

1 International Criminal Court
2 Trial Chamber 1
3 Situation: Republic of Côte d'Ivoire
4 In the case of The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé
5 ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera Carbuccion and
7 Judge Geoffrey Henderson
8 Trial Hearing - Courtroom 1
9 Wednesday, 29 November 2017
10 (The hearing starts in open session at 9.32 a.m.)
11 THE COURT USHER: [9:32:11] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:32:25] Good morning. Good morning to
15 everyone.
16 The Office of the Prosecutor requested the floor at the beginning of this hearing.
17 Mr MacDonald.
18 MR MACDONALD: [9:32:52] Thank you very much, Mr President. Good morning,
19 your Honours.
20 Thank you for allowing us to take the floor. I have four quick information I'd like to
21 provide to the Chamber. The first one I would prefer to do in private session and
22 then we can come back in public session for the other three quick mentions, with your
23 permission, your Honour.
24 PRESIDING JUDGE TARFUSSER: [9:33:23] So let's go into private session, please,
25 for a few minutes.

1 (Private session at 9.33 a.m.)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Redacted)

17 (Redacted)

18 (Open session at 9.35 a.m.)

19 THE COURT OFFICER: [9:35:16] We are back to open session, Mr President.

20 PRESIDING JUDGE TARFUSSER: [9:35:19] Mr Prosecutor.

21 MR MACDONALD: [9:35:21] Very quickly, and these are not -- I'm just mentioning
22 these. They're not for discussion purposes obviously. We have a witness that is to
23 be questioned, 105. But I just want to give an update on a number of outstanding
24 issues before the Prosecution closes its case.

25 First, we have outstanding transcripts of videos that were submitted or referred to in

1 our bar table, video bar table motion. We are aiming, your Honour, to disclose these
2 to the Defence and make them available to the Chamber also in eCourt by 15
3 December. We're sorry for the delay. We initially indicated in our filing end of
4 October, but the point being is that the office caters or that section that deals with the
5 transcript caters to different cases, investigations, and there were competing requests.
6 But the last ones are being finalised today, then it's registration, then it's review for
7 disclosure, and then it's disclosure. So there are a few steps before we can provide
8 all of them, but by the 15th this should be completed. We're aiming for that.

9 Also, I'd like to announce that, and as it was foreseen by the Chamber in decision 787
10 of the 23 January 2015 in relation to bar table motions, the Chamber had requested us
11 to file a consolidated one, and we did so at the end of April. We are currently -- or
12 will be starting a final exercise of the left-over documents to see if there is any in light
13 of the testimonies that the Chambers heard since, if some, the Prosecution wishes to
14 have submitted on the record via bar table motion.

15 So we're working or will be working on this, your Honour. And our aim -- there
16 shouldn't be that many documents in any event, because the majority, the vast
17 majority, were filed or submitted in that request of April, but we're aiming by 22
18 December to file this last bar table motion.

19 Now, we understand that it's outside the Court recess -- or within the Court recess.
20 We understand it's before Christmas. Of course the Chamber understands that and
21 can put deadlines accordingly as to responses. But, again, we don't foresee
22 hundreds of documents. That's not the point. That was done in April. So that's
23 the first -- the second thing I wanted to mention.

24 Also, there was a recent mission for the certification of the 68(3) -- 68(2)(b), sorry,
25 statements to be admitted on record. So I understand that Registry will eventually

1 make a filing to that effect as with the previous certification of such statements.

2 And I just want to raise one issue. I'm flagging it. The Prosecution may seek
3 protective measures for some of these witnesses. While the statement is admitted
4 and it's going on record, it's in relation to the anonymity or the -- how shall I put
5 it? -- the code names and their use and how to refer to these statements eventually in
6 our closing briefs in due course.

7 Witnesses that come here, some of them have protective measures. Now, 68(2)(b)
8 witnesses, because their statement then is submitted on the record and admitted as
9 such, may also need protective or similar protective measures in relation to their
10 identity and how the parties can refer to them.

11 So I'm foreshadowing this. We aim at providing or filing such a request at the very
12 beginning of the new year. But it's going to be focused, limited and, of course, it
13 doesn't relate to reading assistance or any such things. It's mainly about the identity
14 of these witnesses.

15 Now, maybe the last point. I understand the Prosecution's last witness will be heard
16 in January. But we're still a little bit in the dark as to after. And I understand the
17 Chamber must be working, obviously, on the next steps, the schedule in light of the
18 Defence filings, Prosecution filings. But we again draw the attention of the Chamber,
19 of course, the possible impact this has on preparation and so on.

20 I thank you very much, your Honour.

21 PRESIDING JUDGE TARFUSSER: [9:40:54] Thank you.

22 I ask now the other parties if they want to have the floor. Maître Altit.

23 MR ALTIT: [9:41:04] (Interpretation) Thank you very much, your Honour. I'd
24 like to make a few brief comments. Ladies and gentlemen, first of all, the Defence
25 has noted the information which has been given to us by the Prosecution, and we'll of

1 course reply in due time to the requests for communication which will be filed.

2 Concerning a filing for 22 December, the Defence will request, if necessary, request
3 the Court to adopt the timeline, the schedule, so that we can reply without there being
4 complete disorganisation of our work, of course.

5 Your Honour, ladies and gentlemen, you'll recall that I sent you an email to find out
6 what the order of witnesses is and what we should be expecting this week or next
7 week. And I think this is the salient point here. And from what I understand, I
8 think that you are going to answer us so that we can -- of course you'll understand it's
9 difficult for us to adapt to constant changes which are offered to us. We really need
10 to organise ourselves.

11 PRESIDING JUDGE TARFUSSER: [9:42:33] Well, it's very easy. 105 today and
12 following by 554 video link, and next week 184, 410.

13 MR ALTIT: [9:42:45] (Interpretation) Thank you very much.

14 PRESIDING JUDGE TARFUSSER: [9:42:51] Very easy.

15 Maître N'Dry?

16 MR N'DRY: [9:42:58] (Interpretation) Your Honour, concerning what the
17 Prosecutor has just said this morning, we have one single point. But I think this has
18 already been covered by my learned friend in the Defence team of Mr Gbagbo, and
19 this is the filing concerning the 22nd. So we will react to that in due course. Thank
20 you.

21 PRESIDING JUDGE TARFUSSER: [9:43:30] And you will have time to do so, of
22 course.

23 Madam Massidda.

24 MS MASSIDDA: [9:43:36] (Interpretation) Thank you very much, your Honour.

25 Yes, our only problem indeed is the filing of the 22nd December for a very simple

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 reason: You gave the deadline of 15 December to file a motion to present any
2 evidence. As things stand, we are assessing the types of documents for which we
3 would like to submit as evidence. And I don't know if there will be any other
4 documents which the Prosecutor would like to file in the motion which is planned for
5 the 22nd December.

6 So this is just something I wanted to tell the Court. And we could probably solve
7 this problem once the Prosecutor has filed its motion, or, if the Court allows, then you
8 could give us the deadline of 15 December for the motions, the evidence we want to
9 lodge viva voce, and then have the 22nd for the presentation of any documents which
10 we want to file as part of the evidence to be admitted to the case. And then of course
11 we're looking forward to the beginning of January.

12 PRESIDING JUDGE TARFUSSER: [9:45:02] Well, I think the deadline of 15
13 December should remain and then you can in any case integrate if there is the need
14 on the basis of what the filing of the OTP is about, okay. Thank you very much.

15 MS MASSIDDA: [9:45:21] Thank you very much, your Honour.

16 PRESIDING JUDGE TARFUSSER: [9:45:24] Now I think we can introduce the
17 witness.

18 Just for the public, this witness, because I was asked, this witness testifies in open
19 session, the following in closed, all in closed session. It's just for the public, because I
20 was asked. Otherwise, people wait for something and nothing happens.

21 (The witness enters the courtroom)

22 PRESIDING JUDGE TARFUSSER: [9:46:43] Good morning, Madam Witness.

23 WITNESS: CIV-OTP-P-0105

24 (The witness speaks French)

25 THE WITNESS: [9:46:47] (Interpretation) Good morning, sir.

- 1 PRESIDING JUDGE TARFUSSER: [9:46:49] May I ask you first if you keep the cap
2 on because of religious purposes or because you're cold.
- 3 THE WITNESS: [9:47:00] (Interpretation) No, I'm cold.
- 4 PRESIDING JUDGE TARFUSSER: [9:47:07] Okay. Can you please tell us your
5 name.
- 6 THE WITNESS: [9:47:19] (Interpretation) My name is Ouattara Fanta.
- 7 PRESIDING JUDGE TARFUSSER: [9:47:23] And you were born when and where?
- 8 THE WITNESS: [9:47:27] (Interpretation) I was born in Abidjan in Abobo.
- 9 PRESIDING JUDGE TARFUSSER: [9:47:36] When?
- 10 THE WITNESS: [9:47:37] (Interpretation) I was born in Abobo in 1973.
- 11 PRESIDING JUDGE TARFUSSER: [9:47:46] And can you tell us your ethnicity and
12 your faith.
- 13 THE WITNESS: [9:47:59] (Interpretation) I'm Sénoufo and Muslim.
- 14 PRESIDING JUDGE TARFUSSER: [9:48:03] Are you working?
- 15 THE WITNESS: [9:48:05] (Interpretation) No. I just manage at the market.
- 16 PRESIDING JUDGE TARFUSSER: [9:48:16] So you work at the market?
- 17 THE WITNESS: [9:48:20] (Interpretation) Yes, yes.
- 18 PRESIDING JUDGE TARFUSSER: [9:48:24] So you are testifying in French, right?
- 19 THE WITNESS: [9:48:31] (Interpretation) Yes.
- 20 PRESIDING JUDGE TARFUSSER: [9:48:32] And I would ask you to speak slowly
21 because we have interpretation into English. So in order for each other to
22 understand and to give to the interpreters and court reporters all the necessary time
23 to do their job properly, we have to speak slowly.
- 24 THE WITNESS: [9:48:54] (Interpretation) That's fine. All right. Thank you.
- 25 PRESIDING JUDGE TARFUSSER: [9:48:58] If I give you a sign with the hand, just

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 slow down. That means you're too fast.

