came down again and went to a kind of a
23 VIP area and sat there for a few minutes before, before then leaving the VIP area and
24 returning to the stage to actually make his speech.

25 Q. [11:20:36] Very well. So if we can go to the 6.20 mark.

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 (Viewing of the video excerpt)

2 MR DEMIRDJIAN: [11:20:53]

3 Q. [11:20:53] So it's the same video.

4 And for the interpreters, the transcripts, you have to go to lines 88 to 105.

5 So 6 minutes, yes, maybe a little bit before that, sorry. Go back until maybe 6.05.

6 Right. That's fine. Thank you.

7 (Viewing of the video excerpt)

8 THE INTERPRETER: [11:21:36] (Interpretation of the video excerpt) Mr Blé Goudé,

9 good day. My name is Seyi. I work with "Unreported World" in Channel 4 in

10 England.

11 (The following inserted excerpt is a transcription prepared and provided by the

12 parties of the aforementioned recording without any modification or alteration)

13 Charles BLÉ GOUDÉ [CBG] : Ah, OK ! How are you ?

14 SR: Very good.

15 CBG : Welcome.

16 SR : Thank you very much.

17 CBG : Welcome.

18 SR : Thank you. So many people have come.

19 CBG : Yes.

20 SR : Is this normal for you? This kind of turnout ?

21 CBG : Sorry?

22 SR : This is normal this kind of turnout?

23 CBG : Yes, normal. It's usual.

24 SR : OK. Good.

25 CBG : But due to the [incompréhensible, 00:06:40] they came numerous today, more.

1 SR : Yeah, exactly.

2 CBG : They are waiting for the message.

3 SR : Of course ... Thank you very much for allowing us.

4 MR DEMIRDJIAN: [11:22:20]

5 Q. [11:22:23] So, Mr Rhodes, was that the moment where you introduced yourself?

6 A. [11:22:27] Yes.

7 Q. [11:22:30] I'm just pausing for the record.

8 Now, when Mr Blé Goudé tells you they're waiting for the message, did you come to
9 learn what that message was?

10 A. [11:22:45] Specifically from hearing his speech, it seemed that his message was a
11 declaration of hostility towards the United Nations and the French. It seemed
12 almost as if a straw had broken the camel's back.

13 His speech seemed to be saying I'm done with all this talking and negotiating, and I'm
14 going to come straight out and say that certain people are not working in the best
15 interests of this country, and I'm finally drawing the line under that. It must stop
16 here and now.

17 Ultimately his message was that he wanted the young people there to join the army to
18 try and stop these injustices that he felt were taking place.

19 MR DEMIRDJIAN: [11:23:48] Your Honours, for the record, with respect to the
20 specific location, there is another video clip, but I will not waste your time. I'll read
21 it on the record. It's 0015-0475, which is number 23 on our list. And you can hear
22 clearly at the 1.51 second mark that Mr Blé Goudé indicates that they're at Place CI1.
23 So I don't believe there is any objection or any controversy about the location, but I'm
24 putting it on the record for future reference.

25 Q. [11:24:24] Now I'd like to move to the next video clip where you will see a part

1 of the speech. It is at 00 --

2 PRESIDING JUDGE TARFUSSER: [11:24:32] Maître N'Dry.

3 Just a minute.

4 Maître N'Dry.

5 MR N'DRY: [11:24:39] (Interpretation) No objection, your Honour.

6 PRESIDING JUDGE TARFUSSER: [11:24:42] Okay. Thank you very much.

7 MR DEMIRDJIAN: [11:24:45] I thank my learned friend.

8 So the next video is 0015-0476.

9 For the interpreters the transcript is 0097-0180, at pages 0181 to 0184. We will look at
10 lines 1 to 122. So the clip will be around 7.52, your Honour. I'm seeing it now so
11 we can see a proper and complete, as complete as possible of this speech that was
12 given on that day.

13 (Viewing of the video excerpt)

14 THE INTERPRETER: [11:25:32] (Interpretation of the video except) Well, you can
15 see that the sound isn't as good as you're used to. But calm down. Concentrate.

16 And if you are quiet and if there isn't too much noise, you'll be able to hear me. So
17 calm down.

18 I was saying that ever since the announcement of the results of the panel, the panel
19 that came and went, it's the first time that you've seen me today.

20 I've been everywhere. I've been on all fronts. And I told you that we were attacked
21 in the neighbourhoods. People took up weapons. They were looting in the
22 neighbourhoods. People in civilian clothing were shooting at each other. And the
23 first action, the first shot that we have seen is the last time, the last time (inaudible)
24 that some of our comrades at the roadblocks were killed by Alassane Ouattara's men.
25 And we were in a taxi and they shot at our comrades. They killed them in Abobo, in

1 Abobo.

2 Abobo today is people are leaving, and people are calling for Laurent Gbagbo -- every

3 day people are having their throats slit. Every day people are being tortured.

4 These are things that we had never seen here in Côte d'Ivoire. In our country you

5 can get angry, you can protest, but to go so far as to slit people's throats in Côte

6 d'Ivoire, that just doesn't exist.

7 And so when we tell them that they're not from here and -- well, it's an insult

8 (inaudible).

9 But when you slit people's throats, and that's not part of our culture. When I say

10 that you're no longer from here, because of your actions, you prove that you're no

11 longer from here, that's the truth.

12 And people are going to Ébrié villages like Anonkoua-Kouté, to the churches, and

13 they're slitting people's throats. Wow. That's, that's not a crisis. This has no

14 relationship to a UN report. That doesn't exist, to die in Abobo, people having their

15 throats slit in Abobo. They aren't human beings. But people like that, they wear

16 their amulets and their gris-gris and they're attacking police stations and policemen

17 and they're crying out: 'Yes, yes. 15 civilians in Abidjan died (inaudible)

18 humanity.' And this humanity here, we're part of it. In this humanity, we're part of

19 it. Gbagbo's people that are being killed there, they're part of it.

20 But the question that I ask myself today is: Who is making this war?

21 At the end I realize that it's not Ouattara who is making this war, it's the United

22 Nations. The entire United Nations is making war on Côte d'Ivoire. And they're

23 the ones who's fighting a war in Côte d'Ivoire.

24 And we, we, in fact, we made a choice, we made a choice to resist barehanded. And

25 I'm now realising that they're forcing me to change my attitude.

1 And we are determined. They're slitting people's throats, and nobody is being
2 bothered. We're more numerous. And at the roadblocks, people are being killed.
3 They're having their throats slit. And they aren't even being bothered. They go
4 away and they're transported by the UN in their helicopters and they're transported
5 in UN tanks. Is that normal? No. Is that normal? No. Are we going to
6 continue accepting that? No. Are we going to continue undergoing that? No.
7 Well, they're forcing me to do something that I don't want to do. So, you see, they're
8 forcing me to change my attitude. And today my speech is not going to be long, my
9 speech will be (inaudible).
10 Young people of Côte d'Ivoire, are you ready to join the army, to serve your country?
11 I haven't heard you yet. Young people of Côte d'Ivoire, are you ready to join the
12 army, to serve your country?
13 Liberate, liberate, liberate. The crowd chanting: Liberate, liberate. Free our
14 country.
15 Young people of Côte d'Ivoire, are you ready? Are you ready to join the army to
16 serve your country? That question, I'm going to put it to you four times and you're
17 going to answer me four times: Young people of Côte d'Ivoire, are you ready to join
18 the army to serve your country?
19 That was the first time. Now here goes the second: Young people of Côte d'Ivoire,
20 are you ready to join the army to fight for your country?
21 That was number two. Now let's try it a third time. I want to really hear you loud
22 and clear. Young people of Côte d'Ivoire, are you ready to join the army to serve
23 your country?
24 Now I want you to concentrate now, because this is the last time I'm going to ask the
25 question. Concentrate really hard. This is the fourth time, and I want to hear it

1 louder: Young people of Côte d'Ivoire, are you ready to join the army to serve your
2 country?

3 The crowd chanting: Liberate, liberate, free our country.

4 MR DEMIRDJIAN: [11:32:48] For the record, we pause here at 7.14.

5 Q. [11:32:55] Mr Rhodes, when this speech was given, can you, first of all, tell us as
6 an observer what impact did it have on you?

7 A. [11:33:04] It made me afraid. As a foreigner and a foreign journalist, I was
8 already aware that there was tension and that we were potentially likely to be
9 attacked or stopped from doing our job in some way.

10 Listening to him make that statement, it became apparent that this was a widely held
11 belief, that this was a belief that is part of the political mainstream. He could stand
12 on stage and he could say these things at this time in the country. It indicated to me
13 that the level of tension that I had heard about was perhaps not quite as bad as it was.
14 It was a lot worse than I realised.

15 The reaction of the crowd I think probably more so, their enthusiasm for what he was
16 saying, their willingness to potentially die for the country, it made me realise that this
17 whole conflict may be a lot closer than I realized.

18 MR DEMIRDJIAN: [11:34:20] I see there is an intervention, Mr President.

19 PRESIDING JUDGE TARFUSSER: [11:34:24] Yes. Maître N'Dry.

20 MR N'DRY: [11:34:27] (Interpretation) Your Honour, I should have objected
21 immediately, but I didn't. But I would like that in the future we focus on the actual
22 events and we not ask questions about impressions, impressions of the witness. I
23 think we should ask questions about what he saw and experienced, not impressions.

24 PRESIDING JUDGE TARFUSSER: [11:34:52] I was going also to intervene on this
25 line with the Office of the Prosecutor, not asking for impressions. But he was

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 already on his way. And on the other side, I think we know how to interpret
2 impressions vis-à-vis facts.

3 MR DEMIRDJIAN: [11:35:12] Mr President, on this intervention from my colleague,
4 usually I would agree, but this time I disagree. Without influencing the witness, let
5 me just say that the Document Containing the Charges contains a mode of liability,
6 Article 25(3)(b), and it is on, the relevance is on that. If I need to argue it, I would
7 have to do it outside the presence of the witness.

8 PRESIDING JUDGE TARFUSSER: [11:35:33] Yes.

9 MR DEMIRDJIAN: [11:35:34] But the impact and the impressions is important.
10 Thank you.

11 PRESIDING JUDGE TARFUSSER: [11:35:37] Let's go.

12 Q. [11:35:43] Mr Rhodes, we heard a moment ago Mr Blé Goudé on the video
13 speaking about the UN waging a war against Côte d'Ivoire. Can you tell us, outside
14 this --

15 PRESIDING JUDGE TARFUSSER: [11:35:58] Please let him finish the question.
16 Before, before the witness starts to respond, just please let him finish the question,
17 because I don't know what he's going to say.
18 Please finish the question and then we --

19 MR N'DRY: [11:36:11] (Interpretation) Your Honour.

20 PRESIDING JUDGE TARFUSSER: [11:36:13] I said, I said, please let the Prosecutor
21 finish the question. Then I give you the floor so you can make your observations.

22 MR DEMIRDJIAN: [11:36:21] Thank you, Mr President.

23 Q. [11:36:23] Mr Rhodes, the question is, we just heard a moment ago
24 Mr Blé Goudé say that the UN is waging a war against Côte d'Ivoire, did you hear
25 similar talk elsewhere outside the confines of this event?

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 PRESIDING JUDGE TARFUSSER: [11:36:42] Maître N'Dry, Mr Knoops?

2 MR KNOOPS: [11:36:44] Mr President, I don't think that's a correct summarisation
3 of what the witness said. Mr Blé Goudé never said that it was a war initiated by the
4 UN. That's the interpretation of the Prosecution of the answer of the witness. Our
5 objection relates to, we just heard a moment ago --

6 PRESIDING JUDGE TARFUSSER: [11:37:06] Yes, I understand. I did understand.

7 MR DEMIRDJIAN: I can quote.

8 PRESIDING JUDGE TARFUSSER: So please quote, he said something about it's not
9 the fault from Mr Ouattara but of the UN, but quote it.

10 MR DEMIRDJIAN: [11:37:16] Yes. No problem.

11 PRESIDING JUDGE TARFUSSER: [11:37:18] Maître N'Dry.

12 MR N'DRY: [11:37:20] (Interpretation) I wanted to make this point initially,
13 because my remarks had to do with the observation made by the Prosecutor. When
14 I objected to the impressions being elicited -- and there seems to be some sort of
15 justification for this. They seem to be taking the witness for the assembly. They are
16 trying to give the impression or advance the argument that the witness is speaking on
17 behalf of the assembly.

18 But I really do not see why the witness is here to give impressions. Yesterday we
19 heard from a witness, and various impressions were elicited from him, and he said he
20 was afraid.

21 Are we going to take these impressions and develop them further in relation to this
22 assembly of people?

23 I stand by my objection. We should not be asking questions of the witness about his
24 impressions. He is here as a witness. And he is here to tell us about facts, about
25 events that occurred.

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 PRESIDING JUDGE TARFUSSER: [11:38:36] Yes. Some of those events are filmed,
2 and the witness does not need to be -- to interpret the events for the Chamber. The
3 events are clearly on, and what is said and what is not said is interpreted by the
4 Chamber or by us all, but not by the witness.

5 So the witness has to speak about facts, and I think this is correct. Obviously now if
6 you ask the following question, "If he had heard talking with whom something else or
7 similar," this is absolutely allowed, but don't ask, please, questions which
8 give the -- or asking him to give his impressions on something we perfectly see and
9 can interpret. Thank you.

