

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
5 Goudé - 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 Monday, 1 May 2017
10 (The hearing starts in open session at 9.34 a.m.)
11 THE COURT USHER: [9:34:34] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:34:53] Good morning. Good morning to
15 everybody.
16 Before starting with the questioning of this witness, the Chamber wants to read the
17 decision on the application for leave to appeal the Chamber's decision number 870,
18 submitted by the Defence for Mr Gbagbo on 24 April 2017. It is the request, the
19 filing number 879.
20 The Prosecutor responded on 28 April 2017 with filing number 897, submitting that
21 the application fails to identify any appealable issue and should be rejected.
22 I have a noise in the ear which is terrible. Oh, from the field probably. No, now it's
23 better, Will has finished to work on his desk.
24 The Defence for Mr Gbagbo raises four issues:
25 The Chamber erred in law, the first issue, and in fact, the second issue, by arguing

1 that "There is," and I quote, "no significant difference between the live testimony in
2 The Hague and the live testimony by way of video link."

3 The Chamber erred in law in premising its decision on the assumption that the
4 testimony of the relevant witnesses would be shorter than the testimony of the other
5 witnesses, the third issue.

6 The Chamber erred in law by failing to making a case-by-case analysis of the relevant
7 testimony, fourth issue.

8 The Chamber rejects the Defence application since it fails to identify any appealable
9 issue arising from the Decision. The Chamber notes that most of the application
10 mirrors in both structure and substance Mr Gbagbo's application for leave to appeal
11 the Chamber's first decision admitting testimony by video link, respectively, filing 733
12 and 721.

13 The Chamber rejected that application with filing number 756.

14 More specifically, the first and the second issue are both based on the assumption that
15 the Chamber ignored the assistance of a difference between viva voce testimony and
16 testimony by video link. This assumption misconstrues decision number 870, where
17 the video link option as envisaged in the statutory text is analysed in its specific
18 features (including by recalling and confirming the legal reasoning made in previous
19 decisions, number 721).

20 In particular, in light of the paramount principle that testimony by video link cannot
21 result in prejudice to the accused, it appears significant in this respect that the
22 Defence fails to indicate any specific aspect or incident relating to the testimonies
23 already heard by video link which might have amounted to such prejudice. They
24 only refer to a couple of minor logistic obstacles, none of which resulted in
25 prejudicing the Defence. Far more significant amendments to the trial schedule have

1 had to be made in connection with viva voce appearances of some witnesses.

2 The third issue is likewise premised on a misconstruction of the decision. The

3 Chamber did reiterate what it heard already stated in its third decision on video link.

4 The expected content and extent of the testimony is only one of several factors to be

5 taken into consideration when deciding whether video link is appropriate for a

6 specific witness.

7 These factors include the video link venue, the well-being, dignity and privacy of the

8 witness, and the crime-base nature of the testimony. All these factors intervene in

9 the weighing exercise the Chamber undertakes on a case-by-case basis, bearing in

10 mind the paramount principle of lack of prejudice to the accused. Nowhere is it

11 written in the decision that the Chamber will make a correlation between the expected

12 duration of a testimony and its importance, even less did the Chamber say that the

13 shorter testimony would per se be less important.

14 Finally, the fourth issue is also based on a miscorrect characterisation of the decision.

15 The Chamber did consider each of the relevant testimonies and decided, in light of

16 the principles and criterias referred to in the decision, that video link was appropriate

17 for each of them.

18 Furthermore, the application does not mention any specific aspect of the relevant

19 witnesses or of their expected testimonies which would constitute an obstacle to

20 video link testimony in the light of the relevant principles and would have made it

21 necessary for the Chamber to come to a different conclusion.

22 In the absence of an appealable issue within the meaning of Article 82(1)(d) of the

23 Statute, no analysis of the requirements of the provision is necessary. The Chamber

24 orders the parties to submit public redacted versions of their respective filings or to

25 indicate that they can be reclassified as public by Monday, 8 May 2017.

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

- 1 This concludes the Chamber's oral ruling.
- 2 So now we can start with the testimony of the next witness, which is Witness 436, and
- 3 therefore, I would ask the field --
- 4 THE COURT OFFICER: (Via video link) [9:43:19] Your Honours, good morning.
- 5 PRESIDING JUDGE TARFUSSER: [9:43:24] Good morning. Good morning.
- 6 I would ask you to call in the witness.
- 7 THE COURT OFFICER: (Via video link) [9:43:27] I will bring the witness in right
- 8 now.
- 9 PRESIDING JUDGE TARFUSSER: [9:43:30] Thank you very much.
- 10 (The witness enters the video-link room)
- 11 PRESIDING JUDGE TARFUSSER: [9:44:40] So good morning, Mr Witness.
- 12 WITNESS: CIV-OTP-P-0436
- 13 (The witness speaks French)
- 14 (The witness testifies via video link)
- 15 THE WITNESS: [9:44:46] (Interpretation) Good morning.
- 16 PRESIDING JUDGE TARFUSSER: [9:44:49] We will start --
- 17 THE WITNESS: [9:44:51] (Interpretation) Good morning, President.
- 18 PRESIDING JUDGE TARFUSSER: [9:44:53] -- this morning and today with your
- 19 testimony. And before starting with the questions by the parties here in The Hague,
- 20 I have to give you some information and to do some preliminary activities.
- 21 The first one is to identify you completely and, therefore, I would ask you to give us
- 22 your complete name, the date and the place of birth.
- 23 THE WITNESS: [9:45:42] (Interpretation) Okay. My name is Diomandé Adama.
- 24 I was born on the 18th of the sixth month 1964 in *Soribadougou, Akoupé
- 25 sub-préfecture, Côte d'Ivoire.

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 PRESIDING JUDGE TARFUSSER: [9:46:08] So you are an Ivorian citizen, are you?

2 THE WITNESS: [9:46:12] (Interpretation) Yes.

3 PRESIDING JUDGE TARFUSSER: [9:46:20] Give us also your ethnicity and your
4 faith.

5 THE WITNESS: [9:46:23] (Interpretation) I am from the Malinké group Mahouka
6 and I'm a Muslim.

7 PRESIDING JUDGE TARFUSSER: [9:46:41] And what are you working? What is
8 your occupation?

9 THE WITNESS: [9:46:44] (Interpretation) I am a carpenter and woodworker.

10 PRESIDING JUDGE TARFUSSER: [9:47:03] And what did you do in the time of the
11 crisis? What was your occupation at the time of the crisis?

12 THE WITNESS: [9:47:10] (Interpretation) At the time of the crisis I was doing
13 carpentry.

14 PRESIDING JUDGE TARFUSSER: [9:47:25] Okay. Now I have to give you some
15 information which the first one is that we will all here call you "Mr Witness,"
16 "Monsieur le témoin," as we do with all witnesses, although we know your name.
17 I will then be, I will then ask you to speak slowly because we have to interpret into
18 English what you are saying, so I would ask you to speak slowly like I'm speaking
19 slowly, and before answering a question, to wait until this question is completely
20 finished and translated so the interpreters and the court reporters have to do an easier
21 job. Is this okay with you? Did you understand this?

22 THE WITNESS: [9:48:28] (Interpretation) Very well. It's clear.

23 PRESIDING JUDGE TARFUSSER: [9:48:32] If you go too fast or somebody in here in
24 this courtroom goes too fast or speaks too fast, I will invite you to slow down.

25 So now we come to your testimony.

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 THE WITNESS: [9:48:47] (Interpretation) Okay.

2 PRESIDING JUDGE TARFUSSER: [9:48:51] You are obviously aware that this
3 Chamber has been established to try the case of the Prosecutor against Mr Gbagbo
4 and Mr Blé Goudé, and you are a witness to this case called by the Prosecutor. And
5 in your capacity of witness, you should help us, you should help the Chamber in its
6 search for the truth and, therefore, you have one only obligation, and this obligation is
7 to answer truthfully to the questions which are put to you.

8 THE WITNESS: [9:49:53] (Interpretation) Okay.

9 PRESIDING JUDGE TARFUSSER: [9:49:55] So I repeat, your only obligation is to
10 say the truth. And in order for this, you are required by law to this effect to make a
11 solemn undertaking, and I don't know if you have the formula in front of you, as I
12 think you have; otherwise I would ask you to repeat --

13 THE WITNESS: [9:50:27] (Interpretation) Yes.

14 PRESIDING JUDGE TARFUSSER: [9:50:27] -- to repeat with me the following words:
15 I solemnly declare that I will speak the truth.

16 THE WITNESS: [9:50:41] (Interpretation) I solemnly declare that I shall speak the
17 truth.

18 PRESIDING JUDGE TARFUSSER: [9:50:49] The whole truth and nothing but the
19 truth.

20 THE WITNESS: [9:50:52] (Interpretation) The whole truth and nothing but the
21 truth.

22 PRESIDING JUDGE TARFUSSER: [9:51:04] So thank you very much. The last
23 information --

24 THE WITNESS: [9:51:09] (Interpretation) Thank you, Mr President.

25 PRESIDING JUDGE TARFUSSER: [9:51:11] The last information I give you is that

1 giving false testimony or, in other words, not saying the truth is an offence against the
2 Court and as such it is punishable. You do understand this?

3 THE WITNESS: [9:51:30] (Interpretation) Very well.

4 PRESIDING JUDGE TARFUSSER: [9:51:40] So I think I've finished and, therefore,
5 we can start with the questioning and your answers and therefore I give the floor now
6 to the Office of the Prosecutor, which starts with her questioning.

7 Please, the floor is to the Office of the Prosecutor.

8 MS CHUBIN: [9:52:03] Thank you, Mr President. Good morning, your Honours.
9 I'll switch to French now.

10 QUESTIONED BY MS CHUBIN: (Interpretation)

11 Q. [9:52:21] Good morning, Mr Witness. Can you hear me well?

12 A. [9:52:33] Yes.

13 Q. [9:52:34] Very well. My name is Yasmine Chubin. We had the opportunity to
14 meet last Friday in the courtesy meeting. I will not repeat all the instructions of the
15 President. Since we are both speaking French, we should be particularly careful to
16 speak slowly.

17 A. [9:53:03] Very well.

18 Q. [9:53:04] I would like to add one last guideline. My questions will focus on
19 what you experienced and what you personally saw. If I need to ask additional
20 questions on what you heard, what you learned, then I will put those supplementary
21 questions to you. But initially we will focus on what you yourself saw; is that correct?
22 Is that agreed?

23 A. [9:53:42] Yes.

24 Q. [9:53:43] Did you go to school up to the class of CM2 before doing training in
25 carpentry?

1 A. [9:53:50] Yes.

2 Q. [9:53:54] In 2010, apart from your work as a carpenter, did you have any
3 particular role to play within the community?

4 A. [9:54:07] Yes.

5 Q. [9:54:13] And what was your role?

6 A. [9:54:21] I am a member of an NGO, a founding member of the NGO known as
7 Solidarité 2000. This was in 1990.

8 Furthermore, I'm a grassroots political leader in the Rassemblement des Républicains,
9 that is the RDR. That is what I can tell you for now.

10 Q. [9:55:18] Am I to understand that you are a member of the RDR political party?

11 A. [9:55:32] That is correct.

12 Q. [9:55:33] Have you always been a member of the RDR?

13 A. [9:55:39] To this day, yes.

14 Q. [9:55:46] And before the creation of the RDR, which political party did you
15 belong to?

16 A. [9:56:01] I was a member of the PDCL, RDA before that, and then in 1990 I opted
17 for the FPI, I was an FPI militant, right up to 1994.

18 In 1994 I decided to join the RDR.

19 Q. [9:56:49] I will now move on to the 2010 election campaign and elections.

20 A. [9:57:03] Yes.

21 Q. [9:57:04] Did you play any particular role during the elections?

22 A. [9:57:09] Yes.

23 Q. [9:57:15] What was your role in the first round?

24 A. [9:57:22] In the first round in 2010 I was a section secretary. I was a section
25 secretary in Doukouré North.

1 Q. [9:57:56] And as the section's secretary, did you have any role, any duties, with
2 regard to the elections themselves?

3 A. [9:58:14] Yes.

4 Q. [9:58:15] What were those duties?

5 A. [9:58:18] I was a mobile supervisor of the Assonvon district and that district had
6 five polling stations. So I was circulating regularly, moving from one polling station
7 to the other, that is between those five polling stations for the entire day.

8 Q. [9:59:06] And during the second round?

9 A. [9:59:10] During the second round I was appointed local campaign manager of
10 the Assonvon district.

11 Q. [9:59:32] And during the second round, did you perform any duties in relation
12 to the election?

13 A. [9:59:38] Yes. I was the local campaign manager of the Assonvon district.

14 Q. [9:59:48] And during the two rounds of the elections, were there any
15 election-related incidents that you personally experienced or witnessed?

16 A. [10:00:16] During the first round there were no incidents, but during the second
17 round, on the day of the election, there were incidents in Sicogi 10, which was a
18 polling station.

19 Q. [10:00:48] What was the incident? What happened?

20 A. [10:00:54] At about 6 in the evening, some armed people came there right into
21 the voting location, the polling station, Sicogi 10, and they shot a number of -- they
22 fired a number of shots right within this polling station Sicogi 10. No one was
23 injured, but it was possible to stop six security guards who had been placed there to
24 ensure the safety of supporters. Some people were taken to the central, to the police
25 location in le Plateau, and they were released 10 days later showing signs of torture.

1 Q. [10:02:00] And where is the *Sicogi polling station exactly?

2 A. [10:02:12] *The Sicogi polling station, Sicogi 10, *can be reached if you come
3 from the 16th arrondissement police station and head towards Saguidiba and you get
4 to the Saguidiba intersection, you turn to the left and about 300 metres you find the
5 school, Sicogi 10, to the left, it's on the left.

6 Q. [10:02:50] And that's in Yopougon?

7 A. [10:02:52] Yes, yes, in Yopougon.

8 Q. [10:02:56] Now this incident that you have described to us, were you present
9 when it actually occurred?

10 A. [10:03:12] I wasn't right there at that very place, but I did hear the shots being
11 fired. And the head of security ran toward us and met up with us at our
12 headquarters. We were told that they had fired some shots at our people and taken
13 them away.

14 Q. [10:03:38] Where is your headquarters?

15 A. [10:03:42] Our headquarters are about 300 metres away in the Sogefia 6
16 neighbourhood *also known as Sogefiha 6, Sogefiha Kouté.

17 Q. [10:04:13] You say it's about 300 metres away. Away from where?

18 A. [10:04:19] From *Sicogi 10 to the headquarters, the distance is about 300 metres,
19 but it's within the neighbourhood.

20 Q. [10:04:34] Now, these armed men who came to the polling station, did you ever
21 find out who they were?

22 A. [10:04:49] Some of them were wearing camo, according to the head of security.
23 Some of them were wearing civilian clothing. The ones wearing civilian clothing
24 had pistols, handguns. The ones wearing uniforms had Kalashnikovs.

25 Q. Could you tell us who the head of security was?

1 A. [10:05:28] Yes, Abou Dawe.

2 Q. [10:05:40] I'll now move on to another topic. Just before the 2010-2011 election,
3 did you hear anything about militia members, militiamen?

4 A. [10:05:54] Yes, I did hear talk about that. I would see them every day.

5 Q. [10:06:05] Before the election, when did you begin to see these militia members?

6 A. [10:06:16] I can't remember the exact date, the exact date on which I began to see
7 them. But as the election drew nearer, we would see them running in groups like
8 soldiers. They would run down the main road, heading from Siporex to Saguidiba.

9 Q. [10:07:00] Now, you said that that was when the election was drawing near?

10 A. [10:07:05] Yes.

11 Q. [10:07:06] Was that before the actual date of the voting was announced, or after?

12 A. [10:07:13] *Before? A long time before?

13 Q. [10:07:19] Do you remember if they had a leader?

14 A. [10:07:26] Yes.

15 Q. [10:07:31] And who was their leader?

16 A. [10:07:38] The person who recruited them was opposite the Doukouré
17 neighbourhood in Yao Séhi. I knew him by the name of Cobri.

18 Q. [10:07:55] And did you know any other name he went by, his full name?

19 A. [10:08:00] No.

20 Q. [10:08:04] Who was Cobri?

21 A. [10:08:11] He was a young Bété man and in the past he had been the general
22 secretary to the president of the market in Sicogi. That is how I came to know him.
23 And after, he started to approach the militia members. It was no secret.

24 Q. [10:08:52] How long have you known this man for?

25 A. [10:08:58] Ever since, well, ever since about 1995. We were involved in politics

1 together.

2 Q. [10:09:16] What kind of politics? What kind of political activities?

3 A. [10:09:22] At that time the FPI and the RDR were twinned so to speak, and
4 together we organised an active boycott and we organised meetings together.

5 Q. [10:09:54] In 2010 did Cobri belong to a political party?

6 A. [10:09:59] Yes.

7 Q. [10:10:03] Could you tell us which party?

8 A. [10:10:12] He was an FPI supporter.

9 Q. [10:10:18] Did he play any particular role as an FPI supporter?

10 A. [10:10:34] I would say so because he would approach the possible militia
11 members and he would hand out the training T-shirts.

12 Q. [10:10:57] When you say that he approached the militia members, what do you
13 mean exactly?

14 A. [10:11:04] Well, I mean the young people that he used to recruit. They were the
15 ones we would see running along the main road. They would go and do training by
16 the side of the lagoon and they would come back, and once they were back, he would
17 go back to his home, and before they went their separate ways, that is what he did.

18 Q. [10:11:41] Let's take this information and look at the information one item at a
19 time. What do you mean exactly that he would identify them or scout them?