2 THE WITNESS: [9:49:09] (Interpretation) All right. Thank you.

3 PRESIDING JUDGE TARFUSSER: [9:49:11] Now, this Chamber has been established,
4 as you know, to try the case of the Prosecutor against Mr Gbagbo and Mr Blé Goudé.

5 And you are a witness to this trial, to these proceedings. And as a witness you have
6 to tell the truth. You have to answer questions by the parties which will be put to
7 you and you have to answer them truthfully. You understand this?

8 THE WITNESS: [9:49:47] (Interpretation) Yes, I understand that.

9 PRESIDING JUDGE TARFUSSER: [9:49:53] So to this effect I would ask you to read
10 the formula you have in front of you, which is the solemn undertaking. Are you able
11 to read? Otherwise speak with me.

12 THE WITNESS: [9:50:15] (Interpretation) Yes, yes.

13 PRESIDING JUDGE TARFUSSER: [9:50:17] Speak with me the following words: I
14 solemnly declare that I will speak the truth.

15 THE WITNESS: [9:50:28] (Interpretation) I solemnly declare that I will speak the
16 truth.

17 PRESIDING JUDGE TARFUSSER: [9:50:33] The whole truth and nothing but the
18 truth.

19 THE WITNESS: [9:50:39] The whole truth and nothing but the truth.

20 PRESIDING JUDGE TARFUSSER: [9:50:43] Okay. Thank you.

21 You have to know that giving false testimony is an offence against the Court, okay.

22 THE WITNESS: [9:50:57] (Interpretation) Yes, yes.

23 PRESIDING JUDGE TARFUSSER: [9:50:58] Okay. Now we have to talk about
24 what we call the Rule 68 issue. We have, the Chamber, has before it the written

25 statement you gave to the Office of the Prosecutor on 28 and 29 March 2012. Do you

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 remember that in March 28, 29 March 2012 you gave a statement to the Office of the
2 Prosecutor, to the investigators of the Office of the Prosecutor? Do you remember
3 this?

4 THE WITNESS: [9:51:41] (Interpretation) Yes, I remember that.

5 PRESIDING JUDGE TARFUSSER: [9:51:44] For the record, I'm referring to
6 CIV-OTP-0019-0245, with annexes 0257, 0258, 0259, 0260, 0261, 0262 and 0271.

7 Have you had the opportunity to read the statement you gave in the last days, the
8 statement you gave to the Office of the Prosecutor? Did you read again what you
9 said in 2012? Yes?

10 THE WITNESS: [9:52:34] (Interpretation) Yes. Yes, I've had the opportunity to
11 read it.

12 PRESIDING JUDGE TARFUSSER: [9:52:40] Okay. On 6 June 2017, the Chamber
13 decided that this statement you gave, your written statement, can be introduced into
14 the record of the case following Rule 68(3) of the Rules, of our Rules of Procedure and
15 Evidence. This means that rather you giving here again entirely your statement
16 orally, the Chamber can use this written statement, but nevertheless you will still be
17 asked questions by the Office of the Prosecutor and be examined by the Defence for
18 Mr Gbagbo and Mr Blé Goudé.

19 So I would ask you if you agree that your statement is introduced in the record of the
20 case as such; do you agree with this?

21 THE WITNESS: [9:53:51] (Interpretation) Yes, I agree.

22 PRESIDING JUDGE TARFUSSER: [9:53:56] Okay. So in light of this and of the fact
23 that you are here today, available to be examined by the parties and the Chamber, the
24 Chamber notes that all requirements of Rule 68(3) have been met and that the
25 introduction of the statement is allowed. And when I talk about the statement, I'm

1 referring to the numbers and the annexes which I just read out. So these items are all
2 considered to be submitted. I think that now we can start if you are ready with the
3 questioning.

4 And I give the floor to the Office of the Prosecutor for some supplementary questions.
5 The floor is yours.

6 MS RODRIGUEZ: [9:54:54] Thank you, your Honour.

7 QUESTIONED BY MS RODRIGUEZ:

8 Q. [9:54:57] Good morning, Madam Witness.

9 My name is Andreina Rodriguez and I will be questioning you on behalf of the
10 Prosecution today.

11 As the Presiding Judge already explained to you, your statement and the annexes to
12 your statement are already submitted into the record. Therefore, I'm just going to
13 ask you a couple of questions to clarify some points with you.

14 First question, Madam Witness, is the statement and the annexes to your statement
15 true to the best of your knowledge?

16 A. [9:55:39] Yes, it's the truth.

17 Q. [9:55:45] You indicated in your statement in paragraphs 17 to 21 that you were
18 injured at the Siaka Koné market on 17 March 2011. I'm going to ask you a couple of
19 questions regarding that day and your injuries.

20 A. [9:56:12] Yes, all right.

21 Q. [9:56:14] Madam Witness, is there still a little piece inside your body as a
22 consequence of that injury?

23 A. [9:56:22] Yes.

24 Q. [9:56:36] I understand that you had seen some doctors and that you had surgery
25 regarding this injury. Do you remember meeting a white man, a Belgian man,

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 named Dr Frédéric Bonbled in October 2013?

2 A. [9:56:57] Yes.

3 Q. [9:57:04] Did you sign a document, a consent form, where you allowed this
4 doctor to examine you?

5 A. [9:57:08] Yes.

6 Q. [9:57:14] Madam Witness, now I'm going to ask you to look at the document.

7 If the Registry can please display CIV-OTP-0056-0038, tab 9 of our list of material.

8 It's a confidential document. We can also provide hard copies to the witness if it is
9 easier for her to read; if the Court usher can assist me with that.

10 Madam Witness, do you recognise this document?

11 A. [9:58:34] Yes, I recognise this document.

12 Q. [9:58:37] If you can please turn the page over. And for the record, that's ERN
13 0056-0039.

14 Is that your name and your signature, Madam Witness?

15 A. [9:58:59] Yes, it is.

16 Q. [9:59:03] Thank you very much.

17 Now, Madam Witness, I'm going to ask you one last question. Can you please tell
18 this Court how this injury has affected your daily life?

19 A. [9:59:26] All right. After the injury, I'm always in pain, always. I'm still in
20 pain, still in pain.

21 Q. [9:59:53] Are you able to work?

22 A. [9:59:59] I can work with my left hand. When I work with my right hand, it's
23 sore. So my left hand is the stronger one, and I use that a lot for working now.

24 Q. [10:00:14] Thank you, Madam Witness.

25 Your Honours, this concludes my questioning. Thank you.

- 1 PRESIDING JUDGE TARFUSSER: [10:00:21] Thank you very much.
2 Legal Representative of Victims.
- 3 MS MASSIDDA: [10:00:25] Thank you, your Honour. Mr Lariviere will question
4 the witness. I'm asking for two minutes of indulgence of the Chamber. Thank you.
5 (Counsel confer)
- 6 MS MASSIDDA: [10:00:50] Thank you, Mr President. Mr Lariviere will question
7 the witness.
- 8 MR LARIVIERE: [10:01:06] (Interpretation) Thank you, Mr President. Good
9 morning, your Honours.
- 10 QUESTIONED BY MR LARIVIERE: (Interpretation)
- 11 Q. [10:01:08] Good morning, Madam Witness.
- 12 A. [10:01:12] Good morning, sir.
- 13 Q. [10:01:13] My name is Alex Lariviere and I'll be asking questions today on behalf
14 of the victims.
- 15 Now, I'm going to ask you questions about your injury and that of your son which
16 happened on the day of the announcement of the results and Mr Gbagbo's victory.
17 First of all, what type of treatment did your son receive at the hospital?
- 18 A. [10:01:46] At that time there were no functioning hospitals at the time. There
19 was a clinic at PK18, Derrière Pont. And that's where he was taken, and he was
20 treated by a lady. We bought some medication and that's it.
- 21 Q. [10:02:06] Do you know how long he remained at that location?
- 22 A. [10:02:10] The lady herself was afraid. It was two days after the accident and
23 then he was released. She was afraid of working, and she didn't have medication.
- 24 Q. [10:02:25] Why was she afraid?
- 25 A. [10:02:28] I don't know. She said because of the events she couldn't keep the

1 injured people. So everybody had to take their injured persons back, and so I took
2 my son back home.

3 Q. [10:02:43] Does your son still suffer from the injury he suffered on that day?

4 A. [10:02:53] Today, well, things are a little better, but he still suffers in his foot.
5 Apart from that, he's okay.

6 Q. [10:03:03] I understand therefore that he has some limitations when it comes to
7 his activities today?

8 A. [10:03:07] Yes.

9 Q. [10:03:08] Now, at paragraph 39 of your statement, you mentioned that those
10 who received your son in their courtyard took him to the hospital in Abobo the day
11 after. Do you know why they were not able to take him there the same day?