10 MR DEMIRDJIAN: [11:39:28] Thank you, your Honours. I will follow your
11 guidance. I would like to ask a question, however, later on about the impact on the
12 audience. And then I think I believe my learned friend is conceding that would be
13 acceptable.

14 PRESIDING JUDGE TARFUSSER: [11:39:41] The impact on the audience?

15 MR DEMIRDJIAN: [11:39:43] Yes.

16 PRESIDING JUDGE TARFUSSER: [11:39:43] Of what?

17 MR DEMIRDJIAN: [11:39:44] Of Mr Blé Goudé's audience at this --

18 PRESIDING JUDGE TARFUSSER: [11:39:47] Yes. But we did hear this or we did
19 see this. I mean --

20 MR DEMIRDJIAN: [11:39:50] You see some of it on the footage, yes.

21 PRESIDING JUDGE TARFUSSER: [11:39:53] Yes. And then, yes, but related to, not
22 the impact, the facts. I mean, impact on the basis of facts.

23 MR DEMIRDJIAN: [11:40:03] Yes.

24 PRESIDING JUDGE TARFUSSER: [11:40:03] Not on the basis of impressions.

25 MR DEMIRDJIAN: [11:40:06] Very well, very well.

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 MR KNOOPS: [11:40:08] Mr President, if I may add, I think the question on an
2 impact on the audience is even worse than the impact --

3 PRESIDING JUDGE TARFUSSER: [11:40:14] No. It's not an impact. What
4 happened concretely, in case something happened, I don't know, but not on the
5 impact meaning the interpretation of the impact --

6 MR KNOOPS: [11:40:23] Right.

7 PRESIDING JUDGE TARFUSSER: [11:40:24] -- but the impact on real things which
8 happened.

9 MR KNOOPS: [11:40:30] Of course I will not repeat the Court's own decision, but
10 your Honours have ruled, P-369 on this issue already.

11 PRESIDING JUDGE TARFUSSER: [11:40:37] Yes. Don't repeat it. Yes.

12 MR KNOOPS: [11:40:39] Yes. Thank you.

13 PRESIDING JUDGE TARFUSSER: [11:40:40] Please go ahead.

14 MR DEMIRDJIAN: [11:40:42] Very well.

15 Q. [11:40:42] So let me quote from the video earlier. And this is for the transcripts
16 page 49, line 3, and I quote, and this is Mr Blé Goudé's speech, I quote, "At the end I
17 realised that it's not Ouattara who is making this war. It's the United Nations. The
18 entire United Nations is making war on Côte d'Ivoire."

19 So my question to you was: Did you hear similar speeches elsewhere with respect to
20 the UN?

21 A. [11:41:21] Yes, repeatedly, from numerous sources, Young Patriots, boys on
22 checkpoints, members of Charles's own entourage, his press team. I spent probably
23 more time with them waiting for him than I did with him. And they said, they
24 repeated a lot of the same things that he says emphatically.

25 PRESIDING JUDGE TARFUSSER: [11:41:45] Yes. And outside those people which

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 are close to Mr Blé Goudé?

2 THE WITNESS: [11:41:52] So initially I mentioned Young Patriots who were on the
3 streets. I don't consider them actually close to Blé Goudé. They are -- they were
4 wearing the T-shirt and they were standing on a checkpoint. But as far as I was
5 aware, they were simply young Ivorian men, and that seemed to be a political opinion
6 that was pretty mainstream.

7 MR DEMIRDJIAN: [11:42:14]

8 Q. [11:42:14] Very well. Now I'd like to come to the issue of the reaction of the
9 crowd. We see it on the footage, a reaction to this speech. So besides the footage
10 that we see on the film, is there any other reactions that you witnessed off the footage
11 itself that you can give us?

12 A. [11:42:37] There was clearly a lot of enthusiasm for his pronouncement. I'm
13 trying to keep this factual, no impressions. Factually, people were clearly incredibly
14 moved by this. There was a sense of relief. People were excited, and they then
15 followed Mr Blé Goudé away from this speech chanting his name and chanting the
16 name of Laurent Gbagbo.

17 Q. [11:43:11] Thank you, Mr Rhodes. Let's see what happens when the speech
18 ends.

19 Could we play the next video, 0015-0477. We will show the clip from 2.14 to 4.15.
20 For the interpreters, the transcript is 0020-0122, starting at page 0123, lines 37 to 51.
21 (Viewing of the video excerpt)

22 THE INTERPRETER: [11:44:02] (Interpretation of the video excerpt) Sight
23 translation:

24 Charles Blé Goudé: We are going to (incomprehensible) thank you.

25 Unidentified speaker: What my grandfather accepted yesterday, and I don't have to

1 accept today. What my grandfather accepted in the past, I don't have to accept
2 today. Côte d'Ivoire is betting on you.

3 MR DEMIRDJIAN: [11:44:32]

4 Q. [11:44:32] Just before we continue, Mr Rhodes, we see Mr Blé Goudé waving at
5 someone. Do you know who he was waving at?

6 A. [11:44:40] I don't. I don't.

7 Q. [11:44:42] Let's continue.

8 (Viewing of the video excerpt)

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

11 SR : We've got to get somewhere man, we can't stay here. So we've got to move. It's
12 kind of our only option at the moment. We're cool, we're cool. Don't worry man, it's
13 cool. It doesn't feel cool, but it is.

14 CHARLES has just left the main stadium where he did a speech, and a huge crowd
15 has followed him.

16 He asked us to go with him, but at the moment, I can't get anyway near him.

17 MR DEMIRDJIAN: [11:46:18]

18 Q. [11:46:18] So, Mr Rhodes, we see you walking away. Who is walking with you
19 at that moment?

20 A. [11:46:24] Well, obviously the cameraman is behind me. We have a number of
21 security people around us. There are army soldiers. There are some of the plain
22 clothes armed men and some of the other boys with sticks who were performing
23 some kind of security function.

24 It was clear to me at this point, less clear to Alex, but it was becoming clear to me at
25 this point that these people were protecting us.

1 Q. [11:46:54] And so before we play the rest of the video, what happens next?

2 Where do you end up?

3 A. [11:47:00] We kind of go on an impromptu walkabout. We walk down what I
4 describe I suppose is the main high street of the area. I can't say exactly how long for,
5 but we carry on walking, and the crowd follows, and it turns into a big kind of march
6 situation.

7 We manage to position ourselves in front of Mr Blé Goudé, because everything
8 behind him is chaos and just too dangerous for us to be there. But we seem to have
9 been able to clear it with the security that we are allowed to walk ahead of him, which
10 as you can see there is a bit of space there. We can film, we can operate, and we
11 don't feel like our lives are in danger in any way.

12 Q. [11:47:47] Very well. If we play the next clip, which is from the same video,
13 from the 8.26 mark to 8.55. There is no need for translation at this point.

14 (Viewing of the video excerpt)

15 MR DEMIRDJIAN: [11:48:34]

16 Q. [11:48:34] If we can go back to 8.49, please. A little bit more, maybe 8.47, no
17 need to play, just the still here, a little bit more. Okay.

18 We see two individuals, but we saw one with another weapon. We see this one here.
19 Did you know who these people were?

20 A. [11:48:54] No, I didn't.

21 Q. [11:48:59] A moment ago you were saying that there was people as part of a
22 security detail. Did you know if they were part of it or you have no idea?

23 A. [11:49:07] Yes, I assumed that they were part of the security detail. I didn't
24 know exactly who they were, with which part of the detail. As I look at this video
25 now, I realise he's got an orange armband on. That wasn't something I noticed at the

1 time. Presumably to whoever is with him, that identifies him as being part of a
2 certain group.

3 PRESIDING JUDGE TARFUSSER: [11:49:25] Slow down.

4 THE WITNESS: [11:49:26] Sorry. Presumably for the people who are part of the
5 security detail on the day, they would recognize the orange armband that he's
6 wearing, and that would tell them who he is and which group he's part of. It wasn't
7 immediately apparent to me. But he seemed to be performing a security function of
8 some sort.

9 MR DEMIRDJIAN: [11:49:48]

10 Q. [11:49:48] The weapon that he's carrying, have you seen this elsewhere during
11 your time in Abidjan?

12 A. [11:49:56] In Abidjan, I saw weapons like it, yes.

13 Q. [11:50:04] First of all, do you recognize what kind of weapon it is?

14 A. [11:50:08] I recognize that as a rocket launcher of some sort. It looks relatively
15 old.

16 Q. [11:50:17] Okay. Now, if we go to -- actually we're going to skip one. Let's go
17 to 10.11, please. We'll play it from 10.11 to 11.20. Again, there is no transcript for
18 this bit. There are no words.

19 (Viewing of the video excerpt)

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

22 SR : CHARLES is being protected by the police, the army and young patriots who are
23 these guys in civilian clothing. All of them have either an AK-47 or a rocket launcher,
24 and there's a big car coming full of them.

25 MR DEMIRDJIAN: [11:51:49]

1 Q. [11:51:49] Before this walk, had you seen this vehicle or is this the first time you
2 encountered it?

3 A. [11:51:58] The exact vehicle, I couldn't say. I'd seen vehicles like it.

4 Q. [11:52:02] And, again, do you have any idea as to who are the individuals in that
5 vehicle?

6 A. [11:52:08] I can't say with any accuracy. Again, I assumed that they were part
7 of an organised security detail there to protect either Charles and/or the people
8 involved in the event.

9 Q. [11:52:22] The last video I would like to show you of this day, 0015-0482, we will
10 show it from the beginning to the 2 minute mark.

11 For the interpreters, the transcripts are 0019-0204, at page 0205, lines 1 to 25.

12 (Viewing of the video excerpt)

13 THE INTERPRETER: [11:53:05] (Interpretation of the video excerpt) Sight
14 translation:

15 Charles Blé Goudé: Because we're tired, because we're peaceful. People in front of,
16 right in front of us, they are slitting our friends' throats. So I've asked all of the
17 young people of Côte d'Ivoire, Monday, 7 a.m. sharp, go to the army headquarters of
18 Côte d'Ivoire to join the Côte d'Ivoire army.

19 The crowd shouts out: Liberate, liberate.

20 Charles Blé Goudé continues saying, sight translation: So thank you very much.

21 To show and to prove, to show, to show that you support this idea, we have
22 organised a run to tell people that Yopougon is being dirtied these recent days
23 recently. They can do whatever they want, but when General Blé Goudé has come
24 to Yopougon, he said that recess is over. Recess is over. We have marched. We
25 have marched. Please, we have marched. We've got here -- I believe that -- if you

1 please, go over there.

2 Unidentified speaker: He just has to come here.

3 MR DEMIRDJIAN: [11:54:51]

4 Q. [11:54:52] So we heard him in the earlier part of this speech saying, calling the
5 youth to join the army on Monday at 7 a.m. So is this something that actually
6 happened?

7 A. [11:55:08] Yes, it is.

8 Q. [11:55:09] Can you tell us a little bit about that?

9 A. [11:55:12] So on the Monday, obviously having heard this speech, it made sense
10 to us to try and film the follow-up, film what happened as a result of this speech.
11 So we turned up to an army base in the centre of town not far from our hotel. And
12 there was a huge crowd of young men, very similar to the ones who were at this rally,
13 same sort of ages, same profile.
14 It was kind of chaotic, but the people we spoke to told us they were all there to sign
15 up, to join the army as requested.

16 Q. [11:55:49] Sorry, I'm just waiting for the transcript to catch up.

17 Okay. So where exactly did they turn up for this signing up in the army?

18 A. [11:56:11] I forget the name of the exact base, but it was a large military base
19 right in the centre of town just behind the main, the main square.

20 Q. [11:56:21] And do you remember the name of the main square?

21 A. [11:56:25] I don't. I'm sorry. So many of these things have escaped me. As
22 I'm aware, it was the large and the only main military base in the central part of town.

23 Q. [11:56:38] If I can refresh your memory with your statement?

24 A. [11:56:44] If that's okay, yeah.

25 Q. [11:56:45] At paragraph 61, you indicate that on March 21, 2011, this is the day

1 that the Young Patriots were signing up to join the army, "We went down to the army
2 base where this was happening, which was the état-major"?

3 A. [11:57:02] That's the one. That rings a bell, yes. Thank you. The état-major.

4 Q. [11:57:08] Okay.

5 Your Honours, you had a question about this yesterday. Does that satisfy -- yes.

6 Okay. So tell us what happens when you arrived there?

7 A. [11:57:29] When we first arrived, we were surrounded by young men who as
8 soon as they saw the camera became kind of both hostile - it's kind of a hard situation
9 to describe - they were both hostile, they were also very keen to explain themselves,
10 which is a contradiction that I dealt with the whole time in Ivory Coast. People
11 wanted to tell me what they had to say, but they also didn't want to tell me because I
12 was a foreign journalist.

13 So in that situation things can become quite tense. When you understand the French
14 and you understand that certain people are trying to explain certain things to you,
15 you focus in and you try to listen, and you hope that this person may, certainly for me
16 in doing my job, I hoped that that person may be able to give me an interesting
17 interview.

18 Alex obviously didn't speak French and didn't necessarily understand what was
19 happening. He saw lots of people being very aggressive, coming very close to him,
20 making throat slitting signs, and it scared him.