20 A. [10:11:55] Cobri's house wasn't far from the main road, so from his home, when you go
21 along the main road you can see what is going on at his home. And there were even some
22 young people who were living in the Doukouré neighbourhood, and they were enlisted.
23 They enlisted at his home there. And the young people from Yao Séhi and Doukouré knew
24 one another. *They would play football together. They would go to the *maquis* together.
25 So, you see, they knew each other. And the ones who wanted to enlist, well, people

1 knew about it automatically right away. And we have -- correction, we had a
2 platform where we would -- and they were called the grins, these meeting places or
3 events, and that is when we would get all the information.

4 Q. [10:13:22] And you say that Cobri didn't live very far away from the main road.
5 Could you tell us how far away he lived from this main road?

6 A. [10:13:38] I would say about 30 to 40 metres away from the main road.

7 Q. [10:13:52] So you said that you were able to see what was going on at his home?

8 A. [10:13:56] Yes.

9 Q. [10:13:57] Can you tell the Court what you used to see going on at his home?

10 A. [10:14:03] Yes. We would see these young people, and in order to enlist, they
11 would line up in rows. There was a table at the front. Someone was seated at the
12 table. And the person would go up with his identity card and two photographs as
13 well, a photocopy of the identity card, and you would be enlisted and your name
14 would be placed on a particular list or register.

15 Then after that the people were organised into groups and the T-shirts were handed
16 out, different colours, of course.

17 Q. [10:15:01] And how many young people did you see enlist at Cobri's home on
18 an average day?

19 A. [10:15:14] Well, I can't give you an exact figure, but we would see a number of
20 young people and they would be registered. I really couldn't tell you exactly how
21 many were registered per day. I wasn't in a position to go there because Cobri knew
22 that I was not, was not an FPI supporter, so I wasn't going there. I wasn't welcome.

23 Q. [10:15:53] Now, you said that after the training the people would go back to
24 their homes -- correction, they would go back to his home. What would they do
25 then?

1 A. [10:16:04] We would see them. Some would sit down and rest, and then they
2 would start going back home regularly. Some people would come to my home
3 because I didn't live very far away from the main road. And my wife would prepare
4 some juice and other beverages, and so some of them would come and drink some
5 juice or cold water.

6 Q. [10:16:57] Now, you mentioned these young people and the training that they
7 were going through. Other than the lagoon, where else would they go to train?

8 A. [10:17:05] Well, there are some football pitches here and there throughout the
9 commune of Yopougon. I saw them training at Niangon. There are two training
10 stadiums *in Niangon: one in Sogefiha and the other in Niangon, after Timotel Hotel
11 and Niangon to the left. I saw them training there. I saw them training at the
12 Figayo stadium, at the Saint André stadium, I saw them training there as well.

13 Q. [10:18:20] And when they would engage in this training, how many of these
14 young people were there?

15 A. [10:18:29] I can't give you an exact number, but there were a lot of them.

16 Q. [10:18:40] Could you tell us who was training them?

17 A. [10:18:47] At the stadium I would see them training, but it was from a distance.
18 I was going by in my car. So I don't know who exactly was providing the training.
19 But when it came to the stadium, but on the main road I would see often Zagbayou.
20 I would see Mr Zagbayou in front of them and they would -- he would do calisthenics
21 and they would imitate them.

22 Q. [10:19:36] Who is this person, Mr Zagbayou?

23 A. [10:19:41] Mr Zagbayou, I didn't know him personally, but I would see him
24 training the youth. His daughter would come regularly to the Doukouré
25 neighbourhood and see a young man there. They were friends. They were going

1 out together. That fellow was Diallo Adama and he was the one who gave me the
2 name of Mr Zagbayou.

3 Q. [10:20:31] Now, I know you have just said that you didn't know Mr Zagbayou
4 personally, but if you were to see a photograph of him, would you recognize him?

5 A. [10:20:44] Well, I'm not sure because I do know -- well, he is an important
6 person. He was light skinned. We really didn't have any reason to chat. I did not
7 go up to him. I couldn't say I was ever two metres or one metre away from him to
8 see his face.

9 Q. [10:21:23] Very well. Could you describe to us what training sessions you saw
10 on the main road?

11 A. [10:21:39] Yes. Generally speaking, the young people would run and they
12 would sing songs the way soldiers train. They would run in small groups.

13 Q. [10:22:01] And what would they sing?

14 A. [10:22:08] Well, there were several songs. Often they would sing "Liberate
15 Yopougon from Gbagbo." They would sing or chant that. They would sing out
16 saying "We don't want any Moussi in our country." Often they would sing "On est
17 zinzin dans la tête," that kind of thing.

18 Q. [10:22:58] And other than these young people, did you see anyone else at Cobri's
19 home?

20 A. [10:23:07] Yes. I saw a number of military leaders go to Cobri's home. When we
21 were on our platform, we would see people going into Cobri's home and then they would
22 come out again. And I saw the late General Mathias Touré. He would go to Cobri's
23 home. I saw the ambassador. I've forgotten his name. *He's from Yopougon Kouté.
24 *He was the chief of staff after Mathias Doué from whom he took over as chief of staff.

25 THE INTERPRETER: [10:24:06] Inaudible.

1 THE WITNESS: [10:24:09] (Interpretation) He too would come. I saw him too go
2 to Cobri's house.

3 MS CHUBIN: [10:24:29] (Interpretation)

4 Q. [10:24:30] Now, you mentioned chief of staff General Mangou?

5 A. [10:24:32] Yes.

6 Q. [10:24:33] Other than these military leaders, did you notice anyone else?

7 A. [10:24:39] Yes. There were some people who were from the Doukouré
8 neighbourhood who would come to his home, in particular Landry, who was
9 working in Doukouré neighbourhood. He had a fridge repair shop. Zao (phon),
10 who would come to his shop as well.

11 There was the general secretary of the neighbourhood, un doyen, he would come to
12 his home as well.

13 Q. [10:25:42] Now, you said that you saw this from your platform, you were on a
14 platform. Where was the platform?

15 A. [10:26:00] Well, the platform is alongside the main road.

16 Q. [10:26:20] And where is your house in relation to this platform?

17 A. [10:26:24] My house is about 60 metres, about 60 metres from the platform. My
18 house is located between the platform and the drainage ditch that separates
19 Doukouré neighbourhood from Sicogi.

20 Q. [10:26:57] And from your home would you be able to see Cobri's home, or only
21 from the platform?

22 A. [10:27:03] To see Cobri's house I would have to go to the side of the road, and
23 even from the platform you have to move a bit and head towards the main road
24 because, you see, alongside, just beside, there is a school off to the side.

25 Q. [10:27:46] Now, you told us that you saw some military leaders at Cobri's house

1 and you mentioned Doué and Mangou. Were there other military leaders that you
2 would see?

3 A. [10:27:57] Some soldiers would come but they -- I didn't know what their names
4 were.

5 Q. [10:28:12] And other than these military leaders? Could you tell us when you
6 saw Mathias Doué and Mangou at Cobri's house?

7 A. [10:28:52] I don't remember, but it was during the crisis, the post-election crisis.
8 And actually even before the election, before the election they came and during the
9 crisis --

10 THE INTERPRETER: [10:29:20] Inaudible.

11 THE WITNESS: [10:29:23] (Interpretation) Mangou came two or three times,
12 Mathias Doué, same thing, about.

13 MS CHUBIN: [10:29:50] (Interpretation)

14 Q. [10:29:50] I will now move on to another line of questioning dealing with the
15 date of 25 February 2011. And I would like to remind you of what I said a short
16 while ago, please focus on what you saw yourself. That's what I would like us to do.
17 Do you remember that day?

18 A. [10:30:09] Yes, very well.

19 Q. [10:30:13] Where were you in the morning of 25 February 2010 or, rather, 2011?

20 A. [10:30:22] That morning it was a Friday. It was a Friday. I did not leave my
21 neighbourhood. You see, every morning we went to our grin at around 9 o'clock, 9
22 a.m. or thereabouts. But around that time we saw people gathering on the main
23 road. People were gathering on the main road near the police station and around
24 Saguidiba. For that reason I did not go out of my neighbourhood.

25 Q. [10:31:30] Where was your grin?

1 A. [10:31:36] The grin is our platform. That's what we refer to as the grin. It was
2 located not far away from the main road.

3 Q. [10:31:54] How far away from the main road was it located?

4 A. [10:32:00] About 30 metres.

5 Q. [10:32:07] You told us that you saw two groups of people gathering while you
6 were at the platform, that is at your grin. Can you describe those groups, please?

7 A. [10:32:21] Yes. We could see them some 150 to 200 metres away from where
8 we were. We were not able to identify the people who were gathered in those
9 groups, but we were able to see a number of individuals on both sides of the
10 Doukouré neighbourhood, that is behind the police station and at the Saguidiba
11 roundabout, or at the Saguidiba junction, to be correct.

12 Q. [10:33:10] Once you observed that, what did you do?

13 A. [10:33:16] It was a Friday. And every Friday at the prayer time we would go to
14 the mosques, hold people as well as young people. So a message was sent out to
15 everyone not to go to the mosques as long as the two groups were present because of
16 fear of being surprised in the mosque where we would have been vulnerable.

17 Q. [10:34:07] What Friday prayers are you talking about?

18 A. [10:34:10] I'm talking about the major Friday prayer which takes place at 1 p.m.

19 Q. [10:34:17] So rather than go to the mosque, what did you do?

20 A. [10:34:23] We remained in the neighbourhood. And our platform was -- well,
21 there were many people at our platform. People came to seek information, but we
22 had no information about those gatherings. All we did was try to exercise caution
23 and to be careful. So we asked everyone to remain calm and to abstain from going
24 out of the neighbourhood and to abstain from going to the mosque.

25 Q. [10:35:06] What happened next? And I'm asking you personally in your case.

1 A. [10:35:15] Subsequently, and as far as I am concerned personally, I remained or I
2 stayed along with all the others in the neighbourhood until noon, at noon. At noon
3 on Friday the prayer call goes out from the mosque so that Muslims can ready
4 themselves to go to the mosque where there would be a sermon which runs from
5 12.30 to 1 before the imam arrives. The imam usually arrives at 12.45 or 1. And
6 there is a pre-sermon before then and then the imam conducts the sermon. And at 1
7 p.m. prompt, the prayers begin.

8 So when the call went out for the prayers at noon, I noticed that the crowds which
9 had gathered on the main road on the two sides of Doukouré neighbourhood had
10 started to move towards Doukouré neighbourhood. So we remained there, and I'm
11 speaking about myself, although I was not alone. So we remained at that location.
12 They then went past the bridge which is situated between the Doukouré
13 neighbourhood and the police station of the 6th arrondissement.

14 And at the entrance to Doukouré neighbourhood, there was a billboard bearing
15 Alassane Ouattara's effigy. They started to shoot at the billboard with stones.
16 Then the crowd gathered and pulled down the billboard. They tore the effigy of
17 President Ouattara, which had been mounted on the billboard. I was there, and I
18 kept telling the young people to remain calm because we had not been attacked.
19 Now thereafter, after the billboard had been brought down, they then started throw
20 stones at us in the neighbourhood.

21 Q. [10:38:12] Who started to throw stones?

22 A. [10:38:15] The crowd, the crowd which came from the police station. They
23 started throwing stones at us in the neighbourhood, and that is how, that is how the
24 inhabitants of Doukouré neighbourhood also picked up stones and retaliated and that
25 is how the clashes began.

1 Q. [10:38:45] What did you do yourself when people started to retaliate?

2 A. [10:38:53] I tried to calm them down. I tried to calm them down because the
3 throwing of stones did not last long. And when the youth of Doukouré
4 neighbourhood started to fight back, they had been behind the houses and the others
5 who were on the main road, as they were being challenged by the Doukouré youth,
6 those ones retreated, and the youth who had come out on the main road, I tried to
7 intervene, to tell those youth who were coming out, to tell them that it was not a good
8 thing for us to be fighting each other. So I tried to calm things down. But
9 unfortunately, I could not succeed because the group which had come from the police
10 station did not want to hear anything whatsoever. In fact, one of the young persons
11 there told me that our parents were busy killing their parents in the north and in
12 Abobo and that for that reason they were not ready to listen to us.
13 That is how the stone throwing resumed, but we were able to ward them off. So
14 they went towards the police station, while the other group went towards Saguidiba.
15 And the police then intervened. The police intervened and told us to remain calm,
16 which is what we did.

17 Q. [10:41:02] Now I will put a few questions to you to seek clarification on some of
18 the things that you have narrated. The crowd, that group that came from the police
19 station, was it made up of civilians or were the people in that group in uniform?

20 A. [10:41:23] They were civilians to begin with. They were civilians to begin with.

21 PRESIDING JUDGE TARFUSSER: [10:41:36] Maître Altit.

22 MR ALTIT: [10:41:37] (Interpretation) Thank you, Mr President. Now, I'm sorry,
23 learned colleague, for interrupting you, but your question at page 23 of the French
24 transcript, line 13, I quote your question, "The crowd, so the crowd, the group that
25 came from the police station which you talked about." Now, the witness did not say

1 that a group had come from the police station. He said the contrary, that it's a group
2 which went towards the police station. So the question may be misleading and
3 maybe you need to rephrase it to reflect exactly what the witness said previously.

4 PRESIDING JUDGE TARFUSSER: [10:42:23] Let's ask the witness what he said
5 exactly previously.

6 Was this group, this crowd, this group of people coming from the station or going
7 towards the station?

8 THE WITNESS: [10:42:51] (Interpretation) Is that question for me?

9 PRESIDING JUDGE TARFUSSER: [10:42:55] Yes, Mr Witness, this was a question
10 for you.

11 THE WITNESS: [10:42:59] (Interpretation) Yes, okay. What I said is that in the
12 morning we saw a crowd behind the police station on the main road. You see, after
13 the police station there are two parlements and it was at the level of those parlements.
14 Just after the fence around the police station, there is a parlement and then behind the
15 pharmacy Wakouboué there was another parlement. So it was at that level that the
16 road was cut off by the crowd and it is from there that the crowd came. So as they
17 came, they went by the police station and came towards Doukouré neighbourhood
18 and right into Doukouré neighbourhood.

19 Now, when the young people came back -- came out, rather, to ward them off, so they
20 left the Doukouré quartier and went back towards the police station to return to their
21 initial position, which was behind the police station. That's what I wanted to say.

22 PRESIDING JUDGE TARFUSSER: [10:44:19] Okay. Thank you. I think that's
23 clear.

24 Could you please answer the question if they were, or continue to answer the
25 question on how they were dressed or they were civilians or military people, and in

1 case, how they were dressed, if they were military?

2 THE WITNESS: [10:44:45] (Interpretation) They were dressed in civilian attire.

3 PRESIDING JUDGE TARFUSSER: [10:44:56] Yes. But you said before that at the
4 beginning they were civilians and then -- you said, "They were civilians to begin with.
5 They were civilians to begin with," page 26, line 14 in the English transcript.

6 But when you say "to begin with," is there then a follow up of this beginning or not?

7 THE WITNESS: [10:45:42] (Interpretation) I do not understand.

8 PRESIDING JUDGE TARFUSSER: [10:45:58] The question was put by the Office of
9 the Prosecutor to you, "Was the crowd, was it made out of civilians or were there
10 people in that group in uniform," I guess.

11 And you said, "They were civilians to begin with."

12 THE WITNESS: [10:46:33] Oui.

13 PRESIDING JUDGE TARFUSSER: [10:46:34] What does that mean? What does
14 that mean "to begin with"?

15 THE WITNESS: [10:46:42] (Interpretation) What I said is that at the beginning,
16 because subsequently the police intervened. Initially the police was not there, but
17 when the young people pushed back the crowd which had come, it is at that time that
18 the police came out to tell us to return or to go back, and then the crowd was
19 simply -- and then the crowd was simply going by and that it had nothing to do with
20 the inhabitants of Doukouré neighbourhood.

21 So we did as we were bid. And the police did not intervene at that time. So as the
22 crowd began to go by, at that time we were no longer on the road, and it is then that
23 they started to throw stones again, trying to break down shops along the road in the
24 Doukouré neighbourhood, because the Doukouré neighbourhood main road, along
25 that main road you have a number of shops.

1 So when we noticed that they had the intention to and had actually started to break
2 down the doors of various shops, people came out and drove them again. And after
3 they had left, it is then that the police came out and threw some tear gas with a view
4 to dispersing us, the crowd.

5 So then we went back, given that there was tear gas, and we went back. But then the
6 crowd returned to break down or to break all the shops along the main road and to
7 empty out those shops.

8 When they had finished dealing with the shops, they tried to enter some homes which
9 were located right behind the shops. You see, from our position we were able to see
10 them along the borders of the road.

11 So we came out again with stones to try to drive them back to their initial starting
12 point, which was behind the police station and the Saguidiba junction. Subsequently,
13 we saw a column of four-by-four vehicles driving up behind the crowds from the CP1
14 towards the police station. When they got to the police station, the four-by-four
15 vehicles entered the police precinct. And people were shouting "General, general,
16 general."

17 And at that time Charles Blé Goudé was the one everybody was referring to as
18 general.

19 So when we heard "General, general, general," there was a group of people running
20 alongside the convoy, so we immediately understood that Blé Goudé had come.

21 And prior to that I had seen, that is before Blé Goudé arrived at the police station, I
22 had seen some young -- or I had seen the young man Bakayoko Lassina come out of
23 the crowd. You see, we were located just after the bridge at the 16th in Doukouré
24 neighbourhood and from there we were able to see what was happening in front of
25 the police station, which was not far away. We saw someone come out of the crowd

1 and who was arrested, but he fled into the police station.

