

Trial Hearing
WITNESS: CIV-OTP-P-0009

(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, 4 October 2017
10 (The hearing starts in open session at 9.31 a.m.)
11 THE COURT USHER: [9:31:58] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:32:22] (Interpretation) Good morning,
15 Mr Mangou. Good morning, everyone. (Speaks English) That's it.
16 Now I give immediately the floor to the Defence for Mr Gbagbo for his questioning.
17 Maître Altit.
18 MR ALTIT: [9:32:55] (Interpretation) Thank you, Mr President. Good morning,
19 Mr President. Good morning, your Honours. And good morning, Mr Mangou.
20 WITNESS: CIV-OTP-P-0009 (On former oath)
21 (The witness speaks French)
22 QUESTIONED BY MR ALTIT: (Continuing) (Interpretation)
23 Q. [9:33:21] Mr Mangou, during your testimony you talked to us about the GPP.
24 A. [9:33:29] Good morning, Mr President. Good morning, Counsel.
25 Yes, I do remember.

1 Q. [9:33:44] One of the Prosecution witnesses who said he was a member of the GPP
2 and who testified here told us the following. For the record it is P-435. The transcripts
3 are public, and I think his name was public also. I will tell you, sir, what he told us. In
4 response to a question relating to where he was billeted, his answer was, French transcript,
5 18 October 2016, ICC-02/11-01/15-87, page 23. And the answer is from lines 28 to line 20
6 of the following page, page 24. And let me quote in response to where you were
7 barracked or billeted.

8 The answer of the witness was, line 28:

9 "Yes, yes. We were relocated by the general, the chief of staff, General Philippe Mangou.
10 He located us at that time in Yopougon at Azito.

11 Question: Where precisely in Yopougon in Azito?

12 Answer of the witness: Azito, Yopougon, Azito. Azito. It was Azito, which is Ébrié
13 village of Yopougon. It was not very far from the road.

14 Question: And in Azito itself, where exactly were you billeted?

15 Witness: In Azito we were not very far from the village, the Azito village itself. When
16 we arrived, the area was a bit marshy and there was water everywhere, so there was a
17 private company that was dredging the area, so we requisitioned the dredgers in order to
18 prepare the area. And that is where we billeted ourselves. It was in the open air; there
19 was no fence. There was no such thing.

20 Question: Did this land belong to anyone?

21 Answer of the witness: When we were relocated, the general chief of staff of the armed
22 forces, General Philippe Mangou, told us that that piece of land, we had to go there
23 because it was his land and that there we were in the hands of his relatives because he
24 himself is also an Ébrié, so it would be better for us to be out of the town and to be there.
25 It would be more appropriate for us."

1 Mr Mangou -- I'm just looking to see whether everything is fine. What can you tell us on
2 what this witness told us, who said he was a part of the GPP, and who told us where they
3 were barracked and why? What can you tell us on that account?

4 A. [9:38:56] That account is totally incorrect. I'm not from Azito. I'm from
5 Yopougon-Kouté, which is a neighbouring village to Azito. I do not have any land in
6 Azito. Initially, the GPP was in Marie-Thérèse maternity, Adjamé Williamsville. And
7 they were really harassing the population by shooting randomly. And the GPP even
8 attacked the Forces of Defence and Security. And I chased them away from the
9 Marie-Thérèse area. So we brought in the engineering unit so that it should occupy that
10 location.

11 When they were chased away, they went to the first bridge in Yopougon. There was an
12 uncompleted building, and it was in a roundabout when I passed regularly. And there
13 was shooting there also. And I chased them out. So those were idle elements who were
14 almost everywhere. So you would understand that if I snatched their weapons, I would
15 not install them on a free piece of land. So that is incorrect.

16 I know Touré Zéguen who is their leader, so if I had to deal with someone there, I would
17 have dealt with him; I wouldn't have dealt with any other one in the GPP.

18 PRESIDING JUDGE TARFUSSER: [9:40:54] Mr MacDonald.

19 MR MACDONALD: [9:40:55] Yes. There is a mistake in the transcript, because
20 we're -- Marie-Thérèse à la maternité. So it is line 3, 25, that is fine, but later on page 4,
21 line 1, in French, "Et je les ai donc chassés de Marie-Thérèse Houphouët-Boigny," I don't
22 think we're talking about the carrefour Marie-Thérèse Houphouët-Boigny.

23 PRESIDING JUDGE TARFUSSER: [9:41:25] We can ask the witness what this is about.
24 Did you understand the intervention of the Prosecutor, who thinks there is a mistake?

25 MR MACDONALD: [9:41:44] I don't think the witness is mistaken; I think the

1 transcript.

2 PRESIDING JUDGE TARFUSSER: [9:41:47] Yes, but I -- you think the transcript, but I
3 was just asking the witness maybe to repeat the concept so we can find out if there is a
4 mistake or not.

5 Would you please re-ask him.

6 MR ALTIT: [9:42:07] (Interpretation) Of course, of course. And for the Court, I must
7 say that I entirely agree with what my learned friend has said because there may have
8 been a misunderstanding.

9 I'm not so sure we heard absolutely everything you said, sir. You drove them out of
10 which place the first time? Because I think there might have been some confusion
11 between the location from which you drove them away and the other location, the
12 intersection. Can you clarify?

13 A. [9:42:41] I apologise. I didn't listen to the translation of what the Presiding Judge
14 said. I was waiting for the interpretation to come through.

15 Q. [9:42:52] I'll just put the question again, simpler that way.

16 Now, sir, you said -- you, and I quote:

17 "I didn't have any land in Azito," line 23-24 of page 3 of today's French transcript. "The
18 GPP was initially billeted at Marie-Thérèse, at the maternity clinic."

19 And then later on you said: "And I drove them out of Marie-Thérèse Houphouët-Boigny.
20 Now to make sure we haven't misunderstood, just to ensure clarity, the place that you
21 drove them away from, could you tell us exactly what you meant: Which location were
22 you speaking of?

23 A. [9:44:03] Marie-Thérèse Houphouët-Boigny is a girls' school located in Adjamé, in
24 Adjamé, and that is where the GPP was. They were driven out of that location. When
25 they were driven out of that place, they went to the first bridge of Yopougon to a building

1 that was not being -- that was not occupied, and then they were driven out of that second
2 place. Then after that I don't know where they ended up.

3 Q. [9:44:41] Very well. Could you tell us the approximate time frame? Just so we
4 have an idea. Now, you say that you chased them or drove them out of this area in
5 Marie-Thérèse.

6 A. [9:45:01] Well, in 2005, it was 2005 when they were driven out of that place.

7 Q. [9:45:09] Very well. The same Prosecution witness whose testimony I quoted to
8 you, Witness P-435, and I'm going to quote from the French transcript of that time, 27
9 October 2016, ICC-02/11-01/15 T-93. This is public. Page 66, it is page 66 and I shall
10 quote. The witness said the following, line 7. There was a question, you see, and the
11 question was:

12 "Mr Witness, my question was as follows: The decision to provide money to these young
13 people, who did the decision come from and where did this come from? What authority
14 and what was the form, the decision, the decision that you take, you -- now, did the
15 decision come from a military or a civilian authority, or when you mention the national
16 service? I no longer know. Where did the decision come from and what was the form
17 of payment?"

18 Do you follow me, yes?

19 A. [9:47:06] Yes, I do.

20 Q. [9:47:07] And the witness's answer was this:

21 "I understand. It came from whom -- well, I understand it comes from whom, but the
22 form that was the -- that is -- well, question, was it a government decree? Was it an
23 official government decision? Was it an email sent to you? That is why I'm talking
24 about the form rather than the content.

25 Answer: It wasn't a government decree, nor was it an email. What I do know is that, be

1 it the chief of general staff, General Philippe Mangou, or whether it was the minister of
2 defence of the day, we were well-informed. I said that it wasn't in the newspapers or on
3 television, but it was effective. He even explained that even at Adjamé village, the chief
4 of general staff himself, General Philippe Mangou, had recommended 30 young fellows
5 who had also come for training, and there was a request to put their names on the list. So
6 it was somewhat unofficial, but it was not at the authority's initiative." End of quote.

7 Do you understand what was said, the why?

8 A. [9:49:03] Yes, I understand.

9 Q. [9:49:04] Very well. Page 67, in response to a question, namely:

10 "Mr Witness, are you telling me that there was no official documents regarding this
11 practice? No official documents?"

12 Witness replied saying: "To my knowledge, at least, I did not receive any documents. I
13 did not see any documents. But the list was prepared and sent on to the national army
14 service. So I don't know whether it was like -- could be considered a document.

15 Question: And you say that the chief of staff of the day, General Philippe Mangou, was
16 informed of this? How did you know that?"

17 Answer from the witness: "I just explained that there were three young fellows from
18 Adjamé village who had been recommended, that is to say they came, they were the
19 general's proteges, they were the general's proteges. And when they got there, they came
20 with this guy, some fellow from the Adjamé chief's office, and they were introduced.
21 Well, it was explained that they were the general's proteges. So some people there must
22 have been on the list of the first wave that must have been sent on to the army
23 headquarters."

24 Question, and listen carefully, because this is what the whole issue hinges on: "So you're
25 telling this Chamber that General Philippe Mangou in 2010, in 2010, chief of general staff

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1 of the army of Côte d'Ivoire sent to the GPP, sent men to the GPP for training; is that
2 correct?"

3 Answer from the Prosecution witness: "Yes, correct." End of quote.

4 So have you understood this exchange and you've understood what this is all about?

5 A. [9:51:30] Yes, yes, I'm with you.

6 MR MACDONALD: [9:51:33] I'm sorry, your Honour, I'm intervening, because the
7 initial question that led to all that exchange was never read, the very beginning, page 66.
8 The question is not read.

9 My colleague was questioning 435 at the time. And now he's not putting the question
10 that led to that answer from the witness and the following. So again in fairness to the
11 witness, we need to situate the debate.

12 PRESIDING JUDGE TARFUSSER: [9:52:02] Yes. I don't know if the question is
13 relevant, but please could you also put the question, read the question which led to the
14 answer you read out.

15 MR ALTIT: [9:52:19] (Interpretation) Of course, your Honour.

16 PRESIDING JUDGE TARFUSSER: [9:52:20] What I don't like is this continuous calling
17 upon the fairness. I mean, it can also be a mistake. It's not unfair. Nothing is unfair in
18 here.

19 Maître Altit.

20 MR ALTIT: [9:52:38] (Interpretation) Yes, thank you, your Honour. Yes, on this
21 point of fairness, I was very careful to quote the entire exchange so to avoid any possible
22 doubt, and that is why I've put the question several times to the witness as to whether he
23 understood, whether he understood the exchange. We can go further back if you wish,
24 your Honour.

25 PRESIDING JUDGE TARFUSSER: [9:53:01] If you put also the question which led to

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1 that answer, you read out also the question put by the Office of the Prosecutor, and then
2 we are okay.

3 MR ALTIT: (Interpretation) Absolutely. And we are looking for the very beginning
4 of the exchange. I won't put any questions in this regard for the moment. And I can see
5 that the witness wishes to address.

6 THE WITNESS: [9:53:31](Interpretation) I have no translation. When it's English, I'm not
7 receiving any interpretation.

8 MR MACDONALD: [9:53:38] The witness should be on channel 1 or zero, sorry. One,
9 one.

10 THE COURT OFFICER: [9:53:47] It is channel 2, the French interpretation.

11 PRESIDING JUDGE TARFUSSER: [9:53:51] Channel 2.

12 THE WITNESS: [9:54:04](Interpretation) Thank you very much. It's been dealt with.

13 PRESIDING JUDGE TARFUSSER: [9:54:13] Maître Altit.

14 MR ALTIT: [9:54:17] (Interpretation) Thank you.

15 Q. [9:54:18] Now, Mr Witness, as we await the entire exchange, I'll put some
16 questions to you on another point. Please don't be surprised.

17 A. [9:54:28] Would you like me to respond to the earlier point?

18 Q. [9:54:32] I would be delighted, but the Prosecution rose to say that perhaps there
19 was not quite information for you to reply.

20 PRESIDING JUDGE TARFUSSER: [9:54:42] Maître Altit, may I intervene here.

21 Mr Mangou, the Prosecutor rose asking that the counsel for Defence reads out also the
22 question which led to what he read out to the answer of the witness. This is the only
23 issue.

24 Then I asked Maître Altit to read out, before you answer to the question or before you say
25 something to what this witness said, which was read out to you, that he would read out to

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1 you also the question which led to that answer.

2 So now I would invite Maître Altit to read out also the question, the answer, and then give
3 the floor to the witness for his intervention.

4 THE WITNESS: [9:55:42](Interpretation) Thank you, Mr President.

5 MR ALTIT: [9:55:44] (Interpretation) Thank you. Yes, that is exactly what we're
6 going to do. We're looking for the very beginning of that exchange. So as to avoid any
7 hesitations or delay, I'll move to something else.

8 Q. [9:56:00] Now, this point, Mr Witness --

9 A. [9:56:02] Agreed.

10 Q. [9:56:04] I'll put some questions to you on a different topic. Why did you refuse
11 to meet with the Defence during the preliminary phases of the trial?

12 A. [9:56:26] Counsel, you make me laugh. I don't know whether the Defence made
13 that request. I was only asked whether I wanted to meet with the Defence. And I asked
14 whether it was mandatory and I was told no, it was not mandatory. If you want to meet
15 with the Defence, you meet with the Defence.

16 And I said: Well, if it's not mandatory, there is no point. That is why I did not meet
17 with the Defence. Otherwise, if there had been a specific request from the Defence I
18 would have met with the Defence, no problem.

19 And I would also like to stress, and I've said this to a number of others, I understand why
20 Mr Altit was not part of the delegation greeting me. Well, I knew you were going to be
21 asking me this question.

22 Q. [9:57:25] Thank you. I knew that I would see you, Mr Witness, and I was
23 preparing my questions. So I was moving back a little bit so in order to move ahead
24 later.

25 Now, there was a specific request to meet with you, and did the OTP pass on that request

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1 to meet with you?

2 A. [9:58:01] No, that was not so. I was just asked if I wanted to meet with the
3 Defence. And I asked if it was mandatory, the answer was no, and I did not. I did not
4 receive any specific request from you.

5 Q. [9:58:20] And it was the OTP that passed on the fact to you that we wanted to see
6 you; is that right?

7 A. [9:58:28] Yes, during an interview they put the question to me.

8 Q. [9:58:33] And when was that interview?

9 A. [9:58:36] The last one, I think, 4th, 5th and 6th of September 2013.

10 Q. [9:58:53] Very well. If I could ask for one moment, please.

11 We'll move on to another point. Tell me, just on this point, did you inform the
12 authorities of Côte d'Ivoire that the Gbagbo Defence team wished to meet with you?

13 A. [10:00:29] No.

14 Q. [10:00:32] Let's move on to something else. You told us that you were a witness at
15 the marriage of Dogbo Blé?

16 A. [10:00:44] Yes.

17 Q. [10:00:44] Very well. You told us that he was a brilliant fellow, a former student
18 at St Cyr military school. Do you know where Dogbo Blé is now?

19 A. [10:01:06] Quite honestly, I don't.

20 Q. [10:01:08] Is he in prison? Do you know anything about that?

21 A. [10:01:14] Yes. After the last trial, I read in the press he must be in prison.

22 Q. [10:01:24] Do you know how long he's been in prison for?

23 A. [10:01:27] No, I don't.

24 Q. [10:01:35] Do you know whether he was tried?

25 A. [10:01:38] Yes, I read it through the media that he was tried.

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1 Q. [10:01:46] What were the charges?

2 A. [10:01:50] Je crois qu'il y a eu ...

3 PRESIDING JUDGE TARFUSSER: [10:01:51] Come on. I mean, this is not the trial of
4 Dogbo Blé. I mean, what is this? What were the charges? He is not a lawyer. He
5 should not -- he reads the newspaper, and if there is something -- I think it's not the right
6 person to ask details on the trial of Dogbo Blé, please.

7 MR ALTIT: [10:02:13] (Interpretation) Do you want me to repeat? It is at the core of
8 the charges, Dogbo Blé --

9 PRESIDING JUDGE TARFUSSER: [10:02:24] No. Don't repeat it, don't repeat. But I
10 know it's somehow related to the charges, but I think it's wrong to ask the witness, who
11 read from the papers what -- if Dogbo Blé was judged, to ask him what the charges were.
12 I mean, if -- please, go ahead.