21 We decided that having a white cameraman with us at that moment was probably not
22 the wisest decision. So I believe we went back to the hotel and dropped Alex off and
23 went back, just myself and the fixer, because by then it was becoming apparent.

24 And so I went back to état-major with the fixer, because by then it was becoming
25 apparent that it would be easier for us to make arrangements without Alex around.

1 So we went back and went a bit further into the army base.

2 I should mention that I was for most of the morning kind of shocked at how easy it
3 was for us as journalists to simply enter the base. And it definitely seemed like on
4 this day normal service was suspended at this army base. It was possible for
5 journalists to talk their way in, which I wouldn't have expected to ever happen at any
6 army base normally. It was obviously possible for ordinary young men to simply
7 walk in, which they were doing, and walking in and out.

8 And the guys on the gate, the soldiers on the gate who would normally probably stop
9 people like us from just wandering in and out were not doing so. They didn't seem
10 to have the authority, in fact, to be able to do so.

11 Q. [12:00:02] Now, you told us that these young men were there to enrol in the
12 army. Did you actually see any form of registration or enrollment?

13 A. [12:00:13] Yes. When Alexis and I returned on our own, without Alex the
14 cameraman, we were able to move a bit more freely. Most importantly, I was able to
15 see things because I wasn't constantly surrounded by people. People kind of act as a
16 wall in front of you sometimes and you can't actually see what's going on behind.
17 But on this occasion I was able to.

18 In the centre of the army base, there was a large parade ground similar to what I've
19 seen in other army bases, the kind of place where the army will march and do their
20 formations and so on, a huge sort of square in the middle of the base. And that area
21 was flooded with young men.

22 They seemed to be concentrating around certain tables. I believe there were three,
23 maybe four tables set up in the middle in this parade ground. And all the men were
24 kind of focused in on groups of tables. And in the middle of each group there was
25 the table, there was a person sitting at the table wearing a Young Patriots T-shirt that

1 said "Jeunes Patriotes" on it. And he was filling in forms. People were handing
2 him their ID cards, and people were waving bits of paper at him, and he was hand
3 filling in forms. He would then put them to the side until there was sort of a decent
4 pile of forms, and somebody else, sometimes in a Young Patriots T-shirt, but
5 obviously connected with the first individual, would then take those piles and go off
6 to a group of army, as in uniformed army soldiers who were standing kind of at the
7 edge and hand them over. And these guys were holding a lot of pieces of paper.

8 Q. [12:02:02] Were you able to observe the reaction of the army officers when these
9 papers are handed over to them?

10 A. Excuse me, sorry. I seem to have switched into the French translation here.
11 Have I pressed something?

12 Q. You can press in the box in front of you the channel. You can switch to
13 channel 1 or 2 to switch from English to French.

14 PRESIDING JUDGE TARFUSSER: [12:02:38] They changed. They changed. You
15 have changed the -- something happened and now it's inverted.

16 MR DEMIRDJIAN: [12:02:48] How about now?

17 THE WITNESS: [12:02:49] Yeah. Well, I can hear you in English.

18 PRESIDING JUDGE TARFUSSER: [12:02:51] Now it's okay.

19 THE WITNESS: [12:02:52] Thank you. Sorry.

20 MR DEMIRDJIAN:

21 Q. [12:02:53] Okay. I'll repeat my question.

22 A. [12:02:55] Thank you.

23 Q. [12:02:56] Do you recall having observed the reaction of these army officers
24 when the papers were being handed over to them?

25 A. [12:03:03] That really sticks with me. It was quite uncomfortable to see what

1 looked like relatively senior army soldiers, they were older in age, they were -- they
2 had lots of stripes and badges on, I didn't know what ranks they were, but they were
3 quite clearly senior, and they didn't seem in charge.

4 They didn't seem comfortable with not being in charge. This was their base. And
5 they seemed very uncomfortable.

6 At various points they would call over what looked like a subordinate, point in an
7 angry sort of way and send him off to go and fix whatever the problem was.

8 It was clear to me that the problem was their army base was swarmed with young
9 men, random people who were not trained, who were not disciplined. This is not
10 how the base is run, and they seemed very uncomfortable with it all.

11 Q. [12:03:59] And did you manage to interview anyone or film any, record any
12 footage at one point at the état-major?

13 A. [12:04:07] Yes. We went back to the hotel. Once I'd seen the signing up, I
14 decided that was clearly a very important moment that we needed to capture on film.
15 So we went back to get Alex. And I told him, you know, there is definitely
16 something to film here, and he agreed. So we came back and we attempted to film
17 it.

18 But the situation I've described happened again. The second Alex got out of the car
19 with his camera, we were surrounded by people. And Alex was barely able to even
20 see the parade ground behind this wall of young men.

21 But we interviewed them. I say "interviewed," they shouted opinions at us. And I
22 occasionally asked a question. Yeah.

23 Q. [12:04:52] I'm going to show you two short clips from that day. The first one
24 just to situate ourselves in terms of the location, it's 0015-0501. We will show the 1.20
25 to 1.56 segment.

- 1 For the interpreters, the transcript is 0063-2902, starting at page 2903.
- 2 PRESIDING JUDGE TARFUSSER: [12:05:23] Can you please repeat the date?
- 3 MR DEMIRDJIAN: [12:05:25] 21 March, your Honours.
- 4 And yes, for the interpreters, we start at line 17. So it's a 36 second clip, if we could
- 5 play it now, please.
- 6 (Viewing of the video excerpt)
- 7 (The following inserted excerpt is a transcription prepared and provided by the
- 8 parties of the aforementioned recording without any modification or alteration)
- 9 SR : OK. We've been given an army escort, and he's doing his best to try and calm
- 10 every down.
- 11 [phon.]. We've been given an army escort here, and he's doing his best to try and calm
- 12 everyone down. There are tens of thousands of Young Patriots, GBAGBO supporters,
- 13 who have been ... politicized and have been told that anybody with a camera from the
- 14 West is ...
- 15 INI : On tue [phon.] les rebelles.
- 16 [Les 2 lignes suivantes sont prononcées simultanément]
- 17 SR : ... is spreading lies about them ...
- 18 INI : On est là pour tuer.
- 19 SR : ... and they should try and stop these people from filming them.
- 20 INI : On est là pour tuer.
- 21 INI : On va tuer les rebelles.
- 22 SR : [Incompréhensible, 00:01:48] difficult for anybody to control.
- 23 INI : On cherche les rebelles pour les tuer.
- 24 SR: Ouais?
- 25 INI : ALASSANE, on va le tuer.

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 THE INTERPRETER: [12:06:05] (Interpretation of video excerpt) We're killing
2 rebels. We're there to kill. We're going to kill rebels. We're looking for rebels to
3 kill. Alassane, we're going to kill them.
4 MR DEMIRDJIAN: [12:06:24]
5 Q. [12:06:24] Very well. I'd like to in the same video go to the 8.55 clip.
6 For the interpreters, it's the same transcript starting at page 2909, starting at line 219
7 until line 243. So play from 8.55 to 9.45.
8 (Viewing of the video excerpt)
9 THE INTERPRETER: [12:06:56] (Interpretation of the video excerpt) Who is it?
10 I'm not for Alassane.
11 That's fine, that's fine.
12 I'm for (unintelligible)
13 That's fine, that's fine. Come.
14 We're going to die for Gbagbo.
15 We haven't got any --
16 I'm going to kill him.
17 Take our names instead of filming us.
18 We're going to go. This is a call, an appeal, "Liberate our country." The FRCI, we
19 almost asked (unintelligible) is anyone working? Let us do the work.
20 We're there.
21 You. Otherwise, okay?
22 Okay. Fine. We're going.
23 We want to kill Alassane.
24 MR DEMIRDJIAN: [12:07:50]
25 Q. [12:07:50] So at this stage, where are you standing?

1 A. [12:07:55] So this is we're standing right on the edge of the parade grounds that I
2 described earlier. And to my left of there you can see the groups of young men.
3 By this stage this is probably a good half hour after I first arrived at the parade
4 ground. They've been, the men have been slightly organised. You can see that
5 there are lines, and there are groups of men sitting on the floor.
6 In the background though you can still see huge groups, clumps of people all focused
7 on a central point, which is the tables that I mentioned earlier.

8 Q. [12:08:32] Okay. And the last clip from this video, I'd like us to skip to 14.33,
9 where you are speaking to some of these recruits, I believe. We'll go until 16.35 mark.
10 So it's a two-minute clip.
11 For the interpreters, same transcript. This time go to page 2911 at lines 297 to line
12 335. Thank you.

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 Attendez. Right now, nobody is fighting against SARKOZY or the French, so why
17 have you come to sign up?

18 THE INTERPRETER: [12:09:12] (Interpretation of the video excerpt) So no one is
19 fighting against the French with Sarkozy. It's Ouattara, yes? So why are you here
20 now?

21 We're here because even today the ONUCI is on Alassane Ouattara's side. They've
22 armed the rebels. There are only those that we know.

23 Who says that?

24 The rebels there. Those that we knew there. It's not only them. It's an Invisible
25 Commando. We don't know who's in it.

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

- 1 People say that no, it's -- it's IB. But there is not -- there is everyone in it. So
2 today --
3 So on the television, is that what they're saying?
4 Yes, yes, that's it. And Abobo there, Abobo, that's our place. It's Côte d'Ivoire. If
5 Abobo today is like that, it's not just those that we knew to begin with as being rebels,
6 Ivorians, but today it's (unintelligible) it's UNOCI. It's -- that's what the Licorne said.
7 So you think that the Licorne, Licorne is arming the rebels?
8 Yes, of course.
9 Who said that?
10 We saw that on 16 December, 16 December, the 16th, we saw it on 16 December
11 (unintelligible) 16 December we saw that. UNOCI accompanying the rebels coming
12 out together from the Golf Hotel.
13 SR : FRANCK here tells me that he is certain and he says he has seen with his own
14 eyes that the United ... FRANCK tells me that he's seen with his own eyes that the
15 United Nations are only here to arm the rebels. They have destroyed this country by
16 giving arms to the opposition, and turning the whole thing into a warzone. He has
17 come to sign up because he wants to fight against the rebels, and by doing so, protect
18 his country. Merci beaucoup.
19 THE INTERPRETER: (Interpretation of video excerpt) We will eat the rebels.
20 We'll kill.
21 MR DEMIRDJIAN: [12:11:17]
22 Q. [12:11:17] Very well. A moment ago there was a mention of the television.
23 Were you during your time there able to follow state television?
24 A. [12:11:28] I did on a number of occasions watch state television, yeah.
25 Q. [12:11:35] And this claim that again the United Nations mission was handing

1 over weapons to rebels, is that something that you remember seeing on television?

2 A. [12:11:47] I don't remember specifically hearing that claim on TV. I hope the
3 Court will accept me saying that it was well publicized and other journalists who
4 maybe had time to watch state TV when I wasn't told me that that was the kind of
5 information that was being put out on the news of the TV station.

6 Q. [12:12:11] While you were in Abidjan, did the state TV make any mention of the
7 presence of foreign journalists?

8 A. [12:12:21] Yes. I specifically remember watching state television, actually being
9 told to watch state television. I believe it was roughly every hour on the hour, there
10 was a news bulletin followed by kind of a public information broadcast. And during
11 my time there, these public information broadcasts seemed to be focused on
12 journalists, on the presence of foreign journalists in the country. The broadcasts
13 made it clear that we were undesirable, that we were spreading lies and sending lies
14 back to our home countries and adversely affecting the country.

15 At a certain stage, I can't tell you exactly what date, I'm afraid, but at a certain stage
16 they started to broadcast pictures of journalists who had been seen out on the streets,
17 and those photos were accompanied by a statement encouraging people to take
18 photos of journalists who they see on the street and to send them in to state television.
19 People were encouraged to see themselves almost as a civilian police force. They
20 were policing us as journalists. They were keeping track of where we were, what we
21 were doing, what we were saying and were reporting that to the state television.

22 And, again, I can't remember the exact date, but I was told that my face was being
23 broadcast on that bulletin. And I made time to make sure I was sitting in front of it
24 in the restaurant of the hotel and I saw myself and Alex, a photo that somebody had
25 actually -- I remember it being taken, somebody come along and said, "Let me get a

1 picture," grabbed a photo of us and then just walked away. We thought nothing of it,
2 but that same picture appeared on the news a couple of days later.

3 Q. [12:14:16] Very well. Now, during your time in Abidjan, did there come a time
4 where you drove through a neighbourhood called Williamsville?

5 A. [12:14:33] Yes, yes, I do remember driving through Williamsville.

6 Q. [12:14:36] Was there a particular incident that took place during your drive?

7 A. [12:14:40] On the day that we drove through Williamsville, we came down the
8 motorway and turned off sort of a motorway turning and immediately hit a hill. It
9 was obvious that this hill had previously been a market, because along the sides of
10 the road there were wooden stalls and wooden tables. But the tables weren't at their
11 normal position. They were turned sideways so that the flat end of the table was
12 facing into the road.

13 Essentially looking at the road I could tell that there could be all kinds of things and
14 people behind these tables and I wouldn't be able to see them.

15 It was apparent to me, it was apparent to me that these tables had been purposely
16 placed like that in order to create a defensive position for somebody who would be
17 able to observe who was coming into the area, potentially even attack that person
18 from behind cover.