2 The policemen pushed him back outside and the crowd attacked him with sticks and
3 stones and then put some tyres on him and then torched it.

4 Now, as Blé Goudé entered the police station, that young man was still burning and
5 when he left, not up to 5 minutes thereafter, the police came out firing warning shots
6 and marching towards Doukouré neighbourhood. They fired the shots as they
7 marched all the way to the bridge, and one policeman then turned around to go and
8 collect some offensive grenades. And once the grenades were lobbed, one of them
9 was lobbed and it dropped in front of a victim whose name was Timité Bouaké. He
10 had gone to fetch a table in order to block the road to stop people from passing
11 through and to put an end to the conflict. But the grenade dropped in front of
12 Timité while he was still carrying the table.

13 It is then that the grenade exploded, but thanks be to God, the fragments hit the table
14 instead. And because the table was at some higher level, he received a few
15 fragments in his tibia and on his face. But thanks be to God, he wasn't seriously hurt,
16 although he fell. And to his left there was a young man Bakayoko Siaka, who
17 unfortunately was not protected by the table and he was struck by the fragments.
18 The two of them fell. People came and collected them, took them into the
19 neighbourhood. Bakayoko Siaka died some 15 minutes thereafter. As for Timité,
20 he was sent to a clinic where he received some treatment.

21 We fled. We went back because of the grenades, we went back. In fact, a third
22 grenade was lobbed, although it did not explode. That's how we went back.

23 Q. [10:54:55] Now, Mr Witness, I'm going to put a few questions to you based on
24 the answers you have just provided. Now, when you saw the four-by-four vehicles,
25 did you yourself see Mr Charles Blé Goudé?

1 A. [10:55:14] No.

2 Q. [10:55:20] You talked to us about policemen. How many policemen did you
3 see on that day?

4 A. [10:55:28] In the heat of the moment I am not able to tell you how many
5 policemen were there, but when the policemen came out, I believe three or four - I
6 don't have an exact number - who were coming bearing Kalashnikovs and others
7 were on the other sides of the road as they marched forward. But I'm not able to tell
8 you how many policemen there were because we were in a situation, an
9 undescribable situation. So I was not able to count and I did not even have time to
10 do so.

11 Q. [10:56:19] Did you have time to notice whether they were in uniform or in
12 civilian attire?

13 A. [10:56:25] Yes. They were in police uniforms.

14 Q. [10:56:32] What was the colour of their police uniforms?

15 A. [10:56:42] It was the green uniform, the green uniform of the police.

16 Q. [10:56:50] At what time did you leave the main road?

17 A. [10:57:08] I left the main road around 4 p.m., around 4 p.m. And one must say
18 that when the third grenade was launched or lobbed but failed to explode, we left,
19 and thereafter we left. But before we left, the police wanted to drive us back into the
20 neighbourhoods by throwing tear gas in all areas of the neighbourhood. And one
21 person died because of that. This person's name is Bakayoko Salimata. Bakayoko
22 Salimata was struck in the back by a projectile and his spine was struck, and he fell to
23 the ground and inhaled some tear gas and died on the spot.

24 Then, then when they had broken some homes, we came out again to try to stop the
25 pillaging. And it is then that I saw the grenade that had not exploded. And once

1 again the police came out to again throw two other grenades, and then thereafter the
2 police went back to quartier Doukouré and then started firing real bullets at people in
3 the neighbourhood.

4 So they would come into a corridor, and if they saw people at the end of that corridor,
5 they would shoot at them. On that day 12 people died.

6 PRESIDING JUDGE TARFUSSER: [10:59:57] I see we have reached the time for the
7 break. I just would like to ask you a clarification on an answer you gave before,
8 something that was said before, and I'm referring to the English transcript, page 30,
9 lines 11 to 21, where you said that before Blé Goudé, well, what you call the "general,
10 general, general," before the convoy arrived, you said, "And prior to that, I had seen,
11 that is before Blé Goudé arrived at the police station, I had seen some young -- or I
12 had seen the young man Bakayoko Lassina come out of the crowd. You see, we
13 were located just after the bridge at the 16th in Doukouré neighbourhood and from
14 there we were able to see what was happening in front of the police station, which
15 was not far away. We saw someone come out of the crowd and who was arrested,
16 but he fled, I would say, into the police station. The policemen pushed him back
17 outside and the crowd attacked him with sticks and stones and then put some tyres
18 on him and then torched him."

19 My question is, what is the distance -- well, first of all, you said you have seen it
20 personally. Did you see this personally?

21 THE WITNESS: [11:01:36] (Interpretation) Yes.

22 PRESIDING JUDGE TARFUSSER: [11:01:54] When you say "we," you always refer
23 to yourself and other people, who are those other people you're referring to?

24 THE WITNESS: [11:02:11] (Interpretation) I'm talking about myself; I know the names of
25 some people, not everyone, because there were many of us. There was myself, Timité Bouaké.

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

- 1 He was injured. Bakayoko Siaka, Gberti Siaka, whose nickname is Dougoutigi (phon).
2 *There were many of us. There was Fofana Brahima, Diallo, Adama. There were any of us. A lot of us.
3 PRESIDING JUDGE TARFUSSER: [11:02:54] And others. What was the distance,
4 what is the distance from where you were to what happened to this torching of this
5 person?
6 THE WITNESS: [11:03:03] (Interpretation) Well, I did not measure the distance,
7 but one can say it is between 100 and 150 metres approximately, approximately.
8 PRESIDING JUDGE TARFUSSER: [11:03:30] Okay. Thank you very much.
9 Now we break and we go, we come back in half an hour for the second session this
10 morning. Thank you. The hearing is adjourned.
11 THE COURT USHER: [11:03:41] All rise.
12 (Recess taken at 11.03 a.m.)
13 (Upon resuming in open session at 11.34 a.m.)
14 THE COURT USHER: [11:34:36] All rise.
15 Please be seated.
16 PRESIDING JUDGE TARFUSSER: [11:34:45] Good morning. Good morning once
17 again.
18 Good morning, Mr Witness.
19 THE WITNESS: [11:34:57] (Interpretation) Good morning, Mr President.
20 PRESIDING JUDGE TARFUSSER: [11:35:00] What I would, before giving the floor
21 for the questioning to the Office of the Prosecutor, what I would ask the Office of the
22 Prosecutor, to bring up a map and ask the witness to indicate the various points he
23 mentioned, I mean where the police station is, where his house is, where the location
24 from where he saw this torching and things like this. He made reference to some of
25 the locations of the main points. I would like to see them on the maps otherwise we

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 don't understand things enough.

2 Please, yours the floor.

3 MS CHUBIN: [11:35:50] Mr President, we could pull up the agreed map. The
4 alternative is that during his interview the witness drew a sketch of his
5 neighbourhood, which is annex 2, and item number 3 of the LOM. Alternatively, we
6 could pull that one up. I'm in your hands.

7 PRESIDING JUDGE TARFUSSER: [11:36:38] Sorry about this, I just -- no, I think we
8 should -- there is an annex 2, an annex 2 to the -- we can see which one works better.
9 I mean, it should just be a bit clearer to us from where things were located and the
10 distances and things like this because just in saying it on the paper, it's, I'm afraid, a
11 little bit too difficult to understand.

12 MS CHUBIN: [11:37:34] We'll also be covering various locations with future
13 witnesses in this evidence block --

14 PRESIDING JUDGE TARFUSSER: [11:37:40] Yes, I do know.

15 MS CHUBIN: [11:37:42] -- but if I could ask the court officer to display item number
16 3 on our list of materials, CIV-OTP-0058-0332.

17 And for the benefit of the interpreters, I'll switch to French now.

18 THE COURT OFFICER: [11:38:22] I have two questions about that document: First,
19 if you could confirm the level of confidentiality; and would you like us to display the
20 redacted version or the original version?

21 MS CHUBIN: [11:38:40] It's a confidential document, and if we could display the
22 redacted version.

23 THE COURT OFFICER: (Via video link) [11:39:07] Your Honours, I have the item on
24 the computer here, which I will show him.

25 PRESIDING JUDGE TARFUSSER: [11:39:18] Thank you. Please do so.

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

- 1 And the floor is to the Prosecutor.
- 2 MS CHUBIN: [11:39:23] (Interpretation)
- 3 Q. [11:39:34] Mr Witness.
- 4 A. [11:39:39] Yes.
- 5 Q. [11:39:40] Do you remember having given a statement to the investigators of the
- 6 OTP in June 2014?
- 7 A. [11:39:52] Yes.
- 8 Q. [11:39:58] We are going to show you a sketch on the screen. Can you see it?
- 9 A. [11:40:08] Yes.
- 10 Q. [11:40:12] Is that a sketch that you prepared during your statement to the
- 11 investigators of the OTP?
- 12 A. [11:40:24] Yes.
- 13 Q. [11:40:34] On this sketch, can you see the platform next to the main boulevard,
- 14 the grin where you were in the morning?
- 15 A. [11:40:55] Yes.
- 16 Q. [11:40:58] Can you indicate to us where it is located on that sketch?
- 17 A. [11:41:05] Yes. I do not know how to explain it, but it is here, that platform, it's
- 18 here.
- 19 THE COURT OFFICER: (Via video link) [11:41:23] The witness is pointing to the red
- 20 cross next to an area just above the mosque LEM.
- 21 THE WITNESS: [11:41:47] (Interpretation) Yes.
- 22 MS CHUBIN: [11:41:57] (Interpretation)
- 23 Q. [11:41:59] Mr Witness, I can see it indicated in the map "Police 16th".
- 24 A. [11:42:08] Yes.
- 25 Q. [11:42:09] Is that the police station that you were referring to?

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 A. [11:42:13] Yes.

2 Q. [11:42:17] You also mentioned a bridge.

3 A. [11:42:22] Yes. Where there is the blue line that comes across there, that is a
4 canal, and there is a gutter, and that is where the bridge is located, between the
5 Doukouré neighbourhood and Sicogi, there is a canal there which passes under the
6 road.

7 MS CHUBIN: [11:42:58] If I could ask the court officer to zoom out a little bit from
8 the current image, please.

9 THE COURT OFFICER: (Via video link) [11:43:23] Your Honours, the map that is
10 currently displayed on this computer has all the items on display, all the locations on
11 display.

12 MS CHUBIN: [11:43:59] I believe the field office is viewing the same map that we
13 currently have on our screens.

14 THE WITNESS: [11:44:16] (Interpretation) Yes, it is the same sketch.

15 MS CHUBIN: [11:44:20] Mr President, I think the witness has referred to the main
16 points that he mentioned in his statement. Now I'm in your hands. We could also
17 do the same exercise on the agreed map, either the general one or the one of
18 Yopougon, see if he's capable of placing those points, or if this annex is now
19 submitted on the record, I could carry on.

20 PRESIDING JUDGE TARFUSSER: [11:44:50] Well, it is submitted on the record but,
21 yes, I don't understand within Abidjan where we are.

22 MS CHUBIN: [11:45:19] I think in that case then it would be beneficial to move to
23 the agreed map that's zoomed on Yopougon --

24 PRESIDING JUDGE TARFUSSER: Yes.

25 MS CHUBIN: -- which is CIV-OTP-0092-0407. And that's a public document.

1 Q. [11:46:25] (Interpretation) Mr Witness.

2 A. [11:46:30] Yes.

3 Q. [11:46:33] We have a map of Yopougon in front of us. Can you see it?

4 A. [11:46:40] Not yet.

5 PRESIDING JUDGE TARFUSSER: [11:47:08] Tell us, please, when you can see it.

6 THE WITNESS: [11:47:18] (Interpretation) Yes, I can see the map on the screen.

7 MS CHUBIN: [11:47:27] (Interpretation)

8 Q. [11:47:31] We have a very broad view of Yopougon. Can you direct us so that
9 we should zoom in to the Doukouré area?

10 A. [11:47:46] I admit that I really do not understand the map right now.

11 Q. [11:47:55] Very well. We will enlarge it a little bit to make it easier for you.

12 MS CHUBIN: (Speaks English) If we could zoom in a little bit on this map. And if
13 we could zoom in a little bit more on the left of the body of water.

14 Q. (Interpretation) Is that helpful to you? Can you indicate whether we should
15 go right or left or up or down?

16 A. [11:49:25] No, I still do not understand. If I can direct myself from the
17 Saint-André church, or the Siporex pharmacy, at the entry into Yopougon, from that
18 point I would be able to identify the location and guide myself.

19 PRESIDING JUDGE TARFUSSER: [11:49:58] Of course, if we have a map, agreed
20 map without any indications. I can understand that it's difficult also for the witness
21 to understand anything, but it's absurd to have an agreed map like this, may I say.
22 Let's take it away. Let's take it away and continue with the questioning. I find it,
23 well, that's it.

24 MS CHUBIN: [11:50:24] Mr President, if it would be helpful, we could prepare some
25 zoomed in maps and --

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 PRESIDING JUDGE TARFUSSER: [11:50:31] Yes, okay. Let's continue with this
2 questioning, please.

3 MS CHUBIN: [11:50:46] (Interpretation)

4 Q. [11:50:48] Mr Witness, let us set aside the exercise with the map for now.

5 A. [11:50:58] Okay.

6 Q. [11:51:00] We will continue with the questions about 25 February 2011.

7 A. [11:51:06] Very well.

8 Q. [11:51:08] Before we continue, I will ask for some clarification on certain aspects
9 of your testimony this morning.

10 A. [11:51:17] Okay.

11 Q. [11:51:21] This is page 27, line 1, of the French transcript. Mr Witness, you
12 talked about Mr Bakayoko Lassina who left the crowd.

13 A. [11:51:36] Yes.

14 Q. [11:51:36] Who is Bakayoko Lassina?

15 A. [11:51:40] Bakayoko Lassina was one of my younger colleagues in the
16 neighbourhood. He was a worker.

17 Q. [11:51:59] How did you know him?

18 A. [11:52:03] He was my neighbour in the neighbourhood.

19 Q. [11:52:16] A short while ago you said that he came out of the crowd. Which
20 crowd were you referring to?

21 A. [11:52:27] I'm talking about the crowd which was at the parliament, that is
22 behind the police station. At that time the crowd was no longer at the level of the
23 parliament, they were practically opposite the police station of the 16th
24 arrondissement, that is the crowd that came to attack the Doukouré neighbourhood.

25 Q. [11:53:09] And you said that he was set on fire, he was burnt; is that correct?

1 A. [11:53:16] Yes.

2 Q. [11:53:17] Did you personally see his body?

3 A. [11:53:23] I saw him at the time that he was being set on fire. I did not go to
4 look at his body because I could not, but his wife went to look at the body and she
5 came back crying.

6 Q. [11:53:48] Later on, on page 28, line 1, you talked about a name, and it is
7 Bakayoko Salimata on the transcript.

8 A. [11:54:08] Bakayoko Salimata was also killed but at the LEM, which is at the
9 extreme left at the Doukouré neighbourhood. The person who was killed in front of
10 the police station is Bakayoko Lassina.

11 Q. [11:54:31] For the time being, let us focus on Bakayoko Salimata who was killed
12 at the LEM. How do you know her?

13 A. [11:54:46] Bakayoko Salimata is the wife of Bakayoko Brahima, who is a member
14 of our platform and whose father and mother I know. I know all his relatives and I
15 knew his wife very well.

16 Q. [11:55:22] And you explained to us that Bakayoko Salimata was struck on the
17 back by a projectile. Did you see that moment when the projectile struck her in the
18 back?

19 A. [11:55:42] No. I was not on the spot. It is her mother-in-law, that is her
20 husband's mother, who described the incident to me.

21 Q. [11:56:00] And was she present there?

22 A. [11:56:04] Yes.

23 Q. [11:56:07] I would like now to go on to another name, the third name, page 30,
24 line 6, Timité Bouaké. How do you know him?

25 A. [11:56:24] Timité Bouaké, I know him very well. We lived in the same

1 neighbourhood for more than 15 years. We were neighbours in the neighbourhood,
2 and he is also a member of the platform. His coffee kiosk was actually within the
3 premises of the platform because it is in front of the kiosk that the platform was
4 located. So every day he was there selling his coffee.

5 Q. [11:57:19] And you said that he was injured. Did you personally see him?

6 A. [11:57:22] Yes. I saw it personally. The grenade that brought him down was
7 thrown right in front of my eyes, right before my eyes. I was about 20 metres away
8 from him. Otherwise, I was also going to be struck by some of the fragments.

9 Q. [11:58:02] You also mentioned Bakayoko Siaka. Who is that person?

10 A. [11:58:09] Bakayoko Siaka is the younger brother of Brahima Bakayoko, who lost
11 his wife. He was also at the place where Timité Bouaké was located. But he was
12 not behind the table so the grenade fragments struck him on his entire body. So
13 after the grenade exploded, both he and Timité fell and it was the same grenade, but
14 he died 15 minutes afterwards.

15 Q. [11:59:03] And did you see him fall?

16 A. [11:59:07] Yes.

17 MS CHUBIN: [11:59:10] I will move to English now.

18 (Speaks English) I would like it display a video now, if the Court officer could hand
19 the Prosecution the floor. I understand it will be displayed on evidence 2; is that
20 right? It's item number 8 on our list of materials, 0061-0379. It's a public video.
21 And for the record, it's dated 25 February 2011. The accompanying transcript is
22 0063-2804, which is item number 9 on our list of materials. And if we could show it
23 without volume, no sound on this video. And for the record, we'll show the entire
24 video, so no time stamps are necessary.