12 A. [10:03:36] On the day of the accident I was at home. *They called my brother.
13 *It was about 5 p.m. And, you know, there was a curfew, so we couldn't go out. So
14 he called me and told me that my son had been shot and that he was *in the area of
15 Anonkoua, PK18. But I couldn't go out. So what could we have done?
16 So he told me that those who had called him told him that the child was with them,
17 and that he had been taken to the hospital, that they would hold him with them and
18 then take him to the hospital, and that the next day they would tell me where to go
19 see my son.

20 Q. [10:04:19] You also said, at paragraph 38 of your statement for the record, the
21 following, I quote, "In the group that went to play with my son, there were several
22 people, Maliens, people from Burkina Faso and Ivorians as well." End of quote.
23 So when it comes to the Ivorians, do you know the ethnicities or the religions of those
24 people who were playing with your son?

25 A. [10:04:49] No.

1 Q. [10:05:00] At paragraph 40 of your statement you say the following, "My son
2 told me that it was persons in civilian attire, young Ébrié, who had shot at them.
3 They were all Gbagbo supporters and there were many of them." End of quote.
4 How did your son know that these people were young Ébrié who supported Gbagbo
5 when he was shot?

6 A. [10:05:24] Because I asked him. They had left and had gone to play, and there
7 is not much distance between Derrière Pont and Anonkoua. So if you leave the
8 bridge, you go to Anonkoua. And it is in that area they started shooting at them.
9 And then they scattered all over the place to seek refuge before the shooting stopped.
10 So it is when he was trying to get into the ditch that he was struck by a bullet.

11 Q. [10:05:55] Thank you. At paragraph 40 of your statement you go on to say in
12 relation to that incident involving your son the following, "At that time it was
13 difficult -- those were difficult times for the Dioula people." End of quote.
14 What do you mean when you say that "those were difficult times for the Dioula"?

15 A. [10:06:26] It was very difficult to go from Anonkoua to Anyama or PK18. It
16 was extremely difficult to do that, to go through. The border, the very limit, was at
17 the Abobo gendarmerie.

18 Q. [10:06:40] Why do you say that it was difficult to go through?

19 A. [10:06:42] One could not go through. One could not go through. To go from
20 Anyama to PK18, no, it was not possible. So for us to go there, the furthest we could
21 go was at the gendarmerie.

22 *Even when my son was shot, okay, we could not go through; we had to go around
23 the civilian prison.

24 Q. [10:07:08] Was there something on the road?

25 A. [10:07:13] Yes. The road had been blocked. There was no road actually. We

1 had go out behind Yopougon, the civilian prison, and then onto PK18 and then onto
2 the bridge.

3 Q. [10:07:22] Were there any people stopping people from going through?

4 A. [10:07:30] Yes, there were people stopping others from going through. Men
5 and women could not go through. Nobody could go through.

6 Q. [10:07:38] Who was stopping people?

7 A. [10:07:39] Young people, young people. People could not go through.

8 Q. [10:07:43] Do you have any details about those young people?

9 A. [10:07:46] No. All I know is that we couldn't go through.

10 Q. [10:08:01] Last question for you. After you were injured, when did you begin
11 to work normally again? I understand that you still suffer the consequences of that
12 injury, but how long did you suffer before you resumed work again?

13 A. [10:08:16] I suffered for a long time, very long time, yes. I lost a lot and I
14 suffered over a very long period.

15 Q. [10:08:28] Years?

16 A. [10:08:29] Yes. For almost two years I could not work. I had to remain at
17 home. My hand, I couldn't use it. I had to do everything with the left hand. So it
18 was extremely difficult.

19 Q. [10:08:44] So you're right-handed?

20 A. [10:08:46] Yes.

21 Q. [10:08:48] Thank you, Madam Witness. That will be all.

22 Thank you, Mr President.

23 PRESIDING JUDGE TARFUSSER: [10:08:52] Thank you. Now it is the turn for the
24 Defence for Mr Gbagbo to question you, and I give the floor to Maître Altit.

25 MR ALTIT: [10:09:01] (Interpretation) Thank you, Mr President. Mr President,

1 the questioning on behalf of Mr Laurent Gbagbo's team will be done by Ms Naouri.

2 PRESIDING JUDGE TARFUSSER: [10:09:20] That's what I thought. So the floor
3 goes to Madam Naouri.

4 MS NAOURI: [10:09:26] (Interpretation) Thank you, Mr President.

5 QUESTIONED BY MS NAOURI: (Interpretation)

6 Q. [10:09:42] Good morning, Madam Witness.

7 A. [10:09:44] Good morning.

8 Q. [10:09:44] My name is Jennifer Naouri, and I'll be putting questions to you today
9 on behalf of Mr Laurent Gbagbo's Defence team.

10 A. [10:09:50] Okay.

11 Q. [10:09:53] First question, Madam Witness, did you participate in the 2010
12 electoral campaign?

13 A. [10:10:02] No. I don't like campaigns.

14 Q. [10:10:06] Very well. Now, the very first time you met the investigators of the
15 OTP on 13 January 2012, they took down notes for themselves, and in their notes this
16 is what is mentioned, that you told them the following thing, and I'm going to quote.
17 It's number CIV-OTP-0016-0526. At paragraph 2, the following is written down, I
18 quote:

19 "I participated in the election campaign. We used to wear Alassane Ouattara's
20 T-shirts and we marched. We could not go far away from the market because our
21 products or produce were there, so I could not go to march. Most of the sellers were
22 Gourou and Dioula. The Gourou belonged to the LMP, the presidential majority."
23 End of quote, end of quote.

24 So my question is, do you remember having said that to the investigators of the OTP?

25 A. [10:11:18] I have never worn any T-shirts. I do not belong to any party.

1 Everybody knows that this is my position. I don't belong to any party, or I don't take
2 sides.

3 Q. [10:11:34] All right. It's clear that you didn't wear any T-shirts, but did you
4 attend any rallies to try to find out what was going on during the campaign?

5 A. [10:11:44] Never, never. I didn't go out because I don't like those things. I
6 really don't like those things. So if I left my house it was to go to the market to see if
7 I could get something, to get food for the children. That was my concern. No, so
8 campaigns and all those things, no, I'm not interested in that.

9 Q. [10:12:03] Very well. Now, Madam Witness, since when have you been living
10 in Abidjan?

11 A. [10:12:12] From the time of my birth.

12 Q. [10:12:16] In which commune do you live in Abidjan?

13 A. [10:12:20] Abobo.

14 Q. [10:12:24] In February, March 2011, were there armed groups in Abobo already?

15 A. [10:12:33] I don't know. I have told you that I was really not interested in those
16 types of things. I didn't pay attention to those things.

17 Q. [10:12:43] Very well. How far from PK18 did you live? How much time
18 would it take to go to PK18 on foot?

19 A. [10:12:55] To go to PK18, one needed to take a car because it's a bit far away.
20 It's a bit far afield, so you needed to take a car.

21 Q. [10:13:03] Very well. When you were answering questions from the Legal
22 Representative of Victims, you talked about your son.

23 A. [10:13:08] Yes.

24 Q. [10:13:11] Your son was playing football at PK18; is that correct?

25 A. [10:13:15] Yes.

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 Q. [10:13:19] Do you have family members at PK18?

2 A. [10:13:24] Yes.

3 Q. [10:13:29] Did those relatives there inform you that rebel combatants were
4 present at PK18 during the crisis?

5 A. [10:13:39] No.

6 Q. [10:13:41] Very well. Now, Madam Witness, young people had set up
7 roadblocks in your neighbourhood, correct?

8 A. [10:14:00] Yes, at night.

9 Q. [10:14:05] Very well. Was there a roadblock near your house?

10 A. [10:14:10] No. It was on the tarmac road, the tarmac road.

11 Q. [10:14:15] Very well. Do you remember at what time the youth set up those
12 roadblocks?

13 A. [10:14:27] No.

14 Q. [10:14:28] Now, in your statement to the investigators of the OTP at paragraph
15 45, this is what you said, and I quote, it's page 0253 of your statement:

16 "After the killings of 7 March 2011 at the market, the youth of the neighbourhood
17 began to control entries to Abobo."

18 Is that correct?

19 A. [10:15:13] Yes.

20 Q. [10:15:14] Do you remember whether before 17 March 2011 there were any other
21 roadblocks already set up in Abobo?

22 A. [10:15:21] No.

23 Q. [10:15:21] Madam Witness, we have heard a gentleman testify here on 14

24 December 2017 who had also made a statement to the investigators of the OTP,

25 Witness 297. His statement is CIV-OTP-0041-0412. That's the ERN number for his

1 statement. At paragraph 50 of that statement he says the following:
2 "The young people whom I saw were about 30 years old, maximum 40 years old.
3 Two or three of them were armed were Kalashnikovs. But I don't know how many of
4 them were there in total. So one of them came to me and told me that I could not go
5 through. The roadblock at which I saw them, that is the youth he has just referred to,
6 the roadblock at which I saw them is located at AGRIPAC neighbourhood, which is
7 the nexus between Abobo and PK18. There were several such roadblocks." End of
8 quote.

9 PRESIDING JUDGE TARFUSSER: [10:17:22] Just one clarification for the record.
10 Was it a Rule 68 Witness?

11 MS NAOURI: [10:17:30] (Interpretation) Yes, indeed, Mr President, it was a 68(3)
12 witness under decision 950.

13 Q. [10:17:43] Now, Madam Witness, AGRIPAC intersection is one of the entry
14 points into Abobo; is that correct?

15 A. [10:17:54] Yes.

16 Q. [10:17:56] So now when you in paragraph 45 talk about people controlling
17 entrances into Abobo, would that include the AGRIPAC intersection?