19 Obviously that immediately worried me. That's not what I was supposed to see
20 when we turned into the area. I was supposed to see a market. So I knew
21 something was wrong.

22 Within a few seconds of driving up that road, two men came out from behind the
23 tables, both with assault rifles, wearing the usual hodgepodge of casual jeans and
24 some sort of military fatigues and something that looked like a bit of a police uniform,
25 but nothing coherent. They were carrying guns. They were men with guns. That

1 was the key point. They indicated that the car should stop, and they asked us all to
2 get out of the car.

3 Should I continue? Yeah, okay.

4 Q. [12:16:31] Perhaps just to guide us a little bit here, could you describe these two
5 men and what they were wearing?

6 A. [12:16:37] Okay. So as I've indicated, their uniforms were a mixture. There
7 were bits of police uniform that I recognised, the blue of the local police. There were
8 bits of military gear, camouflage gear. And they were all carrying assault rifles. I
9 keep focusing on the assault rifles, because that was the main thing that I saw. They
10 were pointed at me, and they were pointed at other members of our team, our driver
11 and our fixer.

12 The two men indicated that we should get out of the car. And at this point Alex and
13 I quickly slipped into what had become our usual kind of routine of assuming that we
14 could speak English. If we speak quickly, if we use a lot of slang, even people who
15 speak English don't often follow what we are saying.

16 So we quickly slipped into this: Okay, what's going on? What are you going to do?
17 You know, how are we going to deal with this type of conversation in hushed tones?
18 But one of the men overheard us and said, "Qu'est-ce qui ce passe. Qu'est-ce qui ce
19 passe."

20 And I tried to explain to him that Alex doesn't speak French and I'm simply trying to
21 translate to him what's going on, at which point he -- his eyes lit up and he seemed
22 pleased by this occurrence. And he said, "Well, I speak English, man." And he sort
23 of said it in this American-West African twang, which I strongly recognised as a
24 Liberian accent.

25 It seemed immediately obvious to me that he was a Liberian mercenary. I couldn't

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 see any other reason why a Liberian would be carrying weapons in what was rapidly
2 becoming a war zone.

3 But I did know that a lot of Liberians from the civil war, the Sierra Leone civil war
4 had become mercenaries and had continued to work as mercenaries in the region.
5 And so I quickly assumed that he was one of them.

6 PRESIDING JUDGE TARFUSSER: [12:18:33] How did you know that? How did
7 you become aware of this?

8 THE WITNESS: [12:18:37] Aware of --

9 PRESIDING JUDGE TARFUSSER: [12:18:39] Because you said "I knew, but I did
10 know that a lot of Liberians" -- how did you come to know this?

11 THE WITNESS: [12:18:52] So one of the countries that I, one of the countries that I
12 have previously worked in was Sierra Leone. I made a documentary there. I was
13 there for three weeks. And I spent a large amount of time on the Liberian border. I
14 spent time interviewing young men who had fought with the rebels in the Sierra
15 Leone civil war, and I'd interviewed various young men who were from Liberia or
16 who had fought with Liberians.

17 So I was very aware of the presence of Liberian mercenaries in various West African
18 countries. And I was very aware that that hadn't gone away since the end of the
19 Sierra Leone war, that many of those young men were still armed and were still guns
20 for hire essentially.

21 PRESIDING JUDGE TARFUSSER: [12:19:32] so had you experience with the slang,
22 with the language?

23 THE WITNESS: [12:19:35] I had experience with the slang, with the accent, with the
24 demeanour.

25 PRESIDING JUDGE TARFUSSER: [12:19:40] Mr Prosecutor.

1 MR DEMIRDJIAN: [12:19:42] Thank you, Mr President.

2 Q. [12:19:44] Perhaps to wrap this topic up, could you tell us what happened at
3 that moment, at that location and -- well, let's start with that.

4 A. [12:19:53] Okay. Essentially this Liberian and his friend robbed us. They took
5 our phones. They took our money. They took our camera, which actually was the
6 thing we were most worried about. It was a very valuable camera, and it was one of
7 only two that we had. So we needed to keep hold of it. So that was our biggest
8 concern.

9 And I quickly realised that what I had hoped would be just a quick "they take
10 everything we've got and we go" situation, that wasn't going to happen. We had to
11 stick around and kind of make a pain in the ass of ourselves to try and get this camera
12 back. We couldn't leave without the camera. We might never see it again.
13 So unfortunately this situation, rather than trying to extricate ourselves, we actually
14 had to get more involved. We had to beg. We had to ask. We had to plead. And
15 it slowed things down enough that eventually our fixer ended up in an altercation
16 with the Liberian, who raised his gun above the fixer's head and fired a shot into the
17 air, partly a warning shot to the fixer, and it worked. He quickly kept quiet at that
18 point. But it was also clearly a signal to somebody else further up the road who was
19 wearing police uniform. He came down the road, started to inquire as to what was
20 going on.

21 It seemed like he had a little bit more authority. He encouraged them to give us
22 back the large camera, at which point I stopped agitating to get the money and the
23 phones and everything else and took this as our sign to get in the car and go, which is
24 what we did.

25 Q. [12:21:38] Very well. Just one last question. The other individual, you said

1 the first one was a Liberian, what was the other person with him?

2 A. [12:21:46] The other person with him spoke French, and I recognised a few
3 words of the local language as well, particularly when he was speaking with the
4 police officer. So I assumed that he was Ivorian. He seemed less confident with his
5 weapon, more jumpy. So I assumed that he was the junior partner in their
6 operation.

7 Q. [12:22:07] And when you say "less confident," how was the Liberian behaving?

8 A. [12:22:18] So, so just to clarify, before I get sent anywhere, in fact, I regularly
9 have to undertake what we call hostile environment training. I spend perhaps up to
10 a week with a group of former soldiers, British soldiers, who explain to me how to
11 operate in a hostile environment.

12 There is a section that they do, a whole day, in fact, on guns. They show us different
13 guns. They show us types of bullets, the types of damage that can be done with
14 various guns.

15 And they show us how people hold their guns. And it's something that they really
16 drill into us a lot. When a trained soldier holds a gun -- sorry. When a trained
17 soldier holds a gun, he keeps his finger off the trigger to the side. And he, whenever
18 he wants to use the gun to do anything, he uses the butt end of the gun.

19 So the Liberian kept his finger off the trigger at all times. And he hits both our
20 driver and our fixer on more than one occasion, and each time he did so, he used the
21 butt of his gun.

22 The other guy whenever he poked us or used his gun, he used the front end of the
23 gun, and he always had his finger on the trigger, which I was taught that soldiers are
24 told not to do this because it increases the chance of them accidentally firing when
25 they don't intend to.

1 So looking at both of their behaviour, it seemed clear to me that the Liberian knew
2 what he was doing with the gun. He had handled a weapon like that before, had
3 fired it before and was aware of how to use the gun in such a way that he wasn't
4 going to accidentally shoot somebody.

5 His colleague, as I say, was much more jumpy. He was poking the butt end, the rifle
6 end of the gun into my side, into other people's sides. He had his finger on the
7 trigger. There was a magazine in. I couldn't tell if it was loaded. So that was
8 obviously quite alarming. He didn't -- it seemed like he could very easily
9 accidentally shoot us. He didn't seem to want to, but it could quite easily happen.

10 The Liberian also kept on grinding his teeth in a really -- in a way that I recognised as
11 being symptomatic of a person who is taking cocaine or some other stimulant drug.

12 He ground his teeth a lot, and his eyes were a little bit bloodshot and quite wide.

13 Again, having spent time with Liberian former soldiers and Sierra Leonean former
14 soldiers, I recognised that pattern of drug use and the behaviour.

15 Q. [12:24:58] Thank you for that. So this drive in Williamsville, do you remember
16 on which day it was? Do you remember the date by any chance?

17 A. [12:25:08] I'm afraid I don't. Sorry.

18 Q. [12:25:13] Paragraph 70 of your statement, if I can refresh your memory, you
19 indicate that this was 22 March. So it would have been the day after the état-major.
20 Does that ring a bell?

21 A. [12:25:23] That does ring a bell, yes. That does ring a bell.

22 Just to clarify on dates, it was a lot easier when I gave my statement to give dates
23 because I had, I had the record of all our calls. I don't hold those dates in my head.

24 Q. [12:25:38] Not a problem. Very well.

25 Just before the break, do you remember attending after this, well, later during your

1 time in Abidjan a press conference?

2 A. [12:25:52] Yes.

3 Q. [12:25:52] Yes. Can you tell us where this was, what were the circumstances?

4 A. [12:25:58] As I remember, it took place in a town hall. The mayor's office, yeah,
5 the town hall, the main mairie, the town hall of Abidjan.

6 I was told about it by a French journalist staying in my hotel. Essentially we
7 received an invite to all the foreign press who was staying in our -- well, many of
8 them were staying in our hotel.

9 We received an invite to come to a press conference that was being held by Charles
10 and in which he wanted to explain further his positions to the press specifically.
11 Most of the journalists in our hotel thought it was either a trap or an undesirable thing
12 to go to. But myself and one other, Jean-Philippe Rémy from Le Monde, figured it
13 would be a good chance to try and get a word with the man himself. So we both
14 decided to go down. I obviously took my team with me.

15 Q. [12:26:57] Very well. And during this press conference, do you remember
16 what Mr Blé Goudé said?

17 A. [12:27:09] I don't. I don't remember hugely. I remember --

18 PRESIDING JUDGE TARFUSSER: [12:27:16] Did you film?

19 THE WITNESS: [12:27:17] Yes, it was filmed. It was filmed.

20 PRESIDING JUDGE TARFUSSER: [12:27:19] We have the film? Good.

21 MR DEMIRDJIAN: [12:27:21] We do, your Honours. Should I get into it or do you
22 want us to take the break now?

23 PRESIDING JUDGE TARFUSSER: [12:27:27] we can go ahead for a few minutes.

24 MR DEMIRDJIAN: [12:27:29] A few minutes? Okay.

25 Q. [12:27:35] So let's go straight, well, let's go to the first one, which is 0015-0524.

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

- 1 PRESIDING JUDGE TARFUSSER: [12:27:42] No. Let's take the break, otherwise if
2 we start --
- 3 MR DEMIRDJIAN: [12:27:46] Okay.
- 4 PRESIDING JUDGE TARFUSSER: [12:27:48] -- then we --
- 5 MR DEMIRDJIAN: [12:27:49] Thank you, your Honours.
- 6 PRESIDING JUDGE TARFUSSER: [12:27:51] So I would say we have the break now,
7 and we come back at 2 o'clock for the third session. I just for as a reminder to the
8 Office of the Prosecutor, it's 2 hours 20 minutes about they took, so just for you to
9 know.
- 10 Thank you very much. The hearing is adjourned to 2 o'clock.
- 11 THE COURT USHER: [12:28:07] All rise.
- 12 (Recess taken at 12.28 p.m.)
- 13 (Upon resuming in open session at 2.02 p.m.)
- 14 THE COURT USHER: [14:02:09] All rise.
- 15 Please be seated.
- 16 PRESIDING JUDGE TARFUSSER: [14:02:42] Good afternoon. Good afternoon.
- 17 The floor is back to the office of Prosecutor. If you take the whole session, you're just
18 over the three hours and a half requested, just to put you in the picture.
- 19 MR DEMIRDJIAN: [14:02:52] Thank you, Mr President. I'll try to remain as much
20 as possible within the time. In fact, I have to.
- 21 Q. [14:03:00] So before the lunch break, Mr Rhodes, we were talking about this
22 town hall meeting or press conference, sorry, on 23 March. So I'd like to show you a
23 couple of clips from that event. So let's begin with the first one, which is at
24 0015-0524.
- 25 The transcripts for the interpreters, 0063-2914 at 2915, lines 1 to 22.

1 For the record, we'll be showing from the beginning to the 1.26 mark.

2 (Viewing of the video excerpt)

3 THE INTERPRETER: [14:04:18] (Interpretation of the video excerpt) I would like to
4 ask everyone to stand and welcome General Charles Blé Goudé.

5 MR DEMIRDJIAN: [14:04:27] Stop at the 39 second mark actually.

6 Q. [14:04:32] Mr Rhodes, first of all, just to situate ourselves, do you recognize the
7 location?

8 A. [14:04:37] Sorry. Yes, I do.

9 Q. [14:04:40] Now, we see a number of people in the audience. Are you able to
10 tell us briefly who was in attendance?

11 A. [14:04:49] I'm not really. Briefly, there are a number of supporters of him, of
12 his, and a lot of members of the local press.

13 Q. [14:05:00] Again, are you there with your fixer?

14 A. [14:05:08] Yes, I believe our fixer was with us on this occasion.

15 Q. [14:05:12] Okay. Now, from this same clip I'd like to show you a portion of the
16 speech given by Mr Blé Goudé.

17 For the interpreters, it's the same transcript starting at page 2917, lines 99 to 123.

18 And for the record, the clip will start at 7.48 and end at 10.17.

19 (Viewing of the video excerpt)

20 THE INTERPRETER: [14:05:47] (Interpretation of the video excerpt) Well, when you
21 hear people, it's as if they're really rejoicing. No, but the ingredients of a civil war
22 exist in Côte d'Ivoire. From one moment to another, there will be a civil war in Côte
23 d'Ivoire. They're programming a civil war like you programme a football game.