13 MR ALTIT: [10:02:50] (Interpretation)

14 Q. [10:02:51] I think you answered you don't know the charges.

15 A. [10:02:55] No, I do not know.

16 Q. [10:02:59] Were there accusations that were related at least to the post-election
17 crisis?

18 A. [10:03:09] Counsel, I read it in the newspapers and I cannot tell you, very frankly.

19 PRESIDING JUDGE TARFUSSER: [10:03:15] And that's the end of this.

20 MR ALTIT: [10:03:20] (Interpretation) Mr President, the question is to know why the
21 witness did not go to testify, if it was related to the post-election crisis.

22 THE WITNESS: [10:03:37](Interpretation) I will answer your question. I was never
23 called up to come and testify. I was called to come and testify in the trial of

24 Madam Gbagbo. And I would like to say that there were a lot of discussions in Abidjan.

25 I have a lot of respect for justice in general and a lot of respect for the justice of my country.

1 And I cannot not respond to any summons from my country.

2 Some people thought that since we were high-ranking authorities we did not go to the
3 court. Maître Dadié sent me two summons. And I would like to clarify why I did not
4 go there. They were not formal.

5 The first convocation, the trial had to take place on 9 April. The date of the mail was 14
6 April. I received the letter on 25 April. So the time was well passed when I received the
7 summons. And the second summons, the trial had to take place on 25 October. The
8 ministry received the summons later. And I received it only on 11 November, so it was
9 not possible for me to be there; otherwise, I would have gone to testify if they had wanted
10 me to testify on several events, on the shells, the market, the women that were killed.

11 But, unfortunately, they did not take into account the time lines. Otherwise for Dogbo, I
12 was not summoned; I was not called. You cannot simply just get up and go to the court
13 and say you want to testify.

14 MR ALTIT: [10:05:51] (Interpretation)

15 Q. [10:05:52] Very well. To your knowledge, was Dogbo Blé tortured?

16 A. [10:06:04] I'm sorry. Dogbo Blé is in Abidjan; I'm in Libreville, I cannot know
17 that.

18 Q. [10:06:14] Since 11 April you never saw him again?

19 A. [10:06:20] I saw Dogbo on 12 April. When he arrived we were both in a room; we
20 were able to speak to each other. We had a conversation. I asked him where he had the
21 ammunition to carry out the fighting that he conducted. I think there was an element of
22 the republican guard who was there, wearing a uniform of a police officer. I thought he
23 was one of us, but Dogbo signalled to me, and so we could not continue the conversation.
24 I had a little money with me; I gave it to him. It was not much, but I gave the money to
25 him and we separated.

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1 Q. [10:07:20] You're talking about the meeting at the Golf Hotel; is that correct?

2 A. [10:07:23] Yes.

3 Q. [10:07:28] Do you know whether Alassane Ouattara asked Dogbo Blé to pledge
4 allegiance?

5 A. [10:07:36] It is not up to the president of the republic to ask for allegiance; it is not
6 compulsory.

7 Q. [10:07:47] Let me rephrase. Do you know whether the authorities of the northern
8 forces or RHDP forces, whether they asked him to pledge allegiance to Ouattara?

9 A. [10:08:01] I cannot tell you. I do not know whether he was asked, but generally
10 speaking, pledging allegiance is a voluntary act; it is not something that you are
11 compelled to do. Either you recognise him or you don't. We recognised that he was the
12 president of the republic, so we went and pledged allegiance.

13 Q. [10:08:32] To your knowledge, did Dogbo Blé pledge allegiance to Ouattara?

14 A. [10:08:38] When I went there, he was not there, so I do not know what happened.

15 Q. [10:08:44] To your knowledge, amongst the officers who pledged allegiance to
16 Alassane Ouattara, were some of them prosecuted?

17 PRESIDING JUDGE TARFUSSER: [10:08:59] I really don't know what this has to do
18 with this trial. This is completely unrelated to the trial, which have two accused and
19 some charges. No, I don't understand it, and I don't want that you tell me why because
20 this is -- there is no reason for these questions.

21 MR ALTIT: [10:09:24] (Interpretation) Mr President, if you authorise the witness to
22 leave the hall, I will explain.

23 PRESIDING JUDGE TARFUSSER: [10:09:35] No. I stop you here. I stop you here,
24 and we continue.

25 MR ALTIT: [10:09:39] (Interpretation) Very well.

1 We are still trying to go back to the previous question and it is taking some time, scrolling
2 back up. So in the meantime we will move on to something else.

3 Q. [10:10:44] Now, I will come back to your meeting with the investigators of the OTP,
4 and I will quote to you an exchange in the transcript of 27 September, page 7 and page 8,
5 lines 1 to 21. And it is the representative of the OTP asking you questions. And I quote:
6 "I would like to come back on the meetings you had with the OTP, so I'm going to be
7 leading on these points because they're known to everyone. I understand that in
8 August 2011 you met with the investigators of the OTP on two occasions, those were the
9 preliminary meetings. Do you remember?

10 And your answer: Yes, I met with the office of --

11 Question: The representative of the OTP.

12 And you said: What are you saying? I'm sorry to interrupt you. Without naming
13 anybody because we are in open session. We can go to private session.

14 Let us continue.

15 And your answer: Yes, I was interviewed on 9 August and 23 August 2011, and 23
16 August.

17 Question: And after that you gave statements to us. There was a first statement in
18 October 2011, 7th to the 9th. Do you confirm?

19 Yes, I confirm that, Mr Prosecutor.

20 Question: In the following days after that first statement to the OTP, were you
21 questioned by the military tribunal?

22 Your answer:

23 Yes, I was questioned by the military tribunal, but it was not really a questioning, as such.
24 I just gave a statement, they took note without asking me any questions.

25 Question: And in July 2012 we met and it was Mr MacDonald questioning you, and we

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1 met for the first time for another interview with the OTP. Do you confirm that?

2 And your answer: Yes, I confirm. We had about four sessions in July 2012 with OTP.

3 Question: And finally, we met in 2013 for the second statement, in September 2013. Do
4 you remember that?

5 Answer: Yes, it was in September 2013."

6 Now, let us move on. Sir, your first meeting with the OTP was on 9 August 2011; is that
7 correct?

8 A. [10:14:47] Yes, 9 August 2011 and 23 August 2011.

9 Q. [10:14:55] How did the people of the Office of the Prosecutor contact you?

10 A. [10:15:01] As far as I'm concerned, it was the prime minister, who at that time was
11 minister of defence at the same time, and who informed Soul to Soul to come tell me that
12 the OTP wanted to meet with me.

13 Q. [10:15:26] And who was the prime minister?

14 A. [10:15:27] It was Guillaume Soro who was both prime minister and minister of
15 defence at the time.

16 Q. [10:15:33] He did not call you himself?

17 A. [10:15:38] It was Soul to Soul who called me.

18 Q. [10:15:44] Who is that person? What did that person tell you? What did he
19 explain to you?

20 A. [10:16:04] The person told me that the Office of the Prosecutor wanted to meet with
21 me and so the person told me the time and place of the meeting.

22 Q. [10:16:20] He did not tell you why?

23 A. [10:16:23] No, that person did not tell me why.

24 Q. [10:16:27] Very well. And so you went there?

25 A. [10:16:32] As I said, everything that has to do with justice, I comply with it. I do

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1 not want to circumvent anything relating to justice.

2 Q. [10:16:53] I will read to you an excerpt of your prior statement of 2012. It is
3 CIV-OTP-0027-0266, page 0272 and 0273, lines 235 to 248. And I quote:

4 "Interviewee, that is you: And we are talking about 2012 here. Interviewee: Well, I
5 believe.

6 Interviewer 1: Okay.

7 Interviewee: That you passed through the prime minister at the time who was the
8 minister of defence.

9 Interviewer 1: Mm-hmm.

10 Interviewee: To inform me that I had to meet with you. So that was the communication.

11 Interviewer 1: Very well.

12 Interviewee: Which we had."

13 And there there is a mention of a meeting and it is not clear.

14 "And interviewee: Before the meeting he told me and for the second meeting also he told
15 me."

16 Now, it seems to appear from this exchange that it was Prime Minister Soro who informed
17 you that you had to meet with the Office of the Prosecutor. What can you say about that?

18 A. [10:19:00] Not at all. You see the name that was mentioned, Kamagaté, Kamagaté.
19 That is that name that is mentioned. It was not the prime minister.

20 Q. [10:19:13] Who was present during the first meeting with the OTP? Don't
21 mention the names of the people.

22 A. [10:19:25] Only them. There were only them.

23 Q. [10:19:31] How many?

24 A. [10:19:32] There were two of them.

25 Q. [10:19:34] Very well. Do you know that that first meeting with the OTP took

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1 place on the same day with the first meeting of the OTP with General Guiai Bi Poin?

2 A. [10:19:52] I did not know. Even the meetings, they made them so secretive, so I
3 did not know they met with Guiai Bi Poin on the same day.

4 Q. [10:20:01] You did not discuss that together afterwards?

5 A. [10:20:05] Not at all.

6 Q. [10:20:12] To your knowledge, did the OTP contact Ivorian authorities to discuss
7 with them the points or substance of your interview with them on 9 August?

8 A. [10:20:29] I cannot tell you that, but as far as I know no Ivorian authority discussed
9 with me any issue relating to the ICC, no one till today.

10 Q. [10:20:50] Let me read the statement of 2012. And the reference is
11 CIV-OTP-0027-0266, page 0270, line 129 to 158. And this is how it begins. And I quote:
12 It is a preliminary meeting and this was on 23 August 2011. "Now, this is the information
13 that we have. Even before meeting with you we had been informed" --

14 PRESIDING JUDGE TARFUSSER: [10:21:47] Who is speaking? Who is speaking?
15 No, no, just for the record, who is speaking?

16 MR ALTIT: [10:21:53] (Interpretation) You're correct, Mr President. The
17 investigators of the -- the questioners are the people from the OTP.

18 Let me repeat:

19 "This is the information that we have. Even before meeting with you, we had been
20 informed that you could possibly have information of interest to the Office of the
21 Prosecutor, considering your position at the time of the events. And so when we met
22 with you on 9 August, there was this brief meeting and we discussed certain topics.
23 Following that meeting, there were certain surprises. We were expecting you to be more
24 forthcoming and more open to provide information, whether incriminating or
25 exculpatory. We notified this to the authorities in place, that is, the authorities of

1 Côte d'Ivoire.

2 Following that, following that call, we were informed that the chief of protocol of Mr Soro,
3 Mr Konan Kamagaté Souleymane met with you and discussed with you, and following
4 that, we entered into contact with you. And once again we met with you on 23 August.
5 We asked you the same questions and you were more forthcoming and more open to
6 cooperate to volunteer information.

7 Now, our question is to know what do you remember, to begin with, regarding this
8 meeting with Mr Kamagaté Souleymane, who was the chief of protocol of Mr Soro at that
9 time. What happened during this meeting? What did he tell you, if he spoke with you?
10 That's all we want to know."

11 And on line 147 you say:

12 "Interviewee: Well, between him and me, actually, nothing really happened. I myself
13 personally volunteered for the ascertainment of the truth because as you have said I was
14 in fact the chief of staff at the time, so someone who knew some information, so I thought
15 I had to throw light on the truth. The only contact that I had with him was to tell him
16 that I had to make an appointment and to meet with the members of the Court. There is
17 an inaudible expression there. And so it was the a fallu that the minister called me to say
18 that the Court wanted to see me. That was the only contact we had. Apart from that,
19 he absolutely did not tell me anything.

20 I came here voluntarily and I have always said that I wanted to place myself at the
21 disposal of the Court. And if you called me, wherever I am, I would come. The proof is
22 that, from Gabon, I came here.

23 So as far as he is concerned, it was simply to tell me that I had to meet with the members
24 of the Court; that was all. And then you later met with the investigators of the OTP on
25 23 August 2011."

1 At the end of that exchange, there is something that is not very clear. On line 152, it is
2 said il a fallu le ministre, that is, it needed the minister to call me. Can you explain what
3 that means?

4 A. [10:26:58] Very well. I will answer generally before coming to that.

5 Q. [10:27:03] Please just answer my question and I will follow up.

6 PRESIDING JUDGE TARFUSSER: [10:27:06] Answer generally, and then answer the
7 question, please.

8 THE WITNESS: [10:27:24](Interpretation) Thank you, Mr President. Mr President, I
9 would like to say that when you have occupied a high-ranking position you develop an
10 attitude to speak little and have good contact. It is this principle that has guided me ever
11 since the end of the post-election crisis. Mr President, this means that I never talked to
12 any media or personalities. I did not give any interviews. I did not give any statements.
13 So anything that people read in newspapers did not come from me.
14 And, Mr President, I was really in a hurry to come here, really in a hurry. The more time
15 passed the more I was disturbed because, for me, the only place where I could say really
16 what happened is here at the ICC or before another tribunal. So I was cautious not to say
17 anything at all to anybody else.

18 So I was really in a hurry to come here because I tried as well as I could to serve my
19 country. I am a human being, I can make errors, but some people did not understand
20 how I reacted in that way. I was facing a battle, I was defending the republic, and people
21 did not understand why in the second phase of the crisis I did not take part in the
22 fighting.

23 So I had to come here to explain that. So I was really in a hurry. And when I was told
24 that I had to come and testify, I really, really welcomed that news. I was in a great hurry.
25 Sometimes I would even arrive 30 minutes before the appointment time. That is really to

1 show you that I was very enthusiastic.

2 And maybe I will tell you at the end of my testimony, maybe I'm going to say thank you
3 very much for the opportunity you gave me to come here to testify. That makes it
4 possible for everyone to know what happened, both in the international community and
5 in the national community. And I'm doing it under oath. But I'm also doing it under
6 divine laws, according to which you cannot give false testimony against anyone.

7 Because I'm the son of a pastor, Mr President. So if I came here to testify that is why.

8 Now, to answer your question, sir, the first summons was the 9th. On the 9th, I was still
9 in Abidjan, still in Abidjan, and the other interviews were in Libreville, Libreville. And
10 the Prosecution person couldn't reach me on the telephone.

11 The minister, well, that was the minister -- well, once they went through him to say that
12 they wanted to speak with me, and I said where, and they said Abidjan, so I did have that
13 one conversation with the minister, and I travelled to Abidjan meet with them.

14 MR ALTIT: [10:31:17] (Interpretation) Thank you, Mr President.

15 Q. [10:31:18] Sir, you're talking about the 2012 interview?

16 A. [10:31:21] Yes, the 2012 interview.

17 Q. [10:31:23] Very well. Now, sir, were you given any promises in exchange -- or,
18 rather, to encourage you to testify -- to cooperate, rather?

19 A. [10:31:44] No promise. Yesterday at the end of the day someone said I was forced.
20 No one can make me. I have served in the army for 38 years, 38 years, and all the people
21 who are in my year are now retired. The only one still active is General Touré Sékou,
22 who was from my year, general and chief of staff of the armed forces, and myself. And I
23 continue now as ambassador. I am very close to retirement. No one can make a
24 promise to me. I mean, the human body has its limits and I believe that my next
25 destination is retirement, retirement, nothing else. So truly, no promises. I can truly

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1 give you an assurance, no promises were made to me.

2 Q. [10:32:38] Very well. So no one said to you -- or, no one forced you. Now, if you
3 want to mention anything, but you have to be very specific when you mention.

4 A. [10:32:53] I haven't understood. What do you mean?

5 Q. [10:32:56] Well, any exchanges here, you have to be very specific, you have to read
6 the actual exchange, not interpreting what was said.

7 MR MACDONALD: [10:33:12] Your Honours.

8 PRESIDING JUDGE TARFUSSER: [10:33:13] I didn't understand this last and I didn't
9 like it. No, I didn't like it, no.

10 MR ALTIT: [10:33:21] (Interpretation) Well, you should be speaking to the witness
11 then if you don't --

12 PRESIDING JUDGE TARFUSSER: [10:33:27] I speak to you.

13 MR ALTIT: [10:33:30] (Interpretation) Yes, but it was the witness who brought up the
14 issue. And it's really not appropriate to make a comment about the defence. I merely
15 asked him whether he had anything to say, any quotes to give.

16 PRESIDING JUDGE TARFUSSER: [10:33:45] Yes, and he said that there is nothing to
17 say about this. So I don't understand and I don't like your intervention. Please go
18 ahead with the questioning, please.

19 MR ALTIT: [10:34:03] (Interpretation)

20 Q. [10:34:04] Sir, now, during the interviews you said that you might come under,
21 you might be subject to prosecution by the Court?

22 A. [10:34:16] Yes, I was told that. And I believe that at the beginning of the
23 testimony the Prosecution also -- or, rather, the Presiding Judge reminded me of that, if I
24 give false testimony, I could be subject to legal proceedings, m'auto-incrimine, I could be
25 subject to proceedings, yes.