25 PRESIDING JUDGE TARFUSSER: [12:00:31] What is the transcript here for if there

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 is no sound?

2 MS CHUBIN: [12:00:37] It's just a reference for the record.

3 PRESIDING JUDGE TARFUSSER: [12:00:40] Okay.

4 Madam Naouri.

5 MS NAOURI: [12:00:45] (Interpretation) Thank you, your Honour. Now, a number of names
6 have been given, and this video really has nothing to do with the current line of questioning.

7 We'll leave it at that. We don't want to influence the witness,* but we are wondering what the

8 Prosecution is relying on -- why is the Prosecution displaying this video. There is no link

9 between the video and what the witness has just said. Thank you Mr. President.

10 MS CHUBIN: It relates to --

11 PRESIDING JUDGE TARFUSSER: [12:01:15] We will see this once we have seen it
12 and once the Prosecutor will formulate the question on it.

13 Please go ahead, Madam Prosecutor.

14 MS CHUBIN: [12:01:36] (Interpretation)

15 Q. [12:01:39] We'll be showing a video to you now, sir, and then I'll be asking you a
16 number of questions after you've viewed it.

17 A. [12:01:47] Okay.

18 (Viewing of the video excerpt)

19 MS CHUBIN: [12:03:34] (Interpretation)

20 Q. [12:03:42] Do you recognise this place, Mr Witness?

21 A. [12:03:48] Truth be told, I didn't see myself in this video footage.

22 Q. [12:03:54] Very well.

23 (Speaks English) We now have a copy of the agreed map with some annotations on it.

24 PRESIDING JUDGE TARFUSSER: [12:04:09] Can I first ask why we saw this video
25 and why without sound?

1 MS CHUBIN: [12:04:27] We wanted to ask the witness if he is in a position to
2 recognise the place and describe the scene and tell us where he was at that time.

3 PRESIDING JUDGE TARFUSSER: [12:04:39] Okay.

4 MS CHUBIN: [12:04:39] And we cut off the sound because there are a few things
5 that are said in there, to avoid influencing him.

6 PRESIDING JUDGE TARFUSSER: [12:04:44] Okay. Thank you.

7 MS CHUBIN: [12:04:50] Now if we could keep the floor, we could display a zoomed
8 version of the same agreed map we had up earlier, and we could start by going to
9 église Saint André, which the witness referred to and he said he could direct us from
10 that point.

11 PRESIDING JUDGE TARFUSSER: [12:05:19] Maître N'Dry.

12 MR N'DRY: [12:05:23] (Interpretation) Yes, your Honour. If I could inquire, are we on the same
13 wavelength? Namely, we've been shown some video footage without sound, but the footage has a
14 transcript that goes along with it. *I would like to ask, what will the fate of those transcripts be in relation to
15 the Court record? Since the content has been challenged by the Defence of Mr. Charles Blé Goudé.

16 PRESIDING JUDGE TARFUSSER: [12:05:45] None.

17 MR N'DRY: [12:05:48] (Interpretation) Very well. Thank you, your Honour.

18 MS CHUBIN: [12:06:03] (Interpretation)

19 Q. [12:06:04] Witness, we are going to try once again with the map. We will begin
20 at Saint André church.

21 A. [12:06:15] Okay.

22 Q. [12:06:16] If you'll just bear with us for a moment.

23 PRESIDING JUDGE TARFUSSER: [12:06:20] Excuse me. Maître N'Dry, none at
24 this point in time, this being the situation, of course. Not none in any case. We'll
25 see how it develops, if it will be used in the future. Okay.

1 MS CHUBIN: [12:06:41] (Interpretation)

2 Q. [12:06:42] Can you see the map, Witness?

3 A. [12:06:47] Yes.

4 Q. [12:06:50] Now, I think you can see one dot and it says pharmacy Saint André?

5 A. [12:07:00] That's the church.

6 Q. [12:07:05] Is the map large enough? Can you see the dots?

7 A. [12:07:09] Yes. *But for now I have Agence SODECI, Agence SGBCI. Yes. I see that and that is it.

8 Q. [12:07:26] If you look at the Saint André pharmacy, I think you'll see a cross
9 right beside it. Is that the Saint-André church?

10 A. [12:07:52] Pharmacy Saint-André, yes, I can see the Saint-André pharmacy.

11 Q. [12:08:00] Now, just above that you can see a cross. And I think that indicates a
12 church.

13 A. [12:08:04] Yes, yes. But the name of the church is not written down there.

14 Q. [12:08:11] Is that the location of the Saint-André church?

15 A. [12:08:14] Yes.

16 MR GBOUGNON: [12:08:16] (Interpretation) Your Honour, your Honour.

17 PRESIDING JUDGE TARFUSSER: [12:08:20] Maître Gbougnon.

18 MR GBOUGNON: [12:08:24] (Interpretation) Your Honour, I believe it is the
19 witness who should be giving testimony about what is to be seen on this map. If
20 something is not shown, the witness should be the one saying what is what, and it's
21 really not the role of the Prosecution to be saying which church is located where.

22 *I think right now in this case the witness is not giving testimony, it is the person putting the questions who is
23 now giving testimony. I think we need to have specific questions so that the witness can tell us what this is
24 all about, what he sees and what he does not see. Otherwise, we will get confused and not be able to make a
25 proper distinction between what the witness is telling us and what the Prosecution is asking.

1 PRESIDING JUDGE TARFUSSER: [12:09:16] Yes, but we are talking about a map.
2 We are not talking about what he's seen. We're talking about a map. And I think
3 that one can -- what the person did obviously related to the map, he must say it. But
4 to indicate the various locations, I think one can read and one can try to help because
5 to read a map is not so easy.
6 So please go ahead, Madam Prosecutor.

7 MS CHUBIN: [12:09:44] Thank you, Mr President.

8 Q. [12:09:49] (Interpretation) Witness, now from this church, could you tell us
9 which way to go to get to the police station of the 16th arrondissement?

10 A. [12:10:01] From the church, from the church, you go down to a place called les
11 impôts. After the church there's the SODECI. And then after that, there is the
12 taxation place, the "impôts" in French. Then after that there is the Wakouboué
13 pharmacy and there is a road that goes in front of that pharmacy, Wakouboué là, and
14 it is behind that pharmacy that one finds the parliament.

15 Q. [12:11:00] And what is the name of that road that goes in front of the
16 Wakouboué pharmacy?

17 A. [12:11:12] *We usually call it the Score pharmacy, because right beside it there is a shop called
18 Score. And, you see, if you are in a vehicle, you can tell the driver you want to get off at Score, that is
19 the intersection where you would be dropped, or Wakouboué, that would be the intersection.

20 Q. [12:11:33] Do you know the name of the street?

21 A. [12:11:35] No.

22 Q. [12:11:36] *Do you take the main boulevard to go to that pharmacy?

23 A. [12:11:48] No. *When you take the main boulevard, it joins the intersection
24 from the right. It is the road that crosses, that goes through the Sicogi market.

25 When you get to the intersection, you turn right and you continue until you get to the

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 Sicogi market.

2 Q. [12:12:32] Now, is the police station indicated there beside the main boulevard?

3 I can see Nelson Mandela Institute.

4 A. [12:12:53] Nelson Mandela Institute, if you get there, you've gone past the police
5 station. The Nelson Mandela Institute is further down the road, to the right, just
6 before the bridge.

7 Q. [12:13:05] If we could just scroll down a bit more on this map. Now, I see a
8 blue line now that is crossing the main boulevard. Is that the drainage ditch or the
9 gutter?

10 A. [12:13:20] Yes. That is what it is, the drainage ditch, the ditch that goes
11 underneath and crosses underneath that main road.

12 MS CHUBIN: [12:13:43] Mr President, perhaps for the record that's sufficient to
13 locate us within Yopougon.

14 PRESIDING JUDGE TARFUSSER: [12:13:48] Yes, yes. Please go ahead.

15 MS CHUBIN: [12:13:51] (Interpretation)

16 Q. [12:13:51] Thank you, Mr Witness.

17 MS NAOURI: [12:13:57] (Interpretation) Could we kindly have the ERN number
18 for the map that you just showed the witness?

19 I beg your pardon. I was just asking for the ERN number for the map in question.
20 Thank you.

21 MS CHUBIN: [12:14:14] (Interpretation) Reference number ending in 407.

22 THE INTERPRETER: Could the five second number please be followed. 407.

23 PRESIDING JUDGE TARFUSSER: [12:14:34] 0092-0407.

24 MS CHUBIN: [12:14:48]

25 Q. [12:14:52] (Interpretation) We finished with 25 February and now I'm going to

1 move on to something else.

2 A. [12:14:59] Okay.

3 Q. [12:15:00] I'd like to ask you about the roadblock. Now, during the crisis, were
4 roadblocks set up in your neighbourhood in Doukouré?

5 A. [12:15:09] Yes.

6 Q. [12:15:12] And when was that?

7 A. [12:15:17] I don't remember the date, but one day Mr Blé Goudé *appeared on
8 RTI and he said that -- he appeared on the television, and he said that if a person saw
9 someone or something unusual in the neighbourhood, a person that you usually did
10 not see in your neighbourhood, that person was automatically deemed to be
11 suspicious. So he asked each citizen to be his policeman, in a way. So after that
12 roadblocks were, yes, set up in Doukouré with people who were with us in our
13 neighbourhood, the neighbourhood of Doukouré.

14 Q. [12:16:27] I'd now like to show you some video footage *that was aired on RTI.
15 And I'll let you watch the footage and then if you could kindly tell us afterwards
16 whether this is the same speech as the one that you have just described.

17 A. [12:16:44] Okay.

18 MS CHUBIN: [12:16:53] If the Prosecution could have the floor again, we would like
19 to display video CIV-OTP-0026-0020. It's number 6 on our list of materials. And
20 for the record, the main date is 24 February 2011. And it was diffused on RTI at 1
21 p.m. on the 24th, at 8 p.m. on the 24th, and at 1 p.m. on the 25th. It's already
22 submitted on the record. It was introduced through P-11.
23 The transcript is item number 7 on our list of materials, CIV-OTP-0044-2534. The
24 relevant timestamp is 1.08.49. We'd like to display it until 1.12.10, which
25 corresponds to transcript pages 2556 at line 873 to 2557 at line 903, with sound.

1 (Viewing of the video excerpt)

2 THE INTERPRETER: [12:18:47] *Sight translation: I would like to take advantage of this
3 opportunity to congratulate the Atchan leaders because this afternoon some four UN tanks which
4 were heading towards the Akouédo camp, the military camp of Côte d'Ivoire, were blocked by an
5 Atchan leader. I would like to congratulate him. And I want everyone to do the same thing that
6 they have done. Do you have a vehicle? As soon as you see a UN contingent, block the road.
7 Do so till they understand that they are in a State which has leaders, until proof of the contrary.
8 They are not in a conquered State. While the AU panel is working at assessing the situation in
9 Côte d'Ivoire, the ONUCI is doing something else in Côte d'Ivoire. ONUCI is lending its
10 helicopters to the rebels and transporting them to the Golf Hotel through Hotel Sebroko...

11 PRESIDING JUDGE TARFUSSER: [12:19:19] Who has the problem? We have no
12 connection to the field. There is no electricity in the field at the moment. So we are
13 stuck now -- No, no, that's us. Here we are again, I think. Can you hear me, Mr Witness?

14 THE WITNESS: [12:20:06] (Interpretation) Yes, just fine.

15 PRESIDING JUDGE TARFUSSER: [12:20:07] Okay. So we restart again with the
16 video. You have to look at the video and then the Office of the Prosecutor will put
17 you some questions on that in relation to that video, okay?

18 THE WITNESS: [12:20:23] (Interpretation) Okay.

19 (Viewing of the video excerpt)

20 THE INTERPRETER: [12:20:43] Sight translation: I would like to take advantage of
21 this opportunity to congratulate the Atchan leaders because this afternoon four UN
22 tanks that were headed toward Akouédo camp, the military camp of Côte d'Ivoire,
23 were blocked by that Atchan chief. I would like to congratulate him and I want
24 everyone to do the same thing. If you have a vehicle, well, as soon as you see a UN
25 contingent, you have to block the road until they understand that they are in a state

1 that is being led, until there is proof to the contrary, they are not within a state that has been
2 conquered.

3 While the panel that arrived in Côte d'Ivoire to assess the situation on behalf of the African
4 Union, while that panel is doing its work, ONUCI is doing something else in Côte d'Ivoire.
5 ONUCI is lending its helicopters to the rebels to transport them to the Golf hotel by way of
6 Sebroko hotel, to take them to Abobo and drop them off throughout the entire commune, to
7 destabilize the government of Laurent Gbagbo. That is the role that UNOCI is playing in
8 Côte d'Ivoire. ONUCI is arming people, training people and transporting the rebels. But
9 what is this all about? What is their aim? Well, we are talking about a peaceful solution by
10 way of negotiation. The UN is doing something else.

11 Everything that you've done in Liberia, what you have been able to do in the Congo, what
12 you have been able to do in Rwanda, while you were present, people were exterminated.
13 We will not allow that to happen in Côte d'Ivoire. That is why I am asking, I am calling
14 upon all the young people of Côte d'Ivoire to keep the UN from moving about throughout
15 the commune of Abidjan, throughout the Abidjan district, because in the final analysis, the
16 UN is no longer in Côte d'Ivoire on a peacekeeping mission. The UN is in Côte d'Ivoire to
17 wage war on behalf of the rebels because the UN has lied to the entire world, speaking
18 through Choi, and thus the UN is waging war, is lending its radio station to the rebels, is
19 showing things on television for the rebels and is taking the rebels here and there,
20 transporting them. This can no longer go on. It must come to an end.

21 *Ok. Do people still have any thought, any consideration at all for Africa? The African Union
22 has decided to negotiate and the negotiations are underway. During this very time the UN is
23 organizing a war. We can no longer go along with that. Whether you are in Yopougon, in
24 Koumassi, in Port-Bouët, you are in Marcory, in Adjamé, Plateau, or wherever you are, you
25 must stop the UN from circulating. In order to be abreast with the latest instructions, I invite

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 you to major general assembly that we are organizing tomorrow in order to give the latest
2 instructions at the Baron de Yopougon. History is staring you in the face and you must you
3 must participate in the writing of the new pages of the history of our CÔTE D'IVOIRE. We
4 want to live so that our country can be developed, but ONUCI and the rebels must know that
5 we are also ready to die for that very cause. We are tired of our banks being closed without
6 due process. Enough is enough. Enough is enough. God bless CÔTE D'IVOIRE.

7 MS CHUBIN: [12:24:18] (Interpretation)

8 Q. [12:24:19] Now, Mr Witness, you told us that Mr Blé Goudé appeared on the
9 television station.

10 A. [12:24:26] Yes.

11 Q. [12:24:27] Is this the speech?

12 A. [12:24:29] No. He said in his speech that if you see someone in your neighbourhood that
13 you usually don't see, that person was a rebel, and that is when the roadblocks began to go up.

14 Q. [12:25:06] Now, have you seen this footage before?

15 A. [12:25:08] Just once. I haven't seen it since that day.

16 Q. [12:25:18] Now, the speech that we just showed, you saw it once?

17 A. [12:25:21] Yes, yes.

18 Q. [12:25:22] When was that?

19 A. [12:25:23] I don't remember the exact date.

20 Q. [12:25:38] Now, the roadblock is in Doukouré?

21 A. [12:25:44] Yes.

22 Q. [12:25:45] Can you tell us when they were set up? I don't -- but no, you --

23 THE INTERPRETER: Correction.

24 MS CHUBIN: (Interpretation)

25 Q. You cannot tell us when, but can you tell us how many there were?

1 A. [12:25:57] In the centre of the neighbourhood held by Noël, Noël and his friends,
2 I know them. There were Borsalino, some roadblocks held by Rougeot, Rougeot.
3 There were two, a small one, a short one and a tall one. The tall one, Rougeot, he
4 was *opposite Borsalino. I saw that. There was one, one roadblock that was held
5 by Nenebi. There was one that was held by Zokou. And the other Rougeot, the
6 short one, his roadblock was in Gotham, where an inhabitant of Doukouré was held
7 prisoner and nearly killed, thanks to one of his co-workers. I didn't see that
8 particular roadblock --

9 THE INTERPRETER: [12:27:21] Inaudible.

10 THE WITNESS: [12:27:23] (Interpretation) *-- It's Diarassouba Youssouf who
11 explained the fact to me because he almost got killed at that roadblock.

12 MS CHUBIN: [12:27:38] (Interpretation)

13 Q. [12:27:39] You personally, did you yourself go through any of these roadblocks
14 during the crisis?

15 A. [12:27:44] Yes, several times.

16 Q. [12:27:45] And what would happen when you went through the roadblock, how
17 did things unfold?

18 A. [12:27:55] I never paid, because they were people whom I knew well. We were
19 in the same neighbourhood, and they all say to me "Vieux père," which means older
20 person. Well, the person, the boys would pay to go through, but the women didn't
21 have to pay. And myself, I never had to pay.

22 Q. [12:28:30] So who did have to pay?

23 A. [12:28:32] The guys who would go out to work and then come back, they were
24 the ones who had to pay.

25 Q. [12:28:39] Why did they have to pay?

1 A. [12:28:41] I didn't ask the question. But they would pay because the
2 roadblock -- well, you see, they would set up a roadblock *across the road. They
3 placed barrels on each side of the road and --

4 THE INTERPRETER: [12:29:04] Inaudible.

5 THE WITNESS: [12:29:06] (Interpretation) *-- and put some wood on them. If
6 you didn't pay, you didn't go through.

7 MS CHUBIN: [12:29:10] (Interpretation)

8 Q. [12:29:10] And those boys who had to pay, which neighbourhood did they live in?

9 A. [12:29:16] Whether you were from Doukouré quartier neighbourhood or from
10 Sicogi, if you had to leave Doukouré neighbourhood you had to pay, and if you were
11 returning to Doukouré neighbourhood you still had to pay.