24 And as far as we're concerned, those of us who are the leaders of the Young Patriots,
25 we're going to do everything to avoid there being a civil war in Côte d'Ivoire. It's

1 true, Mr Ouattara has carried out purification, ethnic, ethnic purification in Côte
2 d'Ivoire. And all those who have -- who are serious observers in this country have
3 criticized Mr Ouattara. And in all the regions that are favourable to him, they've
4 chased those who are close to Laurent Gbagbo, they've chased them out. Even his
5 own family from the north, for having taken up the ideology of Laurent Gbagbo,
6 they've been killed. And if they're lucky, they've been merely chased out.
7 And today, when you go to those regions, the only people who live there are those
8 who share Ouattara's ideology.
9 And as for the mercenaries who have been sent to Côte d'Ivoire, when Mr Ouattara
10 arrives in a city, of course, they kill them. They're chased, they chase those whom
11 they consider as being close to Laurent Gbagbo. There is no other name for that.
12 That's what you call ethnic purification.
13 And UNOCI has closed its eyes to this killing, to this torture. Is it not true that in
14 Côte d'Ivoire, in the village of Anonkoua-Kouté and in Abobo, the Ébrié people are
15 suspected of being close to Laurent Gbagbo have had their throats slit literally, their
16 villages burnt down.
17 And now there is this report signed by Mr Choi, the special representative of the
18 United Nations, who says -- well, as if the life of these people, the lives of these people
19 just weren't important. A human life is a human life.
20 And this morning I criticized the attitude of Mr Choi. The danger in Côte d'Ivoire is
21 no other than Mr Choi. It's dangerous for Côte d'Ivoire, dangerous for peace in Côte
22 d'Ivoire, dangerous for peace in the subregion, because he lied, he lied to the entire
23 world, and he cannot come back on those lies. Mr Choi has taken everyone along in
24 this lie.
25 MR DEMIRDJIAN: [14:08:50] Thank you.

1 Q. [14:08:56] Mr Witness, at the beginning of this clip, Mr Blé Goudé says, "Nous,
2 les leaders des Jeunes Patriotes." And we see a few people with him. Did you meet
3 any of these other leaders?

4 A. [14:09:14] I believe that I did speak to some of them off camera. The guy in the
5 pink shirt there actually on the right, I do remember having a conversation with him
6 at some point.

7 The guy with the dreads as well, we shook hands a few times. I don't think we had a
8 detailed conversation.

9 Q. [14:09:34] By off chance, do you recall their names?

10 A. [14:09:37] I don't, no.

11 Q. [14:09:40] The second question that I have on this clip is, at the very end,
12 Mr Blé Goudé insists that Mr Choi is a danger in Ivory Coast and that he lied to the
13 whole world.

14 So did you find out what was the reason for Mr Blé Goudé's words with respect to
15 Mr Choi and the ONUCI? What was the source?

16 A. [14:10:09] I don't know. I never did find that out. One of the -- in fact, my
17 main focus at this meeting was trying to, was trying to get some more time with
18 Mr Blé Goudé.

19 Just to clarify, for our documentary series, sit-down interviews and press conferences
20 just doesn't really work. What we need is kind of on the ground action time with
21 people.

22 So ultimately I wanted him to tell me all of this. Ultimately I wanted him to tell me
23 the things that he'd said in this press conference on a one-to-one basis possibly in a
24 more relaxed setting.

25 So no, I didn't get to go into the details of his allegations against Choi.

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 PRESIDING JUDGE TARFUSSER: [14:10:57] Did you have a one-to-one session with
2 him later on on this?

3 THE WITNESS: [14:11:02] I did, yes.

4 MR DEMIRDJIAN: [14:11:07] Your Honours, for your information we're getting
5 actually there very quickly.

6 Q. [14:11:12] The last clip I want to show you from this day, for the interpreters, it's
7 the same transcript starting at page 2920, from lines 209 to 244. And for the record,
8 we will start at 16.42.

9 (Viewing of the video excerpt)

10 THE INTERPRETER: [14:11:44] (Interpretation of the video excerpt) Sight
11 translation: And on behalf of the Young Patriots, we're going to play that little game.

12 And I'm very happy that the entire international press is here. I saw the list.

13 Today is Wednesday. And I'm asking the Ivorians. They're saying that

14 Laurent Gbagbo is in the minority and that you weren't the one who was elected,

15 even though it's his army that's forcing you and that his army is forcing you to go off
16 to work for them. And it's because of that army that you're here.

17 In fact, the head of state is always proud of his army.

18 We began this fight in 2002. Gbagbo, he started even before, because we have been

19 taking care of our little one. And in any case, the real problem since 2002 is that
20 we're fighting this fight.

21 Today is Wednesday. And it was with you who elected Laurent Gbagbo.

22 Tomorrow, on Thursday, the day after on Friday, we have 48 hours, go on, go ahead,
23 get down to work calmly, calmly. Go ahead, go to work.

24 We want to see the city of Abidjan with all its traffic jams, full of vehicles, with all the
25 comings and goings, people going back to work, that's what -- that's why you elected

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 Laurent Gbagbo -- rather, correction, if that's -- if you didn't elect Laurent Gbagbo,
2 then don't go back to work. Take note of that. You need to see what the reactions
3 will be tomorrow. It's been a while since Mr Ouattara launched his appeals for civil
4 disobedience. And I say to you today that everyone (inaudible) that everyone is here
5 today, and it is no longer you -- if it's not you who elected Laurent Gbagbo, those
6 elected (inaudible) at work, but if it's you who elected him in discipline, in calm, go
7 on, go back to work.

8 Today, after those two days have passed, once Thursday has passed, Friday has
9 passed ...

10 THE INTERPRETER: [14:14:49] Your Honour, the video stopped before the end of
11 the lines indicated by the Office of the Prosecutor.

12 PRESIDING JUDGE TARFUSSER: [14:14:57] The video stopped before the lines you
13 have indicated.

14 MR DEMIRDJIAN: [14:15:02] Just a second, please.

15 THE INTERPRETER: [14:15:16] The video stopped on line 227 whereas it was
16 announced it would continue until line 244.

17 MR DEMIRDJIAN: [14:15:26] Well, the speech we heard did carry on until line 244.
18 Let me just get a copy of the transcript. Thank you.

19 PRESIDING JUDGE TARFUSSER: [14:15:56] Why don't you go just ahead with the
20 video.

21 MR DEMIRDJIAN: [14:15:59] We just need the last part of the sentence to be
22 translated, your Honours, because we played until the end of what Mr Blé Goudé
23 said at that point. But we seem to have stopped midway, mid-through in the
24 translation. So we need you to hear the rest of the translation, because otherwise my
25 questions won't make sense.

1 THE INTERPRETER: [14:16:17] (Interpretation of the video excerpt) Well, sight
2 translation continuing from line 227:

3 Now, those two days, once they've passed, Thursday is passed, Friday is passed, then
4 there is Saturday, and I will announce an appeal for a public uprising in 2002 -- I
5 announced, rather, I announced an appeal for a public uprising in 2002.

6 In 2004, when the French army tried to attack our airplanes, we note, dear friends,
7 that I launched this very same appeal. So on Saturday, the 26th, it's you who elected
8 Laurent Gbagbo. And those of you who don't believe that he's in the minority,
9 you're going to prove that Gbagbo is in the majority in Abidjan, and I appeal to you
10 for a public uprising in Abidjan on Saturday, the 26th.

11 Applause, et cetera, inaudible.

12 Charles Blé Goudé continues: Thank you very much. And I say, and I say each and
13 every one of you take up your mat.

14 The crowd: Amen.

15 Each and every one of you take up your packs, your bags, and take what you can take
16 and spend the night where I've told you.

17 End of sight translation.

18 MR DEMIRDJIAN: [14:17:42] Thank you very much.

19 Q. [14:17:44] Very well. So, Mr Rhodes, here we hear Mr Blé Goudé talking about
20 a popular uprising on 26 March. And he particularly asks of those who voted for
21 Laurent Gbagbo, right.

22 Now, in your time there in your interactions with Mr Blé Goudé, did you find out
23 what was his connection, if any, to Laurent Gbagbo?

24 A. [14:18:13] Well, obviously he was, he was obviously a minister in
25 Laurent Gbagbo's government. And I do believe that in an interview, whether it was

1 on camera or not, I can't remember, but I do remember in an interview, in a
2 conversation with him, him mentioning having dinner with Laurent and his wife, and
3 he gave the impression that they were close personally and professionally.

4 Q. [14:18:41] What, if anything, did Mr Blé Goudé tell you about the policies of
5 Mr Gbagbo?

6 A. [14:18:55] On the whole, to summarise quite quickly, it seemed, or what I
7 understood from Charles Blé Goudé and I suppose from his supporters and his
8 entourage, they seemed to have a very populist, slightly left wing anti-imperialist
9 stance, and it was -- yeah, that's, that's basically what, what I gathered from him.
10 In terms of domestic policies, we didn't really discuss that.

11 Q. [14:19:32] And in these interviews you had with Mr Blé Goudé, did he -- what
12 did he say about his position vis-à-vis the policies of Mr Gbagbo?

13 A. [14:19:47] There was certainly the impression that he was 100 per cent on board
14 with Laurent Gbagbo's policies, that he was an architect of those policies, and that
15 they were very much politically aligned, that they were working together for the
16 same cause.

17 Q. [14:20:01] Now, on 26 March, the day of this rally, what were your plans that
18 day? Did you have a schedule of some sort?

19 A. [14:20:19] Our plan was to try and stick with Mr Blé Goudé as much as possible.
20 We wanted to, as I explained earlier, take the opportunity to see him in action, to see
21 what he does and to drop in questions every now and then that would help him to
22 illuminate and explain exactly why he was doing these things and what he hoped to
23 achieve.

24 Q. [14:20:45] Were you able to have a one-on-one interview with him?

25 A. [14:20:51] I did, yes. I did manage to have a one-on-one interview with him,

1 yeah, we did. We spent maybe half an hour talking and we went over very basic
2 issues.

3 I remember not being 100 per cent satisfied. I'm probably never really satisfied.

4 But I felt that it served the purpose of perhaps illustrating that we'd got to know him
5 a little bit, but I really felt like we needed to go a bit further. We needed to get to
6 know him better before I could ask some of the more pertinent questions about, you
7 know, why are you doing this, and are you not more worried about the potential
8 danger to your country and so on.

9 Q. [14:21:36] Where did you meet him?

10 A. [14:21:38] I believe that when I first met Charles Blé Goudé, it was outside his
11 home. I was, I was told that he had numerous homes in the area, and this was one
12 that we were allowed to know the location of. But we quickly moved on from there
13 in our cars to a restaurant around the corner, I believe one of his favourite restaurants.
14 He wanted us to eat some Ivorian food.

15 Q. [14:22:05] Very well. So is it at that restaurant that you managed to speak with
16 him?

17 A. [14:22:15] Yes, yes, it was at that restaurant. There was a large delay. He had
18 things to do. So time was quite restricted. I spent a large amount of time, probably
19 more time in that restaurant talking to his press people than I did with him really.

20 Q. [14:22:29] Okay. So let me show you a brief exchange you had with him at the
21 restaurant. This is 0015-0547.

22 For the interpreters, the transcript is 0044-2519 at page 5, lines 117 to 144.

23 For the record, we will be showing the clip from 6.05 to 8.39.

24 (Viewing of the video excerpt)

25 (The following inserted excerpt is a transcription prepared and provided by the

1 parties of the aforementioned recording without any modification or alteration)

2 SR : OK?

3 INI: Yeah.

4 SR : Since I've been in ABIDJAN, driving down the road, I am regularly stopped at
5 roadblocks by groups of young men calling themselves Young Patriots. I've been
6 robbed by a group of young men calling themselves Young Patriots. Is that legal why
7 are these people are on the streets? Is that what your organisation is about?

8 INI: Merci.

9 THE INTERPRETER: [14:23:42] (Interpretation of the video excerpt) Well, the
10 phenomenon you're talking about, these roadblocks that are built up in the various
11 neighbourhoods, this is a phenomenon that follows as a result of the entrance of
12 rebels into Abidjan. They have come into the courtyards. They're slitting people's
13 throats. And they're upsetting, they're -- correction, they're mixed in with the
14 population. And so to protect themselves, the people over and beyond just the
15 Young Patriots, they're now setting up roadblocks to check who comes and who goes
16 into their neighbourhood. And that's why, it's because of the rebels. Otherwise in a
17 normal country where law and order is applied, that wouldn't happen. And it's
18 because the state must provide this law and order for the ordinary citizen, and that's
19 why we're ending up having to impose Ivorians having them to provide their own
20 security. That's what I meant.

21 Well, since the crisis, European journalists have put themselves in danger. They see
22 what's going on. They describe it in a different light. And take the case of Tatiana
23 from France 24, who actually saw the president of the Independent Electoral
24 Commission arrive instead of Mr Ouattara and who was to hold a press conference,
25 and she said she was surprised. And for that, today she's been sanctioned by France

24, because she wasn't, I was going to say she wasn't really carrying out her mission, the mission for which she was there, that is, to criticise, to criticise and present President Gbagbo as a devil.