18 A. [10:18:10] No. During the events I was at Abobo Mobil, not far from Banco.
19 That's where I used to live. And it is subsequent to the events that I moved to PK18.

20 Q. [10:18:23] Very well. Now, so now you live at PK18; is that correct?

21 A. [10:18:28] Yes, I live at PK18 now.

22 Q. [10:18:31] When did you move to PK18, madam?

23 A. [10:18:35] Two years ago.

24 Q. [10:18:37] Very well. Now, this witness whom I have quoted talked about the
25 AGRIPAC roadblock. And I'm referring to paragraph 50. He says that two or three

1 members of that roadblock had Kalashnikovs.

2 Now, when it comes to the roadblocks in Mobil, did you see anybody with arms
3 there?

4 A. [10:19:11] No. It was the young people from the neighbourhood who mounted
5 those roadblocks. There are tables, and there were no arms.

6 Q. [10:19:22] Who could go through those roadblocks?

7 A. [10:19:24] There was a curfew. And from *5 p.m. everybody was home and
8 they would remain at home till morning.

9 Q. [10:19:34] Very well. Now, apart from the time of the curfew where nobody
10 could go in or go out, apart from that time, people had to go through those
11 roadblocks?

12 A. [10:19:47] Yes. People could go through without any problem.

13 Q. [10:19:53] Very well. Now, Madam Witness, PK18 was one of the bases of the
14 Invisible Commando; is that correct?

15 A. [10:20:15] I don't know.

16 Q. [10:20:16] At paragraph 52 of your statement, that is page 0254, this is what
17 you say:

18 "The investigators asked me if I had heard mention of a group called the Commando
19 Invisible. I didn't see the Commando Invisible. It was being said that they were at
20 PK18 protecting people there from shots fired by Gbagbo's tanks."

21 So what you are saying here is that you knew that Commando Invisible was at PK18?

22 A. [10:21:05] No. I never said that they used to live in PK18. I've never seen
23 them.

24 Q. [10:21:12] You didn't see them, but who are the people who said that the
25 Commando Invisible were at PK18, the people of the neighbourhood?

1 A. [10:21:23] People used to talk about it, but I never saw them.

2 Q. [10:21:26] It's clear, madam, that you never saw them. But my question is the
3 following: Who told you? Who did you discuss this with? Who told you that the
4 Commando Invisible was at PK18?

5 A. [10:21:37] That is what I have already told you. I am not interested in politics.
6 I didn't discuss politics with anyone. I wasn't really interested in politics. I didn't
7 pay attention to politics.

8 PRESIDING JUDGE TARFUSSER: [10:21:48] Yes, but for clarification, and also we
9 have also to say that on paragraph 52, the last sentence is "I have never seen them."
10 So it's not only said here; it was said also in paragraph 52. Now, just for the record,
11 that it doesn't seem that first she made the statement and now she is retrieving it.
12 Okay. Thank you.

13 MS NAOURI: [10:22:18] (Interpretation) That is correct, we had also read that
14 segment, and I wasn't confronting the witness, not at all.

15 PRESIDING JUDGE TARFUSSER: [10:22:29] You have read it, but you haven't read
16 it to the witness, because if in two years' time we read this, only the record, it seems
17 that only here she says that she has never seen it, she has never seen them. It's only
18 for the clarity of the record in some time.

19 MS NAOURI: [10:22:54] (Interpretation) Obligated, Mr President, and well noted.

20 Q. [10:23:04] Now, Madam Witness, the incident relating to your son which you
21 narrate in your statement and which you dealt with briefly with the representative of
22 the Victims, Legal Representative of Victims, is in relation to when your son went to
23 PK18; is that correct? When was that?

24 A. [10:23:32] Yes, it was the day on which the results were announced. They had
25 left before to go out and play, that is, before the results were announced.

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 Q. [10:23:45] Very well. Now, Madam Witness, do you know whether at that time
2 there were still any FDS in Abobo?

3 A. [10:24:15] I don't know.

4 THE INTERPRETER: [10:24:16] Mr President, could the witness be advised to speak
5 closer to the microphone.

6 PRESIDING JUDGE TARFUSSER: [10:24:21] Madam Witness, could you speak
7 louder and closer to the microphone so that the interpreters can hear you better.
8 Thank you.

9 THE WITNESS: [10:24:31] (Interpretation) Very well.

10 MS NAOURI: [10:24:41] (Interpretation)

11 Q. [10:24:44] When you were answering questions from the Legal Representative of
12 Victims, and that's at page 16, lines 22 to 25 of today's transcripts, you said that the
13 border, the border was the gendarmerie in Abobo?

14 A. [10:25:00] Yes.

15 Q. [10:25:04] Did you know that there were no gendarmes at the gendarmerie at
16 the Abobo centre gendarmerie, which was at the intersection?

17 A. [10:25:17] I don't know. That was the very limit, the border. I didn't go out.
18 I used to go from my house to the market, so I didn't go towards PK18.
19 It's only when my son was injured that I wanted to go out. Then I came to this border,
20 and I had to turn around to go back through Abobo and then come out at PK18, having
21 gone by the civil prison in Abobo *Abidjan, Yopougon to go to PK18, Derrière-Pont.

22 Q. [10:25:49] All right. Madam Witness, the same gentleman -- or, rather, it's
23 another witness who came to see us here, 363, who, in his statement, number
24 CIV-OTP-0046-0275-R03, at paragraph 31, this is what he says:

25 "Those FRCI youth were everywhere in Abobo commune to provide security for the

1 population. One of the groups was at the gendarmerie because the gendarmes were
2 no longer there. I used to see them as I went by the gendarmerie. Some were in the
3 Derrière Rails neighbourhood and at the 14th and 21st commissariats. But I didn't
4 see those ones. It is those who lived behind or who lived at the Derrière Rails and
5 near those commissariats who said so." End of quote.

6 Now, my question to you is as follows: The people of your neighbourhood, given
7 that the limit was at the gendarmerie, did they tell you that there were FRCI or rebel
8 groups at the gendarmerie based there?

9 A. [10:27:29] No, no. They never told me that.

10 Q. [10:27:35] Very well. Now, Madam Witness, did you know that there were
11 clashes between the regular forces and rebel combatants in Abobo?

12 A. [10:28:03] No. I was not aware of that.

13 Q. [10:28:07] Do you know whether there were any arms *caches in Abobo?

14 A. [10:28:11] No, I don't know that.

15 Q. [10:28:17] Madam Witness, in your statement, this is what you say at paragraph
16 41, page 0252:

17 "After the incident of 17 March, I saw a tank going towards Camp Commando on two
18 occasions. It would go by in the morning at 8 a.m. to go to Camp Commando and
19 then return at 2 p.m. The tank went by the road not far from my house." End of
20 quote.

21 Now, my question to you is the following: Did that tank go by at the same time,
22 according to you?

23 A. [10:29:13] Yes.

24 Q. [10:29:18] Now, the squadron commander at the Camp Commando -- that is
25 what Witness P-330 told us in court here, and I'm referring to transcript 68 at page 85.

1 This is what he said, and this is the question:

2 "Let me hop back to something which you referred to. You said that the supplies to
3 the Camp Commando and Camp Agban, and the question was how did that supply
4 chain work?"

5 And this is the answer he provided, "Some supplies were made at night, some during
6 the day, but at different times, because, as I said a short while ago, our vehicles had
7 come under attack, either by arms or people throwing stones at our men. So some of
8 this was done at night in order to avoid the enemy." End of quote.

9 Now, Madam Witness, my question then is: Are you sure that this convoy went by
10 every day at the same time?

11 A. [10:30:42] Yes.

12 Q. [10:30:44] Camp Commando is behind the Abobo gendarmerie; is that correct?

13 A. [10:30:49] Yes.

14 Q. [10:30:53] All right. Now, Madam Witness, you have talked to us several times
15 today about the incident relating to your son. You were not with your son at that
16 time, correct?

17 A. [10:31:19] No, I was not with him. I was at home.

18 Q. [10:31:23] Very well. Madam Witness, I'd like to come back to the day of the
19 march of the women. All right?

20 A. [10:31:43] Yes.

21 Q. [10:31:45] Had this march been announced on the radio over the TCI? How
22 had this march been announced?

23 A. [10:31:53] *No. I did not know that there was a march. It was on the same
24 day at the market that I saw the women going off to march. But I don't really like
25 doing that, so I didn't go. It was my friends who went off. I didn't go.

1 Q. [10:32:09] If I understand you properly, it was your friends who said they were
2 going to the walk?

3 A. [10:32:21] Yes, on that very day.

4 Q. [10:32:24] Who were these friends?

5 A. [10:32:28] A young comrade friend called Mimi, and then there were other
6 people as well, sisters.

7 Q. [10:32:37] How many sisters were there?

8 A. [10:32:41] There were three of them.

9 Q. [10:32:48] When you say Mimi, do you know her full name?

10 A. [10:32:51] No. I call her Mimi. I always knew her as Mimi.

11 Q. [10:32:55] It was like Bamba Nachamy?

12 A. [10:33:01] Yes. Her father is called Bamba.

13 Q. [10:33:04] And your sisters at the market, did they say to you, or perhaps
14 afterwards when you talked amongst yourselves, did they say how they knew about
15 this march?