1 Q. [10:34:43] Let me be more specific in my questioning. That's not exactly what I
2 was driving at.

3 Now, during the interviews you had with the OTP, you said that you were likely or
4 possibly you could be charged because of the role you played during the post-election
5 crisis?

6 A. [10:35:06] I will hide nothing. I was caught up in the crisis and if I am to face
7 charges, well, it is obviously the justice, some sort of judicial authority that will bring
8 proceedings against me and I will be --

9 Q. [10:35:25] I will read out a few lines to you, CIV-OTP-0011-0324, page 0326, lines
10 57 to 64. I quote, and this is line 55:

11 "Investigator 1: Thank you. As you know perhaps, on 23 June 2011, the Office of the
12 Prosecutor made an application to the Pre-Trial Chamber to begin an investigation in
13 Côte d'Ivoire.

14 On 3 October 2011, that is to say on Monday, the Pre-Trial Chamber authorised the Office
15 of the Prosecutor to proceed with such an inquiry. According to the information that the
16 Office of the Prosecution of the International Criminal Court, the Prosecutor has reasons
17 to believe that you committed crimes that fall within the jurisdiction of the Court. For
18 that reason, before we continue, we must explain to you what your rights are, your rights
19 under the Rome Statute. Have you understood?" End of quote.

20 Do you remember that, that exchange?

21 A. [10:37:00] Of course. That was standard each interview. At each interview that
22 point was made, they would tell me what my rights were, what my duties were, and then
23 they asked me if I was ready to give a statement, each time we had a meeting or an
24 interview.

25 Q. [10:37:19] Very well. Now, during these discussions or these interviews, did you

1 have a lawyer?

2 A. [10:37:28] No. They asked me that question several times. And the first time, well,
3 it was truly the first time I had dealings with the justice system. So I was asked and I
4 said no, that I had the truth, I wanted to tell the truth, and I did not need a lawyer.

5 Q. [10:37:56] Very well. Did you report back about this interview or certain
6 interviews that you had with the OTP? Did you report back to the authorities of
7 Côte d'Ivoire?

8 A. [10:38:12] I never gave any reports back to anyone, never, not to the president of
9 the republic, not to the minister to whom I reported.
10 It was only when the OTP contacted me when I was in Libreville and asked me to come to
11 Abidjan to prepare for an appearance here, I said to them have they informed my
12 authorities, and they said that they had sent a note. So I waited, I was waiting for my
13 minister to summon me. He did not do that.
14 And when I was given the date of arrival here, I tried to reach him on the telephone.
15 And he said to me that he had to leave with the president, he gave me an interview and I
16 met with him briefly to report to him that I would be coming here. So I had to report to
17 him before travel and that is what I did.

18 Q. [10:39:20] Very well. So we've discussed the 2011 interview. Now, do you
19 remember whether the OTP investigators said to you that during your 2011 interview, if
20 you were still -- if it was still possible that you might be charged by the Court?

21 A. [10:39:44] That's what I said each time. Each interview they reminded me of that
22 point.

23 Q. [10:39:51] I would like to read out a very brief extract from your earlier interview
24 in 2012, CIV-OTP-0027-0266 at 0269, lines 84 to 89.

25 THE INTERPRETER: [10:40:36] Message from the interpreter: The line reference was

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1 line 84 to 89. Apologies.

2 PRESIDING JUDGE TARFUSSER: 84, okay. Sorry.

3 MR ALTIT: [10:40:48] (Interpretation) I can repeat the number if necessary.

4 PRESIDING JUDGE TARFUSSER: It's okay, it's okay.

5 MR ALTIT: (Interpretation)

6 Q. I quote line 84:

7 "Interviewer 1: Very well. Finally, well, I'd just like to specify the OTP's policy very

8 briefly. We would like to inform you that the Office of the Prosecutor focuses its

9 prosecution on people bearing the greatest responsibility, okay?

10 So at this point we do not have any reason, there is no reason for you to be afraid of

11 anything, okay? And we will explain in a few moments, well, the purpose of taking this

12 statement. This is something very specific that is not related to the process itself, okay?"

13 End of quote.

14 So in October 2011, you were told that you may have committed crimes that would come

15 under the jurisdiction of the Court. And then in July 2002 you were told that you had no

16 longer any reason to fear anything. Did the investigators explain to you why that change

17 occurred?

18 A. [10:42:13] Not at all. I was available to the investigators and I listened to them.

19 MR MACDONALD: Your Honour, I --

20 PRESIDING JUDGE TARFUSSER: [10:42:21] I don't think really it's correct. They

21 didn't tell -- you were saying: So in October 2011, you were told that you may have

22 committed crimes. But it doesn't come out from here from what you read.

23 MR MACDONALD: [10:42:37] No, but that is the point my colleague is trying to make,

24 your Honour. First of all, it hasn't been read, the previous page.

25 PRESIDING JUDGE TARFUSSER: [10:42:44] Yes, of course. But we can't read the

1 whole thing, of course.

2 MR MACDONALD: [10:42:47] No, I know. But that's why, your Honour, I'm
3 standing up to ask that the interview of July 2012 had a specific purpose, which is clear
4 when reading the whole transcript, which is Rule 77, disclose pursuant to Rule 77.
5 But the Prosecution will -- is asking exceptionally that it be submitted on the record in
6 order to demonstrate that for that interview we're not discussing the facts of the crisis
7 themselves and, therefore, that warning, the way it is framed at that moment is in
8 reflection to the content of that interview. That's the point we want to make. And in
9 order for the Chamber to know that, you have to take cognisance of the totality of the
10 document. Thank you.

11 PRESIDING JUDGE TARFUSSER: [10:43:49] Maître Altit.

12 MR ALTIT: [10:43:50] (Interpretation) Thank you. I think that perhaps this
13 discussion could be held after, not at this point, not at this point in the questioning of the
14 witness.

15 PRESIDING JUDGE TARFUSSER: [10:44:06] But still I say that this is not said in the
16 part you read out. It's not said that you have committed crimes.

17 MR ALTIT: [10:44:19] (Interpretation) That was not said. Now, just to make sure
18 everything is crystal clear, the OTP investigators during the 2011 interview, and I believe
19 this point -- well, they read out the standard wording. And I can read it out if necessary.
20 I read it a few moments --

21 PRESIDING JUDGE TARFUSSER: [10:44:42] Please do not. Please do not. The
22 standard words, we know the standard words.

23 MR ALTIT: [10:44:48] (Interpretation) Very well. Now, the Prosecutor has reason to
24 believe that you committed crimes. And then in the next year he's no longer given that
25 warning.

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1 So my question is, the question I was asking him is: Did you ask that it not be said
2 anymore? The prosecutor rose and said that from his perspective, well, he gave an
3 explanation. Well, he answered the question I put to the witness. You see the problem?
4 PRESIDING JUDGE TARFUSSER: [10:45:18] Maître Altit, I don't see the problem,
5 because the witness is here now the seventh day, and I'm not every morning asking him to
6 make a swearing-in. I did it once and that's it. So that's why I don't see the real
7 problem.

8 MR ALTIT: [10:45:42] (Interpretation) Well, the Prosecutor has made his point very
9 well.

10 Q. All the same, I would like to know, sir, if you did not -- well, you did not try to find
11 out why you were not read out that warning in 2012?

12 A. [10:46:04] I think there's a certain practice within the ICC; namely, you let the
13 witness know what his rights and duties are. And I don't know exactly what words are
14 to be uttered. The person informed me of my rights and my duties during the first
15 interview. And I don't think each interview he has to read out my rights and duties.
16 As the Presiding Judge has said, well, I assume that it was the same sort of conditions for
17 the following interviews.

18 Q. [10:47:09] Well, how many times thereafter did you meet with OTP investigators?

19 A. [10:47:19] After the 9th -- 23 August, rather, I met them on the 7th, on the 8th and 9
20 October 2011. Then after that I met with them on the 4th, 5th and 6 September 2013. I
21 also -- well, I also recall if you will --

22 Q. [10:47:47] Are you reading? Are you reading from a piece of paper?

23 A. [10:47:50] No, no. I just jotted down the dates so as not to forget them.

24 Q. [10:47:57] Very well. Very well. So and you spoke to them on the telephone?

25 A. [10:48:09] No. For the two times I was summoned, the first time it went through

1 Souleymane Kamagaté, the second time Minister Amon Tanoh, and when I came I spoke
2 with them the last time.

3 The last time when we had the meeting it was in Paris, when two young Congolese
4 fellows very politely approached me and asked me if I had just given testimony at The
5 Hague, and I said no. I was in Paris for a vacation, and I was with the sister, actually, of
6 my wife and she lives in Paris. She knows Paris well, and she often helps me when I go
7 there, to run errands and the like. They started to actually film me. And she is very
8 much aware of human rights and she blocked them and -- well, people started to gather
9 and she -- and then we left. At one point we had taken the card out of the camera and
10 then -- well, we gave the card back. They came after. And then later I was told that
11 there was a video out there and people were threatening me, but, no, there were no
12 threats. I even see -- I think the purpose was to have people believe that I was in Paris
13 with my mistress. Well, people laughed, even my wife, because I was with my wife's
14 sister who is the -- taking care of my son in Paris.

15 And then the headlines. Even in Abidjan, they didn't really even have the information.
16 They -- they started to spin the story: There he was in Paris with his mistress, but, you
17 know, I was with my wife and her sister.

18 And some people from the Prosecution met with me. And I said, no, no, no, I'm on
19 vacation; I don't need any police officers. And I was quite free to go about. I was taking
20 the metro; I was taking taxis; I was taking the RER. That was the last meeting.

21 Q. [10:50:36] Very well. At any time during that entire period of time, were you ever
22 threatened with prosecution in Côte d'Ivoire?

23 A. [10:50:58] No, I never received any summons from any court in Côte d'Ivoire.

24 Q. [10:51:09] Very well.

25 Now, with your leave, Mr President, I will now read out -- well, I'll return to the earlier

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1 point.

2 And I'd like to read the entire exchange to you between -- well, the entire exchange with
3 the Prosecution witness. This will be somewhat longer than the earlier question.

4 Now, sir, do you remember that I quoted to you something that was said here by a
5 Prosecution witness, 435, and it was about the GPP? The witness said he was a member
6 of the GPP.

7 And so here is the exchange, and after the exchange, I'll put to you the question again, if I
8 didn't already do so. All right?

9 A. [10:52:05] All right.

10 Q. [10:52:08] Well, it all started with a question from Mr Gbougnon, a lawyer
11 representing Mr Charles Blé Goudé, and he said this, and I quote, page 63, line 1. So,
12 question, and I quote. Mr Witness, you mentioned some training that you apparently
13 were giving to some people, and I cited the transcript of 18 October from page 45. I'll
14 read the entire extract so everything is clear. So that was the transcript of 18 October.
15 Here's the question from the Prosecution, line 21 onwards, page 47.

16 "Now this training, were financial resources necessary?"

17 And your answer was, I quote: "Yes. First of all" --

18 You were answering -- well, when I say "you," I'm quoting Mr Gbougnon and he's
19 quoting the witness.

20 A. [10:53:43] Yes, I understand. I've understood your main points.

21 Q. I shall continue. You answered, and I quote:

22 "Yes, first of all, for their record, for the national service of were -- they had to go see the
23 doctor, and 20,000 francs were requested per person. 10,000 francs would go to us to
24 provide food and the rest, well, other requirements."

25 Now, at the end of that same page, another question was put, and I quote. Once again,

1 this is Mr Gbougnon, is quoting testimony:

2 "And the 30,000 francs, where did they come from?"

3 And your answer was: "The 30,000 francs came from each person, each recruit who came
4 with his 30,000 francs, so 10,000 francs for us and 20,000 were handed over to the national
5 army service."

6 "My first question, Mr Witness" -- this is Mr Gbougnon speaking -- "do you remember
7 saying that?"

8 Answer: "Yes, yes."

9 Question: "My first question, Mr Witness, is this. You keep saying 'on,' 'they were
10 asked.' We were asked? When you say 'on,' who are you talking about?"

11 Answer from the witness: "When I say 'on,' I mean, well, it's the decision. The decision
12 was to take the 20,000 francs. It wasn't for us; it was for the national service. As I said,
13 they needed the 20,000 francs for medical visits and other tests" --

14 We move on to page 64.

15 -- "that the men had to do before they left for their training. And when I say 'on,' it was
16 because that money, 'us,' I was we who -- it's -- inaudible -- and others who left directly to
17 the army headquarters, but it was at our level that we received the money, the 30,000
18 francs. We would take 10,000 francs and 20,000 was set aside for the national service.
19 And then we would have the list of the people who met the requirements, the age, the
20 schooling. We would pass on the list and each person with the 20,000 francs. So the
21 people who were chosen also provided the 20,000 francs. That's how it worked. When
22 I say 'on,' because it's us, we were the ones getting the money at the level of the GPP. Do
23 you follow me?

24 Answer: Yes.

25 Question: Very well."

1 So question from Mr Gbougnon:

2 "When you talk about the national service, exactly who do you mean? At that time, who
3 was it in the national service who asked you, and how, how did they ask you to collect
4 this money? Exactly who asked you to do that and how was the request made?"

5 Answer from the witness:

6 "I think that I've already explained that decision. That decision came after our march,
7 when Mr Stallone visited us, and he explained to us that we had to get ready to train the
8 new men, who would be included after. It was at the level of the national service.
9 There was a warrant officer Croco, warrant officer Croco I spoke to. He was the first one.
10 And then -- because before he was part of the infantry but then he was transferred to the
11 BAS headquarters. But before, he was the one who received the money directly.

12 Question: I think that you'll have to repeat because this is the first time you've
13 mentioned Croco, that name. Please say that name slowly and spell it out for the
14 interpreters.

15 Answer: I think it's not the first time I've mentioned him. Croco is Croco, C-R-O-C-O.
16 I don't know his full name, that was his nickname. But in any event, be it the infantry or
17 the headquarters, that's what everyone knew him -- how everyone knew him."

18 Question: "I think that there's a problem with the transcript, page 63, line 1. I see here
19 that the decision came after our march when we had their -- the "zip." I know -- I don't
20 know whether -- do you remember what ces zips, Mr Stallone, that he was supposed
21 to -- can you repeat that bit?" That was a question.

22 The witness's reply was this: "I explained that before. After our march, after our march,
23 when we had a visit from Mr Stallone, it was explained to us that people were going to
24 take into account our complaints, our grievances, that we had been heard and that they
25 were going to take that into account. And we had to get ready because there would be

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1 an official call or -- well, but unofficially, before that, we had to train, do initial training for
2 some young people, young people. How should I put it? How do you say young
3 people? First, within our group and then people -- young people from other
4 organisations close to the regime who would come for training, and then they would go
5 back and would be included in the various army units."

6 You're still with me.

7 PRESIDING JUDGE TARFUSSER: [11:00:41] Are we reading out the whole thing, the
8 whole testimony?

9 MR ALTIT: [11:00:45] Monsieur le Président.

10 PRESIDING JUDGE TARFUSSER: [11:00:47] But I asked you to read out only the
11 question before the part you read out. And this is much, much more. I mean, we're not
12 here to read out the whole transcript of the witness's testimony.

13 MR ALTIT: [11:01:02] (Interpretation) The question concerns that whole excerpt. And
14 I had extracted what was relevant, and the Prosecutor asked that the entire thing should
15 be read.

16 PRESIDING JUDGE TARFUSSER: [11:01:30] No, the Prosecutor didn't ask that and I
17 didn't ask this. I asked that you read out the question before -- which led to the answer
18 which you read out. That's it. And not two or three pages of transcript which are
19 difficult also to understand when you read them out.

20 MR ALTIT: [11:01:57] (Interpretation) That is the problem. The problems -- the
21 questions follow each other and there's no way to identify that this is one specific question.
22 But now I am almost where I was.

23 PRESIDING JUDGE TARFUSSER: [11:02:16] Mr Mangou, I give you the floor.

24 THE WITNESS: [11:02:28] (Interpretation) Thank you, Mr President. I believe that even
25 at this stage I can answer because it relates to the issue of recruitment and training.