12 Q. [12:29:32] What was the ethnicity of those boys?

13 A. [12:29:35] I am not in a position to say because they never asked me for my ID
14 and they never asked for anyone else's ID in front of me.

15 Q. [12:29:52] Those who manned the roadblocks, which neighbourhood did they live in?

16 A. [12:30:02] *In Doukouré neighbourhood, all those who manned the roadblocks
17 lived in Doukouré neighbourhood. Noel lived in Zokou neighbourhood, Nenebi,
18 Rougeot and all the others, they all lived in that neighbourhood. In fact, most of
19 them were night watchmen who would watch over the neighbourhood against
20 thieves at night before the crisis. But now with the crisis and after Blé Goudé's
21 speech, they were manning the roadblocks which had been set up.

22 Q. [12:30:39] Are you able to give us the ethnicity or ethnicities of those young
23 people, those whose names you have mentioned who were manning the roadblocks?

24 A. [12:30:56] Yes. Noël is Bété. Zokou is Bété. Zokou, by the way, was
25 someone I was familiar with, I was close to. He told me that he had been in the

1 Liberia war. Rougeot was Gourou.

2 Q. [12:31:46] Mr Witness, that will be all on that line of questioning, I will now
3 move on to something else, particularly the collective of victims in the Yopougon
4 neighbourhood.

5 A. [12:31:57] Okay.

6 Q. [12:32:00] Prior to that, let me put a small question to you which relates to the 25th
7 of February. I'd forgotten to put a last question to you on that topic. You talked to us
8 about policemen. And I'm going to provide you with a reference shortly. You said
9 that the police would shoot into corridors. This is what you said. But I'll give you the
10 reference to the exact passage in a moment. For my colleagues, I'm referring to page 29,
11 line 23, at which you said, "The police then returned to Doukouré neighbourhood, and at
12 that time they started shooting real bullets at people in the neighbourhood. This means
13 that when they got to a corridor and they saw people at the end of the corridor they
14 would shoot at them. On that day, 12 people died." Now, my question is the
15 following: At that time when the police were shooting at people, where were you?

16 A. [12:34:00] I was in the neighbourhood where my house is located, and I was -- from
17 the position of my house, when I was in the corridor, towards the road, no one would see
18 me. However, as the police went along the main road, they would see small roads into
19 the neighbourhood, and if they saw anybody along those small inlets or roads, they would
20 shoot at them. *And on that day as they fired shots, they wounded Soumahoro Sékou on
21 the arm, Soumahoro Youssouf in the tibia, Sanao Siata (phon) was struck in his thorax, and
22 the bullet went through his thorax via his back and out in the front. And Bamba
23 Souleymane also was killed by bullet. And one hotel manager, whose name I later found
24 out to be Zanga, he too was killed by a bullet. And one hotel manager as well,
25 Soumahoro was wounded. That hotel manager Zanga (phon) was killed by a bullet.

1 There was also a young man who had fled hostilities from Abobo to Yopougon. But
2 unfortunately on that day he took a bullet and he died behind Traoré Okou's house. Then
3 they burnt six people and six others died, either struck by a bullet or a grenade.

4 Q. [12:35:53] When the police shot at people in the corridors or alleys, did you see
5 them shooting?

6 A. [12:36:00] Yes. In my corridor, when they fired, thanks be to God, they did not
7 strike anyone. But opposite the mosque, and you see right there it's not a corridor as
8 such, it's quite a broad alley. There were many people on that road, and so they
9 fired at the crowd. And that's where several people were struck, both to the left and
10 to the right of the mosque.

11 Q. [12:36:29] And the firing that took place in front of the mosque, did you see that
12 yourself?

13 A. [12:36:33] Yes. I saw them shooting, but the bullets did not strike anyone in
14 front of me. However, when they were firing, I saw them, when they were in the
15 neighbourhood and shooting. However, I did not see anyone fall under the impact
16 of those bullets.

17 Q. [12:37:04] In the mosque, in front of the mosque or along the corridors, did you
18 see any dead bodies of people who had been shot?

19 A. [12:37:15] I -- well, in LEM, well, Bakayoko Siaka fell before me, Timité as well.
20 And at the time they were being taken away, Siaka had not yet died. However, I
21 was told about the facts subsequently, although I did not see the dead bodies.

22 On that day, it was very risky to dare to go to any of those locations. It is only
23 subsequently that I was informed about the death of those who had been -- about the
24 deaths and of the injuries. So apart from Bakayoko and Timité, who fell in front of
25 me, I did not see the others.

1 Q. [12:38:11] Those people who were being shot at by the police, who were they?

2 Now, I'm not asking you to provide the Court with names.

3 A. [12:38:24] These were the inhabitants of the Doukouré neighbourhood.

4 Q. [12:38:31] What did you do thereafter on that day?

5 A. [12:38:39] Well, I ordinarily, we -- I was being tracked because they wanted to
6 kill me. But thanks be to God, the corridor which I travelled on, people could not
7 dare enter it because you know that they too were afraid to enter into the Doukouré
8 neighbourhood. So all they did was go into the open areas and avoid a number of
9 corridors. And I went down one of those corridors and I saw somebody who
10 wanted to shoot at me, and a young man told me, and since my back was turned to
11 him, a young man in front of me said to me, "Uncle, leave that place, someone behind
12 you is going to shoot at you." So when I turned around, he got up to enter my
13 corridor and at that time I felt in great danger, so I tried to leave the area. He
14 followed me, although not in the same corridor. You see, in our neighbourhoods
15 you have a number of junctions. You can see one junction here and another in front.
16 And when he wanted to shoot at me and did not succeed, I went to another junction.
17 And so when I got to the opposite junction, I felt that I was really in danger and so I
18 continued to seek refuge at my junior brother's house in the neighbourhood at the
19 école Pigeon. And that is where I remained until 7 p.m. in the evening.

20 Q. [12:40:42] Now, let me put a few questions to you on the collective.

21 A. [12:40:46] Okay.

22 Q. [12:40:50] When did you start the collective?

23 A. [12:41:02] The collective was launched in February 2011. When people were
24 injured or killed, we would receive such information and we would take down the
25 names in a register. That is how we began to identify all the victims, beginning with

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 25 February up until the end of the crisis.

2 Q. [12:41:47] When you say "we," "we," who are you referring to in addition to
3 yourself?

4 A. [12:41:54] I was the president of the collective. There was a vice-president
5 Brahim Bakayoko, also known as Bobby, his nickname, that is he and myself were
6 the ones doing the work.

7 Q. [12:42:17] Apart from you and Bakayoko Brahim, were there any other persons
8 involved in the work of your collective?

9 A. [12:42:30] Yes. There was the secretary general of the **collectif*, the late
10 secretary general Kassiri Mohamed Gnahoré, who was **the* secretary general.
11 Apapo Denis (phon) was the deputy secretary general. **There* was Lesséni (phon.)
12 Bakayoko and Bakayoko Gaosu (phon.); they all helped us to write down the names
13 of the victims.

14 Q. [12:43:21] During your discussions and interview with the investigators of the
15 OTP, you provided them with a number of documents from the collective. Now, I
16 want to show you first of all the receipt on the declaration of your association. And
17 I'll speak in English for a second.

18 (Speaks English) And if we could display annex 3 to his statement, which is document
19 number 4 on our list of materials, CIV-OTP-0058-0333. And it's a confidential document.

20 THE COURT OFFICER: (Via video link) [12:44:38] Your Honours, the item is
21 currently displayed on the computer to the witness.

22 PRESIDING JUDGE TARFUSSER: [12:44:45] Thank you, Wilfred.

23 MS CHUBIN: [12:44:53] (Interpretation)

24 Q. [12:44:54] Mr Witness, do you remember giving this document to the
25 investigators of the OTP?

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 A. [12:45:02] Yes, of course.

2 Q. [12:45:05] Can you briefly tell us what this is?

3 A. [12:45:10] This is a receipt acknowledging submission of an application for the
4 association to be recognised. You see, we were operating in the informal sector, but
5 then at some point decided to make our association formal by submitting an
6 application to the Ministry of the Interior, asking for authorisation, and we were
7 given a number.

8 MS CHUBIN: [12:45:51] The next item on our list of material, it's item number 5, it
9 corresponds to annex 4 to his statement, it's a confidential document,
10 CIV-OTP-0058-0334.

11 THE COURT OFFICER: (Via video link) [12:46:28] Your Honours, the item is
12 currently displayed on the computer to the witness.

13 PRESIDING JUDGE TARFUSSER: [12:46:34] Thank you.

14 MS CHUBIN: [12:46:43] (Interpretation)

15 Q. [12:46:44] Mr Witness, do you remember providing this document to the
16 investigators of the OTP?

17 A. [12:46:51] Yes. This is the document from the Ministry of the Interior. But the
18 other document was from the Yopougon mayor's office.

19 Q. [12:47:05] Very well. That will be all relating to those two documents.

20 A. [12:47:09] Okay.

21 Q. [12:47:11] Can you tell us the purpose of the CVDQY?

22 A. [12:47:22] It is CVQDY, CVQDY. Thank you. It must be said that we decided
23 to create the collective with a view to identifying and registering all the victims and
24 then subsequently to help them to contact a number of humanitarian NGOs as well as
25 the special investigations unit and the *CDVR, the CONARIV (phon) with a view to

1 being identified by the relevant structures put in place by the state for the purposes
2 for which they were created.

3 Q. [12:48:28] When did you start that work?

4 A. [12:48:33] From the 25th of February. On the 25th of February we could not
5 write down any names, but from Saturday the 26th of February up until the end of
6 the crisis, of the post-election crisis, we were able to take down information
7 pertaining to all those who had faced any problems or encountered any problems
8 during the crisis.

9 Q. [12:49:10] When the work of the collective started at the very beginning, do you
10 remember the very first activities that you undertook?

11 A. [12:49:16] Yes. The idea was to register and identify all those who had been
12 wounded on 25 February, those who had been killed and those who had been injured.
13 That is where we started our headcount.

14 Q. [12:49:38] Now, for those who were injured and apart from this registration,
15 what else did you do?

16 A. [12:49:45] Apart from this registration exercise, what we must say is that those
17 who were injured on 25 February came to us seeking help, and most of them had been
18 injured, and since we were not able to leave the neighbourhood we resorted to our
19 dean, Okou Traoré. The Dean Okou Traoré was a former now-retired civil servant.
20 And so we went to him and explained the situation to him. And then he
21 recommended that we contact one of his friends who had been in the health
22 department but who was also retired and that we express our concerns to him. And
23 it is he who provided us with first aid medication such as bandages, alcohol,
24 *antiseptics and other such treatment materials. This made it possible for us to take
25 care of those who had been injured.

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 Q. [12:51:07] You say Okou Traoré, the dean, what do you mean by that?

2 A. [12:51:22] He's a dean. He was a more elderly person. He is somebody who
3 had worked and who was retired, and then he had become the president of the
4 management committee of the Lem mosque. He was a popular man. All Muslims
5 knew him. Almost all those people in the neighbourhood or environment would
6 know him. And it is in that capacity that we contacted him.

7 Q. [12:51:56] Mr Witness, do you remember providing lists of victims from the
8 collective to the investigators of the OTP?

9 A. [12:52:34] Yes.

10 Q. [12:52:38] I will now show you the list again and I will be putting a few
11 questions to you about the list.

12 (Speaks English) Annex 1 to the statement, it is the second item on our list of material,
13 confidential document 0058-0320.

14 THE COURT OFFICER: (Via video link) [12:53:18] Your Honours, the item is
15 currently displayed to the witness.

16 PRESIDING JUDGE TARFUSSER: [12:53:22] Thank you, Wilfred.

17 MS CHUBIN: [12:53:24] (Interpretation)

18 Q. [12:53:34] Mr Witness, there is a document of 12 pages before you and you can
19 see on the first page -- can you see the first page?

20 A. [12:53:42] Yes.

21 Q. [12:53:43] Do you recognise that document?

22 A. [12:53:46] Very well, yes.

23 MS CHUBIN: [12:53:55] (Interpretation) I would now ask us to look at each page
24 briefly.

25 And does the witness have that document before him? I don't know if he has a hard

1 copy in the field. It might be better for him to use that because we are looking at a 12
2 page document.

3 THE COURT OFFICER: (Via video link) [12:54:19] I will proceed page by page.

4 MS CHUBIN: [12:54:23] Thank you.

5 THE COURT OFFICER: (Via video link) [12:54:35] I am currently on the second
6 page.

7 We are now on the third page, 324. We are now on the page 325. We have moved
8 to the page 326. We have moved to the page 327. We are currently on page 328.
9 We are currently on page 329. We are currently on page 330. We are at the last
10 page 331.

11 PRESIDING JUDGE TARFUSSER: [12:58:22] Maître N'Dry.

12 MR N'DRY: [12:58:24] (Interpretation) Mr President, just before the last page there
13 was a previous page, and I don't know whether we need to do this in the presence of
14 the witness. We want to object to the use of a particular document, not the entire
15 document, but a specific page.

16 PRESIDING JUDGE TARFUSSER: [12:58:57] So let's break here for the lunch. Then
17 we come back and you make your -- well, let's break for the lunch.

18 Wilfred, please, can you take out the witness. So we close the connection to the
19 remote location and we'll see each other at 2.30 local time, The Hague local time.
20 Let's disconnect.

21 (video link disconnected)

22 PRESIDING JUDGE TARFUSSER: [13:00:02] Thank you.

23 Maître N'Dry, if it's short, otherwise we go to after lunch.

24 MR N'DRY: [13:00:15] (Interpretation) Mr President, just a brief remark. We want
25 to object to the use of a document which was presented to the witness captioned "List

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 Of Persons Exhumed." We object to the use of that document on the grounds that
2 the exhumation exercise was conducted in 2014, and we want to point out that this is
3 outside the time frame of the charges.

4 Now, when we return, Mr President, we will also have something to say in the
5 presence of the witness, at which point we shall delve into a number of explanations
6 that are provided in this document. We will deal with that at length, particularly the
7 explanations provided by the witnesses or by -- in the statement -- rather, the
8 redactions that are contained in the document, not explanations, redactions. But in
9 any event, the exhumations occurred in 2014, Mr President.

10 PRESIDING JUDGE TARFUSSER: [13:01:33] Well, I would say that exhumations
11 cannot be but after the crisis, so this, I just say this out of immediacy.

12 But the Prosecutor.

13 Does the Defence for Mr Gbagbo have to say something? No. Okay. Thank you.
14 The Office of the Prosecutor.

15 MS CHUBIN: [13:01:58] Yes, Mr President, the page my colleague is referring to is
16 part of one document. I haven't yet asked the witness any questions about this
17 document. But in our submission the document should go in either as a whole or
18 not go in. And my learned friend is free to ask him any questions as to reliability in
19 cross-examination.

20 PRESIDING JUDGE TARFUSSER: [13:02:26] Okay. We will come back in one hour
21 and a half after the lunch break. Thank you very much. The hearing is adjourned.

22 (Recess taken at 1.02 p.m.)

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

24 THE COURT USHER: [14:32:44] All rise.

25 Please be seated.

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 PRESIDING JUDGE TARFUSSER: [14:33:11] Good afternoon.

2 Good afternoon, Mr Witness.

3 As I said before --

4 THE WITNESS: Bonjour.

5 PRESIDING JUDGE TARFUSSER: Before breaking, the objection by the Defence for

6 Mr Blé Goudé is rejected because it's obvious that -- obviously it's outside the

7 temporary scope, but a mass grave, if it is a mass grave, cannot be found but

8 after -- outside of the tendency of the scope of the charges, and obviously everyone

9 has the possibility then to put questions on this to the witness.

10 So the floor is back to the Office of the Prosecutor with the request to indicate

11 approximately how much she will continue to question. And I will just say that we

12 are very close to the time you envisaged. Thank you.

13 MS CHUBIN: [14:34:14] Thank you, Mr President. I expect to be 10 to 15 minutes.

14 PRESIDING JUDGE TARFUSSER: [14:34:19] Thank you very much. So then it

15 will be the Legal Representative of Victims to question the witness.

16 You have the floor.

17 MS CHUBIN: [14:34:33] Thank you.

18 Q. [14:34:36] (Interpretation) Good afternoon, Mr Witness. Can you hear me?

19 A. [14:34:44] Yes, very well.

20 Q. [14:34:49] I would like to go back to the list of victims that were shown to you

21 just before the lunch break.

22 THE COURT OFFICER: [14:35:00] (Via video link) Your Honours, *Mr. President,

23 the printed version of the document is being shown to the witness.

24 MS CHUBIN: [14:35:08] Perfect. Thank you very much.

25 Q. [14:35:16] (Interpretation) Mr Witness, do you remember having given those

1 lists to the investigators of the OTP?

2 A. [14:35:28] Yes.

3 Q. [14:35:30] Can you briefly describe to us the process that you used to identify
4 the victims and to establish these lists?

5 A. [14:35:50] Okay. Since 25 February 2011, when we were attacked in the
6 Doukouré neighbourhood, those who died were inside, and so we continued the
7 identification. Someone would come to talk about his or her relative who was dead,
8 and they would provide us with the documents, and it is on the basis of that that we
9 would register the names of the victims with the indicated dates.