So what's happening today, the Ivorians are really upset about it and when they see what European journalists are doing. And certainly what we've undergone, they're not, they're not bandits. I'd just like to say that I regret that such acts take place and that your own camera, for example, I'd like to apologise for what happened with your camera, but those things can happen. And elsewhere journalists are killed.

Elsewhere they're, they're tied up. And we were a bit upset. And so I would like to apologise on behalf of the Young Patriots.

MR DEMIRDJIAN: [14:26:26]

Q. [14:26:30] So in this clip Mr Blé Goudé apologises on behalf of the Young Patriots. To your knowledge, were any measures taken to have your belongings returned to you?

A. [14:26:43] No. I know that independently and on his own, of his own volition, our fixer, Alexis, did manage to get his phone back. I believe he used police contacts to do that. We didn't do anything via, via Charles.

PRESIDING JUDGE TARFUSSER: [14:27:05] But you got your camera back?

THE WITNESS: [14:27:08] We got our camera back on the spot --

PRESIDING JUDGE TARFUSSER: Yes, on the spot.

THE WITNESS: -- at the time, yeah, before we left.

PRESIDING JUDGE TARFUSSER: [14:27:12] So what was missing?

THE WITNESS: [14:27:15] So two mobile phones, a notebook and some cash. I can't remember how much, probably up to about 100 dollars.

PRESIDING JUDGE TARFUSSER: [14:27:21] Okay. Thank you.

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 MR DEMIRDJIAN: [14:27:24]

2 Q. [14:27:24] Now, after this interview at the restaurant, is this when you moved
3 towards the rally?

4 A. [14:27:31] Yes, yes, that's correct.

5 Q. [14:27:32] Now, did you know how long this rally was expected to last?

6 A. [14:27:38] It had been publicized as an all-night sit-in. Tahrir Square in Egypt
7 had recently, you know, was recently a centre of sit-in protests, so that was kind of
8 the example that everyone in the world was using. We now have millions in occupy
9 this, occupy that. So it was kind of an early example of this let's occupy a space and
10 stay there until we get what we want.

11 PRESIDING JUDGE TARFUSSER: [14:28:09] Tahrir, Tahrir Square?

12 THE WITNESS: [14:28:12] Yes.

13 MR DEMIRDJIAN: [14:28:14]

14 Q. [14:28:14] How did you travel to the rally?

15 A. [14:28:16] We travelled in Charles Blé Goudé's car, which was a bit of a coup for
16 us. That's exactly what we wanted to achieve. We want to spend time with a
17 person who is involved in something important and see him building up to that event
18 and so on and so forth. So, yeah, we were really pleased that we got to spend, not
19 just have lunch with him, but also then travel in the car with him and talk to him.

20 Q. [14:28:44] I'd like to play a short clip of a talk you had with him in the car at
21 0015-0548.

22 For the interpreters, the transcript is 0019-0128. It's a brief transcript, transcript in
23 full.

24 For the record we will start at 1.10 mark and we'll stop at 3.36.

25 We need the floor. Apparently we don't have it.

1 THE COURT OFFICER: [14:29:27] The Prosecution has the floor, evidence channel 2.

2 MR DEMIRDJIAN: [14:29:29] Thank you.

3 (Viewing of the video excerpt)

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

6 Seyi RHODES [SR] : Yeah. CHARLES, does it worry you? That there are so many
7 people who are mobilised and who are active and who are on the verge of violence,
8 what's going to happen in this country if you can't calm the situation down?

9 THE INTERPRETER: [14:29:57] (Interpretation of the video excerpt) That's what I
10 was telling you. I was saying that as a leader, we have the duty to do away with this
11 this, to diffuse this bomb, so to speak. Do you understand? The goal of a leader is
12 not just to win the fight. What we really need to win here, the true victory is the
13 victory of peace.

14 And because those who are crying out like that, those who are claiming us, they're
15 waiting for us, they want to live in peace, and they want to have a decent job that
16 enables them to live in a peaceful environment. That's what we need to do.

17 SR : Please, let me explain, let me explain a little bit ... a little bit more clearly maybe.
18 We have got rebels ...

19 [00:02:04. Changement de plan. Vue sur Seyi RHODES]

20 Intervenant non identifié 2 [INI2] : It's all right.

21 SR : ... yeah. You have got armed rebels around the country taking different towns,
22 you have got armed patriots, and you have got police and army who won't
23 necessarily getting paid because there is no money here. Aren't you worried that in a
24 few months time the situation is going become out of your control?

25 THE INTERPRETER: (Interpretation of the video excerpt)

1 Blé Goudé, sight translation: Ah, okay. I meant that, I meant that in a revolution
2 there is always collateral effects. You can't carry out a revolution and expect flowers
3 in return. We know that the situation is very difficult. It will perhaps be even more
4 difficult in the months to come. But I'd like to remind you that all the major
5 countries that now have their freedom today went through this stage. Nelson
6 Mandela and South Africa went through that experience. France herself went
7 through that.

8 The only problem and the only obstacle that we have is that there are people who are
9 setting themselves up as if they were the masters of the world. And today they are
10 keeping us from gaining our freedom, just like they gained their freedom.

11 So we're aware of the situation, but we have God on our side, and we hope that God
12 will help us get out of this situation.

13 But we can't just go forward with our arms crossed, so to speak. We have to fight.

14 MR DEMIRDJIAN: [14:32:35]

15 Q. [14:32:35] One question on this clip, Mr Rhodes, because we see the rest of this
16 clip actually, you move on to another question. So did Mr Blé Goudé off camera
17 explain to you what he meant by "in a revolution there are always collateral effects"?

18 A. [14:32:49] I'm not sure that he ever explained it off camera. I felt that I
19 understood what he was saying based on the rallies, the speeches I'd heard from him,
20 the interview I had done with him and the conversation that we had. I think I
21 understood what he meant.

22 He was, he was talking quite clearly about the potential damage to the country. He
23 felt that it was a risk worth taking. He felt the potential rewards were huge,
24 everything that he desired for his country, and he was willing to take that risk.

25 Q. [14:33:21] Very well. Now let's move on to the actual rally. First of all, can

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 you tell us how was he received when you arrived?

2 A. [14:33:35] Yeah, the usual reception. Charles Blé Goudé, the General of the
3 Streets arrived, and the crowd went crazy. The security did their best to try and stop
4 people from grabbing him and touching him. You know, they weren't going to
5 harm him, but it was, it was a tough situation to control. It was bigger than anything
6 I'd seen before.

7 Q. [14:33:56] You walk into the rally with him?

8 A. [14:34:00] Mm-mm.

9 Q. [14:34:01] Okay. If I could just show you a very brief extract.

10 A. [14:34:04] Yes, I walked into the rally with him.

11 Q. [14:34:07] It's 0015-0552. And there is -- I don't believe there is any -- oh, there
12 is a transcript for this one, is there? No, we don't need any transcripts for the first 17
13 seconds. So we'll start from the beginning until the 17 second mark.

14 (Viewing of the video excerpt)

15 MR DEMIRDJIAN: [14:34:45]

16 Q. [14:34:49] This badge that you're wearing around your neck, when did you
17 receive it?

18 A. [14:34:53] That badge was given to me probably in a matter of minutes earlier,
19 before this was recorded, maybe 10, 15 minutes earlier.

20 PRESIDING JUDGE TARFUSSER: [14:35:02] By whom?

21 THE WITNESS: [14:35:03] It was given to me by a member of Charles Blé Goudé's
22 press team. And I was told to wear it and that it would identify me as an officially
23 sanctioned member of the press. I think in the background you can see a member of
24 the Ivorian press holding a camera on a mono-pod there, and he's also got -- sorry.
25 I think in the background you can also see a member of the Ivorian press who is

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 holding up a camera on a mono-pod. And you can see just behind, just under his
2 arm, he's also wearing the press pass of the day. We all had to wear them.

3 PRESIDING JUDGE TARFUSSER: [14:35:42] Excuse me. Was there any formality?
4 Did you sign something or it was just handed over to you?

5 THE WITNESS: [14:35:47] Yeah, it was simply handed over to me. There were no
6 formalities.

7 MR DEMIRDJIAN: [14:35:52]

8 Q. [14:35:52] Was there any explanation as to why you should wear it?

9 A. [14:35:56] The explanation given was that the Young Patriots were in charge of
10 this event, and that the foreign press and the press generally were not always seen
11 favourably in the eyes of the wider membership of the Young Patriots, and that this
12 card would identify me as a sanctioned, allowed member of the press and would
13 keep me safe.

14 Q. [14:36:24] Very well. So the next clip is from a video 0015-0578. The
15 transcript is 0059-0042, starting at page 1, lines 18 to 34. So for the video we will start
16 at 2.25 until 4.18.

17 (Viewing of the video excerpt)

18 THE INTERPRETER: [14:37:10] (Interpretation of the video excerpt) Sight
19 translation:

20 Charles Blé Goudé: Thanks. Thank you, guys. Thank you very much. Thank
21 you very much. Thank you very much. I'd like -- I'd like -- I'd like -- I thank you.
22 I thank you. I thank you. I thank you. I thank you. I thank you.
23 Thanks, guys. Thanks, guys. But this is a major mobilisation. This is a historical
24 mobilisation. We have to cheer. We have to clap our hands for this mobilisation.
25 Applause from the crowd.

1 Charles Blé Goudé: Thank you, guys. Thanks, friends. You are out of this world.
2 I'd like, I'd like before we -- no matter what it -- president of the Ivorian Popular Front,
3 head of the delegation that had discussions in Addis Ababa on behalf of the Côte
4 d'Ivoire and the entire delegation, all the authorities who were there, all the comrades,
5 leaders of the Patriotic Galaxy, all the comrades of the (incomprehensible) who came
6 to support us. I'd like to -- I'll get back to you in a moment, but since all the cameras
7 are here today and since everyone is here today, I'd like to solemnly -- and a bit of
8 noise. The general is talking. When the general is talking you have to be quiet.
9 When the general is talking you -- and then the crowd responds -- you are quiet.

10 MR DEMIRDJIAN: [14:39:24]

11 Q. [14:39:24] Mr Rhodes, we heard a moment ago Mr Blé Goudé welcoming the
12 crowd, comrades, leaders of the Patriotic Galaxy. Let me ask you, I mean, we see the
13 camera is zooming on the crowd here, but were there any public officials or any
14 senior figures you saw at this event?

15 A. [14:39:45] Yes, there were. There was a table or a covered area in which VIPs
16 were sitting. I was told, and I didn't recognise any of these people or speak to any of
17 them, but I was told that among them were other members of the government,
18 members of his political party and other dignitaries.

19 Q. [14:40:09] Were you allowed to film these dignitaries and other senior figures?

20 A. [14:40:16] We were specifically asked not to film anybody in the VIP section.

21 Q. [14:40:25] Were you given any reason for this?

22 A. [14:40:31] Privacy was the main reason I was given. I didn't really believe it,
23 but reasons were kind of neither here nor there, really. We knew what we were
24 allowed to do and we knew what we were not allowed to do. And I at that point
25 didn't see any reason to film the VIPs. Had I recognised somebody among them and

1 thought, oh, he shouldn't be here, then I might have started making angles. But that
2 never happened, so I left it.

3 Q. [14:41:01] Very well. And so who told you you couldn't film the VIPs?

4 A. [14:41:07] Again, members, members of Charles Blé Goudé's press team who
5 were pretty much with us all the time.

6 Q. [14:41:19] Very well. The last clip I would like to show you from this event, it's
7 the same video clip. We will start at the 6.03 mark and go until 7.14.

8 The transcript is the same for the interpreters, you just have to go to page 2,
9 lines 55 to 67.

10 (Viewing of the video excerpt)

11 THE INTERPRETER: [14:41:48] (Interpretation of the video excerpt) Sight
12 translation:

13 Charles Blé Goudé: And dear friends, from the year 2002 right until now, the
14 moment I'm talking to you, many have asked us where we get our energy from.
15 Many people are asking us where we take this or gain this strength to mobilise.
16 Sometimes people say the patriots are discouraged. And when the patriots go out,
17 they're surprised. Behind the patriots there is a force, a strength. In front of the
18 patriots there is a force. On top of the patriots there is a force. It is the force of the
19 almighty. And I ask you to put your hands together and clap, clap, clap loud.
20 The crowd claps.

21 Charles Blé Goudé goes on to say: Acclaim the eternal of the armies, please. You
22 have to make a lot of noise for two minutes, clap for two minutes, clap for the l'eternel
23 des armées, for two minutes (incomprehensible). Put up your hands into the sky.
24 Raise your hands to the sky. Acclaim the eternal armies. Thank you very much.
25 Thank you very much.

1 MR DEMIRDJIAN: [14:43:35]

2 Q. [14:43:35] Mr Rhodes, here we hear Mr Blé Goudé talking about the fact that in
3 front or behind the Young Patriots there is a force. He talks about l'eternel des
4 armées.

5 During your time in Abidjan, can you tell us what relationship, if any, did you see
6 between the Young Patriots and the armed forces?

7 A. [14:44:00] One thing I started to notice after a while was that Young Patriot
8 checkpoints were always quite close to a military checkpoint. It was immediately
9 apparent to me that the military at that checkpoint knew that further down the road
10 from them there was a Young Patriots checkpoint.