1 Counsel, what I would like you to know is that, you should look at the Ivorian army,
2 which is a serious army, an army that recruits based on decisions taken by the council of
3 ministers. We do not recruit self-defence groups. We are not in contact with
4 self-defence groups. Just like the 30 young people of Adjamé Agban. Would you
5 imagine that I went to Adjamé Agban when I was in the collège du Plateaux because my
6 guardian was there? After that I never, never went back there.
7 How can I recommend 30 young men from Agban, not even to join the army, but to join
8 the GPP? If I want people in the army, why would I have them pass through the GPP?
9 I can say that you worked a lot, you received witnesses, but when we were listening to the
10 trial, we knew who were the true witnesses and the ones who just want to come for a visit
11 here.
12 But if you want, I can give you the real procedures and the numbers of people we
13 recruited in the army. I have the figures. The year of the crisis, that is from 2002 to 2011,
14 we had three recruitments. The first one was in 2003. We felt the need to have more
15 people because, this was because of the loss of the town of Man, it had been captured.
16 But given that these villages were surrounded by mountains, the units could not retreat,
17 but in the end they were chased away. So we needed to recruit. So we recruited 4,000
18 young men. And these people were called the generation -- the Blé Goudé generation.
19 But I'm not saying here that it was Blé Goudé who recruited them, but it's just because
20 young Ivorians were fond of making such names.
21 These were young educated Ivorians. Some of them had first degrees, others even had
22 Master's degrees.
23 And when we started working with the South Africans for disarmament, they felt that
24 they had been abandoned because they were not sure that they would be kept in the
25 army. So they were allowed to sit the test for the police, the gendarmerie, the forestry

1 services and custom services. And many of them succeeded.

2 Now, at the same time, between 24th and 25 September, there were two mutinies, one in
3 Yamoussoukro and the other in Daoukro. We were able to end the one in Daoukro, but
4 the one in Yamoussoukro was so intense that they almost travelled to Abidjan.

5 Now, I sent a company at 4 a.m. in the morning to go up there and bring the prisoners
6 back. And Commander Toaly went there and brought back 182 people. Out of them,
7 91, 91 were imprisoned, 73 were dismissed and 13 fled.

8 Now, working within the framework of the political Ouagadougou accord, which
9 required 4,000 people for the security of the elections, in 2009 we recruited 2,000 people
10 who were formed under excellent conditions in January, February and March 2010 and
11 were assigned to work within the army.

12 And with the events in Abobo and the situation prevailing in Abidjan, we recruited 3,184
13 people. Because of the urgency of the training, these people were assigned directly to the
14 various units for the commanders to carry out the training. So the 1st BCP had 200
15 people. The BASA received 200 people. The 1st infantry battalion received 200 people.
16 The 1st engineering battalion received 200 people. The BCS battalion, 100 people. And
17 300 people went to the Republican Guard. That is --

18 PRESIDING JUDGE TARFUSSER: [11:08:54] Mr Mangou, this is already on the record.
19 So I think you have said this already a few days ago, I can't remember the day, but I
20 remember exactly the 300 Republican Guard. And I would after the break ask you why
21 300, which I think is a bit disproportioned to the Republican Guard. Now I would like to
22 stop.

23 MR ALTIT: [11:09:21] Une question.

24 PRESIDING JUDGE TARFUSSER: [11:09:22] Une question, okay.

25 MR ALTIT: [11:09:26] (Interpretation) Thank you, Mr President.

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1 PRESIDING JUDGE TARFUSSER: Une brève réponse.

2 MR ALTIT: (Interpretation) A very brief question and probably a brief answer.

3 Q. [11:09:35] Just to understand, Mr Mangou, in everything that I read out to you a
4 short while ago, what the witness said now and before, that's from Witness 435, are you
5 telling me that that is incorrect?

6 A. [11:09:52] I'm telling you that that is incorrect. It is false. The information that
7 we received is that there were young people who wanted to enroll. They came to the
8 staff headquarters without anybody asking them to come there.

9 Those were the ones who were extorted by some soldiers who told them, "If you want to
10 join the army, give us some money." So some people took advantage of that situation.
11 There are always some wise guys who seize such opportunities. They said, "Look, if you
12 want to join the army, give us some money."

13 So we were informed about that. And we even issued a communiqué over the television
14 that there are no recruitments, do not allow yourself to be deceived.

15 Q. [11:10:51] Thank you.

16 PRESIDING JUDGE TARFUSSER: [11:10:52] Thank you. Now we have the break.
17 We come back at 11.45.

18 Thank you. The hearing is adjourned to 11.45.

19 THE COURT USHER: [11:11:02] All rise.

20 (Recess taken at 11.11 a.m.)

21 (Upon resuming in open session at 11.47 a.m.)

22 THE COURT USHER: [11:47:04] All rise.

23 Please be seated.

24 PRESIDING JUDGE TARFUSSER: [11:47:21] So good morning again.

25 Mr Mangou, good morning to you.

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- 1 The floor is back to the Defence for Mr Gbagbo, Maître Altit.
- 2 MR ALTIT: [11:47:38] (Interpretation) Thank you, Mr President.
- 3 Mr President, your Honours, I have finished with my questions. There's only one thing
- 4 left to do, is to have this witness authenticate a certain number of documents. We are
- 5 going to proceed as quickly as possible, but it is essential in order to tender these
- 6 documents into evidence to have them authenticated.
- 7 PRESIDING JUDGE TARFUSSER: [11:48:34] Well --
- 8 MR ALTIT: [11:48:36] (Interpretation) Ms Naouri will be the one to do the exercise.
- 9 MS NAOURI: [11:48:59](Interpretation) Thank you, Mr President.
- 10 QUESTIONED BY MS NAOURI: (Interpretation)
- 11 Q. [11:49:01] Good morning, Mr Witness.
- 12 A. [11:49:05] Good morning, Counsel.
- 13 Q. [11:49:08] We are going to present to you a certain number of documents and we
- 14 will look at them together. We have prepared a folder for the witness, which should be
- 15 given over to the witness. And the documents are arranged in the order in which they
- 16 will be shown.
- 17 MR MACDONALD: [11:49:34] Sorry, your Honour, I wonder if there is also maybe a
- 18 list, advanced list to be shared with the Prosecution and parties so that we can just go
- 19 through? It's much easier, because we can't --
- 20 PRESIDING JUDGE TARFUSSER: [11:49:48] Have you an index of these documents?
- 21 MS NAOURI: [11:49:51] (Interpretation) Yes. Do you want us to send it to you
- 22 immediately?
- 23 MR MACDONALD: [11:49:59] (Interpretation) Yes.
- 24 PRESIDING JUDGE TARFUSSER: [11:50:01] And to the Chamber, please. And to the
- 25 Chamber, please.

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- 1 MS NAOURI: [11:50:09] (Interpretation) Obviously. Yes, of course.
- 2 PRESIDING JUDGE TARFUSSER: [11:50:12] And to the LRV, of course.
- 3 MS NAOURI: [11:50:19] (No interpretation)
- 4 PRESIDING JUDGE TARFUSSER: [11:50:20] Also to the Blé Goudé Defence, to all of us.
- 5 Not to the public.
- 6 MS NAOURI: [11:50:27] (Interpretation) We will send the document to everyone.
- 7 And you will see that there are some documents that were notified yesterday that we will
- 8 talk about briefly. They were disclosed by the OTP, and we are going to look at them
- 9 now.
- 10 PRESIDING JUDGE TARFUSSER: [11:50:51] So as this exercise will not last long, I just
- 11 alert the Defence for Mr Blé Goudé to be ready to start. Thank you.
- 12 MS NAOURI: [11:51:15] (Interpretation) I don't know whether you have received it,
- 13 because we have sent the list. I'm being told that the list is being sent.
- 14 MR MACDONALD: [11:51:32] (Interpretation) Mr President, we can still start
- 15 anyway.
- 16 MS NAOURI: [11:51:39](Interpretation) Thank you, Mr Prosecutor.
- 17 Q. [11:51:42] Mr Witness, the first document is CIV-OTP-0048-0488, and it is number
- 18 798 on the list of Defence materials. It is a message of the chief of CPCO, to the CADA,
- 19 the commander of arms in Abidjan. Can you see this document, Mr Witness?
- 20 A. [11:52:18] Yes, Counsel.
- 21 Q. [11:52:21] You were a recipient of this document; is that correct?
- 22 A. [11:52:26] As a report.
- 23 Q. [11:52:29] Is this document in the normal format addressed by the CPCO?
- 24 A. [11:52:35] Yes, Counsel.
- 25 Q. [11:52:40] Have you had a time to look at the document, Mr Witness?

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1 A. [11:52:45] Yes.

2 Q. [11:52:47] Very well. The individual referred to as Ouérémi in this document, is it
3 Amadou Ouérémi? Do you know?

4 A. [11:53:11] I can just see the first page. Oh, yeah, it is the second document.

5 Q. [11:53:17] It is the same document, which has several pages. The second
6 document is under tab 2. So on the first page, number 0048-0490, it is written, "On
7 Thursday, 2 December 2010, at about 3 p.m. in Bagohouo, 25 kilometres outside Duékoué,
8 a detachment from the west, which was reinforced on patrol was attacked by a group of
9 individuals identified as under the leadership of a certain Ouérémi, a Burkinabé, who was
10 with his men in a national park."

11 Do you understand?

12 A. [11:54:41] Yes, Counsel. I didn't understand before, but now I have understood.

13 Q. [11:54:49] Now, do you know whether it is Amadou Ouérémi that is being referred
14 to?

15 A. [11:54:56] Yes, that is correct, Counsel.

16 Q. [11:55:08] Do you know whether Amadou Ouérémi and his men fought with the
17 FRCI to take over Duékoué?

18 A. [11:55:22] I do not know. I know that he was in a forest even before the
19 Republican Forces carried out their offensive in Abidjan.

20 Q. [11:55:37] Very well. The second document is CIV-OTP-0045-0271. It is number
21 788 in our list of materials. It is a message by the commander of the CPCO to the
22 supreme commander of the gendarmerie on 26 November 2010. Can you see the
23 document, Mr Witness?

24 A. [11:56:11] I'm looking at it now.

25 Q. [11:56:13] Very well.

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- 1 PRESIDING JUDGE TARFUSSER: [11:56:17] Can we leave away this question, "Can
2 you see the document?" Of course he can, because he has it in front of him.
- 3 MS NAOURI: [11:56:25] (Interpretation) Very well, Mr President.
- 4 PRESIDING JUDGE TARFUSSER: [11:56:27] Okay.
- 5 MS NAOURI: [11:56:30] (Interpretation)
- 6 Q. [11:56:31] Now, Mr Witness, you were a recipient of this document; is that correct?
- 7 A. [11:56:38] As a report.
- 8 Q. [11:56:41] Very well. Have you had time to look at the report? It is said that the
9 RDR created a militia known as the Blue Brigade. Do you know when?
- 10 A. [11:57:06] Counsel, that is an intelligence bulletin. Either it comes from the
11 population or from other individuals. So it is not certified. So it is just an intelligence
12 report following information from someone.
- 13 Q. [11:57:33] Mr Yeo Fozie and Cheick, the two individuals mentioned in this
14 document, do you know whether they were captured?
- 15 A. [11:57:44] Not to my knowledge.
- 16 Q. [11:57:51] Very well. We will go to the next document, CIV-OTP-0071-0475, and it
17 is number 802 in our list of documents. It is a correspondence from Tchoume Hervé,
18 squadron leader. It is dated 15 December 2010. And he is the deputy commander of
19 the 1st armoured division.
- 20 Mr Witness, you are a recipient of that document, is that correct?
- 21 A. [11:58:37] Yes, I am looking at it right now.
- 22 Q. [11:58:56] So that document was sent to you?
- 23 A. [11:59:00] Yes.
- 24 Q. [11:59:02] Is this the usual format of documents from the land forces of
25 Côte d'Ivoire?

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1 A. [11:59:12] Normally, the squadron commander should not have addressed it to me
2 directly, he should have passed by through his own commander. I'm surprised that he
3 sent it directly to the chief of staff.

4 Obviously he sent it to the CPCO. Otherwise the document talks about the incident
5 about the machine gun that was taken at the carrefour Marie-Thérèse.

6 Q. Now, the next document is CIV-OTP-0071-0514, and it is number 806 on our list of
7 documents. It is a message from the CEMA to the superior commander of the
8 gendarmerie on 15 December 2010. I will allow you time to look at the document,
9 Mr Witness.

10 A. [12:00:22] Yes, it is a message sent by me.

11 Q. [12:00:26] And it is indeed your signature on the document?

12 A. [12:00:30] Yes, Counsel.

13 Q. [12:00:32] The next document is CIV-OTP-0071-0678, it is number 821 on our list of
14 documents, and it was notified yesterday. It is a message dated 18 December 2010 from
15 the COMTER to the CEMA, and the subject is the result of skirmishes of 16/12/2010.

16 A. [12:01:10] Yes, it was a document addressed to me on the events talking about the
17 deaths of soldiers.

18 Q. [12:01:23] Very well. Do you know anything more about the ambush in Abobo
19 mentioned in this document?

20 A. [12:01:33] Yes, it is the ambush that Colonel Toaly talked to you about when our
21 elements were patrolling in PK18, and they were ambushed and we lost soldiers there.

22 Q. [12:01:51] The next is CIV-OTP-0071-0679, and it is document 832 in our list of
23 documents. It was notified yesterday. It is a message dated 18 December 2010 to the
24 commander of BASA. The object is request for punishment. And you were copied in
25 this message.

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1 A. [12:02:28] Yes, in the form of a report.

2 Q. [12:02:31] Very well. Let us move on to the next document. It is

3 CIV-OTP-0045-0732, it is number 772 on our list. It is a daily report of the police. The
4 sender is the chief of PC operations. And you are the recipient of this document,
5 Mr Witness.

6 A. [12:03:08] Yes, I received it just like the DGPN and commander of CECOS and
7 others.

8 Q. [12:03:18] Very well. Let's move on to the next document, number
9 CIV-OTP-0071-0510. That will be number 804 on our list of materials. This is a message
10 of 21 December 2010 from the COMTER to the CEMA organisation and human resources
11 division of the general staff of the army and to the commander area delegate in Abidjan.
12 And the subject is death of a non-commissioned officer.

13 A. [12:04:05] Yes, this document is correct. It was forwarded in relation to the
14 measures to be taken regarding the funeral.

15 Q. [12:04:16] Thank you very much, Witness. I thank you. We will now move on to
16 the next document, CIV-OTP-0071-0511, number 115 on our list of materials. It's a
17 document that was notified yesterday, and it's a message of -- well, let me make sure the
18 date is correct, 21 December 2010, from the COMTER to CEMA and to all units. Subject,
19 death of soldiers.

20 A. [12:04:57] Yes, that's correct. In the same line as the previous message.

21 Q. [12:05:03] And you were an addressee of this message?

22 A. [12:05:08] Yes, that's correct.

23 Q. [12:05:09] Next document, number CIV-OTP-0071-0725, number 823 on our list of
24 materials. And it's a message of 22 December 2010 from the CEMA to the minister of
25 defence. Purpose, report on an event. Mr Witness, is that your signature?

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1 A. [12:05:41] Yes, that's my signature. So, Counsel, you can see that here that I'm
2 summarising a number of messages that I received and I'm reporting to the minister of
3 defence accordingly.

4 Q. [12:05:52] Thank you, Mr Witness.

5 Let's now move on to the next document, number CIV-OTP-0071-0512. That will be
6 number 805 on our list of materials, and it is a message of 27 December 2010 from
7 COMTER to CEMA to the organisation and human resource division of the general staff
8 and to the area commander Abidjan. Subject, death of soldiers.

9 A. [12:06:34] That's correct.

10 Q. [12:06:39] And you are a recipient of the document?

11 A. [12:06:42] Yes, CEMA, CADA and human resources for the necessary action.

12 Q. [12:06:52] Very well. Next document, CIV-OTP-0071-0663, and that will be
13 number 820 on our list of materials, which was discussed yesterday. It is a message of 31
14 December 2010 to -- or, rather, from the COMTER, but signed by the deputy commander
15 of the land forces to CEMA. Subject, disclosure of documents.

16 A. [12:07:33] Yes, that's correct. This is a summary of all the deaths and injuries.

17 Q. [12:07:40] And it was addressed to you, correct?

18 A. [12:07:44] Yes, Counsel.

19 Q. [12:07:47] Thank you. Next document, CIV-OTP-0048-1184, number 801 on our
20 list of materials. And the document is a note from the general staff of 3 January 2011.
21 Purpose, message -- end of year message from CEMA, message appended.

22 PRESIDING JUDGE TARFUSSER: [12:08:19] Just a question. And I'm relating to the
23 document before. The annexes, where are the annexes? Is this the document you want
24 to submit, or this together with the annexes? Because this document doesn't say really
25 very much.

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1 MS NAOURI: [12:08:56] (Interpretation) The document which bears the number I
2 mentioned, 0071-0663, is made up of three pages, and we want to submit all three pages of
3 the document attending to that ERN number.

4 PRESIDING JUDGE TARFUSSER: [12:09:13] Because here, so on these submissions
5 and authentication, then you authenticate only the first part, without the annexes.