10 Q. [14:36:47] I have a question on Brahim Bakayoko.

11 A. [14:36:57] Yes.

12 Q. [14:36:57] Does he know how to read and write?

13 A. [14:37:04] No.

14 Q. [14:37:07] So how did he take part in the process that you have just described?

15 A. [14:37:17] He would come with me because the majority of the victims
16 themselves were illiterate, the majority of victims could not read or write, and when
17 they came and saw him, and he, he cannot read, he cannot write, but he speaks
18 French well, and when they explained to him in French or other languages, he
19 understands very well, so it was not difficult for him to help me to fill up the lists.

20 Q. [14:38:11] And when he met with the families of the victims, were you
21 present?

22 A. [14:38:21] Often no, often yes.

23 Q. [14:38:29] And when did you -- when did you complete drawing up the lists of
24 victims?

25 A. [14:38:44] We just kept going on. Even last month I received a complaint

1 from a victim of the post-election crisis. His name is not yet on the list. So we
2 continue identifying people, that is if that victim is not registered by another
3 president of an organisation of victims.

4 Q. [14:39:19] So if I understand well, the lists have never been finalised?

5 A. [14:39:27] No.

6 Q. [14:39:30] So there are different versions of each of those lists?

7 A. [14:39:35] Yes. Quite often you can find a name and then later on you realise
8 that things have changed.

9 Q. [14:39:52] And when you add names to lists, do you use a pen or do you use a
10 computer or a typing machine?

11 A. [14:40:07] Since we have several copies, *when a name has to be added to the
12 list, *and if the list is handwritten on a piece of paper or typed on a machine, then the
13 name would be added by hand, using a pen. It is afterwards that it would be *typed
14 in on the machine.

15 Q. [14:40:49] You have just said since we have many copies while talking about
16 lists, did you give copies of those lists to other people, that is apart from the collective?

17 A. [14:41:06] Yes. We gave the lists to the Office of the Prosecutor. We gave the
18 lists to the central or paramount chief of the Doukouré neighbourhood. A copy was
19 given to the president of the management committee of the mosque. We also gave a list
20 to the town hall of the commune. And at that time we gave a copy to the état-major.
21 We also gave a copy to *the CONARIC... CDVR. *Yes a copy was given to CDVR.

22 Q. [14:42:26] During the crisis, were you in Abidjan the entire time, or did you
23 leave for a while?

24 A. [14:42:36] I left on the 23rd of the third month, because on Sunday, the 20th,
25 my vice president received an anonymous phone call accusing us of treating the

1 rebels. And so if we did not leave, they were coming to kill us. *So he left

2 Yopougon on that very Sunday, and I left on the 23rd of the third month.

3 Q. [14:43:22] And when did you return to Abidjan?

4 A. [14:43:30] I returned on the 15th of the fifth month.

5 Q. [14:43:43] And between 23 March and 15 May, how did you carry out working
6 on the lists and the identification of victims?

7 A. [14:44:02] During that period, things came to a standstill somehow, because
8 the situation was so serious that we left. And when I returned, because Brahima
9 returned just before me, I met him with Maité Vaguy (phon), who is a teacher, and
10 another gentleman who was living at the Lem, an Agni. He had not gone anywhere,
11 he had stayed there all the time. The day that we had buried people in the mass
12 grave, he was there and he took down the names of all the bodies that were there.
13 And when I returned I found that the list of those people was with Brahima because
14 he had returned before me.

15 Q. [14:45:44] And that list of names that he gave you, that is for the people who
16 were buried in the mass grave, do you still have it amongst your lists?

17 A. [14:46:02] Yes.

18 Q. [14:46:04] Thank you, Mr Witness. I have no further questions for you today.

19 PRESIDING JUDGE TARFUSSER: [14:46:12] Thank you very much.

20 I turn now to the Legal Representatives for their questioning within the parameters
21 they themselves gave from yesterday.

22 MR CARNERO ROJO: [14:46:31] Thank you very much, your Honours. If I can
23 have a few moments to arrange my papers, please.

24 (Pause in proceedings)

25 QUESTIONED BY MR CARNERO ROJO: (Interpretation)

1 Q. [14:47:30] Good afternoon, Mr Witness. Can you hear me?

2 A. [14:47:34] Yes, I can hear you.

3 Q. [14:47:37] Very well. We met last week during the courtesy meeting. You
4 know that I work with Ms Massidda, the LRV. My name is Enrique Carnero Rojo
5 and I'm a lawyer in Maître Massidda's team.

6 Today I'm going to ask you a few questions, but in English, not in French, because it's
7 not my mother tongue.

8 A. [14:48:14] Okay.

9 Q. [14:48:17] If you do not understand any one of my questions, do not hesitate to
10 ask me to repeat; is that correct?

11 A. [14:48:25] Yes.

12 MR CARNERO ROJO: [14:48:32] I will now switch to English.

13 Q. [14:48:35] Okay, Mr Witness, this morning when the Presiding Judge was
14 putting some questions to you, you indicated that you belong to the Mahouka group.
15 Can you tell us if you play a role within the Mahouka community in Doukouré?

16 A. [14:49:08] Yes.

17 Q. [14:49:08] Can you elaborate, please.

18 A. [14:49:20] Yes. *I am a subject of the central chief, the chief of the Mahouka
19 people in Doukouré neighbourhood. I am one of the chief's notables.

20 Q. [14:49:40] And since when have you a notable?

21 A. [14:50:00] I have been a notable ever since the 1990s.

22 Q. [14:50:04] And is actually a notable a leader within the community?

23 A. [14:50:13] Yes, a notable is a chief. The chief himself is the central or
24 paramount chief. The notable can gather information and convey it to the main
25 chief.

1 Q. [14:50:36] Okay, thank you very much.

2 So would it be correct to say that in that position that you had people trusted you and
3 because of that they spoke to you about their problems?

4 A. [14:50:57] Yes.

5 Q. [14:50:58] And as a community leader, did you monitor the situation in
6 Doukouré during the post-electoral crisis?

7 A. [14:51:17] Monitor in what way?

8 Q. [14:51:20] And so what I mean is did people report to you the problems they
9 had during the post-electoral crisis in Doukouré?

10 A. [14:51:38] Yes. There were people who would come and speak to me about
11 the problems they encountered.

12 Q. [14:51:51] So you have mentioned today several times someone called
13 Mr Traoré Okou. Since when do you know Mr Traoré?

14 A. [14:52:13] I have known Mr Traoré since the 1990s. At that time he was not
15 yet the president of the management committee. We were both faithful of the same
16 mosque.

17 Q. [14:52:37] So can you tell us what is your relationship with Mr Traoré, because
18 you referred to him as a doyen, but can you tell us a bit more about your relationship
19 with him?

20 A. [14:53:01] Well, Mr Traoré Okou in Ivorian jargon, he's known as our vieux
21 père, that is our old father. It means he is older than the rest of us. He is the
22 president of the management committee of the mosque that we attend. And during
23 that time in -- in the past we carried out political activities together. Now he's no
24 longer involved in political activities. He returned from Mecca and he gave us
25 advice in all aspects, either for the CVQDY, *of which he was the Islamic president.

1 He also gave us advice on life in general. We see each other regularly. We called
2 each other and we kept in touch for any other type of problems.

3 Q. [14:54:24] And was it in the context of this relation that you have with
4 Mr Traoré that you gave him the list of the victims that you compiled during the
5 post-electoral crisis?

6 A. [14:54:48] Yes.

7 Q. [14:54:48] And did you pass more information to him during the crisis?

8 A. [14:55:04] In any case, all the information that I received I shared with him.

9 Q. [14:55:15] Very well. *Now moving on to the *collectif* of victims in
10 Doukouré-Yopougon neighbourhood. It was mentioned during the questioning by
11 the Prosecution. And my question is, because you have just spoken about when it
12 was created and for which purpose, but can you tell us how the association was
13 financed?

14 A. [14:55:58] The association is funded by the vice president and myself, no one else.

15 Q. [14:56:11] So you can't get any assistance from the government or from any
16 other organisation?

17 A. [14:56:26] Absolutely not.

18 Q. [14:56:31] And this morning you mentioned that you also are a member of
19 another organisation called Solidarité 2000 that was founded in 1990?

20 A. [14:56:49] That is correct.

21 Q. [14:56:54] Can you tell us what was the purpose?

22 A. [14:56:55] Yes, Solidarité 2000.

23 Q. [14:57:01] Can you tell us what is the purpose of that organisation
24 Solidarité 2000?

25 A. [14:57:14] Solidarité 2000 is an NGO, a not for profit and humanitarian NGO.

1 Q. [14:57:34] And who are assisted by this organisation?

2 A. [14:57:50] Solidarité 2000 takes care of women, children and vulnerable
3 individuals.

4 Q. [14:58:07] So do you keep a kind of database, do you register those who
5 benefit from the activities of this organisation?

6 A. [14:58:31] At Solidarité 2000 I am the treasurer. *The president is Gnahoré
7 Mohamed ... Gnahoré Kassiri died in 2016. He was the one who was in possession
8 of all the documents of Solidarité 2000 and after his death now it is Seu Victor (phon),
9 aka Lucifer, who is in possession of the documents of Solidarité 2000. He lives 44
10 kilometres away from Abidjan, so he went away to carry out his activities.

11 Q. [14:59:40] So going back to the collective and the victims, do you keep a
12 database of the members of that collective?

13 A. [14:59:54] Yes.

14 Q. [14:59:57] And of the victims that are part of the collective, because we have
15 spoken about lists of victims, but can you tell us a bit more about whether you or
16 someone else in the collective kept a register of the victims?

17 A. [15:00:30] I haven't understood the question.

18 Q. [15:00:37] This morning the Prosecution has shown to you several lists of
19 victims. Can you tell us if the collectif des victimes has a database of victims?

20 A. [15:01:01] Yes, the names of the victims, we do have that in our database. It's
21 on a key.

22 Q. [15:01:09] And can you tell us more or less the number, how many victims
23 there are?

24 A. [15:01:25] I can't think of the number right off my head. If I have the
25 document maybe, but not right off of my head just like that.

1 Q. [15:01:34] More or less could it be 100, 1000, 2000?

2 A. [15:01:45] More than 2000.

3 Q. [15:02:00] And you have told us that the collective did not receive or had not
4 received any assistance or support from the government or other organisations. My
5 question is: Did the association provide financial assistance to the victims?

6 A. [15:02:36] Not really because we ourselves do not have money, maybe a
7 thousand francs, 2,000 francs. We don't have money. It's a trifle. It's just someone
8 who -- who might say to us "I'm hungry," we would only have a thousand francs for
9 that person. We really can't say that we've provided assistance to anyone. We just
10 don't have the resources to do that.

11 Q. [15:03:17] Mr Witness, do you have any knowledge of mass graves in
12 Doukouré?

13 A. [15:03:31] Yes.

14 Q. [15:03:32] And how did you get to know about the mass graves?

15 A. [15:03:47] When I left on the 23rd I stayed in Soribadougou in Akoupé
16 subpréfecture. My younger brother, who is now deceased, had called me and he
17 told me that several people had just been killed in the Doukouré neighbourhood.
18 When I got back I went to the neighbourhood, the main square, and that was called
19 the martyr square, and there we found a number of graves. There was one large
20 grave in the middle and many other smaller graves around that main grave. The
21 main grave was the mass grave. There were 26 people buried in there.

22 MR CARNERO ROJO: [15:04:59] Mr President, I would like to move into private
23 session.

24 PRESIDING JUDGE TARFUSSER: [15:05:04] Let's, please, go into private session.

25 (Private session at 3.05 p.m.) *Reclassified into open session

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 THE COURT OFFICER: [15:05:13] We're in private session, Mr President.

2 PRESIDING JUDGE TARFUSSER: [15:05:24] Yes, please.

3 MR CARNERO ROJO: [15:05:26] Thank you, Mr President.

4 Q. [15:05:27] Mr Witness, do you remember having been contacted by someone
5 from the Registry of the Court in 2012?

6 A. [15:05:54] Well, maybe. Well, I don't remember the date, but I do remember
7 that I met some people from the Registry in 2012.

8 Q. [15:06:11] And why were you contacted by members of the Registry in 2012?

9 A. [15:06:29] Well, the first person who met with me -- correction, the first people
10 who met with me explained things to me, what my role was within the community.
11 I'm an opinion-maker, you see, I am a community leader and, as such -- well, that is
12 why they approached me.

13 Q. [15:06:59] And what did you do after you were approached by the Registry in
14 that capacity?

15 A. [15:07:17] Well, when they met with me, the people who met with me asked
16 whether during the crisis I had been aware of people who had been subjected to
17 torture, people who had died during the crisis. Now, initially, I was somewhat
18 hesitant, but because of the victims whom I had begun to identify, I did tell them that,
19 yes, I did know some people fitting those descriptions.

20 Q. [15:08:14] So I understand that you put some of those victims you just
21 mentioned in contact with the Registry of the Court for the victims to fill in
22 application forms; is that correct?

23 A. [15:08:32] Yes.

24 Q. [15:08:37] And when the victims fill in -- the first victims fill in their
25 application forms, were you present?

1 A. [15:08:52] No.

2 Q. [15:09:02] So do you remember having been chosen as a focal point for the
3 application form on the victims as a group? I'm talking about focal point.

4 A. [15:09:26] Yes.

5 Q. [15:09:27] And in other instances did you personally help victims to fill in their
6 applications forms to participate in the proceedings before the Court?

7 A. [15:09:41] Yes.

8 Q. [15:09:44] So how did you proceed in -- for that purpose?

9 A. [15:09:59] Well, since I have the list of victims and the date that they were
10 victimised on, be it during the post-election crisis or specified dates, the victims who
11 fell into these various categories, I would explain to them that there was an
12 International Criminal Court, what it was all about, and how to fill out the application
13 form. Some people were willing to fill out the participation form, whereas others
14 said that there was no point because what was done was done. The ones who
15 agreed were the ones who filled out the participation forms.

16 Q. [15:11:10] So did you personally help them when they filled in their
17 application forms?

18 A. [15:11:24] No, because I didn't have the form at hand. The people who
19 contacted me, if there were victims who were willing to fill out the form, the
20 participation form, I would report back to the person who had contacted me and that
21 person would ask me the number of people who were willing to fill out the forms and
22 he would send the exact number of forms. Often he, himself, was close by. If he
23 had other things to do, he would give the form within a week and then go in -- then
24 come back and get the filled-out forms.

25 MR CARNERO ROJO: [15:12:28] We can go back into public session.

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

- 1 PRESIDING JUDGE TARFUSSER: [15:12:30] Let's please go back into public
2 session, thank you.
3 (Open session at 3.12 p.m.)
4 PRESIDING JUDGE TARFUSSER: [15:12:44] Maître Altit.
5 THE COURT OFFICER: [15:12:50] We are back in open session, Mr President.
6 PRESIDING JUDGE TARFUSSER: [15:12:53] Maître Altit, please.
7 MR ALTIT: [15:12:56] (Interpretation) Thank you, your Honour. Your Honours,
8 in the absence of any item of information that would justify going into private session
9 for this last passage, we request that the Chamber reclassify the transcript and this
10 should be on the public --
11 PRESIDING JUDGE TARFUSSER: [15:13:23] This should be on the public record, I
12 would say.
13 Yes.
14 MR CARNERO ROJO: [15:13:29] Yes, one last question for the witness.
15 PRESIDING JUDGE TARFUSSER: [15:13:31] No, but do you want to reply on this?
16 MR CARNERO ROJO: [15:13:36] No, I agree, it can be reclassified.
17 PRESIDING JUDGE TARFUSSER: [15:13:38] Okay. So the question is why did
18 we go into private session?
19 MR CARNERO ROJO: [15:13:43] Well, I didn't know if he was going to provide
20 the names of people.
21 PRESIDING JUDGE TARFUSSER: [15:13:48] Okay. So we can reclassify this
22 portion of record. Thank you.
23 The floor is yours.
24 MR CARNERO ROJO: [15:13:59] Thank you, Mr President.
25 Q. [15:14:01] Mr Witness, one last question. Did you personally suffer harm

1 during the post-electoral crisis?

2 A. [15:14:26] Well, I was not injured, but I did suffer.

3 Q. [15:14:33] And can you tell us which harm did you suffer and what has been
4 the impact of the crisis on your life?

5 A. [15:14:52] On 25 February, when we left the house after the gunshots, my
6 house was ransacked, everything was taken, and thus we had to go and sleep in the
7 home of my younger brother, and then I had to leave Abidjan and so I must say -- you
8 see, I was a cabinet-maker and a carpenter and my workshop was in Doukouré
9 neighbourhood, so my house, the workshop, everything was ransacked, all the tools
10 disappeared. I had some very expensive tools that no longer belong to me. And
11 now, you see, given my age, these were tools that I acquired over many long years of
12 work. Given my age, I really am not in a position to have such tools and equipment
13 again, so my old bones are -- well, if I had that equipment, I would be able to support
14 myself. So that is why I'm saying that I have suffered enormously.

15 Q. [15:16:35] Thank you, Mr Witness.

16 Those are all my questions, your Honours.

17 THE INTERPRETER: [15:16:39] Message from the interpreter, Interpreter

18 correction: In the reply the witness said, "My last days are mortgaged", not "my old
19 bones"; "my last days are mortgaged".

20 PRESIDING JUDGE TARFUSSER: [15:16:56] Thank you very much. There was a
21 correction by the interpreters, that's why I waited.

22 Now the floor is to the Defence teams. I don't know who wants to start. I see
23 Maître Altit going on his feet.

24 Please, Maître Altit.

25 MR ALTIT: [15:17:15] (Interpretation) Thank you, your Honour. Your Honours,

1 the witness will be questioned by Ms Naouri on behalf of the Gbagbo Defence team.