16 A. [10:33:20] No. It was panic, so we didn't talk about this afterwards.

17 Q. [10:33:25] So even a few weeks or months afterwards you didn't?

18 A. [10:33:29] No, never.

19 Q. [10:33:34] What time was this, Madam Witness, when your sisters from the
20 market went to tell you that they were going to the march?

21 A. [10:33:47] It was in the morning, around *9, 10 o'clock. I don't remember
22 exactly the time, but it was in the morning.

23 Q. [10:33:53] Very well. You just tell us what you remember. That's fine. That's
24 fine.

25 And can you tell me if your sisters at the market told you what the route planned out

1 was?

2 A. [10:34:10] No. They just said they were going to the march, and *I said: "No, me, I
3 don't march because I am scared and in any case I am not interested in doing that."

4 Q. [10:34:18] Very well. So they didn't say to you that they were going to a
5 meeting point in Banco or anywhere else?

6 A. [10:34:25] No. They said it was in Banco, but I didn't go. I said I wanted to
7 stay in the market to try and sell a bit.

8 Q. [10:34:34] So they said it was in Banco?

9 A. [10:34:38] Yes.

10 Q. [10:34:41] In your statement, you say in this paragraph 32, page 0250, a video of
11 this market was even shown at the television on TCI television.

12 Now then, how long was it that you had been watching TCI television?

13 A. [10:35:06] It was during the crisis that we watched that.

14 Q. [10:35:12] Can you briefly describe the images which you saw on TCI?

15 A. [10:35:18] You mean of the march?

16 Q. [10:35:22] Yes.

17 A. [10:35:24] Well, it was Bamba Mimi, and I saw the sisters of my comrade
18 Kotoum. These were the images which I remember.

19 Q. [10:35:34] And these images from TCI, how long after the march was that?

20 A. [10:35:39] It was the next day or two days afterwards.

21 Q. [10:35:54] Can you tell me if you yourself actually saw a tank that day?

22 A. [10:35:58] Yes, in the morning when it was driving along, when I was at the
23 market.

24 Q. [10:36:05] Where were you exactly when you said you saw the tank?

25 A. [10:36:09] I was at the Siaka Koné market.

1 Q. [10:36:16] Very well. Now, the market, that's a bit broad, isn't it? Can you tell
2 me exactly where you were the day of the march when you say that you saw the tank?

3 A. [10:36:26] Well, I was in the market and just by the tarmac. It's like a district, so
4 I was in that market.

5 Q. [10:36:34] All right. How far from the tarmacked road were you?

6 A. [10:36:41] I couldn't really tell you. When you're in the market you see the
7 vehicles driving past on the tarmacked road. But I couldn't really tell you the
8 distance. I don't know the distance very well.

9 Q. [10:36:54] All right. And did you just see one tank going past, madam?

10 A. [10:36:59] Yes.

11 Q. [10:37:00] Very well. And you, personally, you didn't hear any shots fired that
12 day, if I remember?

13 A. [10:37:20] No. We didn't hear any shots. We were in the market, and then we
14 saw running towards the market. We didn't hear shots being fired.

15 Q. [10:37:30] Let's go back over it. How long after you say that you saw a tank did
16 people come back, running backwards, as you said?

17 A. [10:37:52] No more than 10 to 15 minutes. We saw people running back and
18 shouting, "They've killed people. They've killed women." So everybody started
19 running at that point.

20 Q. [10:38:04] Very well. And were you running away as well?

21 A. [10:38:06] Yes. I was scared. We started running.

22 *Q. [10:38:20] And you, Madam Witness, were you also running away?

23 *A. [10:38:24] (Interpretation) Yes, I got scared. When I ran away, since there is a courtyard toward the
24 market, I went to the courtyard to see if the sisters were there. *They said: "The sisters are not here."
25 Someone in the courtyard said: "Well, they said they were going to march." So "I will go and see if

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 they were there." Therefore, it is after, that I went out again to see if they were there.

2 MS NAOURI: (Interpretation)

3 Q. [10:38:38] We'll go back over that, Madam Witness. You saw that there were
4 people running, and you said that you were running, too. Now, where did you
5 actually run to, yourself?

6 A. [10:38:49] I was in the market, so I was running to go back home. We have a
7 big courtyard next door to the mosque.

8 Q. [10:38:58] Very well. And so you were going into this courtyard, nearby the
9 *mosque?

10 A. [10:39:05] Yes.

11 Q. [10:39:06] Were you by yourself?

12 A. [10:39:09] There were a lot of men.

13 Q. [10:39:11] Fine. And did you hide there? How long did you hide there for?

14 A. [10:39:19] For about one hour.

15 Q. [10:39:24] Very well. And what did you do after that? After you had hidden
16 there for an hour, what did you do after that?

17 A. [10:39:31] I asked the mother and the sisters and other people in the courtyard
18 where they had gone. I went out a bit. I went along a bit to see if I could find them.
19 So I went out the courtyard. But they hadn't actually gone out around the back to go
20 back to the market. When they arrived at the market, then I saw them, and they
21 were coming out of a courtyard.

22 Q. [10:40:01] Right. Just a minute. So you're in the family courtyard?

23 A. [10:40:10] Yes.

24 Q. [10:40:10] You were talking with people?

25 A. [10:40:12] Yes. Well, I was with my mother.

1 Q. [10:40:17] So you were with your mother. You were talking with your mother.

2 And then you went back to the Siaka Koné market?

3 A. [10:40:26] Yes. They went round the back, not along the tarmacked road.

4 Q. [10:40:30] Very well. How long did it take you to walk from the courtyard that
5 you were in beside the mosque to the Siaka Koné market by going through that back
6 road?

7 A. [10:40:40] It's not too far. They're not too far, one from the other.

8 Q. [10:40:46] So you went to the Siaka Koné market, and then when you got to the
9 Siaka Koné market, what happened then?

10 A. [10:40:53] When I got to the Siaka Koné market, I stopped for a minute or two,
11 and I didn't know where to go or how to get where I wanted. And there were a lot
12 of people who were running, and people had started to hide, and people in fact were
13 running towards me. They were fleeing towards me. And I was told then that my
14 friend had been killed.

15 Q. [10:41:21] Very well. So you were just at the Siaka Koné market for a few
16 minutes. And once again you saw people running towards you from a courtyard; is
17 that right?

18 A. [10:41:30] Yes. They left Banco and they were running backwards, back
19 towards their house. So they all came in at the same time to try and take shelter,
20 wait there, before they could try and get away from that place.

21 Q. [10:41:45] Very well. What did you do after that when you talked to these
22 people?

23 A. [10:41:52] They're my sisters. They said -- we said: "Where are you going?"
24 They said they didn't understand. And we said, "We'll go back to the house." And
25 we said or they said that my friends had been killed. When they said this, when I

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 learnt this news, I was really devastated.

2 Q. [10:42:11] I understand. Let me just try and understand. The people that you
3 were talking to at that time --

4 PRESIDING JUDGE TARFUSSER: Slowly, please.

5 MS NAOURI: (Interpretation)

6 Q. [10:42:22] Madam Witness, the sisters that you were talking to at that time, they
7 were sisters at the market and you knew them. Now, who are they?

8 A. [10:42:34] Yes, my sisters at the market.

9 Q. [10:42:39] Madam, are you all right, Madam Witness? You can say to the Judge
10 if you would like to take a break.

11 A. [10:42:48] I'm all right.

12 Q. [10:42:52] So it's these sisters who said to you that something had happened to
13 Mimi; is that what you are saying?

14 A. [10:42:59] Yes.

15 Q. [10:43:01] What did you do at that point?

16 A. [10:43:05] Well, we were there. I waited roughly an hour to go to their house
17 and asked if that was really what had happened.

18 Q. [10:43:20] So you were there, you were lost, and you went from that place in the
19 market straight to Mimi's?

20 A. [10:43:29] No. I went to my house first of all to have a rest before going to
21 Mimi's house to see if she really had been killed.

22 Q. [10:43:40] All right. So from the market you went to your house and then from
23 your house to Mimi's house?

24 A. [10:43:53] Yes.

25 Q. [10:43:53] So you didn't go to Banco?

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 A. [10:43:55] No.

2 Q. [10:43:58] When you got to Mimi's house, who was there?

3 A. [10:44:05] Well, I saw her body. I saw Mimi's body.

4 Q. [10:44:15] What time was this when you arrived at Mimi's house, Madam
5 Witness?

6 A. [10:44:20] I don't remember the time.

7 Q. [10:44:24] Was it --

8 MR GARCIA: [10:44:26] Your Honour.

9 PRESIDING JUDGE TARFUSSER: [10:44:28] Mr Prosecutor.

10 MR GARCIA: [10:44:30] If I may, I don't want to interrupt my colleague. I'm just
11 noticing the condition of the witness. A couple of times I've seen her wipe a tear, I
12 imagine.

13 PRESIDING JUDGE TARFUSSER: [10:44:39] Yes.

14 MR GARCIA: [10:44:40] So it might be important to ask the witness if she can
15 continue.

16 PRESIDING JUDGE TARFUSSER: But excuse me, it was just asked two minutes ago
17 by the Defence counsel and she said she's okay, so I don't think there is a need.
18 Are you okay? We break in 15 minutes.

19 THE WITNESS: [10:44:56] (Interpretation) I'm all right.

20 PRESIDING JUDGE TARFUSSER: [10:45:01] Ça va. Okay, please go ahead.

21 MS NAOURI: [10:45:03] (Interpretation) Thank you, your Honour.

22 Q. [10:45:07] Now, Madam Witness, when you got to Mimi's house, was Mimi's
23 father there?

24 A. [10:45:16] Yes, he was there.

25 Q. [10:45:17] Fine. And the full name of Mimi's father is Bamba Mamadou; is that

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 correct?