6 MS NAOURI: [12:09:28] (Interpretation) The annexes are part and parcel of the
7 document.

8 PRESIDING JUDGE TARFUSSER: [12:09:33] Just for clarification.

9 MS NAOURI: [12:09:38] (Interpretation) Merci.

10 Q. [12:09:41] Mr Witness, have you had time to look at the next document?

11 A. [12:09:45] Yes, Counsel.

12 Q. [12:09:50] You are the author of this document, correct?

13 A. [12:09:56] I am the one informing the units. At the end of the year the chief of
14 general staff usually addresses a message to the various units, but mindful of the activities
15 on the ground, it took time for this to be done. And I, therefore, issued this message to
16 all the units according to this document.

17 Q. [12:10:25] Very well. Let me take you to page 0048-1197, where you state the
18 following, and I quote:

19 "One can only objectively analyse the electoral crisis at the end of 2010 without having a
20 retrospective view of the Ouagadougou agreements, signed within the context of the
21 settlement of the military-political conflict following an attack launched from the north of
22 the country by a rebel movement. The agreement plays an important role in terms of the
23 FDS.

24 And may I recall that the agreement was entered into in 2010 between the various parties
25 and a rebellion entered our country. And with an effort to settle the conflict,

1 consultations were carried out by various parties, including the FDS and the FAFN as well
2 as the impartial forces being the facilitators. It is, therefore, revolting to note that the
3 current post-election crisis is the result among other things of duplicity and bad faith on
4 the part of our interlocutors. Whereas the FDS imbued by the spirit of patriotism and
5 love for our fatherland have paid a heavy price for this conflict and yet have kept their
6 part of the agreement, namely, to demobilise, to disarm troops and to return to their
7 positions. The FAFN have never on their part complied to this agreement."

8 Now, my first question to you is as follows: Did these forces proceed to disarm?

9 A. [12:12:40] Never.

10 Q. [12:12:45] Very well. So if I understand the passage we've just read, there is a link
11 between what happened in 2002 and the 2010 crisis; is that correct?

12 A. [12:12:59] Not necessarily. Not necessarily because, you see, I reminded you of
13 some of the measures that we took within the framework of the various agreements that
14 had preceded the Ouagadougou agreement. That agreement called on us of the FDS to
15 bring our troops together and to surrender our weapons. So that was, for us, tantamount
16 to disarming the FDS. But when it was not possible to disarm, all the units were
17 gathered at Tiébissou from the battlefield, and we met at different points and went back
18 to our garnisons.

19 And the Prime Minister Guillaume Soro and President Laurent Gbagbo were leading up
20 this operation. And we asked our men to proceed as quickly as possible in this
21 connection in order to see what our brothers opposite would do.

22 So we were able to complete our regrouping within two months, but the camp opposite
23 didn't. Our brothers opposite did not do the same.

24 So at the end of the crisis and with the organisation of the elections, we felt that
25 everything had been completed. We were of the view that working as two armies jointly

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1 we would manage things together under the framework of the Ouagadougou agreement.

2 Q. [12:14:44] Very well. Thank you, Mr Witness. Let us move to the next document,
3 CIV-OTP-0071-0538.

4 PRESIDING JUDGE TARFUSSER: [12:14:53] The Office of the Prosecutor wants to
5 have the floor.

6 MR MACDONALD: [12:14:55] Just briefly. It is mentioned on the transcript, it's a
7 mistake by my colleague. It's page 1187, it should read, and not 1197. Just for clarity.

8 PRESIDING JUDGE TARFUSSER: [12:15:11] Okay, thank you.

9 MS NAOURI: [12:15:15] (Interpretation) Thank you, Mr Prosecutor.

10 Next document is CIV-OTP-0071-0358. Number 816 on our list of materials. It's a
11 message of 6 January 2011 from COMTER to CEMA, DORH of the general staff, and to
12 CEMA garnison. Subject, communication of list of soldiers deceased after the
13 post-election demonstrations. Can you see that?

14 A. [12:15:55] Yes, that is correct, Counsel. This is a list of all those who have been
15 identified as deceased and this is some -- a summary or reminder of a compilation of the
16 previous messages.

17 Q. [12:16:14] Very well. Thank you, Mr Witness. Let us move on to the next
18 document, which is CIV-OTP-0071-0546, number 808 on our list of materials. It's a
19 message from COMTER to CEMA, 7 January 2010. Subject, arrest of an MDR by the
20 police. Take your time and look at the document, Mr Witness.

21 A. [12:16:52] Yes, that is the message and I remember the event and the incident that
22 occurred.

23 Q. [12:17:01] Very well. Do you know whether there was a follow up to the
24 investigation mentioned here?

25 A. [12:17:12] The soldier was captured and imprisoned.

- 1 Q. [12:17:17] Thank you very much. Let's go on to the next document,
2 CIV-OTP-0045-0614. That's number 789 on our list of materials. It's a message of 10
3 January 2011 from the chief CPCO.
- 4 A. [12:17:41] Yes.
- 5 Q. [12:17:42] You are recipient of this document?
- 6 A. [12:17:44] Yes, for information. It is an information document to the com-théâtre.
- 7 Q. [12:17:52] Very well. Do you have any other information on the training and
8 mobilisation of rebel troops in the north, particularly with regard to the recruitment of
9 mercenaries as mentioned in this document?
- 10 A. [12:18:09] Well, this is a message containing intelligence. And when we receive it,
11 we forward it to the chief, who takes the necessary measures.
- 12 Q. [12:18:16] Very well. Next document, CIV-OTP-0045-0616, number 770 on our list
13 of materials. It's a message from CEMA to MINIDEF of 19 January 2011. You are the
14 signatory of this document, correct?
- 15 A. [12:18:42] Yes, I am. Well, it's also an intelligence bulletin or not. You see, often
16 when people leave the CNO zone, they bring in some intelligence which we are not able
17 to cross-check, but in any event we forward the intelligence to our troops on the ground
18 for the necessary measures to be taken.
- 19 Q. [12:19:13] Very well. Why don't you have the possibility to cross-check?
- 20 A. [12:19:17] Because during the crisis the CNO zone was one to which we only went
21 for meetings and we couldn't just go there anyhow, just like they couldn't come down to
22 our zone anyhow as well.
- 23 Q. [12:19:30] Very well. Let's move to the next document, CIV-OTP-0048-0326,
24 number 796 on our list of documents. It's a message of 19 January 2011, from the chief of
25 CPCO to comthéâtre, subject, asks, a request for personnel, armoured battalion?

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1 A. [12:20:02] Yes. The comthéâtre was requesting reinforcement in manpower.
2 And the battalion commander said he was not able to do so because of the prevailing
3 contingencies and was not in a position to provide additional men.

4 Q. When you say "because of the contingencies," is it because there were no resources?

5 A. [12:20:31] No. It's because of the activities on the ground which made it
6 impossible for any additional men to be available to the comthéâtre.

7 Q. [12:20:42] Very well. Let's move to the next document, CIV-OTP-0071-0598,
8 number 809 on our list of materials. And I would like to ask you to simply confirm that
9 this indeed is the same document which we have just looked at?

10 A. [12:21:00] Yes, that's correct, it's the same document.

11 Q. [12:21:03] Thank you, Mr Witness.

12 Next document, CIV-OTP-0046-0316, number 776 on our list of materials. It is a police
13 report of 19 January 2011 from Yoro Claude, and the subject is SHS attack of police
14 positions by rebels in Abobo, PK18, and mayor's office on 11th and 12th of January 2011.
15 Please look at the report.

16 A. [12:21:53] Yes, this is a report written by Yoro in relation to the attack on the police
17 forces on January 11th and 12th at the Abobo roundabout, January 11 and 12, 2011.

18 Q. [12:22:13] Do you remember issuing any note following that incident accordingly?

19 A. [12:22:23] Yes, Counsel. When we met at the general staff to debrief, we wanted
20 to find out what had happened and what measures needed to be taken.

21 Q. [12:22:34] Thank you very much, Mr Witness.

22 Let us move on to the next document, CIV-OTP-0071-0484, number 803 on our list of
23 materials. It's a document entitled "March Journal of the 1st armoured battalion, 4th
24 Trimestre 2010," date, 20 January 2011, signed by Colonel Yao Adjoumani, commander of
25 the 1st armoured battalion.

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1 A. [12:23:17] Yes, counsel. The name is Yao, not Yao.

2 Q. [12:23:23] Thank you for the correction.

3 A. [12:23:25] Well, normally in all units, there is a journal which highlights their
4 activities so that they're aware of the major incidents that happen. This journal is
5 available to the chief of corps, who has the opportunity through it to become aware of the
6 highlights of what has been happening within the battalion. And this is a document that
7 is kept on a continual basis.

8 Q. Très bien. Je vous remerci, Monsieur le témoin.

9 MR MACDONALD: We have an intervention.

10 PRESIDING JUDGE TARFUSSER: [12:24:00] Mr MacDonald.

11 MR MACDONALD: [12:24:01] Are we asking if the witness has ever seen this
12 document? Because I understand the purpose is to -- well, it is what it is. So ...

13 PRESIDING JUDGE TARFUSSER: [12:24:12] Yes, we will ask.

14 Do you know this document? Do you know this document, this specific one?

15 THE WITNESS: [12:24:29] (Interpretation) No. This document was not brought to my
16 attention. But it remains at the level of the army corps. It is not forwarded to the chief
17 of general staff. However, during a control, if the inspector general were to go to check,
18 he can ask to see this journal, the Journal de marche.

19 PRESIDING JUDGE TARFUSSER: Thank you.

20 MS NAOURI: [12:24:50](Interpretation) Thank you, Mr President. I want to specify
21 that he was not the author of this document. He didn't see it. But we are interested in the
22 content of this document in particular.

23 Q. [12:25:10] Now, Witness, let's move on to the next document, number

24 CIV-OTP-0071-0489, number 814 on our list of materials. It's a document captioned

25 "Report by commander of 1st BB, Yao Adjoumani, 21 January 2011, on the morale of the

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1 troops of the 1st armoured battalion for the 2011 year."

2 You, the witness, is not a recipient of the document, but can you take a look at it.

3 A. [12:25:54] Yes. This is a report that the unit commander submits at the end of the
4 year covering what has been done throughout the year. And in one of the columns the
5 commander outlines the difficulties that have been faced regarding soldiers and vehicles,
6 and he ends up making proposals to the high command.

7 Normally this report is forwarded to the forces' commander, that is General Detoh, who
8 then receives reports from all the battalion commanders, drafts a summary and then
9 forwards his report to the chief of general staff, who puts all these reports together and
10 then in his turn reports after summarising them to the minister of defence accordingly.

11 Q. [12:26:49] Thank you. That's very clear, Mr Witness.

12 Next document, number CIV-OTP-0071-0596, number 775 of our list. It's a message of 27
13 January 2011 from CEMA. And so you're the author of this document, correct?

14 A. [12:27:16] Yes, that's correct, Counsel.

15 Q. [12:27:19] Very well. Have you taken a look at the document?

16 A. [12:27:26] Yes, I have. It is another information bulletin based on intelligence
17 received from the field. And we, therefore, inform those on the ground accordingly.

18 Q. [12:27:38] Very well. Do you know where Burkina Faso rebel soldiers were
19 trained?

20 A. [12:27:46] Upon cross-checking, the information was found to be false.

21 Q. [12:27:52] Thank you. Next document, CIV-OTP-0071-0625, number 810 of our
22 list of materials. This is a message from CEMA to the high command of the FDS, 17
23 February 2011. Subject, reminder of security measures. You are the author of this
24 document, Mr Witness?

25 A. [12:28:22] Yes, counsel, I am the author of the document. We realised that when

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1 our troops were at various positions, they tended to be less vigilant, and that is why we
2 deemed it necessary to remind them of the security measures so that they can continue to
3 be vigilant at their positions.

4 Q. [12:28:44] Very well. Let's move to the next document, CIV-OTP-0071-2480,
5 number 813 on our list of materials. It's a message from COMAR of 18 March 2011.
6 You are a recipient of this document, correct, Mr Witness?

7 A. [12:29:15] Yes, that's correct.

8 Q. [12:29:16] Do you have any additional information pertaining to the incident
9 mentioned in the document?

10 A. [12:29:26] I am being informed of the death of navy soldiers, and this information
11 comes from COMAR.

12 Q. [12:29:41] Very well. Next document, CIV-OTP-0071-0536, number 807 on our list
13 of materials. It's a message from CEMA, 22 March 2011. You are the author of this
14 document, Mr Witness, correct?

15 A. [12:30:10] Yes. What we noticed in the units often was that those who claim to be
16 seriously ill and, therefore, would not participate in the activities of the corps, would be
17 found to be involved in mutinies and other types of activities. So we drew the troops'
18 attention to this so that they would pay attention to all of these things, and that those who
19 are seriously ill should be observed in the evening.

20 You received one of them here who did not assist in the activities of the corps, but when it
21 came to talk about the crisis, he was the first to speak about the crisis.

22 Q. [12:30:59] When you talk about these seriously-ill people, these are people who
23 had fictitious medical certificates; is that correct?

24 A. [12:31:08] Yes, this is correct. These are the people who had such fictitious
25 medical situations. But when it came to other activities, they were most prominent.

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1 Q. [12:31:18] Next document 0542, CIV-OTP-0071, this is a document which was
2 already notified yesterday, it's document number 817. It's a document from the
3 COMTER, and you are recipient; is that correct?

4 A. [12:31:41] Yes, that is correct. It is a report on the activities of our troops who
5 came under fire at the Abobo roundabout. Three people were injured, and that's the list
6 of the three elements who were injured.

7 Q. [12:32:00] Very well. Thank you very much, Mr Witness.

8 MR ALTIT: [12:32:03] (Interpretation) Mr President, your Honours, this brings to an
9 end the examination conducted by Laurent Gbagbo's Defence team.

10 PRESIDING JUDGE TARFUSSER: [12:32:12] Thank you very much.

11 I turn now to the Defence of Mr Blé Goudé. Mr Knoops.

12 MR KNOOPS: [12:32:19] Good afternoon, Mr President. The examination of our team
13 will first be conducted by myself. After my examination, Mr Claver N'Dry will ask
14 several questions to the witness and thereafter Madam Kadji.

15 We strive to finish our examination in approximately three, maximum four sessions.

16 PRESIDING JUDGE TARFUSSER: [12:32:47] Okay, so you mean tomorrow?

17 MR KNOOPS: [12:32:50] Tomorrow morning, yes.

18 PRESIDING JUDGE TARFUSSER: [12:32:51] Okay. Thank you very much.

19 Please, you have the floor.

20 QUESTIONED BY MR KNOOPS:

21 Q. [12:33:32] Good afternoon, Mr Mangou. My name is Geert-Jan Alexander Knoops,
22 I'm a lawyer in the Kingdom of The Netherlands and I'm counsel for
23 Mr Charles Blé Goudé. Thank you.

24 Mr Mangou, I endeavour to go back with you to the events of the military offensive which
25 started in Abobo on 22nd and 23 February 2011 and my focus will be especially the type

1 of warfare the army of Côte d'Ivoire was facing in those days, vis-à-vis, the Commando
2 Invisible and its use of weapons of warfare. That will be my topic. And I have several
3 questions on this topic. The first being the following: In the transcripts of the hearing
4 of 26 September, it is the edited version of the English transcript, on pages 55 and 56, after
5 you have described on the pages 50 till 55 the start of the offensive, you give us an account
6 on the warfare, tactics and methods of the Commando Invisible.

7 And you mention two examples, first being, that's on page 56 of the English transcript, the
8 edited version, lines 3 and 4, first that the units of the Commando Invisible virtually took
9 as hostage the population and, secondly, that those individuals mixed themselves
10 amongst the members of the population. That is the context of my question.

11 My first question will be: Mr Mangou, did the army of Côte d'Ivoire ever before this
12 offensive in its military history encounter such type of warfare?

13 A. [12:37:00] Good afternoon, Counsel.

14 Thank you. You perfectly summarised the difficulties that we had during the offensive
15 of the 23rd. I will not repeat the details, but I must say that it was the very first time
16 since the crisis that we were facing such a situation.

17 There was fighting in the localities during the first crisis, but when we arrived, the places
18 where deserted. The populations had fled into the bushes. And we found the localities
19 deserted.

20 But in this particular case, the population was there. And the units fighting us had taken
21 the population in hostage. And moreover, they were using tricks; they did not wear any
22 uniforms that would make us able to distinguish them from the population.

23 So it was very, very difficult for us to fight for fear of collateral damage to the population.

24 And you are quite correct, Counsel, it is the most difficult type of combat, that is in those
25 neighbourhoods, otherwise the other type of battles we can fight easily, but when the

1 population is there it is very difficult to fight.