2 PRESIDING JUDGE TARFUSSER: [15:17:28] Thank you very much.

3 Madam Naouri.

4 MS NAOURI: [15:17:46] (Interpretation) Thank you, your Honour.

5 QUESTIONED BY MS NAOURI: (Interpretation)

6 Q. [15:17:51] Good afternoon, Witness.

7 A. [15:17:53] Good afternoon, Counsel.

8 Q. [15:17:55] My name is Jennifer Naouri and I am the person who will be putting
9 questions to you on behalf of the Gbagbo Defence team.

10 A. [15:18:03] Okay. Delighted to meet you.

11 Q. [15:18:07] Likewise. Now, this morning when you were answering questions
12 from the OTP you told us, and I will provide the references, page 9, lines 1 to 18, you
13 said that you were a member of the RDR and you are still a member.

14 A. [15:18:27] Yes.

15 Q. [15:18:28] So my question to you is this: When were you appointed the
16 person responsible for the grassroots committee in Doukouré?

17 A. [15:18:46] That was in 1994.

18 Q. [15:18:57] Who appointed you or how did you come to be appointed?

19 A. [15:19:06] I was appointed to that position because, you see, I am a member of
20 the community, I am an opinion-maker, someone who leads within the people living
21 in Doukouré. *I am a public person, personality or figure, nearly everyone in the
22 Doukouré neighbourhood knows me, and my section secretary, Coulibaly Bakary,
23 was fully aware of my abilities, my ability to bring people together, and so that is why
24 I was appointed.

25 Q. [15:20:01] So you're telling us that he was the one who appointed you?

1 A. [15:20:05] Yes.

2 Q. [15:20:14] Did you report to the local campaign director?

3 A. [15:20:21] In 1994, no. I reported to Coulibaly Bakary and he, in turn, sent the
4 information up the ladder, so to speak, within the organisation.

5 Q. [15:20:36] Very well. And during the 2010 election?

6 A. [15:20:45] In the 2010 election I had a different status, I was a section secretary
7 and I was a mobile supervisor to the Assonvon district, and that included five polling
8 stations, so I went around to the various polling stations throughout the entire day. I
9 had come up a little bit within the organisation, I had risen up the ranks.

10 Q. [15:21:34] Very well. Let me repeat my question. Now, as part of these
11 activities, did you report to the local campaign director?

12 A. [15:21:45] Yes, in the year 2010 I did.

13 Q. [15:21:51] Could you give us his name?

14 A. [15:21:54] Adama Touré.

15 Q. [15:22:01] Very well. Could you tell us the duties of Koné Kafana during the
16 campaign?

17 A. [15:22:19] Koné Kafana was the director responsible for the regional campaign.
18 He was the one who was the boss of everyone who was part of that initiative in
19 Yopougon.

20 Q. [15:22:43] Very well. And Imbassou Ouattara, during the campaign, what
21 did he do?

22 A. [15:23:02] He was the person in charge of the supporters. You see, the
23 grassroots supporters and the section secretaries would report to him and he was the
24 director of the campaign because Yopougon was divided into several areas, so he was
25 in charge of one particular campaign zone.

1 Q. [15:23:31] Very well. And finally Doumbia Youssouf, what did that person do?

2 A. [15:23:42] Youssouf was also one of the DOCs, one of the campaign
3 organisation directors, another area within Yopougon. He was our director and he
4 was organising the campaign.

5 Q. [15:24:06] Very well. Could you tell us where the campaign headquarters of
6 the RDR were in Doukouré?

7 A. [15:24:17] The campaign headquarters in Doukouré were alongside -- along
8 the main boulevard, just alongside the main boulevard in Doukouré. We had set up
9 a tarpaulin and there were some chairs underneath the tarp and we set up a sound
10 system so that we could have various activities there at the headquarters.

11 Q. [15:24:56] Was that at the home of Touré Adama?

12 A. [15:25:00] Well, that was the campaign headquarters of the zone, but within
13 Doukouré neighbourhood that was the headquarters for the north part of the area.

14 Q. [15:25:16] Very well. That's very clear.

15 Was Touré's house, the headquarters, close to a polling station?

16 A. [15:25:33] Yes. Sicogi 10 was not far from Touré's house, Sicogi 10, our
17 polling station. Otherwise, you see, beside, even closer to Adama Touré, there was
18 the Megui Bamba school and that was also a polling station, but that was not part of
19 our group, it did not come under our authority.

20 Q. [15:26:18] And you personally, what did you do as the local campaign director,
21 during the 2010 election of course?

22 A. [15:26:27] Well, during the second round -- well, during the first round I was a
23 mobile supervisor, but during the second round I was the local director of the
24 campaign, so I ensured that scrutineers were there, that is to say the people who
25 would observe voting and count the ballots, and bring the information from each

1 polling station, and then we would cover their food, provide them with a per diem.

2 I was responsible for all of that for the second round of voting as the local director of
3 campaign, the local campaign director, rather.

4 Q. [15:27:25] Very well. And did you organise meetings and rallies?

5 A. [15:27:31] Yes, we organised meetings. *When the district organised meetings,
6 it would be at the home of Adama Touré or the Saguidiba intersection at the bloc de
7 célibataire. Everyone in Yopougon knows that place. And the major rallies held
8 either at the RDR headquarters, *in Yopougon, at place Figayo or at the CPI square.

9 THE INTERPRETER: [15:28:20] The witness mentioned place CP1.

10 MS NAOURI: [15:28:27](Interpretation)

11 Q. [15:28:28] Very well. So you personally organised meetings and rallies; is
12 that correct?

13 A. [15:28:32] Not rallies, I did not organise rallies, but meetings, yes, because a
14 meeting, you see, is not as big as a rally, it is not as important.

15 Q. [15:28:45] Very well. Did you hold meetings at Bobby's place in Doukouré
16 during the campaign?

17 A. [15:28:59] Yes, that was our meeting place for the section, for our section.

18 You see, Doukouré is a district that was divided into seven sections. Doukouré had
19 three sections, that is where we used to live, Doukouré south, Doukouré north and
20 Doukouré centre. So the Doukouré north meetings took place at Bobby's place,
21 because it was closed up and it was more secure.

22 Q. [15:29:45] Very well. How many people attended those meetings?

23 A. [15:29:51] It depended, it depended. Often we could have had up to 20 or 40
24 persons in attendance, and sometimes there would be no sitting space.

25 Q. [15:30:17] Very well. Mr Witness, during the campaign, did you also go to

1 the grin?

2 A. [15:30:26] Yes. Our grin was almost like the headquarters in Doukouré
3 neighbourhood, because between the grin and the headquarters, which was set up
4 along the road, there was a distance of barely 20 metres. So we would go to the grin,
5 yes.

6 Q. [15:30:57] Very well. Did you go to the grin on a daily basis?

7 A. [15:31:10] Myself, yes.

8 Q. [15:31:15] Can you explain to us how the grins were structured or organised?

9 A. [15:31:24] Well, our grin was a platform made up mostly of taxidriviers, the
10 gbaka and other workers, carpenters, tailors, brick layers. And so when a driver was
11 not on duty or when he was expected to start work at 10, we would show up at the
12 platform at about 8 a.m. and meet with other workers who have nothing to do on that
13 day, and they would talk about everything and nothing. In fact, tea which was
14 called a taï was provided at that time which we would share while having our
15 discussions. The grin was not organised or structured on paper, but people showed
16 up to have these discussions throughout the day and people would mount the stage
17 and talk throughout the day.

18 Q. [15:32:53] Very well. Who were the leaders of the grin, at least your own grin,
19 who was your leader?

20 A. [15:33:02] The grin which I went to, well, there was the late Diallo Siaka, who
21 was -- well, first of all, his elder brother had an ironworks workshop nearby, a metal
22 workshop nearby, and he began receiving people. But after he died it was Siaka
23 who was hosting people on his piece of land, because it was on that piece of land that
24 people would meet.

25 Today Siaka is dead and I myself, I was one of the leaders of the grin. So generally

1 such leaders would be wise people, people who are able to rally others together.

2 And so if you went to any grin, much the same way as ours, it was the wise men who
3 were the leaders of those grins and who were to rally people together.

4 Q. [15:34:09] Very well. You told us that you talked about everything and about
5 nothing. And did you talk about political programmes?

6 A. [15:34:20] Yes. Most of the time and going by what was in the news*. When
7 the news dealt with politics, we would talk about politics; if it was football, we would
8 talk about football; if it is random tit bits, we would also talk about such things.

9 Q. [15:34:44] Very well.

10 Were all members of the grin Ouattara supporters?

11 A. [15:34:55] No. We had the MFA and even the FPI, some of their members
12 attended the grin and other supporters of Ouattara as well.

13 Q. [15:35:21] Very well. Were most of those who attended the grin supporters of
14 the RDR?

15 A. [15:35:32] Yes.

16 Q. [15:35:45] Did people talk about organising marches at the grin?

17 A. [15:35:53] When it came to organising marches, those decisions were taken by
18 the officials, the leaders, and then we would receive the information. We were not
19 the ones who organised the marches. We were mere members and supporters.

20 Now, if information came to us that we needed to go to march, we could pass on that
21 information to those who were not aware. But we did not talk about organising
22 marches, because we were not the ones in organising marches.

23 Q. [15:36:35] Very well. Did you send any people to the grin with a view to
24 mobilising them so that they could participate in various rallies and marches?

25 A. [15:36:48] No. Those who came to the platform, if they were not aware of

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 something, they could be informed that, oh, today we have a march at such-and-such
2 a place, have you received that information? And if the person has not received the
3 information, then the information is provided to them in that way and that person can
4 then in turn also inform someone else accordingly.

5 But in any event, we did not send people to the platforms to animate or moderate any
6 such thing.

7 Q. [15:37:33] Very well. Now, we would like to draw the Chamber's attention to
8 the following document, CIV-OTP-0020-0037.

9 THE INTERPRETER: And the interpreters didn't get the reference in full,
10 Mr President.

11 PRESIDING JUDGE TARFUSSER: [15:37:59] The reference was not got full by the
12 interpreters.

13 MS NAOURI: [15:38:11](Interpretation)

14 Q. [15:38:11] Mr Witness, I'll repeat the reference and then put the question to
15 you again, CIV-OTP-0020-0335_R01 at paragraph 25.

16 MS CHUBIN: [15:38:35] Mr President, I haven't had time to open that document
17 yet, but could we know what the document is or either you put something to the
18 witness in reference to the document or use it in some way, otherwise I think
19 references can be made in final submissions.

20 MS NAOURI: [15:39:00](Interpretation) Well, I can't say what this is all about,
21 because it is confidential information and the witness is there.

22 And the OTP and the two Defence teams have proceeded in this manner. We can
23 reference the document for the case file, but it doesn't mean that we are going to
24 produce it into evidence. It is only for reference purposes as has been done by our
25 learned colleagues and by defence teams so far. This document appears on our list

1 of materials as notified.

2 MS CHUBIN: Just for clarity, is the document being used as a reasonable basis for
3 the questions?

4 PRESIDING JUDGE TARFUSSER: [15:39:35] I don't know, but let's put the
5 question. I don't know yet. We anticipate no position. We don't even know what
6 this is about.

7 Now, now I do know. Well, as it was said in a previous occasion, we are not
8 confronting the witness with something which is not yet in the record which is said
9 by somebody else. We can generally speak about we have information, but we will
10 not submit the document. And we will not also confront him literally with what was
11 said. Just generically there is information about this and this.

12 MS NAOURI: [15:40:41](Interpretation) That is correct, Mr President, and that's
13 the only reason for which we provided the reference.

14 PRESIDING JUDGE TARFUSSER: Okay, perfect.

15 MS NAOURI: (Interpretation) And we might have to refer to it later on.

16 Q. [15:40:55] Now, Mr Witness, I want to ask you whether there were many grins
17 in Yopougon?

18 A. [15:41:01] Many of them.

19 Q. [15:41:03] How many of them, approximately?

20 A. [15:41:06] I -- I didn't count, but there were many of them. Almost every
21 sub-neighbourhood in Doukouré neighbourhood and in the district had about 10
22 grins, about 10 in one district. At such grins you would find people in attendance at
23 any given time.

24 Q. [15:41:43] Can you tell us where other grins in Yopougon were located?

25 A. [15:41:53] Apart from the grin at the headquarters of the Doukouré

1 neighbourhood, there was one behind impôt, Sogefia 6, there was a grin there, and
2 that is the grin at which I met Gnagate was -- Ahmed Gnagate was selling charcoal,
3 on the 25th he was selling charcoal at that grin. And that is one of the grin. Then
4 you have a grin at Wassakara. One of the bigger grin in Yopougon, which was
5 called Makoussi in Wassakara market. Then there was one at terminus 40 in front of
6 the laundry workshop of Jean Tioumandé *Vassidoujan (phon). There was a grin
7 there. Then in Doukouré neighbourhood itself, all the café were grin because people
8 would gather at any given time discussing at any given time. And if you were used
9 to gathering at various platforms those areas were what we referred to as grin, and
10 there were very, very many of them.

11 Q. [15:43:47] Very well. Were there any weapons held or stored at the various
12 grin?

13 A. [15:43:56] The grin? Well, what you might find there as a weapon would be a
14 knife, which the seller of coffee would use to cut the lemon. When you want to
15 drink kinkeliba, the one who sells you that coffee uses a small knife to slice the lemon
16 or -- and then -- and then put it in your kinkeliba. Now, apart from such knives, no
17 one would have dared to place any weapons in a grin because if there were to be any
18 issues someone could have used them, so there were no weapons at any grin.

19 Q. [15:44:57] Very well. Did you hear mention of any weapons caches in
20 Doukouré during the crisis?

21 A. [15:45:11] Well, during the crisis Maguy Le Tocard, and by the way I wasn't
22 there, Maguy Le Tocard came to talk to the youth of Doukouré neighbourhood. And
23 when he took the floor he said that he had been told allegedly that some weapons had
24 been hidden in Doukouré neighbourhood and that is why the Doukouré
25 neighbourhood was attacked. However, during the two days of the attacks, there

1 was not any noise from a gunshot in Doukouré neighbourhood, so it was actually a
2 false alert. That is the information I received from those who had remained behind
3 when I came back. Even the mosque had been attacked allegedly because there were
4 some weapons caches under the mats that were used for prayers. And, Counsel, I
5 would like to tell you that even if you had a small pebble under the mat for your
6 prayers you would not be able to put your head to the ground because these mats are
7 flat, they are light and they lie on the floor, on the ground, and you cannot put
8 anything underneath the mats otherwise you run the risk of hurting yourself.

9 Q. [15:46:45] Very well. Thank you, Mr Witness. Now if we return to your
10 campaign activities, how were your campaign activities funded?

11 A. [15:46:57] Funding came from the political leaders.

12 Q. [15:47:10] Did Touré Adama fund any of your campaign activities?

13 A. [15:47:22] Funding came from the first mayor of the commune, Koné Kafana,
14 who would give money to the departmental leaders who were *Ouattara Imbassou
15 and Doumbia Yaya, and then they would, in turn, provide the funds to Adama Touré
16 who would then distribute such funding according to the various branches of
17 activities.

18 Q. [15:48:05] Did the political commissioner of the RDR give you money, to you
19 personally, in addition to the campaign funding on a weekly basis?

20 A. [15:48:15] No.

21 Q. [15:48:29] Were you aware that Bobby was receiving funding from Touré
22 Adama in relation to his campaign activities?

23 A. [15:48:40] No.

24 Q. [15:48:42] Very well. The school at Sicogi 10 was used as a polling station in
25 the 2010 elections; is that correct?

- 1 A. [15:49:03] Yes.
- 2 Q. [15:49:04] You were the supervisor at that polling station; is that correct?
- 3 A. [15:49:09] Yes.
- 4 Q. [15:49:12] Who appointed you to that position?
- 5 A. [15:49:22] It was Adama Touré who was the political commissioner.
- 6 Q. [15:49:33] Very well. Were you remunerated for holding that position?
- 7 A. [15:49:38] No. On the election day, the single election day, the supervisor
- 8 was remunerated for that single voting day only.
- 9 Q. [15:49:56] Very well. Bobby was also a supervisor like you; is that correct?
- 10 A. [15:50:03] No, Bobby was of the mobilisation and proximity committee.
- 11 Q. [15:50:25] As supervisor, was it your duty to ensure that there was safety and
- 12 security and proper monitoring of the polling area?
- 13 A. [15:50:37] Yes.
- 14 Q. [15:50:46] How did you organise that monitoring or supervision?
- 15 A. [15:50:53] As supervisor, and for each polling station, each candidate had a
- 16 scrutineer and his deputy, the -- or, returning officer was inside to supervise the
- 17 arrivals and departure of voters, whereas the deputy or alternate stands at the door to
- 18 respond to any needs from the supervisor; for example, answering nature's call, in
- 19 which case the alternate would replace him as he goes to answer nature's call, and
- 20 upon his return the alternate would go back to the door while the substantive
- 21 supervisor would be inside.
- 22 Q. [15:51:52] Very well. Did the young people of Doukouré supervise polling
- 23 stations?
- 24 A. [15:51:59] Yes.
- 25 Q. [15:52:00] How many of them?

1 A. [15:52:02] In Sicogi 10 there were 10 persons.

2 Q. [15:52:09] Who asked them to supervise the polling stations?

3 A. [15:52:17] Polling stations, well, I'm sorry, let me clarify. There were nine,
4 nine polling stations times two. So nine polling stations times two, that would make
5 18 persons. Nine of them would be inside the polling station and nine others would
6 be their alternates. And we were the ones who selected those young people or those
7 individuals.