2 A. [10:45:29] Yes.

3 Q. [10:45:29] Now then, do you know that Mimi's father had set up an association
4 for the victims of the women's march?

5 A. [10:45:44] No. I didn't know that. When I got there, I wasn't interested in
6 anything else.

7 Q. [10:45:52] All right then. Madam Witness, how long did you stay at Mimi's
8 house for?

9 A. [10:46:19] I didn't stay for long. I didn't stay for long.

10 Q. [10:46:30] Apart from Mimi's father, who else was there, do you remember?

11 A. [10:46:33] No. There were a lot of men, but I don't remember.

12 Q. [10:46:36] So a lot of men. Was Mimi's elder sister there?

13 A. [10:46:39] Even if she was there, I don't remember her, because I didn't -- I had
14 tears in my eyes, and I don't remember. I couldn't see properly.

15 Q. [10:46:48] And when you left Mimi's house, Madam Witness, the family had not
16 transported the body yet?

17 A. [10:46:59] No, they hadn't.

18 Q. [10:47:01] Madam Witness, Kotoum's sister, Mayamou Koné, did you see her the
19 day of the women's march?

20 A. [10:47:39] No. Kotoum, I saw -- it was Kotoum that I saw, and she said that her
21 sister had been killed as well at Banco. But I didn't go there to look at the bodies.

22 Q. [10:47:54] Of course. So you learned that something had happened to Koné
23 Mayamou through her sister Kotoum; is that correct?

24 A. [10:48:08] Yes.

25 Q. [10:48:09] Madam Witness, you carried out ceremonies to commemorate the

1 people of 3 March at the women's march 2011. Now, who organised these
2 ceremonies? I'm referring to paragraph 35 of your statement.

3 A. [10:48:44] I don't remember who it was.

4 Q. [10:48:45] So let me read this out. Now, you say in paragraph 35:

5 "The investigators told me that according to the information which they had, the
6 women's march took place 3 March 2011. But that is wrong. I'm sure it was on 8
7 March. I believe that because on 8 March of that year, there was a ceremony
8 organised in Abobo to pay homage to the women who had been killed one year
9 previously. We did sacrifices at the marabout in order to pay tribute to Mimi." End
10 of quote.

11 Is that correct, Madam Witness?

12 A. [10:49:30] Yes, yes, yes, because at Mimi's house her father, one year after her
13 death, carried out sacrifices for her. We didn't organise a march.

14 Q. [10:49:49] Very well. Can you tell us what kind of sacrifice Bamba Mamadou
15 did?

16 A. [10:49:58] He organised biscuits and sweets for our children, and the children
17 ate them and that was that.

18 Q. [10:50:05] Who else was there at that ceremony?

19 A. [10:50:09] It was the parents, friends, family.

20 Q. [10:50:17] Very well. In the extract from your statement which I've just read
21 out, you talk about the 8th of March. Did you know that in the course of the crisis in
22 March 2011, to be precise, that several RHDP marches had been organised, the Day
23 of -- the International Day for Women. Did you know that?

24 A. [10:50:40] No, I didn't know that.

25 Q. [10:50:41] Very well then.

1 MS NAOURI: [10:50:52] (Interpretation) Your Honour, I see the clock turning, but
2 since I'd like to go on to a second incident, perhaps this might be an opportune
3 moment to take the break, or would you like me to continue? Very well then.

4 Q. [10:51:04] Madam Witness, I'd like to talk now about the incident of 17 March
5 2011; is that all right?

6 Now then, on that day do you remember what time you left your house to go to the
7 Siaka Koné market?

8 A. [10:51:29] From 8 o'clock onwards.

9 Q. [10:51:33] How far away from the market did you live on foot?

10 A. [10:51:37] It's not too far. There is a station Mobil next to Siaka Koné. It's not
11 too far.

12 Q. [10:51:48] Ten minutes, 20 minutes?

13 A. [10:51:50] About 20 minutes, it's not too far.

14 Q. [10:51:55] All right then. And did you go there by yourself?

15 A. [10:51:57] Yes, I did.

16 Q. [10:51:58] And your sister that you met up with at the market, was she already
17 there?

18 A. [10:52:06] Yes, because she lives next door to the gendarmerie, so it's not far.

19 Q. [10:52:11] Very well. And she's your actual sister, your biological sister?

20 A. [10:52:18] Yes. She's a younger sister.

21 Q. [10:52:21] Same father, same mother?

22 A. [10:52:22] Yes, same father, same mother.

23 Q. [10:52:27] So when you get to the Siaka Koné market on that day, how many
24 people, roughly, were at the market?

25 A. [10:52:37] Well, there were a lot of men.

1 Q. [10:52:44] All right. And apart from your sister, did you talk to other comrades
2 and friends?

3 A. [10:52:50] Yes. It was a family. Yes, everybody was there.

4 Q. [10:52:57] And you were at the same place --

5 A. [10:53:02] Yes.

6 Q. [10:53:04] I'll finish my question. Were you at the same place as you were
7 when there was the women's march?

8 A. [10:53:11] Yes.

9 Q. [10:53:15] From that spot, could you see the UTB station?

10 A. [10:53:20] Yes. It's just next door.

11 Q. [10:53:25] And the truck station, could you see that?

12 A. [10:53:29] Yes.

13 Q. [10:53:31] And on that day, did you see people at the lorry station?

14 A. [10:53:38] *No, that day, there were not many people. There were the Malien
15 people who were unloading stuff. But there weren't any traveller people. They
16 were at the service station.

17 Q. [10:53:50] And did you really see what these young Maliens were doing?

18 A. [10:53:54] Well, they were sitting down and making tea, nothing else really.

19 Q. [10:53:58] Very well. Do you remember how many of them there were?

20 A. [10:54:14] No, I don't remember.

21 Q. [10:54:15] Do you remember the name of any of these young Mali people?

22 A. [10:54:19] Yes. I know some of the people who unloaded.

23 Q. [10:54:23] Who?

24 A. [10:54:24] One called Yaya.

25 Q. [10:54:26] Apart from Yaya, do you know any others?

- 1 A. [10:54:29] No, I don't know any others.
- 2 Q. [10:54:34] And if I say Adama Ballo, does that ring a bell?
- 3 A. [10:54:42] No, I don't really know the names. I know them to see them. But I
- 4 only know Yaya's name, and we worked with him.
- 5 Q. [10:54:52] All right then. Did you see a lorry driving in to the truck service
- 6 station that day?
- 7 A. [10:55:09] No, I didn't.
- 8 Q. [10:55:13] And on that day, did you see any policemen?
- 9 A. [10:55:41] No, I didn't.
- 10 Q. [10:55:44] Now, where were you exactly when you heard the first loud noise?
- 11 A. [10:55:52] We were in the market, in the market.
- 12 Q. [10:55:55] At your usual spot there?
- 13 A. [10:55:58] Yes.
- 14 Q. [10:56:01] And your sister was with you?
- 15 A. [10:56:03] Everybody was there. We were all there.
- 16 Q. [10:56:08] All right. And do you know where that noise came from?
- 17 A. [10:56:13] No. We were sitting. My cousin said he heard a big kind of bang.
- 18 And it was a noise we'd never heard before. And we started to run.
- 19 Q. [10:56:30] All right then. But you didn't see what caused that noise?
- 20 A. [10:56:36] No, I didn't.
- 21 Q. [10:56:41] So when you heard this noise, you yourself, what did you do?
- 22 A. [10:56:48] Well, as I said, I got away from there. The noise was just too much.
- 23 Q. [10:56:59] So you told your sister to leave the place. But did you try and pick
- 24 up your things?
- 25 A. [10:57:05] No. We just left everything behind. The money which I'd got from

1 selling stuff, I took that with me and then we started running.

2 Q. [10:57:16] And did you all run together, Madam Witness?

3 A. [10:57:20] No. We scattered in different directions.

4 Q. [10:57:25] So you went off in different directions. You, actually, yourself,
5 where did you go?

6 A. [10:57:32] The courtyard next door. I wanted to go into that. And as I
7 wanted -- as I was wanting to go in, I heard a second noise, and it was that second
8 noise which injured me. So I wanted to run into that courtyard, but the door was
9 shut. So I wanted to go a little further down where there was a public courtyard, but
10 then I lost consciousness, and I woke up in hospital.

11 Q. [10:57:57] All right then. So you were heading for a courtyard. But before
12 you got there, you were injured; is that correct?

13 A. [10:58:08] Yes, but the door was shut. The door into that courtyard was shut.
14 There was a toilet, a public shower, next door, and I tried to go into the shower and
15 then I fainted, and I woke up and found myself in hospital.

16 Q. [10:58:28] So when you started running, you had no idea where your sister was?

17 A. [10:58:34] No, I had no idea at all.

18 Q. [10:58:36] When did you see your sister again?

19 A. [10:58:56] The next day at hospital.

20 Q. [10:59:00] So not the same day?

21 A. [10:59:02] No. It wasn't that day. It was the day after that I saw her.

22 Q. [10:59:07] And what did she say to you the next day at the hospital?

23 A. [10:59:12] The next day, she came along and said what was wrong with me.

24 And I told her I was injured. And I'd seen the blood. I saw there was blood all over
25 my clothes, and my hand had swollen, so I knew that there was something wrong

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 with me. I knew that I was injured. But the first noise that we heard when we
2 started running, that had fallen on Yaya, and Yaya had been killed.