2 Q. [12:38:42] Thank you, Mr Mangou. So you cannot recall any similar operation,
3 combat operation conducted by the army of Côte d'Ivoire ever before this offensive
4 started?

5 A. [12:39:05] That is correct, Counsel.

6 Q. [12:39:08] Thank you, Mr Mangou.

7 In the same vein, Mr Mangou, in your evidence on the same page, still page 56 of the
8 English transcript of 26 September, edited version, lines 6 till 9, you say to the Chamber, I
9 quote:

10 "The Commando Invisible was really acting contrary to the Geneva Convention because
11 they were in civilian attire. So it was difficult to distinguish the combatant from a
12 member of the population. And in the face of such difficulties, it was impossible for us to
13 return fire when the enemy fired."

14 My question to you, General, sorry, Mr Mangou, is: From a military operational
15 perspective, you as a former general, could you qualify the situation you describe here as
16 a type of asymmetric warfare or irregular warfare?

17 A. [12:40:39] Thank you, Counsel. That was the major difficulty that we faced and
18 that is why we could not accomplish our mission.

19 The Geneva Convention on warfare is clear, all troops must wear specific uniforms, and
20 that is to be able to distinguish them from civilians so that we should be able to know who
21 is our enemy.

22 In the reconnaissance missions that we carried out, we asked the various units to give us
23 intelligence on the enemies relating to the following points, the nature, scope and attitude.
24 Insofar as you're unable to describe the characteristics of the enemy, because they are
25 mixed in amongst the population, you cannot have the intelligence regarding the strength,

1 you cannot know, because there are people there with hidden weapons, so you cannot
2 determine the strength of those units in order to brief your chief. The attitude, how they
3 behave, how they are moving. Everybody is moving so it is difficult to do that, so it is
4 not possible to read the situation to be able to deal with the enemy. And that is very
5 difficult.

6 That is why I gave the example of French troops here in Côte d'Ivoire and what happened
7 in some of the countries that I mentioned. You have to try to extract the population,
8 ex-filtrate the population in order to know who you are facing. And what -- as long as
9 you cannot do that, you cannot fight because our job is to defend the population, not to
10 kill the population because the weapons that we are using are weapons of mass
11 destruction. So if we do not have a clear intelligence we cannot use our weapons.

12 Q. [12:43:20] Thank you, Mr Mangou.

13 My question really was -- thank you for this exposé, it's very helpful. My question was,
14 though, whether you, as a former general, could agree with the characterisation of the
15 type of combat as being the FDS facing a type of asymmetric warfare as of 22nd, 23
16 February 2011?

17 PRESIDING JUDGE TARFUSSER: [12:43:48] Well ...

18 THE WITNESS: [12:43:57](Interpretation) That is correct, Counsel.

19 MR KNOOPS: [12:44:00]

20 Q. Thank you, Mr Mangou.

21 PRESIDING JUDGE TARFUSSER: [12:44:01] He answered to this saying that was the
22 major difficulty we faced.

23 MR KNOOPS: [12:44:05] Yes, of course. Yes.

24 PRESIDING JUDGE TARFUSSER: [12:44:07] I think it was already --

25 MR KNOOPS: [12:44:08] That's true.

1 PRESIDING JUDGE TARFUSSER: [12:44:10] -- already answered.

2 MR KNOOPS: [12:44:11] Of course it was the qualification by Mr Mangou. Thank
3 you.

4 Q. [12:44:15] Mr Mangou, in which way, if any, did this type of combat in Abobo as of
5 22nd, 23 February 2011 differ from the war in 2002?

6 A. [12:44:47] The war of 2002, we had the enemy positioned in the north. We were
7 in the south. What we were trying to do was to recapture the positions of the enemy.
8 So we were moving, advancing along the roads. And the enemies were defending their
9 positions. So they did not stay in the towns, they came out. So in -- because to better
10 defend a situation you have to leave that position and move about 300 metres away so
11 that if there is an advance people will not be affected.

12 So the enemy separated themselves from the civilian population. If you take the example
13 of Bouaké, the enemy used to come and wait in the Bouaké corridor so that they should
14 not be ambushed. And we could effectively fight against the enemy at that time.

15 Also, when we arrived at certain localities, because people knew there was war, people
16 fled into the bushes. So when we arrived the localities were deserted, and those of us
17 soldiers would now fight against each other to capture the locality.

18 Q. [12:46:29] Thank you, Mr Mangou. My final question, Mr Mangou, on this topic
19 is the following: Was this type of warfare which the army of Côte d'Ivoire encountered
20 in -- as of February 2011, in Abobo, was it for the army before the elections started in 2010
21 foreseeable or unforeseeable? So I refer to the situation which the army encountered in
22 February 2011, was this situation before the elections of 2010 foreseeable or not
23 foreseeable from a military operational perspective? Now, I ask you this as a former
24 chief of staff in those days.

25 A. [12:47:35] Yes, Counsel. In what we study in school, that is in tactics, we deal

1 with combat in localities or neighbourhoods. We learn about that.

2 But in this case, when you have an enemy that has characteristic in natures, you know you

3 can fight, you can see the colours of the uniform and then you can fire. But in Abobo it

4 was different because the enemy wore the same clothes as populations -- as the

5 populations. You can see that there were areas where people wore their separate

6 uniforms, and we knew who were the population and so, in order to deal with them, we

7 would let the population out.

8 So when we were fighting we know the precise position of the enemy, we know how to

9 combat them because we learnt it at school.

10 And what I would like to add, Counsel, it is not different from a terrorist or terrorists that

11 occupy a building or a hotel. Once you identify the terrorist you can deal with him. But

12 if the tenants are sealed there, there must be a way to get them out otherwise they will be

13 collateral damage.

14 Q. [12:49:48] Thank you, Mr Mangou. Very helpful.

15 My question to be very precise was, really, did you know as a chief of staff in those days

16 before the elections of 2010 that you had to go with your army into town to fight an

17 irregular force? Did you know this already before the elections started?

18 A. [12:50:19] No, Counsel. In light of what had happened during the first round, we

19 had been hoping that our country would come out of this situation of war and there

20 would be peace, peace would reign. So we were certainly not expecting that.

21 Q. [12:50:44] Thank you, Mr Mangou. Those were my questions. Thank you, sir,

22 for your answers.

23 And I give the floor now to Mr N'Dry for his examination.

24 PRESIDING JUDGE TARFUSSER: [12:50:52] Thank you.

25 Maître N'Dry. But we can also, if you prefer, stop here and ...

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- 1 MR N'DRY: [12:51:09] (Interpretation) Very well, Mr President.
- 2 PRESIDING JUDGE TARFUSSER: [12:51:13] Okay. Thank you. Only 10 minutes
- 3 left, so I think we go for the lunch break and come back at 2.30 for the third session.
- 4 Thank you very much. The hearing is adjourned to 2.30. The hearing is adjourned to
- 5 2.30.
- 6 THE COURT USHER: [12:51:29] All rise.
- 7 (Recess taken at 12.51 p.m.)
- 8 (Upon resuming in open session at 2.33 p.m.)
- 9 THE COURT USHER: [14:33:13] All rise.
- 10 Please be seated.
- 11 PRESIDING JUDGE TARFUSSER: [14:33:29] Good afternoon.
- 12 Before giving the floor to Maître N'Dry, I think the Prosecutor has to -- wants to say
- 13 something.
- 14 MR MACDONALD: [14:33:52] Yeah, it's just I presume there is no issue of continuing.
- 15 PRESIDING JUDGE TARFUSSER: [14:33:56] No, there is no. I do understand. Yes,
- 16 there is no issue.
- 17 Good afternoon, Mr Mangou.
- 18 THE WITNESS: [14:34:13] (Interpretation) Good afternoon, Mr President.
- 19 PRESIDING JUDGE TARFUSSER: [14:34:15] It's now for Maître N'Dry to put questions
- 20 to you for the Defence for Mr Blé Goudé.
- 21 And I give the floor to Maître N'Dry.
- 22 MR N'DRY: [14:34:56] (Interpretation) Good afternoon, Mr President. Good
- 23 afternoon to all those in the courtroom.
- 24 QUESTIONED BY MR N'DRY: (Interpretation)
- 25 Q. [14:35:17] Good afternoon, Mr Mangou.

1 A. [14:35:21] Good afternoon, Mr President. Good afternoon, Counsel.

2 Q. [14:35:24] My names are Maître N'Dry Kouadio of the Côte d'Ivoire Bar Association.

3 You were born in Yopougon-Kouté, I believe. I come from Diabo N'Denou, and I know
4 that having been around the country, you must know that area well.

5 You have spoken to us a lot about what you know concerning this trial. I am going to
6 put a few questions to you, and I would like us to be brief. If I have any clarification to
7 seek, I will do so.

8 Mr Witness, I would like clarification briefly on something I want to hop back to, namely,
9 the call to enrollment or enlistment that was made by Mr Charles Blé Goudé. You have
10 said a lot that you were not informed and so on and so forth, but on 21 March 2011,
11 following that call, youth gathered in the courtyard of the general staff HQ. Now, I want
12 clarification from you. You told the Court that there had been three recruitments since
13 2002 and you've mentioned the number of persons involved.

14 Are we to understand, therefore, that following this specific call from Mr Charles Blé
15 Goudé, the general staff did not proceed to any recruitment, yes or no?

16 A. [14:37:30] Thank you, Counsel. I am happy to find a brother-in-law here in The
17 Hague. My wife is also Baoulé.

18 And in order to answer your question, Counsel, there was no recruitment following that
19 call.

20 Q. [14:37:54] Mr Philippe Mangou, I would also briefly want us to return to that
21 enrollment, the effective enrollment of 2003. And I simply want to obtain some
22 clarifications from you in that regard. Let me explain to you so that your answer also can
23 be as specific as possible.

24 Some witnesses have come before this Court and referred to that recruitment exercise as
25 being irregular because, according to them, the general staff was supposed to have

1 worked with the mayor's offices as the case would have been.

2 Now, you, who are of the army, what can you tell us first about the recruitment in terms
3 of numbers, and after you have clarified that point, can you tell us why it is that the 2003
4 recruitment did not follow a certain procedure?

5 A. [14:39:29] Thank you, Counsel. The 2003 recruitment was a regular recruitment
6 which upheld the various procedures in place.

7 Recruitments are not done through the mayor's office. Young Ivorians can be recruited
8 when they are of age to join the army.

9 Now, it happens when a category of people is convened to come and be recruited. So we
10 don't need to go through the mayor's office.

11 The decision to identify youth for recruitment is taken in a cabinet of ministers meeting.

12 The council of ministers determines the number of persons to be recruited. The council
13 of ministers determines the conditions for that recruitment. And once those decisions
14 are taken, the minister in charge of defence policy takes into account the numbers and the
15 conditions and issues a press release convening all young Ivorians who meet the criteria
16 for joining the army.

17 Now, when these young Ivorians arrive, they have to undergo medical tests. And the
18 requirements for becoming a soldier are as follows: Be of Ivorian nationality, be between
19 18 and 22 years old, be of education level CM2. But nowadays we have people who hold
20 ordinary level certificates or advanced level certificates who are being recruited now.

21 And then the last condition is to be physically fit.

22 If these criteria are met, and the quota set by the government is met, then those who have
23 thus been selected are shortlisted and the chief of general staff is informed accordingly.

24 It's not the chief of general staff who recruits, but once the ministry has proceeded to such
25 a recruitment, then the recruited or the recruits are handed over to the general staff for

1 training.

2 Q. [14:42:01] On several occasions during your testimony, you talked of a figure,
3 namely, 4,000 persons. We have heard witnesses who have appeared here before you
4 referred to another figure, namely, 3,000. We also have some documents from the
5 Defence side bearing the figure 3,000. Can you confirm the figure 4,000 please?

6 A. [14:42:48] I can confirm the 4,000, yes. But the 3,000 applies to the last recruitment;
7 3,184, that's the exact figure.

8 Q. [14:43:04] Thank you.

9 Mr Witness, usually this is what we do here, but otherwise I can refer to you as Mr
10 Mangou. And I'm sorry if I go from one appellation to another.

11 Now, Mr Mangou, I would like us also to again revisit the attack on your home which
12 took place on 14 March 2011 in Yopougon. Today, are you in a position to tell the Court
13 who sent those who attacked you?

14 A. [14:43:55] I am not able to designate by name the individuals, but I know that the
15 attack came from my own side, that is, the side for which we worked, namely, President
16 Gbagbo's side.

17 You see, there was a discussion between three persons, the president of the republic,
18 myself, and my brother Charles Blé Goudé. I don't understand how the next day a third
19 party can come and tell the guards that Mangou wants the president to resign. He will
20 be the one who has to flee. I don't understand that. Now, that's first.

21 Second, Counsel, the Bible says in the beginning was the word. Well, many things
22 happened through the word. And these are basically prophecies.

23 In 2007, during the context of the Ouaga political discussions, I have testified that not a
24 single Ivorian military official took part in the discussions, even when it came to military
25 matters.

1 It emerged from those discussions that 5,000 VAN, that is, Volunteers of the Forces
2 Nouvelles, were going to join the army.

3 Now, at the same time, President Gbagbo was about to set up a civil service to deal with
4 unemployment in the country. He had convened us to his residence with another
5 minister to deal with that issue of numbers. And so when I mentioned the 5,000 VAN at
6 the end of the meeting, the first lady came to me and said: If you are to spin my husband
7 in flour, I will not forgive you of that. And these are the words of the first lady.

8 Secondly, in answer to a judge during her trial, she asked the judge: Why did you not
9 ask your wife to resign?

10 And she said, if I ask Laurent to resign, he's going to slap me.

11 So, Counsel, you understand, I had to analyse the situation myself and come to the
12 conclusion that if the wife proposes to the husband to resign, and she is slapped, what
13 would happen to those of us who are not of the family? It would be death, wouldn't it?

14 Q. [14:46:42] Very well. Let me read out to you your statement, the statement you
15 gave to the investigators of the Office of the Prosecutor, CIV-OTP-0011-0482, at page 494,
16 line 402 to 408.

17 Investigator 2, quote, "Do you think that Blé Goudé was sincere in what he said to you?
18 Person being interviewed: No.

19 Well, listen, brother, if he is not sincere in what he says, I have always said, I have always
20 told them the truth, and the facts have proven me right today.

21 Investigator 2: You do not know, you said that you did not know whether he was
22 sincere?

23 Person being interviewed: I had thought so, madam. I had thought so. Following all
24 what transpired, I had thought so." End of quote.

25 Mr Philippe Mangou, my specific question is as follows. I understand everything that

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1 you have said before. Do you know specifically who it is that sent -- you can say that,
2 according to you, it is this and that or -- but the question is: Today, do you know who it
3 is that sent people to attack you? Now, who? Can you put a name to the who?

4 A. [14:49:38] Counsel, I think I answered the question a short while ago. I said I could
5 not put a name to anybody.

6 Q. [14:49:56] Still along the same lines, I want to get clarity on the chronology of events.
7 On 11 March 2011, when you were received at the presidential palace by the presidency,
8 by the president, and you were given information by the president, whereby his
9 international supporters had given up on him, now, you move then in your testimony to
10 say that you immediately gave him your point of view on the spot; is that correct?

11 A. [14:50:56] Yes, that is correct.

12 Q. [14:51:01] Now, when Mr Charles Blé Goudé comes to your house at 18 hours 30,
13 your position was already known to Mr Gbagbo, correct?

14 A. [14:51:14] Yes, that's correct.

15 Q. [14:51:15] Very well. Now, let me turn to something else, and I would like to call
16 up a video. CIV -- a moment, please. The references are CIV-OTP-0026-0018. The
17 excerpt will be from the newscast at 20 hours, newscast of 4 March 2011. And again, the
18 newscast of 13 hours on 5 March 2011. The excerpts we will use will be from 48 minutes
19 55 seconds to 52 minutes 16 seconds, tab 124, transcript ERN: CIV-OTP-0051-2220, from
20 lines 2236 to lines -- page 2236, line 612 to line 663.

21 Mr Witness, I would like you to follow and then I will put a few questions to you
22 thereafter.

23 A. [14:53:51] Very well.

24 (Viewing of video excerpt)

25 THE INTERPRETER: [14:53:58] (Interpretation of video excerpt)

1 According to Mr Hamadoun Touré, ONUCI spokesperson, his organisation has received
2 two war planes, MI-24. And the reason for that equipment is to protect civilians. Is it
3 really to protect civilians that ONUCI deploys such as arsenal? Nothing can be that sure.
4 According to Hamadoun Touré, spokesperson, ONUCI has just confirmed what we
5 already knew, the acquisition of MI-24 helicopters. But that is nothing new when it
6 comes to the use of the MI-24. We are skeptical, because when the ONUCI spokesperson
7 asserts that those helicopters will be assigned to peace and civilian protection, anyone
8 who knows an MI-24 knows that it is a war machine and therefore cannot be used to
9 protect civilians.