11 In fact, subsequently we interviewed some Young Patriots on a checkpoint, arranged
12 by our fixer, and they explained to us that actually they bracketed a military
13 checkpoint. So there would be military, military guys in the middle, and there
14 would be a Young Patriots checkpoint at either side of them. So whichever direction
15 you approached the military checkpoint from, you will always pass the Young
16 Patriots first, and they have the opportunity to filter, I suppose, what gets through to
17 the military.

18 It was also explained to me that if they felt the need to arrest somebody, to make a
19 citizens arrest, I guess it would have been, that they would do that on the spot and
20 take them directly to their military checkpoint around the corner.

21 Q. [14:45:14] Very well. How long did you stay at this rally?

22 A. [14:45:21] Not very long. I think that we had had a number of days in which
23 we'd spent a lot of time with large relatively hostile crowds. We'd had a good result
24 getting in the car and doing the interview with Charles Blé Goudé. One thing in our
25 job is sometimes just don't push your luck a little bit. Don't push your luck further

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 than you really need to.

2 We had the shots we needed. We had evidence that he had done the rally that he
3 said he was going to do. He'd turn up with his mattress and thousands of people
4 came to protest as he requested. And we felt that that was, that was good enough,
5 that with the sun dropping as you can see there, it wouldn't really be safe or
6 necessary for us to stay. So we left. Probably an hour and a half, two hours max.

7 PRESIDING JUDGE TARFUSSER: [14:46:12] And how did you leave, if you came by
8 car with Charles Blé Goudé?

9 THE WITNESS: [14:46:16] We called our driver, who came to the nearest open road
10 that he could get to, told us where that was, and we, I believe we were actually
11 escorted out of this area by a member of Charles's press team to the point where he
12 could leave us.

13 MR DEMIRDJIAN: [14:46:37]

14 Q. [14:46:40] Okay. Now, after you left, Mr Rhodes, did you see or hear anything
15 happening that evening after the rally?

16 A. [14:46:59] After this rally, everything that I could see from my hotel room
17 seemed to multiply. If I could see one checkpoint from before, I could now see two
18 or three.

19 There was more traffic in the city, partly because of this huge protest, but also partly
20 because every road had so many checkpoints on that it became quite slow for people
21 to get down the road.

22 And I could stand either in my room or in different parts of the hotel and see different
23 roads and see that that situation was being repeated all around me.

24 MR DEMIRDJIAN: [14:47:43] Your Honours, if I can be given just a moment, please.
25 (OTP counsel confer)

1 MR DEMIRDJIAN: [14:48:26] I apologise, your Honours, for this short break.

2 Q. There is one more clip that I need to show you from this rally, Mr Rhodes. So
3 for the record it will start at 11.55 until the 12.42 mark.

4 For our interpreters, it is the same transcript, so 0059-0042. You need to go to page 4,
5 lines 128 to 138.

6 (Viewing of the video excerpt)

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

9 ... and they've been taught to hate Westerners so it's not safe for us to stay here after
10 dark. We have to leave.

11 THE INTERPRETER: [14:49:19] (Interpretation of the video excerpt) Sight
12 translation:

13 Charles Blé Goudé: The adversaries of Côte d'Ivoire have failed. The adversaries
14 of Côte d'Ivoire have failed (incomprehensible). In 2002 we issued a call
15 (incomprehensible) today (incomprehensible) all Abidjan, we have issued a call, that
16 they leave Abidjan, that they close their shops. The ones who have left Abidjan, the
17 ones who have closed their shops and who have fled Abidjan, they only have to, all
18 they have to do is go. But when they return, they will find Sudanese in those shops
19 there.

20 MS NAOURI: [14:50:16] Monsieur le Président.

21 PRESIDING JUDGE TARFUSSER: [14:50:18] Madam Naouri.

22 MS NAOURI: [14:50:19] (Interpretation) It would appear that the witness has some
23 documents with him, and we'd like to know what those documents are.

24 THE WITNESS: [14:50:33] These are pieces of blank paper that were left on the table
25 and a pen that I believed were for me to make notes, yeah.

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 PRESIDING JUDGE TARFUSSER: [14:50:45] We should be a little bit more trustful.

2 Thank you.

3 Please go ahead.

4 MR DEMIRDJIAN: [14:50:49] Your Honours, there is a slight correction to the
5 transcript at page 105, line 10, it reads here that they will find Sudanese in those shops.

6 We have a corrected transcript here which says that they will find Ivorians in those
7 shops. So who will look into the matter, but we --

8 PRESIDING JUDGE TARFUSSER: [14:51:13] What did you say?

9 MR DEMIRDJIAN: [14:51:13] No. This is not the witness. This is what was said
10 on the video by Mr Blé Goudé.

11 So, yes, we'll get back to this. But the transcript that is corrected, the corrected
12 version says you will find Ivorians, not Sudanese.

13 Q. [14:51:30] In any event, Mr Rhodes, during your time in Abidjan, did you hear
14 any incidents or any events relating to shops owned by northerners or so on?

15 A. [14:51:43] I didn't hear about any incidents. The presence of a large number of
16 shops owned by northerners was a stereotype which I heard repeated a lot, a lot.
17 "They own all the shops. They shop in each other's shops. They look after each
18 other," that kind of talk.

19 I wouldn't have been surprised if I had heard that one of these shops had been
20 attacked. That was the kind of language that was being used.

21 PRESIDING JUDGE TARFUSSER: [14:52:09] But you didn't hear it?

22 THE WITNESS: [14:52:11] I didn't hear specifically, no.

23 PRESIDING JUDGE TARFUSSER: [14:52:12] You don't know anything about
24 attacks?

25 THE WITNESS: [14:52:14] No. I did not hear anything about an attack specifically

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 that I can remember.

2 PRESIDING JUDGE TARFUSSER: [14:52:17] Okay.

3 MR DEMIRDJIAN: [14:52:18]

4 Q. [14:52:18] Now, you mentioned roadblocks. Did there come a time where you
5 interviewed individuals manning roadblocks?

6 A. [14:52:24] Yes.

7 Q. [14:52:26] Can you tell us the circumstances of this interview?

8 A. [14:52:30] So our fixer, Alexis, and the driver would regularly take a certain road,
9 a certain road to get to us, and they got to know the boys who manned one of the
10 checkpoints on that road. They got chatting to them. And they decided that we
11 might be able to come down and just spend half an hour with those boys asking a few
12 questions. And so they arranged that for us.

13 Q. [14:52:54] Very well. Now, we've seen some excerpts of videos before, but I
14 will show you one or two here. The first one is at 0015-0594.

15 The transcript is 0021-0013. Starting at page 0015, lines 135 to 153. So the clip --

16 PRESIDING JUDGE TARFUSSER: [14:53:27] While we're waiting, I just wanted to
17 ask if you filmed also these discussions on the road blocks?

18 THE WITNESS: [14:53:34] Yes. That was a filming opportunity, yeah. Oh, this is
19 it.

20 (Viewing of the video excerpt)

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

23 SR : Have they found any guns at this checkpoint?

24 THE INTERPRETER: [14:53:48] (Interpretation of the video excerpt) Sight
25 translation:

1 Unidentified speaker: Have you found any guns at this checkpoint? You mustn't
2 look at me. Look at the camera.

3 SR: No, no, no.

4 Unidentified speaker: Look, mister. Look, mister. Have you seen any guns at this
5 checkpoint?

6 Unidentified speaker: These are machetes that we seized here and then the
7 suspicious men. There are machetes, knives.

8 SR : And ... what did you do to the guys you found with the machetes ?

9 THE INTERPRETER: (Interpretation of the video excerpt)
10 We seized them. There are men who are suspicious. We've taken them here.
11 We've turned them over to the authorities. They left with them.

12 SR : What kind of people were they?

13 THE INTERPRETER: (Interpretation of the video excerpt)

14 SR goes on to say: And, and what did you do to the guys you found with machetes?

15 Unidentified speaker in French: What did you do with the guys that you caught
16 with the machetes?

17 Unidentified speaker: We checked them out and we handed them over to the
18 authority. That's all we did.

19 SR: What kind of people were they?

20 Unidentified people: (Incomprehensible) The people that you caught?

21 MR DEMIRDJIAN: [14:55:09]

22 Q. [14:55:10] At the beginning of this intervention, the individual you were
23 interviewing talks about suspicious people. Did they give you any criteria as to how
24 they identified suspicious people?

25 A. [14:55:35] They did. I can't remember specifically. I don't want to guess. It

1 is on the tape.

2 Q. [14:55:45] Very well. Now, at some point they also talked to you about vehicles
3 they were stopping.

4 A. [14:55:52] Yes, they did.

5 Q. [14:55:53] What can you tell us about that?

6 A. [14:55:56] They told us that they stopped vehicles which they believed to be
7 suspicious, that they needed to search these vehicles, that they could sometimes tell
8 from the number plates or from the faces of the occupants that there was something
9 untoward about them. The impression -- or also not even an impression, they also
10 made it quite clear that the types of people they were looking for were northerners
11 who would have northern features. And I believe they gave me some examples of
12 the sorts of names that these people might have, Muslim sounding names.

13 Q. [14:56:28] You mentioned number plates.

14 A. [14:56:32] Yeah.

15 Q. [14:56:33] What was it specifically, what was so special about number plates?

16 A. [14:56:36] If I remember rightly, they had a way of identifying where a car was
17 coming -- where a car came from based on its number plates. And if it came from
18 the north of the country, that was suspicious.

19 Q. [14:56:53] Very well. I'd like to show you the next clip of the same video
20 starting at 18.53 to 20.30.

21 For the interpreters, it's the same transcript starting at page 117, lines 246 to 268.

22 (Viewing of the video excerpt)

23 THE INTERPRETER: [14:57:36] Message from the interpreter: The line numbers do
24 not seem to match what I'm hearing.

25 PRESIDING JUDGE TARFUSSER: [14:57:42] The lines do not match, the interpreters

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 say.

2 THE INTERPRETER: [14:57:48] Apologies from the interpreter. The interpreter has
3 found line 242.

4 PRESIDING JUDGE TARFUSSER: [14:57:57] Okay. Now should be okay again.
5 We restart I think.

6 MR DEMIRDJIAN: [14:58:01] Thank you, Mr President.

7 (Viewing of the video excerpt)

8 THE INTERPRETER: [14:58:10] (Interpretation of the video excerpt) Sight
9 translation:

10 Unidentified speaker 17: You know, we are in a country where the law prevails.
11 Côte d'Ivoire is a country that is part of Western Africa. So Côte d'Ivoire does have
12 an intelligence service, and they gave us intelligence to the effect that vehicles who
13 came for example from Bouaké that were about to be painted in UNOCI colours, we
14 got the numbers and we can show some of them to you. And we spotted these
15 vehicles at a checkpoint here. We managed -- we spotted at least two of them. It
16 was cross-checked.

17 SR: Sorry, can you explain that to me?

18 INI8 : Yes, he said that they don't need to have the information about the
19 incompréhensible when they answer to the people who attack them ... some of them
20 incompréhensible to give the answer where they are from [incompréhensible, 00:19:51]
21 to attack them.

22 SR : And they said, the UN helped us and the French ... SARKOZY ...

23 INI18: Tuvois...

24 [00:20:00]

25 SR : What's this?

1 THE INTERPRETER: (Interpretation of the video excerpt)

2 What's that?

3 Those are the numbers of unmarked cars, ordinary cars.

4 Who gave you this document?

5 That?

6 Yes.

7 Our army sent it to us. Our army.

8 It's our army that sent us that. We had the time to check when we seized at least two
9 of those numbers.

10 MR DEMIRDJIAN: [14:59:56]

11 Q. [14:59:57] Very well. So here the individual informs you that they received
12 these lists from the army?

13 A. [15:00:05] Yes.

14 Q. [15:00:05] And they show you a copy of that list. Now, generally speaking,
15 we're not going to look at the whole video, it's about half an hour, but generally
16 speaking, this checkpoint, how was it in terms of security? How did you feel at that
17 checkpoint?

18 A. [15:00:19] This is a difficult question to answer. We chose a time of day and a
19 method of doing this interview that was the safest possible. It's broad daylight. At
20 nighttime things would have been very different.

21 It was a busy checkpoint. That was very clear. Lots of cars came through. And it
22 was a kind of a border between two areas, which is important simply because not
23 everybody crossing that area would necessarily be known to them, would necessarily
24 live in that area or, you know, it was a through point.

25 So it was very busy. And busyness always leads to kind of less security. There is a

1 possibility with anything happening with so many cars around.

2 Q. [15:01:04] Very well. I would like to show you one last excerpt from this video.

3 If we go to 32 minute mark, 32.13. For the interpreters, same transcript, page 0024,

4 lines 384 to 388. And we will play until 32.35.

5 (Viewing of the video excerpt)

6 (The following inserted excerpt is a transcription prepared and provided by the

7 parties of the aforementioned recording without any modification or alteration)

8 SR : This is easily the most relaxed patriots' roadblock I have seen in the city since I

9 have been here.

10 Cars are being stopped very politely, asked to open their boot for being searched

11 which does not often happen, and then being allowed to go. Whereas what I normally

12 see is people being detained for a long period of time, often until they hand over some

13 money and then they're allowed to leave.

14 MR DEMIRDJIAN: [15:01:57]

15 Q. [15:01:57] Okay. Mr Rhodes, did you get an explanation as to why this

16 checkpoint was more relaxed, as you say?