8 Q. [15:52:57] Very well. And these were RDR youth; correct?

9 A. [15:53:01] Yes. Well, if you take someone to supervise or monitor your
10 polling station in order to check against fraud, you have to take someone who is on
11 your political side and whom you trust, otherwise things could go wrong which
12 would not be a good thing.

13 Q. [15:53:24] Were there any other youth supervising or monitoring other polling
14 stations in Yopougon?

15 A. [15:53:33] Wherever there was a polling station, wherever there was a voting
16 point, people belonging to all candidates were positioned, people were there in all
17 polling stations.

18 Q. [15:53:53] Very well. Now you, yourself, did you encourage the young
19 people to register and to vote?

20 A. [15:54:09] Yes. During the meetings we told everybody to -- to vote because
21 if you don't vote you cannot win. So we told them to go and vote.

22 Q. [15:54:25] Did you encourage the young people of Doukouré to register in
23 Yao Séhi?

24 A. [15:54:36] No.

25 Q. [15:54:42] Did you know that Bobby had encouraged people to enrol in

1 Yao Séhi, not in Doukouré?

2 A. [15:54:55] Yes. In relation to the vote, yes, yes. Yes, we encouraged people,
3 particularly in the preschool centre which was opposite the Doukouré neighbourhood.
4 There was a voting or a polling centre belonging to Yao Séhi and at that place the
5 pro-Ouattara supporters were a minority. And quite often they were being stopped
6 from voting, and that is why we encouraged or invited part of the inhabitants of
7 Doukouré neighbourhood to register in Yao Séhi in relation to proximity because all
8 you needed to do was go across the main road and you would be at the school centre.
9 So many people went to register there. First of all, they obtained their identity cards,
10 and that polling station became their polling station and they continued to vote at that
11 location even today.

12 Q. [15:56:18] Very well. Were those youth expected to monitor or supervise the
13 ballots in Yao Séhi?

14 A. [15:56:30] The organisation now structure of the RDR does not allow the youth
15 of Doukouré to supervise the youth in Yao Séhi or the polling stations in Yao Séhi.
16 There is an organisation in Yao Séhi, whose secretary is Kamaraté Mariam, and that
17 structure manages the preschool centre. So all we did in relation to Yao Séhi is to
18 encourage people to register there. Now, if a young person is registered there,
19 they're expected to vote there during the elections, but if at the time of election they
20 prefer to vote in their regular place of voting, we did not say no to them. So they
21 were free to vote there as well.

22 Q. [15:57:28] Very well. Did you know that Bobby had sent some young people
23 to register at Yao Séhi so that they could monitor the polling or the voting in
24 Yao Séhi?

25 A. [15:57:41] No.

Trial Hearing
WITNESS: CIV-OTP-P-0436

(Private Session)

ICC-02/11-01/15

1 Q. [15:57:47] Very well.

2 MS NAOURI: [15:58:02] (Interpretation) Mr President, I turn to you now. We are
3 about to turn to a different line of questioning on the clashes. Maybe this is the right
4 time to take the break and then resume tomorrow morning.

5 PRESIDING JUDGE TARFUSSER: [15:58:14] Okay, I agree. Let's break today, for
6 today. We will resume tomorrow morning at -- now, the question is at what time
7 because I learned there are two hours of difference, two hours difference between
8 here and Abidjan and I thought it was only one. So I would ask the court officer
9 here and in the remote location if they agree to continue like today or they would
10 rather prefer to start one hour later, so we do one hour later and they one hour earlier.

11 THE COURT OFFICER: [15:59:05] (Via video link) Your Honour.

12 PRESIDING JUDGE TARFUSSER: [15:59:06] Yes.

13 THE COURT OFFICER: [15:59:07] (Via video link) We started at 7.30 this morning.
14 I presume that we will be okay to start at the same time tomorrow.

15 PRESIDING JUDGE TARFUSSER: [15:59:21] But would you like to prefer -- would
16 you prefer to start at 8.30, would that be okay, better with you?

17 THE COURT OFFICER: [15:59:30] (Via video link) I would have to ask the service
18 providers here, but we are ready to start at 7.30 tomorrow.

19 (Trial Chamber confers)

20 PRESIDING JUDGE TARFUSSER: [16:00:01] So let's start at 7.30 for them. I mean,
21 if they are fine, it is not our problem. I think we should start then at 9.30 The Hague
22 time.

23 Mr Witness, are you fine getting up early in the morning?

24 THE WITNESS: [16:00:23] (Interpretation) Without any problem.

25 PRESIDING JUDGE TARFUSSER: [16:00:23] Okay. Okay, so let's start at usual at

1 7.30 in the remote location and 9.30 here in The Hague.

2 Thank you very much, the hearing is adjourned.

3 Thank you, Mr Witness.

4 THE COURT USHER: [16:00:38] All rise.

5 (The hearing ends in open session at 4.00 p.m.)

6 RECLASSIFICATION REPORT

7 Pursuant to Trial Chamber I's instructions dated 1st May 2017, the private session

8 commencing at page 63 line 25 and ending at page 66 line 3 has been reclassified into

9 public session, the transcript is therefore made public.

10 CORRECTIONS REPORT

11 The Language Services Section has made the following corrections in the transcript:

12 *Page 4, line 24: "Sourbadougou" is corrected to "Soribadougou"

13 *Page 10, line 1: "Sicogi" is added.

14 *Page 10, line 2: "This" is corrected to "The Sicogi"

15 *Page 10, lines 2-3:

16 "if you come from the police station in the 6th arrondissement" is corrected to "can be

17 reached if you come from the 16th arrondissement police station"

18 *Page 10, line 16:

19 ". Sogefia Kouté is what it is referred to." is corrected to "also known as Sogefiha 6,
20 Sogefiha Kouté."

21 *Page 10, line 18: "the headquarters. The" is corrected to "Sicogi 10 to the

22 headquarters, the"

23 *Page 11, line 12: "After, well after." is corrected to "Before? A long time before?"

24 *Page 12, line 24:

25 "They would play together." is corrected to "They would play football together.

1 They would go to the *maquis* together.”

2 *Page 14, line 10:

3 “there also in Sogefia and then Niangon, after Timhotel Hotel” is corrected to “in

4 Niangon: one in Sogefiha and the other in Niangon, after Timotel Hotel”

5 *Page 15, line 24:

6 “He was the chief of staff after.” is corrected to “He was the chief of staff after

7 Mathias Doué from whom he took over as chief of staff.”

8 *Page 27, line 2:

9 “On table then Fofana Brahima, Diallo Adama.” is corrected to “There were many of
10 us. There was Fofana Brahima, Diallo, Adama. There were any of us. A lot of us.”

11 *Page 35, lines 7-9:

12 “but we are wondering what why is the Prosecution displaying this video, because
13 none of these people –” is corrected to “but we are wondering what the Prosecution is
14 relying on -- why is the Prosecution displaying this video. There is no link between
15 the video and what the witness has just said. Thank you Mr. President. “

16 *Page 36, lines 14-15:

17 “I would like to ask, what will the fate of the transcript be in relation to the Court
18 record?” is corrected to “I would like to ask, what will the fate of those transcripts be
19 in relation to the Court record? Since the content has been challenged by the
20 Defence of Mr. Charles Blé Goudé.”

21 *Page 37, line 7:

22 “I can see agence SGBCI, oh, yes, I see.” is corrected to “But for now I have Agence
23 SODECI, Agence SGBCI. Yes. I see that and that is it.”

24 *Page 37, lines 22-25:

25 “I think in this case the witness is not giving testimony, it is the person putting the

1 question who is now giving testimony. I think we need some questions about the
2 location of this place and I really think we need to make the proper distinction
3 between what the witness is telling us and what the Prosecution is asking.” is
4 corrected to “I think right now in this case the witness is not giving testimony, it is the
5 person putting the questions who is now giving testimony. I think we need to have
6 specific questions so that the witness can tell us what this is all about, what he sees
7 and what he does not see. Otherwise, we will get confused and not be able to make
8 a proper distinction between what the witness is telling us and what the Prosecution
9 is asking.”

10 *Page 38, lines 17-19:

11 “We usually call it the Score pharmacy, because right beside there is a shop called
12 Score. And, you see, you go down to the Score and that is the intersection where a
13 taxi would leave you if you were to take a taxi.” is corrected to “We usually call it the
14 Score pharmacy, because right beside it there is a shop called Score. And, you see, if
15 you are in a vehicle, you can tell the driver you want to get off at Score, that is the
16 intersection where you would be dropped, or Wakouboué, that would be the
17 intersection.”

18 *Page 38, line 22:

19 “Do you take the main boulevard?” is corrected to “Do you take the main boulevard
20 to go to that pharmacy?”

21 *Pages 38, lines 23-25 — page 39, line 1:

22 “When you take the main boulevard, the intersection, well, that's towards the left. It
23 is the road that crosses. It is the road that goes through the Sicogi market. You get
24 to the intersection, you turn to the left, you continue until you get to the Sicogi
25 market.” is corrected to “When you take the main boulevard, it joins the intersection

1 from the right. It is the road that crosses, that goes through the Sicogi market.

2 When you get to the intersection, you turn right and you continue until you get to the
3 Sicogi market."

4 *Page 40, lines 7-8:

5 "went to the antenna of the" is corrected to "appeared on"

6 *Page 40, line 14:

7 "footage." is corrected to "footage that was aired on RTI."

8 *Page 41, lines 2-10:

9 "Sight translation: I would like to take advantage of this opportunity to

10 congratulate the Atchan leaders because this afternoon four UN tanks were heading

11 towards the Akouédo camp, the military camp of Côte d'Ivoire, and they were

12 blocked by the Atchan leader. I would like to congratulate him. And I want

13 everyone to do the same as what he has done." is corrected to "Sight translation: I

14 would like to take advantage of this opportunity to congratulate the Atchan leaders

15 because this afternoon some four UN tanks which were heading towards the

16 Akouédo camp, the military camp of Côte d'Ivoire, were blocked by an Atchan leader.

17 I would like to congratulate him. And I want everyone to do the same thing that

18 they have done. Do you have a vehicle? As soon as you see a UN contingent, block

19 the road. Do so till they understand that they are in a State which has leaders, until

20 proof of the contrary. They are not in a conquered State. While the AU panel is

21 working at assessing the situation in Côte d'Ivoire, the ONUCI is doing something

22 else in Côte d'Ivoire. ONUCI is lending its helicopters to the rebels and transporting

23 them to the Golf Hotel through Hotel Sebroko...

24 *Page 42, lines 21-25 — page 43, line 1-6:

25 "Do people have any thought, any consideration for Africa? The African Union has

1 decided to negotiate and the negotiations are underway. During this time the UN is
2 organizing a war. We cannot go along with that." is corrected to "Ok. Do people
3 still have any thought, any consideration at all for Africa? The African Union has
4 decided to negotiate and the negotiations are underway. During this very time the
5 UN is organizing a war. We can no longer go along with that. Whether you are in
6 Yopougon, in Koumassi, in Port-Bouët, you are in Marcory, in Adjamé, Plateau, or
7 wherever you are, you must stop the UN from circulating. In order to be abreast with
8 the latest instructions, I invite you to major general assembly that we are organizing
9 tomorrow in order to give the latest instructions at the Baron de Yopougon. History
10 is staring you in the face and you must you must participate in the writing of the new
11 pages of the history of our CÔTE D'IVOIRE. We want to live so that our country
12 can be developed, but ONUCI and the rebels must know that we are also ready to die
13 for that very cause. We are tired of our banks being closed without due process.
14 Enough is enough. Enough is enough. God bless CÔTE D'IVOIRE."

15 *Page 44, line 4: "off" is corrected to "opposite"

16 *Page 44, lines 10-11:

17 "-- explained the fact to me because that person was nearly killed at that roadblock."
18 is corrected to "-- It's Diarassouba Youssouf who explained the fact to me because he
19 almost got killed at that roadblock."

20 *Page 45, lines 2-3:

21 "each side of the road and --" is corrected to "across the road. They placed barrels on
22 each side of the road and --"

23 *Page 45, lines 5-6:

24 "-- and if you didn't pay, you didn't get through." is corrected to "-- and put some
25 wood on them. If you didn't pay, you didn't go through."

*Page 45, lines 16-17: "In Doukouré neighbourhood. All those who manned the roadblocks lived in Doukouré neighbourhood, Zokou" is corrected to "In Doukouré neighbourhood, all those who manned the roadblocks lived in Doukouré neighbourhood. Noel lived in Zokou neighbourhood"

*Page 46, lines 20-23:

"And on that day as they shot at those people, they would -- they wounded Soumahoro Youssouf in the tibia, Sanao Siata (phon) was struck in his thorax, and the bullet went through his thorax, through the back and out in the front. And Bamba Souleymane also was killed by bullet." is corrected to "And on that day as they fired shots, they wounded Soumahoro Sékou on the arm, Soumahoro Youssouf in the tibia, Sanao Siata (phon) was struck in his thorax, and the bullet went through his thorax via his back and out in the front. And Bamba Souleymane also was killed by bullet. And one hotel manager, whose name I later found out to be Zanga, he too was killed by a bullet."

*Page 49, line 9: "collective" is corrected to "*collectif*"

Page 49, lines 11-13:

"Bakayoko Lossina, Gaousou (phon), they all helped us to take down the names of the victims." is corrected to "There was Lesséni (phon.) Bakayoko and Bakayoko Gaosu (phon.); they all helped us to write down the names of the victims."

*Page 50, line 25:

"CVDR, the CONARIV (phon)" is corrected to "CDVR, the CONARIV (phon)"

*Page 51, line 24:

"alcohol, and other such health and treatment materials." is corrected to "antiseptics, and other such treatment materials."

*Page 55, lines 22-23:

1 "I have the printed version of the document which I will present to the witness at this
2 moment." is corrected to "Mr. President, the printed version of the document is being
3 shown to the witness."

4 *Page 57, line 11: "if" is corrected to "when"

5 *Page 57, line 12:

6 "if it is a piece of paper with a list of names done by computer," is corrected to "and if
7 the list is handwritten on a piece of paper or typed on a machine,"

8 *Page 57, lines 13-14: "added" is corrected to "typed in"

9 *Page 57, line 21: "the CDVR" is corrected to "the CONARIC... CDVR"

10 *Page 57, line 21: "Yes a copy was given to CDVR." is translated and added.

11 *Page 58, lines 1-2:

12 "So he left that very Sunday," is corrected to "So he left Yopougon on that very
13 Sunday,"

14 *Page 59, lines 18-19:

15 "I am a subject of the chief of the Mahouka members, people who come from the
16 Mahouka area." is corrected to "I am a subject of the central chief, the chief of the
17 Mahouka people in Doukouré neighbourhood. I am one of the chief's notables."

18 *Page 60, line 25 — page 61, lines 1-2:

19 "sur le plan même de la vie, and even just general life advice, he gives us advice. We
20 see each other regularly. We call each other and we meet for any other type of
21 problem." is corrected to "of which he was the Islamic president. He also gave us
22 advice on life in general. We see each other regularly. We called each other and we
23 kept in touch for any other type of problems.

24 *Page 61, lines 9-10:

25 "Now moving on to the collectif des victimes du quartier de Doukouré-Yopougon" is

1 corrected to "Now moving on to the *collectif* of victims in Doukouré-Yopougon
2 neighbourhood."

3 *Page 62, lines 6-7:

4 "The president Gnahoré Kassiri died in 2016." is corrected to "The president is
5 Gnahoré Mohamed ... Gnahoré Kassiri died in 2016."

6 *Page 68, lines 21-23:

7 "I am a public person, personage, nearly everyone in the neighbourhood knows me,
8 and my section secretary, Bakary, is well aware of my abilities," is corrected to "I am
9 a public person, personality or figure, nearly everyone in the Doukouré
10 neighbourhood knows me, and my section secretary, Coulibaly Bakary, was fully
11 aware of my abilities,"

12 *Page 71, lines 5-8:

13 "If the district organised meetings, it would be at the home of Adama Touré or at an
14 intersection, it's referred to as the bloc de célibataire. Everyone in Yopougon knows
15 that place. And the major gatherings at the RDR headquarters at Yopougon in place
16 Figayo or at another place." is corrected to "When the district organised meetings, it
17 would be at the home of Adama Touré or the Saguidiba intersection at the bloc de
18 célibataire. Everyone in Yopougon knows that place. And the major rallies held
19 either at the RDR headquarters at Yopougon, at place Figayo or at the CPI square.

20 *Page 73, lines 6-8:

21 ", you would realise that the news dealt with politics, if it was politics, we would talk
22 about politics; if it's football, we would talk about politics; if it is miscellaneous items,
23 we would also talk about such things." is corrected to ". When the news dealt with
24 politics, we would talk about politics; if it was football, we would talk about football;
25 if it is random tit bits, we would also talk about such things."

- 1 *Page 76, line 6: "Vassidoujan" is added.
- 2 *Page 77, lines 14-15:
- 3 "Ouattara and Imbassou, Doumbia Yaya" is corrected to "Ouattara Imbassou and
- 4 Doumbia Yaya"
- 5 The Court Management Section has made the following corrections in the transcript:
- 6 *Page 15, line 23:
- 7 "He's from Yopougon" is corrected to "He's from Yopougon Kouté."
- 8 *Page 37, line 7: correction void by LSS.
- 9 *Page 49, line 10: "the" is translated and added.
- 10 *Page 71, line 8: "at" is corrected to "in"