10 By the way, how can the UN forces in Côte d'Ivoire use those helicopters to protect the
11 Ivorian people once they are flying? Who is ONUCI protecting people against without
12 civilian resources?

13 How can they protect civilians, whereas Hamadoun Touré has claimed that is up to the
14 Ivorians to provide protection? When we know the actives of ONUCI, including its
15 participation alongside the rebellion, the rebels in the Golf hotel during the march on the
16 RTI and in relation to firing empty-handed people in Abobo and elsewhere, when they're
17 aware of the impartiality of ONUCI in the Ivorian crisis, it is clear then that the acquisition
18 of this MI-24 is a clear declaration of war by ONUCI against the forces of the Côte
19 d'Ivoire.

20 And according to independent document in the press, these helicopters will be in Bouaké
21 to provide protection for those roads, but also will indeed end up cutting off these forces
22 from their base in Abidjan.

23 The helicopters will serve as spies for the rebel forces by providing them information to
24 the rebels. They will also be providing fuel to the 43rd BIMA. And this is indeed
25 consonant with the struggle against Mr Gbagbo, who has been elected president while

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1 Côte d'Ivoire is under an embargo.

2 Unfortunately, this has been uncovered, and Mr Alain Le Roy, chief of operations, has
3 been unmasked. It is now up to the opposition to tell us why this division in Abidjan is
4 participating on the side of the rebels."

5 PRESIDING JUDGE TARFUSSER: [14:57:34] Maître N'Dry, it's finished.

6 MR N'DRY: [14:57:42] (Interpretation)

7 Q. [14:57:44] Mr Witness, have you already viewed this video?

8 A. [14:57:50] Yes, Counsel, I have seen these images.

9 Q. [14:57:56] Very well. Mr Mangou, was your general staff informed of the
10 acquisition of these MI-24 by ONUCI?

11 A. [14:58:24] Yes, we were informed.

12 Q. [14:58:25] What was the reaction of the FDS in the face of this acquisition?

13 A. [14:58:41] Let me say there was no particular reaction. As an army, we cannot react
14 to the acquisition of war equipment by a unit which came to help us move towards peace.
15 I believe that that unit comes with its resources. Our reaction would arise in the use or
16 regarding the use of that equipment. But otherwise we cannot stop any organisation
17 coming to work in Côte d'Ivoire to bring its equipment, just as we would not accept that
18 conditions be imposed on us in matters of the crisis. And so we made several statements
19 in that regard to be given the liberty to use our own resources during the crisis.

20 Q. [14:59:36] I have not been clear in my question, and I confess that. I'm asking what
21 the reaction of the general staff was at the time in relation to ONUCI regarding the
22 acquisition of a war plane, that specific?

23 A. [15:00:00] Counsel, there was no reaction. ONUCI has war equipment as well,
24 regardless.

25 Q. [15:00:13] I'd now like to have some other video footage played and then I'll put a

1 question to you. My apologies for the delay. We have a few technical glitches here or
2 limitations. CIV-OTP-0064-0083. This is the 8 p.m. news cast broadcast on 20 January
3 2011, timestamp 8.52 to 15. This is tab 374. The corresponding transcript is
4 CIV-OTP-0094-0336 at page 338, line 40 to page 339, line 111. So if you could kindly view
5 this footage, sir, and then I'll put my question to you.

6 (Viewing of the video excerpt)

7 THE INTERPRETER: [15:02:45] (Interpretation of the video excerpt)

8 Responses, quote: Philippe Mangou: I'd like to take advantage of Minister Blé Goudé
9 being here. He is the president of Ivorian youth, and he has come here to provide the
10 support of the youth. And I'm also speaking to one of the young people as well who,
11 things being what they are, has now become prime minister and, from the top of his
12 pedestal, looks down upon everyone. And I want to talk about Guillaume Soro. In the
13 interview, Guillaume Soro said that I was not on the side of truth and that I am the son of
14 a pastor. I acknowledge that. But I am telling him that he is not on the side of truth.
15 He went to the seminary. He came very close to becoming a priest, a man of God.
16 Things must be absolutely clear for the people of Côte d'Ivoire. And I would like the
17 people of Côte d'Ivoire to know the truth. We were approached by this gentleman to ask
18 him to make the army available to Mr Alassane Ouattara, who he said had just been
19 elected. And we said no to him. He sent us someone, certainly it must have been a
20 kind of bait or a lure on his part, to tell us that we would be appointed chief of staff. I
21 said to his envoy that I had been at the command, I had been at the commands for six
22 years. And even if today President Gbagbo came and dismissed me, I would just go
23 back to my village. And I did not want to be the chief of staff under Alassane Dramane
24 Ouattara.

25 And all this to say that when he said I was not on the side of truth, I'm saying that -- I'm

1 saying that I have had discussions with Mr Guillaume Soro. I said to him that he was the
2 one who led the process. At a particular moment he even said that he was the arbitrator.
3 And I just said to him that when the process was conducted, as he did, and when he said
4 he was the judge or the arbitrator, as he did, he must tell the people of Côte d'Ivoire the
5 truth. We all heard Guillaume Soro. He has always asked us at the meeting of the
6 generals, just like to the people of Côte d'Ivoire, that all the candidates didn't have to state
7 their views and afterwards the constitutional council would give the final results. And
8 what did he do? That's not what he did. We, the defence and security forces, we have a
9 mission, namely, to protect the country at all times, at all places, under all circumstances,
10 no matter what kind of aggression we may come under. We must protect the institutions
11 of the republic. The institution of the republic has spoken. We have ensured the safety
12 of the institution of the republic. This has to be clear. I even said to Guillaume Soro, he
13 was at the head, he was and -- on the telephone, people here have been killed. Some of
14 our brothers, our comrades in arms have had their throats slit. Pregnant women have
15 had their bellies ripped open. Enough is enough. This is too much. He is young and
16 he would not be good for him to have the blood of the people of Côte d'Ivoire on his
17 hands.

18 PRESIDING JUDGE TARFUSSER: Maître N'Dry.

19 MR N'DRY: [15:07:02] (Interpretation)

20 Q. [15:07:04] Mr Mangou, just to situate you, is it not he the one who called upon the
21 foreign forces to come and kill the people of Côte d'Ivoire when you made reference to
22 which specific event?

23 A. [15:07:28] I was making a reference to the events of the year 2002 when I said that,
24 because that was January, you see, January 2011, January 2011. And I was speaking
25 about the events of 2002. The people who died, well, they were comrades in arms in

1 Bouaké who had their throats slit.

2 Q. [15:08:03] Very well. We will return to this particular point, this item of footage.

3 I'd now like to play another item of footage. CIV-OTP-0064-0083. This is video footage
4 from the RTI broadcast on 20 January 2011 at 8 p.m. And we will go from timestamp
5 52.38 to 54.29. And the transcript number is CIV-D25-0050-0016, tab number 824.

6 (Viewing of the video excerpt)

7 THE INTERPRETER: [15:09:31] (Interpretation of the video excerpt)

8 To set aside misleading information.

9 Presenter: We are staying at the port to see about this discovery of weapons, heavy
10 weaponry and helicopter parts intended for the French forces in Côte d'Ivoire. The
11 Licorne force announced that instead of food, but the truth is entirely different.

12 Voice of the reporter: Heavy weapons rather than food. That is the discovery made by
13 the Ivorian customs service in the port of Abidjan. 10 containers were scanned before
14 they were opened. In two of them, containers that were supposed to contain food were
15 actually full of war weaponry; a 12.7 gun and an A-52.

16 The containers that were scanned and searched by the customs service, well, in those
17 containers the Licorne French force said that they had food, they contained food meant for
18 their own consumption. But in actual fact, the food was merely replaced by heavy
19 weapons and two helicopters that had been disassembled, according to the findings of the
20 custom services and other members of the crisis committee established at the Abidjan port
21 to manage imports during this sensitive period. The 10 containers that were opened on
22 Thursday were part of a batch of 52 containers that were off-loaded the ship whose name
23 is Eclipse, which was chartered by the French Licorne forces, which stayed in the
24 autonomous port of Abidjan from 9 to 11 December last. In the first batch of containers
25 that were opened, in two in actual fact, weapons were found and were sent back to France.

1 The head of the scanner office and his team, generally speaking the custom service,
2 announced that all the containers in question, before being turned over to the Licorne
3 force, would be looked at very carefully and reviewed carefully to ensure that they
4 contained what was declared and not weapons of mass destruction. The weapons seized
5 were placed with the defence and security forces for safety.

6 PRESIDING JUDGE TARFUSSER: [15:12:27] Maître N'Dry.

7 MR N'DRY: [15:12:29] (Interpretation)

8 Q. [15:12:36] Mr Philippe Mangou, I'm starting to get in the habit of addressing you.

9 A. [15:12:42] But it's not a complicated --

10 Q. [15:12:46] Yes, it's a professional vice, if you will.

11 In any event, have you already seen this footage, this footage we just viewed?

12 A. [15:12:55] Yes, Counsel. Not only did I see the footage, but I do remember when it
13 happened, the general who was the commander of the French forces went to come and see
14 me at army headquarters. We didn't see any problems. We gave the material back.

15 Q. [15:13:24] No problem? No hassle? Or the fact that the containers were said to
16 contain foodstuffs but really had --

17 A. [15:13:38] We were not -- well, the army had put in an order and -- for spare parts for
18 their equipment. So even though they said that it was food but it was actually weapons,
19 we gave them back their weapons and the equipment, the material.

20 Q. [15:14:01] Very well. Now, along the same lines, sir, were you informed previously
21 since, well, since the journalist's voice-over, and I'm weighing my words very carefully,
22 tell of a previous incident in December 2010 at which time packages containing weapons
23 falsely declared were also found at the same port and sent back to France. Did you have
24 that information as well?

25 A. [15:14:54] No, Counsel.

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1 Q. [15:14:58] Very well. Mr Philippe Mangou, Renaud Vignal, does that name ring a
2 bell?

3 A. [15:15:17] Renaud Vignal, that must be the Frenchman who was killed in
4 Yamoussoukro, no, not him?

5 Q. [15:15:25] Well, I'll put it to you just to see: The French ambassador in Côte d'Ivoire
6 at the time of the crisis.

7 A. [15:15:35] The name, yes.

8 Q. [15:15:41] Now, there was one particular sentence, "The chief of state will not spend
9 Christmas at the presidential palace." And that was said of the president in 2002, during
10 the major stages of the crisis. Does that sentence ring a bell or remind you of anything:
11 The president shall not -- the head of staff -- correction. "The head of state will not spend
12 Christmas in the presidential palace."

13 A. [15:16:28] Yes, that does ring a bell.

14 Q. [15:16:32] Can you tell the Chamber more?

15 A. [15:16:34] Well, I would like to tell the Chamber one thing, if you don't mind.
16 There was Mr Altit's question about the French and France's actions in Côte d'Ivoire up to
17 the point of asking whether President Alassane Ouattara didn't have French advisors.
18 And at one point I was even tempted to ask him if he wasn't the advisor of Mr Gbagbo
19 since he is French himself, because what I wanted people to understand was this: People
20 are talking too much about France: France did this, France did that. But what did we,
21 the people of Côte d'Ivoire, do for France, not to do what we didn't want them to do?

22 MR N'DRY: [15:17:31] (Interpretation) Your Honour.

23 PRESIDING JUDGE TARFUSSER: [15:17:33] Maître N'Dry.

24 MR N'DRY: [15:17:38] (Interpretation) I would like the Chamber to give the witness to
25 understand that the Defence has a number of important matters to deal with for this case

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1 and thus we are putting the questions. And I would hope that the witness would answer
2 the questions put to him.

3 My question is this: Does the name Renaud Vignal ring a bell? And I made a
4 suggestion to him: The French ambassador at the time of the events in 2002. And then
5 the witness confirmed.

6 I read out a sentence: The head of state shall not spend Christmas at the presidential
7 palace. Does that sentence ring a bell?

8 He said, yes, it did ring a bell.

9 And what do you know about that sentence?

10 So I was trying to get the witness to help us. We are trying to shed light on what
11 happened.

12 PRESIDING JUDGE TARFUSSER: [15:18:48] Mr Mangou, could you please answer the
13 question without going too broad. Of course you can say what you deem necessary, but
14 we try also a little bit to focus on things which are important to the trial. Thank you very
15 much.

16 THE WITNESS: [15:19:05] (Interpretation) Thank you. I believe I heard: What did
17 you think? That is why I began with my argument.

18 But, Counsel, if you would like to repeat your question.

19 MR N'DRY: [15:19:22] (Interpretation)

20 Q. [15:19:22] "The head of state shall not spend Christmas at the presidential palace."
21 And during our crisis in 2002, what does that sentence bring back? What does it remind
22 you of?

23 A. [15:19:41] What it reminds me of? Well, I would say that is a sentence that was
24 uttered by someone. Might it reflect the reality? I don't know.

25 Q. [15:19:58] And do you know who said it, the ambassador, as you stressed, Renaud

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1 Vignal?

2 A. [15:20:03] Yes.

3 Q. [15:20:03] Those words were attributed to him?

4 A. [15:20:07] No. It was Renaud Vignal who actually said that.

5 Q. [15:20:11] Very well. I would now like to call up another item, if I could,

6 CIV-OTP-0075-0053. This is the newscast played on RTI, broadcast on the RTI, and we
7 are going to go from 17.20 to 21.20. This is tab 477 on our list. And the transcript is
8 CIV-OTP-0087-0128, tab 502.

9 Mr Mangou, we're now going to listen to the video footage and then I'll put some
10 questions to you.

11 A. [15:21:42] Very well, Counsel.

12 (Viewing of the video excerpt)

13 THE INTERPRETER: [15:22:04] Message from the interpreter, if we could kindly have
14 the line number.

15 PRESIDING JUDGE TARFUSSER: [15:22:08] The line? Can we have the line number
16 for the interpreters, please.

17 MR N'DRY: [15:22:41] (Interpretation) Page 0129, line 12 onwards. The interpreters
18 are gesturing to say that everything is fine.

19 (Viewing of the video excerpt)

20 THE INTERPRETER: [15:23:08] (Interpretation of the video excerpt)

21 During the demonstrations, a number of remarks were made. I would like -- after the
22 death of a number of your comrades who fell on the field of honour during the recent
23 demonstrations of the RHDP, and I wish to express all my compassion and encourage you
24 to continue the excellent work that you have done for our country.

25 Those were the words that General Philippe Mangou began with when he addressed the

1 staff of the land forces. He called upon them to stick together and to strive to bring
2 dignity back to Côte d'Ivoire and to restore the sovereignty of Côte d'Ivoire.
3 Stressing the --
4 LS continues by saying: The chief of general staff went to provide support and comfort
5 to all members of the Defence and Security Forces, to the victims of the ONUCI forces.
6 He paid tribute to the solidarity of the authorities of the country as well as the people of
7 Côte d'Ivoire. And the victims of ONUCI, he stressed their determination.
8 MR says this: We thank God, we thank the authorities.
9 MR: And the first lady, the general, and the president of the republic. Everyone, the
10 entire government for their support. Truly, we are with you. Evil is here, but we stand
11 alongside you.
12 In 2004 I was injured myself here by the Licorne. There was a bullet right here at the
13 airport. Well, today I am here.
14 LS: For the chief of staff, General Philippe Mangou, the attitude of these soldiers of the
15 ONUCI is completely unacceptable.
16 PM says: I'm very better and very disappointed, by the way, that the impartial forces
17 have behaved themselves.
18 PM: Here General Hafiz insisted.
19 PM: Asked me to come to the assistance of some of our brothers from the impartial
20 forces who had been blocked by a crowd, a crowd assessed at about 6,000 people.
21 I left my office at 9 in the morning and I got back to the base at 3 in the afternoon. That is
22 to say the negotiations really hit a stumbling block with the youth. But thank God.
23 Then PM says: The young people have understood me and we have been able to rescue
24 13 men.
25 PM: The impartial forces of ONUCI, personally, I have taken them with me and I've

1 taken them back to their base, back to General Hafiz. I don't understand why today he
2 wants to give instructions to these men to shoot at the people of Côte d'Ivoire, who are
3 barehanded. That is not done. All the regular military forces have been instructed in
4 international humanitarian law.

5 PRESIDING JUDGE TARFUSSER: [15:27:15] Maître N'Dry. I think the French was not
6 very clear. This time the English version was clearer than the French one. Strange.