17 A. [15:02:07] Alexis explained to me that firstly it was in a part of town in which

18 the boys had less to worry about in terms of the possibility of somebody coming there

19 to attack them.

20 It was more relaxed as well because we were there. Alexis made it quite clear to us

21 afterwards that he felt that the boys hadn't been completely truthful about what they

22 do there. He felt that they did have guns, for instance, which they didn't -- which

23 they kept hidden while we were there, and that they generally comported themselves

24 in a respectful and respectable way, which they don't normally. He drives past that

25 checkpoint daily two, three times a day. So, you know, he said that that's not how

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 they normally are.

2 Q. [15:02:56] Very well. Mr Rhodes, I am coming to the end of my questions.

3 Just one more minute, please, to consult.

4 PRESIDING JUDGE TARFUSSER: [15:03:08] Can you identify where in Abidjan this
5 roadblock was?

6 THE WITNESS: [15:03:11] I was afraid you would ask me that. It's in the notes.

7 I'm afraid I don't, as I've explained, have anything on me.

8 PRESIDING JUDGE TARFUSSER: [15:03:21] Okay.

9 THE WITNESS: [15:03:21] But it's in our daily log.

10 MR DEMIRDJIAN: [15:03:24]

11 Q. [15:03:25] Yes. Mr Rhodes, I want to bring you back to another issue. Were
12 you familiar with an incident which had happened in Abobo involving women?

13 A. [15:03:47] Yes. Quite well publicized. There had been an incident in which
14 the military had opened fire and I believe shot some women in Abobo who were
15 protesting.

16 Q. [15:04:03] When you say "quite well publicized," can you tell us when this was
17 quite well publicized?

18 PRESIDING JUDGE TARFUSSER: [15:04:11] And by whom?

19 THE WITNESS: [15:04:12] I think in the -- and this is -- that's a relatively difficult
20 question to answer. Just to give some context, I was staying in the Novotel, which
21 was the hotel in which all the journalists or the vast majority of the journalists who
22 didn't have a home in Abidjan were staying. So narrowing down who it was exactly
23 told me about it is hard.

24 What I do know is that the Associated Press had a photographer who was up in the
25 area at around that time who managed to get some photos. And I met also a local

1 stringer, a freelancer, but he did some stuff for Reuters, who also had some footage
2 from the incident which I'd seen. I believe he posted that onto the Internet.

3 Apart from that, it was, I believe, protests and military attacks on protesters in Abobo
4 was specifically mentioned in our security document before we went as something
5 that's been reported as happening and something that we should be aware of if we're
6 filming in Abobo or if we're filming protests.

7 Q. [15:05:18] Very well. So on that topic I will show you my last clip on this issue.

8 We will be going back to the press conference of 23 March. So the video will be at
9 0015-0530. And the timestamp starts at 10.45 until 11.26.

10 The ERN for the interpreters, 0063-2928. You need to go to page 2935, lines 209 to
11 217.

12 (Viewing of the video excerpt)

13 THE INTERPRETER: [15:06:12] (Interpretation of the video excerpt) Sight
14 translation: (Unintelligible) Do you understand? And they want that before
15 giving information we go and check. How is it possible to say to the press that there
16 was a march in Abobo, but that the army of Gbagbo, the FDS, killed seven women;
17 whereas 24, 48 hours ago the same press, the same media was saying Abobo is under
18 rebel control. If Abobo is under rebel control, if families died, you have to ask those
19 who are in charge.

20 MR DEMIRDJIAN: [15:06:56]

21 Q. [15:06:56] Mr Rhodes, were you able to find out anything more about this event?

22 A. [15:07:06] Unfortunately not, no. We tried on numerous occasions to get into
23 Abobo. I remember that our office back in London were quite keen for us to attempt
24 to get there, to speak to people there. But we never did manage to get in. The army
25 checkpoints always stopped us at the very last moment really.

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 MR DEMIRDJIAN: [15:07:31] Your Honours, may I have two more minutes on my
2 last topic? Thank you. Because I believe I'm right at the time, no?

3 PRESIDING JUDGE TARFUSSER: [15:07:38] No, no, no. You have another 10
4 minutes.

5 MR DEMIRDJIAN: [15:07:40] Oh, I do? In that case, thank you.

6 Q. [15:07:43] So I'd like to move on to the month of April of 2011, the last couple of
7 weeks, I suppose, of your time there. Were there any incidents at the hotel where
8 you were staying at, the Novotel?

9 A. [15:07:56] Yes. After some time staying in the Novotel -- well, just to back up a
10 bit. We arrived at a point where the staff of the hotel no longer felt comfortable with
11 us leaving in the hotel and coming back in at all. They wanted to lock the doors and
12 have us all stay in the hotel where we would be safe and where they would be safe.
13 So a decision was taken by the staff to lock the doors and stop anybody from leaving.
14 That continued for a number of days. We were locked in the hotel, and if I'm honest,
15 after 24 hours or so, it became obvious that they were right. The streets were not
16 safe anymore. The shooting was all around our hotel.

17 From what we could tell, we had Gbagbo's army at the rear of the hotel and
18 Ouattara's army at the front of the hotel. And at times I could literally look out one
19 window and see soldiers kind of shimmying to shoot around the corner; and then I
20 could look out the other side and see soldiers shooting back the other way. So we
21 were in no man's land in the middle of a war.

22 After a few days it became apparent to me that our hotel was strategically quite
23 important. And from my hotel I could see what both sides were doing. And it
24 made sense to me that eventually the soldiers would realise that from our hotel they
25 may be able to gain a strategic vantage point.

1 So I wasn't too surprised when a couple of days later I was downstairs trying to get
2 some lunch, and there was a commotion by the door, and somebody said, "Soldiers,
3 soldiers, they're coming in."

4 Everyone ran for the lift. So I grabbed my food, I missed the lift and ran up the
5 stairs.

6 When I got to my room, I looked out the window and I saw the terrace of the hotel
7 had an armed man in full military fatigues with an assault rifle, and he was pointing
8 it at every corner of the terrace in that way that they do, looking like he's clearing the
9 terrace, making sure that there is nobody there before entering the building, which is
10 what he then did. He then went in the back door into the restaurant that I had just
11 left.

12 At which point I called Alex and my producer/director, told him to get to my room
13 and bring the camera. He came. We filmed a bit out the window. And I
14 desperately tried to call all the other journalists in the hotel to find out, you know,
15 where they were, were they safe, what's the plan.

16 Eventually, contrary to previous agreements, everybody decided that we would
17 actually gather in one room on the 8th floor, and Alex and I were told that if we
18 wanted to be sure we'd be safe, that that was the thing to do.

19 I had my reservations, but either way we went up to the 8th floor, and we locked
20 ourselves into a room with pretty much every other journalist in the hotel, which I
21 think at that point - because other journalists who had their own homes in Abidjan
22 had moved to the Novotel by this point - I think the vast majority of the foreign
23 journalists in the country were in the Novotel in that one room.

24 We stayed there for some time, impossible to say with the nerves and everything.

25 We stayed there for some time until we had two or three confirmations from different

1 members of staff, in that journalistic way everybody wanted three sources to say the
2 same thing. Once we knew that the soldiers were no longer in the building, we all,
3 we all came out of the room.

4 At that point we discovered that the soldiers who came in had left with three other
5 guests -- well, sorry, two other guests and the hotel manager, none of whom have
6 been seen alive since. In fact, I believe at least one of them has definitely been seen
7 dead since, and two of the bodies haven't been found, but they are presumed to be
8 dead.

9 Q. [15:12:02] Do you remember the names of the individuals who were taken
10 away?

11 A. [15:12:05] I remember that Stéphane Frantz Di Rippel was the hotel manager.
12 And I remember that Yves Lambelin was the other guest who was taken away. He
13 was a successful, well-known businessman, owned a vast majority of the country's
14 cocoa plantations and had shares in Orange mobile phone call.

15 There was also a Malaysian colleague of his who was in charge of the palm oil
16 business in his company. I had a good chat with a Malaysian just a couple of nights
17 before about his business and so on, so, you know, I got to know them a little bit.

18 And it was obviously shocking to hear that they had been taken. The explanation
19 given to us was that the hotel manager had -- excuse me, it's difficult.

20 The hotel manager had asked staff to -- sorry, had asked the soldiers to not go looking
21 for journalists, which is what they wanted. They came in and they said they wanted
22 journalists. They knew that journalists were staying there. He tried to put them off.
23 But the CCTV camera bank was in his room, and when Alex and I received the call,
24 when Alex and I had received the call from other journalists telling us to come to the
25 8th floor, unfortunately, the soldiers were in the manager's room at that point, and

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 they watched on CCTV as Alex and I came out of our room on the 4th or 5th floor and
2 went up in the lift.

3 I believe, and from what I'm told, that the manager was then in a very difficult
4 position. He knew that these soldiers had the ability to do what they came in to do,
5 to grab journalists. So he asked them to please just take him instead.

6 I believe his assumption was that as a well-known half-French half-Ivorian
7 well-known person, that he would have better luck being able to negotiate or people
8 would negotiate, maybe his company would negotiate on his behalf.

9 And I believe Yves Lambelin made a very similar decision, decided that he was too
10 big to fall as it were. He was an important guy, that between Laurent Gbagbo and
11 the various other contacts that he had, powerful contacts in Ivory Coast, that he
12 would be released.

13 So I believe they all relatively willingly went along with the soldiers, or at least that's
14 what I'm told.

15 PRESIDING JUDGE TARFUSSER: [15:14:34] By whom? You were told by whom?

16 THE WITNESS: [15:14:37] I was told by a number of different people, members of
17 staff mainly. All of them were members of staff. They were the only people there
18 who could have told me

19 PRESIDING JUDGE TARFUSSER: [15:14:44] Hotel staff?

20 THE WITNESS: [15:14:46] Pardon?

21 PRESIDING JUDGE TARFUSSER: [15:14:47] Staff of the hotel?

22 THE WITNESS: [15:14:48] Hotel, yeah, hotel staff. They were, I mean, they were
23 the only people who could have been there. So the assistant manager, who then
24 became -- the assistant manager, who then became the manager in the absence
25 of -- and the restaurant manager, a couple of the waiters and a guy who, I think he

1 was the laundry guy actually before it all started.
2 But he had the key to the shop which had the cigarettes, so he kind of became a
3 popular guy, and everybody knew him, and he sort of seemed to have all the
4 information. He was talking to everybody. And he was one of the ones who came
5 over and took me aside and said, "Look, you know they saw you." He specifically
6 said, "They saw you on the CCTV and they wanted you." And that was a story that I
7 had already heard from a few other people.

8 MR DEMIRDJIAN: [15:15:38]

9 Q. [15:15:38] Mr Rhodes, I know this was a very difficult event, but I have one last
10 question for you if I could indulge. Just earlier you told us that after the rally of 26
11 March, you started seeing more checkpoints and so on. What can you tell us about
12 weapons at these checkpoints? Did you see any?

13 A. [15:15:58] They were almost all armed. After this point, once I was locked in
14 my hotel room, definitely I didn't really see anybody on the streets who wasn't armed.
15 When somebody was out on the streets and not armed, they had a very specific way
16 of acting. They would have no shirt on. A lot of the time they would have a bucket,
17 because the only reason people had left their homes was to go and get water. The
18 water supplies were no longer working. The electricity was down. So there was no
19 water being pumped into people's homes. So they would put a bucket on their
20 heads, just like a hat, with their eyes exposed, no shirt, and hands in the air, and they
21 would walk like that.

22 Anybody who wasn't walking like that was armed and pretty much, yeah, from that
23 rally onwards, all the checkpoints were armed. And slowly over days it became -- it
24 got to the stage where pretty much anybody out on the streets was armed.

25 Q. [15:16:58] And what kind of weapons did you see?

Trial Hearing
WITNESS: CIV-OTP-P-0087

(Open Session)

ICC-02/11-01/15

1 A. [15:17:00] By this point the weapons had moved on. They were no longer
2 makeshift weapons. They were guns. They were identifiable, sometimes AK series,
3 Kalashnikov type weapons. But other times I saw the kind of shiny black M16 type
4 weapons that I would associate with the American military.

5 Q. [15:17:24] Thank you for answering my questions, Mr Rhodes.

6 Your Honours, this completes my examination-in-chief. Thank you.

7 PRESIDING JUDGE TARFUSSER: [15:17:32] Thank you very much. You matched
8 exactly the time in which you considered to finish.

9 I now think that we break for today and we start tomorrow, because I don't think it's
10 for the last 10 minutes. We break for today.

11 I see a little movement in the team of Mr Blé Goudé, so I presume that you are
12 starting tomorrow?

13 MR KNOOPS: [15:18:05] Yes, Mr President.

14 PRESIDING JUDGE TARFUSSER: [15:18:07] Okay.

15 MR KNOOPS: [15:18:07] The Defence team of Blé Goudé will start tomorrow.

16 PRESIDING JUDGE TARFUSSER: [15:18:10] So the Defence team for Mr Blé Goudé
17 will start tomorrow at 9.15 with the questioning. And, therefore, I adjourn the
18 hearing to tomorrow morning at 9.15. Thank you very much.

19 Thank you, Mr Rhodes.

20 THE COURT USHER: [15:18:26] All rise.

21 (The hearing ends in open session at 3.18 p.m.)