3 THE INTERPRETER: [10:59:47] Microphone, please.

4 MS NAOURI: [10:59:49] (Interpretation)

5 Q. [10:59:52] So your sister told you that about Yaya. Did she tell you how she
6 knew that?

7 A. [11:00:00] Yes. She explained to me that she hadn't seen me and they had gone
8 back to the market to try and find me. And that was when they saw that Yaya was
9 really, well, I mean, what can you say?

10 MS NAOURI: [11:00:21] (Interpretation) I see the time has flown by, and I think
11 the Witness probably needs a rest. Of course, it's up to you, but I suggest maybe we
12 take a break.

13 PRESIDING JUDGE TARFUSSER: [11:00:29] I was going to stop you now, but now
14 we take the break, half an hour. And we come back at 11.30 for the second session.
15 Are you okay?

16 THE WITNESS: [11:00:41] (Interpretation) Yes, I'm all right.

17 PRESIDING JUDGE TARFUSSER: [11:00:44] So now you can rest for half an hour
18 and then we come back, okay?

19 The hearing is adjourned to 11.30.

20 THE COURT USHER: [11:00:52] All rise.

21 (Recess taken at 11 a.m.)

22 (Upon resuming in open session at 11. 33 a.m.)

23 THE COURT USHER: [11:33:51] All rise.

24 Please be seated.

25 PRESIDING JUDGE TARFUSSER: [11:34:19] Good morning. Bonjour,

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 Madam Witness.

2 THE WITNESS: [11:34:23] (Interpretation) Good morning.

3 PRESIDING JUDGE TARFUSSER: [11:34:27] Are you okay? Do you feel better?

4 THE WITNESS: [11:34:29] (Interpretation) Yes, I'm fine.

5 PRESIDING JUDGE TARFUSSER: [11:34:35] We continue with the questioning by
6 the Defence for Mr Gbagbo. And if there is anything you need, you just tell me,
7 okay?

8 Madam Naouri.

9 THE WITNESS: [11:34:48] (Interpretation) Okay.

10 MS NAOURI: [11:34:51] (Interpretation) Thank you, Mr President.

11 Q. [11:34:56] Now, Madam Witness, before the break we were talking about Yaya.
12 And if I understood properly, it's your sister who told you that Yaya was dead.

13 A. [11:35:13] Yes, at the hospital.

14 Q. [11:35:16] Very well. Did you see Yaya's parents or relatives?

15 A. [11:35:23] Yes, I saw her junior sister later.

16 Q. [11:35:27] When was that?

17 A. [11:35:27] The very same day, the next day.

18 Q. [11:35:32] So the next day at the hospital, is that what you mean?

19 A. [11:35:35] Yes, correct.

20 Q. [11:35:36] Very well. Did you see any other member of her family apart from
21 her sister?

22 A. [11:35:45] No.

23 Q. [11:35:46] Very well. You yourself, did you see Yaya at the hospital?

24 A. [11:35:57] No, I did not see her.

25 Q. [11:36:01] Okay. Now, you said at paragraph 23 of your statement, page 0249,

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 in relation to Yaya the following, and I quote:

2 "The images of the incident were broadcast on TV and on the images I was able to
3 recognise Yaya. And we see that he is struck, but he is still alive. He was sitting,
4 wearing a shirt and a white towel around the neck. Many people had filmed the
5 incident and I saw that subsequently on the TCI TV." End of quote.

6 Is that correct, madam?

7 A. [11:36:49] Yes.

8 Q. [11:36:50] Madam Witness, I am now going to show you a video,
9 CIV-OTP-0046-1283. It's a public video, and the timestamp is 01.50 to 02.09. For the
10 transcript, it is CIV-OTP-0055-0653, and the translation is CIV-OTP-0055-0112. And
11 can we have control, Madam Court Officer?

12 THE COURT OFFICER: [11:37:41] Defence has the floor.

13 MS NAOURI: [11:37:43] Thank you.

14 (Viewing of the video excerpt)

15 MS NAOURI: [11:37:58] (Interpretation)

16 Q. [11:37:59] Now, Madam Witness, we can stop if you prefer we rather not show
17 the images.

18 Mr President, is interpretation required? If so, then we would request they start all
19 over.

20 PRESIDING JUDGE TARFUSSER: [11:38:12] Let's start. Let's start from the
21 beginning.

22 MS NAOURI: [11:38:16] D'accord.

23 PRESIDING JUDGE TARFUSSER: [11:38:17] Is there interpretation?

24 MS NAOURI: [11:38:19] (Interpretation) No need for interpretation.

25 PRESIDING JUDGE TARFUSSER: [11:38:24] Okay.

1 MS NAOURI: [11:38:25] (Interpretation) For this excerpt.

2 PRESIDING JUDGE TARFUSSER: [11:38:28] Let's start again with this video.

3 Thank you.

4 (Viewing of the video excerpt)

5 MS NAOURI: [11:38:58] (Interpretation)

6 Q. [11:38:59] Madam Witness, are those the same images you saw on TCI?

7 A. [11:39:04] Yes, that's it. That's Yaya sitting down and Issa is standing next to
8 him.

9 Q. [11:39:13] Who is Issa, Madam Witness?

10 A. [11:39:27] Issa used to live in the neighbourhood. And they were the ones who
11 used to clean the market, to sweep the market.

12 Q. [11:39:37] If I said Issa Bokoum, would that jog your memory?

13 A. [11:39:41] No. His name is Issa Bamba.

14 Q. [11:39:45] Thank you, Madam Witness.

15 Do you remember when you saw these images and how long after the incident?

16 A. [11:39:53] It was two days after.

17 Q. [11:39:58] Very well. I now want to show you another video, Madam Witness.

18 It's video CIV-OTP-0042-0593, tab 14 on our list of materials. This video has already
19 been shown publicly, from 3.10 to 4.40. And the transcript of the video is
20 CIV-OTP-0053-0096, translation 0053-0183.

21 THE INTERPRETER: [11:40:42] Would counsel please provide the page and line
22 number for interpretation.

23 (Viewing of the video excerpt)

24 MS NAOURI: [11:40:52] (Interpretation) We will have to reduce the volume first.

25 I'm sorry.

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 PRESIDING JUDGE TARFUSSER: [11:40:59] Is there interpretation needed?

2 MS NAOURI: [11:41:01] (Interpretation) No need for interpretation, Mr President.

3 PRESIDING JUDGE TARFUSSER: [11:41:09] No, I'm requested by the interpreters.

4 Okay, thank you.

5 (Viewing of the video excerpt)

6 MS NAOURI: [11:42:47] (Interpretation)

7 Q. [11:42:47] Madam Witness.

8 A. [11:42:49] Yes.

9 Q. [11:42:49] Have you seen these images before on TCI?

10 A. [11:42:52] Yes, I have seen them on TCI. Now, before that man and his woman,
11 and his wife, went through the corridor, they passed in front of our house. They
12 passed in front of us. He and his wife, they went in front of our house before going
13 into that corridor. And that is where Yaya was sitting as well. So they passed in
14 front of us, but we did not know that they too had been killed.

15 Q. [11:43:21] Very well. Now, just to clarify the point on the images, you have
16 seen these already before today; is that correct?

17 A. [11:43:33] Yes.

18 PRESIDING JUDGE TARFUSSER: [11:43:38] Mr Prosecutor.

19 MR GARCIA: [11:43:39] For the sake of clarity, your Honour, I understand that the
20 witness has referred to certain people that she's seen on the video. I think we should
21 play the video and actually have a timestamp to see exactly who she's speaking about.
22 I think that's quite important at this stage.

23 PRESIDING JUDGE TARFUSSER: [11:43:52] Well, not to the first, because there
24 were only two persons, one sitting and one standing.

25 MR GARCIA: [11:43:59] Not the first one, but the second one, your Honour.

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 PRESIDING JUDGE TARFUSSER: [11:44:02] Please.

2 MS NAOURI: [11:44:04] (Interpretation) Very well, Mr President.

3 Q. [11:44:09] Madam Witness, we will play the video again and I will ask you
4 whenever you recognise the two people you have mentioned to please indicate so
5 that we will stop the video at that point and proceed to a screenshot and that would
6 be useful for the record.

7 A. [11:44:26] Very well.

8 (Viewing of the video excerpt)

9 THE WITNESS: [11:45:17] (Interpretation) There.

10 MS NAOURI: [11:45:18] (Interpretation)

11 Q. [11:45:19] Is that where you want us to freeze the image?

12 A. [11:45:22] Yes.

13 Q. [11:45:26] Timestamp 3.46.13. Let's continue.

14 (Viewing of the video excerpt)

15 MS NAOURI: [11:45:50] (Interpretation)

16 Q. [11:45:51] Madam Witness, in the excerpt, the person wearing the sort of blue
17 T-shirt, is that the person you are talking about?

18 A. [11:46:00] No. I was talking about the two dead people, the man and his wife.
19 The others, I don't know them.

20 PRESIDING JUDGE TARFUSSER: [11:46:06] The one wearing a blue T-shirt here?
21 One is green and one is white to my knowledge, if I interpret the colours properly.

22 MS NAOURI: [11:46:16] (Interpretation) What I meant when I said "turquoise", I
23 was talking about green, Mr President. So I think those are the people who have
24 been identified by the witness.

25 Q. [11:46:33] Madam Witness, in your statement at paragraph 23, you say the

1 following, "Many people came to film what had happened."