7 MR N'DRY: [15:27:39] (Interpretation) Yes, your Honour, I can confirm that indeed.

8 Q. [15:27:46] Mr Philippe Mangou, we have heard what you said. Can you confirm
9 before this Chamber that the mission of the United Nations in Côte d'Ivoire, that those
10 people shot at civilians who were barehanded?

11 A. [15:28:09] No. That was not their mission. We had several accounts. That was
12 not their mission.

13 Q. [15:28:25] Mr Philippe Mangou, what are the obligations of an ambassador in
14 relation to his dealings with the United Nations? Shouldn't an ambassador endeavour
15 not to say negative things about the United Nations? Is that not the duty of an
16 ambassador? I myself am not an ambassador.

17 PRESIDING JUDGE TARFUSSER: Excuse me.

18 MR N'DRY: (Interpretation) Shall we discuss?

19 PRESIDING JUDGE TARFUSSER: [15:29:19] No, no, we don't discuss.

20 But I think one is the mission and one is what they did, what really happened. I
21 understand mission as something which is, in theory, what is your mission; and one other
22 thing is what happened on the ground. So, and I don't go further obviously not to
23 influence. But these are two different concepts.

24 MR N'DRY: [15:29:57] (Interpretation) I have understood.

25 Q. [15:30:04] Mr Philippe Mangou, what are we to understand by your words when

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1 you said that General Hafiz has to speak to his men, they must stop shooting at civilians
2 who are barehanded, who have no weapons?

3 A. [15:30:31] That's much clearer. Counsel, I am here as the former chief of staff. Not
4 as an ambassador. Because when I came here, I did not come here on my diplomatic
5 passport.

6 So I have given long explanations on this point, and I said that the forces' jurisdiction are
7 not to attack civilians who are empty handed.

8 The mission, the mandate of any army is to protect the population. And I rose and I
9 spoke out against this way of going about things. And I even said that ONUCI was
10 provoking, was engaging in provocation.

11 Personally, I went everywhere where the young people of Côte d'Ivoire were affected or
12 even hit by the firing of the impartial forces to encourage them, and in some cases, I even
13 gave small amounts of money so that they could receive care.

14 We never agreed on that way of doing things because we said a bullet that comes out of a
15 gun is not intended by LMP youth or someone from the RHDP or PIT. When that bullet
16 exits the barrel of the gun, it doesn't choose its target.

17 And so I went to see General Hafiz. We had a meeting. And I myself, I was asked, and
18 last time I think I said the number 9, but it was 13, 13 Bangladeshi that I went and rescued
19 in Yopougon. I -- just because, you see, that they were brothers in arms. I had a duty to
20 go and rescue them.

21 If I had done that for their men in return, they had to pay the favour back. They had to
22 do the same thing for the young people of Côte d'Ivoire. And we have always fought,
23 we always fought for that.

24 Q. [15:32:50] Mr Witness --

25 MR MACDONALD: [15:32:57] Just to clarify, your Honour, because I'm lost on the dates

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1 right now, I'd like to know where we're situating the footage. It wasn't mentioned on
2 record, your Honour, so that we have it, we can situate ourselves in time, even though it's
3 a video from the Prosecution.

4 PRESIDING JUDGE TARFUSSER: [15:33:25] So you prevented my words. But let's ask
5 when -- from when the video is, from when the video is, when the video was taken and
6 broadcasted.

7 MR N'DRY: [15:33:53] (Interpretation) Mr President, I have a series of videos to show
8 the witness. The next video or the second -- or the video that is to be played next will
9 shed light on this for the Chamber in relation to the facts and the victims, the victim,
10 rather, Mr Rabé, whom we saw. I crave the indulgence of the Chamber as we move
11 forward. The Prosecutor has suggested that it is an OTP video, and if we were to rely on
12 the data provided thereto there is a mistake. Not our mistake, but the Prosecutor's
13 mistake. And if we were to mention that date it would be a wrong date.

14 PRESIDING JUDGE TARFUSSER: [15:34:49] Mr Mangou, do you know when it was
15 shot, this video? We ask the source, it would be the best. Can you remember this?

16 THE WITNESS: [15:35:03] (Interpretation) Yes, Mr President. It must have been in the
17 month of December, before the Abobo events.

18 PRESIDING JUDGE TARFUSSER: December 2010?

19 THE WITNESS: Yes, correct, Mr President.

20 PRESIDING JUDGE TARFUSSER: [15:35:24] Please, Maître N'Dry.

21 MR N'DRY: [15:35:27] (Interpretation) Mr President, our date was 3 January 2011,
22 whereas for the Prosecutor it was 3 January 2010. That's why I didn't want to raise this
23 point.

24 PRESIDING JUDGE TARFUSSER: Yes.

25 MR N'DRY: (Interpretation) The second video was going to clarify matters and it doesn't

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1 raise any particular problems.

2 PRESIDING JUDGE TARFUSSER: [15:35:51] Yes, let's us please not --

3 MR MACDONALD: It says 2011.

4 PRESIDING JUDGE TARFUSSER: Let us please not debate on this. Just go ahead and
5 we find out at the end what the date is. No, I block you. I am blocking you.

6 MR MACDONALD: [15:36:02] (Microphone not activated)

7 PRESIDING JUDGE TARFUSSER: [15:36:07] Yes.

8 MR MACDONALD: (Microphone not activated)

9 PRESIDING JUDGE TARFUSSER: We will now see with the next video, the witness is
10 talking about the December, we will see.

11 Maître N'Dry.

12 MR N'DRY: [15:36:29] (Interpretation)

13 Q. [15:36:30] Mr Mangou Philippe, well, you know when I look at you I'm tempted to
14 say "Your excellency" and what have you, but I'll try. Now, am I to understand, what I
15 am looking for is facts, yes or no, did any members of the mission shoot at civilians, yes or
16 no?

17 A. [15:37:09] Yes, I can confirm that.

18 Q. [15:37:15] A short while ago on that video, we saw the name of one of the victims,
19 Mr Rabé. It was written out. Are you in a position to tell us a little more about his
20 injury and the circumstances surrounding it?

21 A. [15:37:45] I no longer remember the circumstances, but I know that ONUCI often
22 shot at young Ivorians, either because they had put a tree trunk across the road to stop the
23 tanks from driving through or because they were opposed to their movements, so they
24 shot at them.

25 Q. [15:38:18] Did you also talk to the Licorne forces?

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- 1 A. [15:38:24] Yes. We drew the attention of the two forces because we remembered
2 the incident at the l'hôtel Ivoire and, therefore, pointed that out to Licorne as well.
- 3 Q. [15:38:43] Mr Philippe Mangou, do you know or were you aware, if you did and if
4 you are, are you aware of a single report from Human Rights Watch or Amnesty
5 International, did you ever read from any of such reports that the mission of the mission
6 of the United Nations in Côte d'Ivoire, or at least some members of the United Nations in
7 Côte d'Ivoire breached or were found to be in violation of international humanitarian law?
- 8 A. [15:39:40] No, I have never read any such document.
- 9 Q. [15:39:47] I would now like to play another video, CIV-OTP-0064-0103, it's a news
10 cast of 1 January 2011 at 8 p.m.
- 11 We want to play from minute 46.35 to 48.30, tab 825. Transcript CIV-D25-0050-0017, tab
12 826.
- 13 THE COURT OFFICER: [15:41:01] Can you indicate the line number if the transcript is
14 not used in full. Thank you.
- 15 MR N'DRY: [15:41:08] (Interpretation) The entire transcript, please.
16 (Viewing of the video excerpt)
- 17 THE INTERPRETER: [15:41:30] (Interpretation of the video excerpt)
- 18 The First Lady of Côte d'Ivoire visited the injured victims of the United Nations forces in
19 Côte d'Ivoire. Yesterday, Friday, she went to the military hospital in Abidjan to provide
20 compassion to her fellow country persons wounded by their own.
- 21 Report Ange Kouassy: The United Nations army in Côte d'Ivoire shot at Ivorians with
22 live bullets. It was on Wednesday, 29 December 2010, in Abobo commune. Mahi Rabé
23 Marcellin and Mehi Jaques's lives were spared thanks to the FDS who evacuated them to
24 the military hospital in Abidjan. The First Lady of Côte d'Ivoire, Madam Simone Ehivet
25 Gbagbo, member of parliament of Abobo, came to visit these people and to share her

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1 compassion with them, these victims of the acts of the ONUCI.

2 Simone Gbagbo: We are sorry that all this suffering has been inflicted on the population.

3 And I believe suffering, this is unacceptable. This is unacceptable. It is unacceptable
4 and it is serious. That is serious. For ONUCI to shoot at unarmed persons, that is very
5 serious. Is that what countenance is? If that is what it is, they must leave, they must
6 leave, because if that is the conduct they have opted for, then they have no business here.

7 Ange Kouassy: ONUCI believes that they want to unmake the Ivorian president from
8 the presidency in spite of the position of the president that they leave, that is President
9 Laurent Gbagbo, and that is why they have decided to continue with the post-election
10 crisis which they have created and, therefore, continue to do so against the will of the
11 Ivorian people and in disrespect of Ivorian laws.

12 MR N'DRY: [15:43:59] (Interpretation) One moment, Mr President.

13 Q. [15:44:24] Mr Witness, have you already seen this video?

14 A. [15:44:26] Yes, Counsel.

15 Q. [15:44:29] Yes. Very well. I would now like to play another video and then I'll put
16 a number of questions to you pertaining to all those videos. ERN is as follows:

17 CIV-OTP -- and this is the ERN, CIV-OTP-0064-0078. That's the right ERN. It's a
18 newscast, 19 December 2010. It was broadcast several times at 1 p.m., and I think I can
19 stop there. That's enough.

20 And we are interested in the excerpt from minute 21.30 to 26.04, tab 373. ERN for the
21 transcript, CIV-D25-0050-0012, page 13, line 53 to 120, tab 823 for the transcript.

22 (Viewing of the video excerpt)

23 THE INTERPRETER: [15:46:57] (Interpretation of the video extract)

24 The general went to the army to see his brothers in arms who had been injured.

25 THE INTERPRETER: [15:47:18] Mr President, sorry, the interpreters have the wrong

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1 transcript. Could we be given a second to find the right transcript.

2 PRESIDING JUDGE TARFUSSER: [15:47:26] Sorry, but we have to stop because -- can
3 we stop a moment because the interpreters have the wrong transcript. They will have to
4 find the right one and we will have to restart.

5 THE INTERPRETER: [15:47:44] Could we be provided the ERN of the transcript again,
6 Mr President.

7 PRESIDING JUDGE TARFUSSER: [15:47:49] Can we have again the ERN of the
8 transcript?

9 MR N'DRY: [15:48:05] (Interpretation) The ERN is CIV-D25-0050-0012, page 13, lines 53
10 to 120, tab 823.

11 THE INTERPRETER: [15:48:35] Mr President, sorry, the interpreters don't have a hard
12 copy of that transcript in the booth.

13 PRESIDING JUDGE TARFUSSER: [15:48:40] The interpreters don't have a hard copy.
14 Have you a hard copy?

15 MR N'DRY: [15:48:44] (Interpretation) Yes, Mr President, we have a hard copy.

16 PRESIDING JUDGE TARFUSSER: [15:48:59] Can you bring a hard copy.

17 THE INTERPRETER: [15:50:43] Message from the interpreters: We believe we have
18 found the transcript in question. There was PDF version and a word version and the
19 word version seems to match what we have just heard.

20 PRESIDING JUDGE TARFUSSER: [15:50:55] Okay, so we can start.
21 (Viewing of the video excerpt)

22 THE INTERPRETER: [15:50:57] (Interpretation of the video excerpt)

23 On behalf of the entire Defence and Security Forces of Côte d'Ivoire, the chief of staff,
24 General Philippe Mangou, went to the military hospital on Saturday to visit his injured
25 brothers in arms. The men who had been injured with the complicity or with the

1 participation of members of the United Nations operations in Côte d'Ivoire, ONUCI.
2 More information about these clashes between the Defence and Security Forces of Côte
3 d'Ivoire and the armed forces of the New Forces.
4 Last Thursday at the Golf hotel.
5 Injured soldier: We fell into an ambush. They told us to get down, to get out. We got
6 out. They put us in the gutter. They shot two of our guys. They shot at me. And
7 when they shot, well, you see, there was a gutter, a ditch beside. I fell down into the
8 ditch, and I pretended I was dead.
9 Then there was a tunnel that way. I went into the tunnel. From there I lay quiet for at
10 least two hours. Then after that I crawled out.
11 I saw our guys. They came and helped me. Well, they were wearing a blue armband.
12 They all had blue armbands. They were wearing a blue armband on their shoulder.
13 Another voice: The combatants wearing the blue armbands were indeed members of the
14 armed forces of the Forces Nouvelles, who were also wearing the armbands of ONUCI to
15 deceive the Forces for Defence and Security of Côte d'Ivoire.
16 Another thing to attribute to the ONUCI soldiers, police officers, Ivorian police officers
17 who were attacked in the night from Friday to Saturday.
18 Injured soldier number 2: Yesterday at about 23.15 we left the Deux Plateaux area at the
19 red light, just before carrefour de la Vie. We saw a tank which headed off toward the
20 lycée technique. It crossed, it stopped right in the middle of the road and headed
21 towards the RTI. When we got to, when we got to that spot we saw that there was a
22 second tank that was behind. But that tank was not moving forward. So we went in
23 front of the tank and we said: Where are you going? Are you looking for the RTI?
24 The RTI is over there.
25 He said: No, I'm not looking for the RTI. But where are you going?

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1 He said, he said: We can't force you -- inaudible.
2 I said: Where are you going.
3 He said: No, that they were lost.
4 I said: Well, you can go back. We'll go back with you. You go back.
5 He said: Where?
6 I said: No, to Sébroko. We're going to Sébroko.
7 He said: No.
8 I said: Well, you go back. Go back, both tanks, and we follow. That's what they did.
9 They did what we said.
10 We got to where the firefighters were, and I saw a roadblock, a police roadblock. And I
11 went to them. I said to them: I recognised one of the police officers who saw me.
12 He said: Chief, where are you going?
13 I said: No. They're saying that they're lost and I'm taking them back to Sébroko so that
14 they don't get lost again.
15 We left -- inaudible -- at the northern station. They went towards Abobo. They went
16 between us.
17 We said to them: Sébroko, it's over there, go back.
18 And I said -- he said: I don't know the way.
19 I said: Follow us.
20 Once we got to the pharmacy, the Agban pharmacy, they were told to go ahead. They
21 went in front and we got to Sébroko. I knew that there was an observation post there.
22 So I presented myself there again. We left. We got in front of the gate. They said that
23 they weren't going back.
24 I said: Okay, if you don't go back, we're staying here, we're sleeping here. One of them
25 was up there.

1 He said that: We weren't going. If we didn't head out, they were going to shoot.
2 He was told that he had to shoot. Had to shoot. You're in a peace -- this is a peace
3 mission. If you came to wage war, shoot at us. No problem. We stayed there. They
4 did 30 minutes towards us. They acted as if the tank wasn't going to move anymore.
5 We stayed there. We didn't sleep. We didn't sleep. And then after we were
6 determined to go back and we started off.
7 We started. We took the bridge to come to our observation post. And then all of a
8 sudden I heard bursts of gunfire from behind, and the driver, he stepped on the gas.
9 I said to him, I said to him: Stop, stop.
10 And me, I was the co-driver. I was in the passenger's seat. And I took the bullet.
11 They tried to bring up Maréchal (phon) and put him behind the vehicle to leave. That
12 when he came to take the vehicle and he wasn't able to start. There was a vehicle that
13 was coming, but only he was in his death throes. He was in agony. And since he's a big
14 guy, we couldn't do practically anything. He was almost dead.
15 And then a vehicle from the 10th arrondissement came. They recognised me. They said:
16 Okay, like the other one. Well, the other one, he's already dead. You, we'll take you to
17 the hospital.
18 PRESIDING JUDGE TARFUSSER: [15:57:37] Maître N'Dry, for the last question.
19 You've seen the hour.
20 MR N'DRY: [15:57:45] (Interpretation) I will put my question tomorrow morning. It
21 might be better that way.
22 PRESIDING JUDGE TARFUSSER: [15:57:58] As you wish.
23 MR N'DRY: [15:58:01] (Interpretation) Tomorrow morning will be better, Mr President.
24 PRESIDING JUDGE TARFUSSER: [15:58:04] Okay. So you can digest the videos you
25 have seen, expecting the questions on them tomorrow morning. Thank you very much.

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- 1 Thank you very much, Mr Mangou. Thank you to everybody else.
- 2 The hearing is adjourned to tomorrow morning 9.30.
- 3 THE COURT USHER: [15:58:24] All rise.
- 4 (The hearing ends in open session at 3.58 p.m.)