2 My question is, who told you that many people came to record what had happened
3 on that day?

4 A. [11:46:54] I was not at the location. It's my sister who told me at the hospital
5 that people had gone to film. She was looking for me and so she is the one who told
6 me that people were talking about people having gone to film at the market.

7 Q. [11:47:13] Very well. Did people say who those young people or those persons
8 who were filming were?

9 A. [11:47:25] No. I didn't ask her that question, because I was not well. I didn't
10 ask her that question.

11 Q. [11:47:31] Very well. Subsequently, did people talk about this in the
12 neighbourhood? If I mention Yacouba Tiote, does that name ring a bell?

13 A. [11:47:51] No.

14 Q. [11:47:54] Now, I want us to go back to the time when you were at the hospital,
15 okay, madam?

16 A. [11:48:02] Yes.

17 Q. [11:48:04] Do you know who took you to the hospital?

18 A. [11:48:07] I don't know. I found myself at the hospital, but I don't know who
19 brought me there.

20 Q. [11:48:14] Very well. In your statement, paragraph 21 at page 0248, you say the
21 following: "When I came to, I was in the operation room of the Abobo major
22 hospital. My family had taken me there." End of quote.

23 Is it correct that it is your family that took you to the Abobo hospital?

24 A. [11:48:45] I don't know who took me to the hospital because I was unconscious.
25 When I got up, I saw my family, but I don't know who took me there.

1 Q. [11:48:56] Was your family there on the same day or the day after?

2 A. [11:49:02] The day after. It was the day after that I saw my relatives. I didn't
3 see them on the same day. I saw them the next day.

4 Q. [11:49:16] Very well. Who notified your family?

5 A. [11:49:22] I don't know. I saw them at the hospital, and then I asked who
6 brought me to the hospital? And they said, "You're injured and others were injured
7 as well and they were taken to the hospital." So they had come to check whether I
8 was there. And that's how they came to find me at the hospital.

9 Q. [11:49:41] So they didn't tell you subsequently, in subsequent discussions, how
10 they had found out that you were at the hospital?

11 A. [11:49:49] I asked them and they said no. They said people had been injured
12 and they were not seeing them. And so when they asked around, they were told
13 that people had been injured and taken to the grand hospital in Abobo. So they
14 came and that's how they found me.

15 Q. [11:50:08] Very well, Madam Witness.

16 Now, when you woke up in the hospital, where were you?

17 A. [11:50:22] I was in the operation room.

18 Q. [11:50:27] Very well. When you were answering questions from the
19 Prosecution a short while ago, she mentioned a blanc doctor whom you met and who
20 was working for the Office of the Prosecutor. This doctor wrote a report which is
21 document CIV-OTP-0059-0121, page 0124, tab 23 of our material list, in which the
22 following is written regarding you: "She was brought to the hospital by other
23 persons, but she gradually lost consciousness along the way. When she woke up,
24 she was in a large room with other injured persons."

25 Is this correct, what the doctor says? Were you in a big room with other injured

Trial Hearing
WITNESS: CIV-OTP-P-0105

(Open Session)

ICC-02/11-01/15

1 persons?

2 A. [11:51:31] Yes.

3 PRESIDING JUDGE TARFUSSER: [11:51:32] Mr Prosecutor.

4 MR GARCIA: [11:51:33] Now, when Defence counsel cross-examined, or examined
5 on a prior statement before the screening -- it was an unsigned document -- the
6 procedure was the correct one, which is to, first of all, to ask the witness if she said
7 that, and then afterwards to ask her if that's correct or not. That's the correct
8 procedure. This is referring -- what the Defence counsel is referring to is a report
9 made by a third party in which the witness would have stated certain things to that
10 third party. So the correct first question is to ask the witness whether she did indeed
11 say that or not.

12 MS NAOURI: [11:52:08] (Interpretation) That's exactly what I did.

13 PRESIDING JUDGE TARFUSSER: [11:52:13] That's what I think she did. Please go
14 ahead. Yes. Because I was going back, but I thought this was exactly what was
15 done. So please go ahead.

16 MS NAOURI: [11:52:25] (Interpretation) Thank you, Mr President.

17 Q. [11:52:31] Now, Madam Witness, could you answer the question?

18 A. [11:52:34] Please repeat the question.

19 PRESIDING JUDGE TARFUSSER: [11:52:41] Now, I think she answered the
20 question before the intervention of Mr Garcia. Yes, she said yes. "Is it correct what
21 the doctor says? Were you in a big room with other injured persons?" "Yes."
22 So please go ahead.

23 MS NAOURI: [11:53:05] (Interpretation) Thank you, Mr President.

24 Q. [11:53:17] Who else was in that big room with other injured persons; do you
25 remember?

1 A. [11:53:24] No, I don't remember.

2 Q. [11:53:27] Very well. At the time you woke up, did you talk to a doctor?

3 A. [11:53:37] I didn't see any doctor nearby.

4 Q. [11:53:43] Throughout your stay at the hospital, did you meet a doctor at some
5 point?

6 A. [11:53:49] Yes, subsequently. When I woke up, we were taken to a big room
7 with other injured persons, and it is in that room that I saw a doctor and he said I was
8 injured. That's all he told me.

9 Q. [11:54:07] Very well. Did he tell you why you were operated?

10 A. [11:54:13] No. He didn't have time to explain those things to me.

11 Q. [11:54:19] Very well. Did that doctor issue a prescription for you?

12 A. [11:54:25] No.

13 Q. [11:54:29] Very well. Do you know whether you were under any kind of
14 anaesthesia?

15 A. [11:54:35] No, I don't know.

16 Q. [11:54:38] Very well. Now, Madam Witness, do you know who paid for the
17 treatment you received at the hospital on that day?

18 A. [11:54:56] No, I don't know.

19 Q. [11:55:05] Very well.

20 PRESIDING JUDGE TARFUSSER: [11:55:08] Well, was there something to be paid?

21 MS NAOURI: [11:55:11] (Interpretation) Yes, Mr President. At paragraph 26,
22 there is mention of medical costs, paragraph 26 of the witness's statement.

23 PRESIDING JUDGE TARFUSSER: [11:55:40] But did you receive an invoice? Did
24 you receive an invoice?

25 THE WITNESS: [11:55:48] (Interpretation) No.

1 MS NAOURI: [11:55:57] (Interpretation) Very well. Thank you, Mr President.

2 Q. [11:56:02] Now, Witness, when did you leave the hospital?

3 A. [11:56:06] On Friday, the next day.

4 Q. [11:56:12] The white doctor's report, the doctor from the OTP, his report,

5 CIV-OTP-0059-0121 at page 0125, he says the following: "She remained in hospital
6 for two days."

7 My question to you, Madam Witness, is how many days did you remain in the
8 hospital?

9 A. [11:56:39] I was injured on Thursday and I went home on Friday.

10 Q. [11:56:44] Very well. Did you receive any kind of treatment or prescription?

11 A. [11:56:59] Two days after, I went back to the hospital for my wounds to be
12 dressed.

13 Q. [11:57:08] During the two days -- rather, did you go back to the hospital two
14 days after for the dressing?

15 A. [11:57:22] Yes.

16 Q. [11:57:24] During those two days, what happened, Madam Witness? How did
17 you feel?

18 A. [11:57:30] I did not feel well.

19 Q. [11:57:34] Very well. After you went back to the hospital after the two days,
20 after the incident, did you go back to the hospital again?

21 A. [11:57:56] Yes, for dressing.

22 Q. [11:57:59] How many times?

23 A. [11:58:03] Every other day, every two days, rather.

24 Q. [11:58:11] Madam Witness, in addition to going to the hospital for dressing your
25 injury, did you meet an x-ray specialist?

- 1 A. [11:58:24] No.
- 2 Q. [11:58:28] Did you do any x-rays?
- 3 A. [11:58:32] Yes, I had some x-rays, but not at the hospital.
- 4 Q. [11:58:38] Where, Madam Witness?
- 5 A. [11:58:43] At my husband's place of work, Fraternité Matin, in Adjamé.
- 6 Q. [11:58:59] Were you issued a prescription there?
- 7 A. [11:59:03] Yes, there was a prescription for some medication. I had to do an
- 8 x-ray, which I did at the Fraternité and I brought it back, and then I was given a
- 9 prescription for medication which I take -- which I took whenever I felt pain.
- 10 Q. [11:59:25] Do you still have those prescriptions, Madam Witness?
- 11 A. [11:59:32] No. These things happened a long time ago.
- 12 Q. [11:59:35] Very well. Madam Witness, after what happened on 17 March 2011,
- 13 did you go to the Abobo mayor's office?
- 14 A. [11:59:51] No, no. I went there once, yes, to the Abobo mayor's office once.
- 15 Q. [12:00:00] Very well. When was that, more or less?
- 16 A. [12:00:04] I don't remember the date.
- 17 Q. [12:00:07] What did you go to do at the mayor's office in Abobo?
- 18 A. [12:00:13] We were told that those who had been injured should come and
- 19 register and that they would receive treatment. So that is why I went to be
- 20 registered.
- 21 Q. [12:00:24] Who told you that, Madam Witness?
- 22 A. [12:00:27] There is a young man who works at the mayor's office who told me
- 23 that there was a list being drawn up of all those who had been injured who would
- 24 subsequently be treated. So that's why we went there.
- 25 Q. [12:00:40] The young man who worked at the mayor's office, do you remember

1 his name?

2 A. [12:00:46] No. It's been a long time ago. And I no longer see him.

3 Q. [12:00:52] Does that young man know Mr Bamba, Mimi's father?

4 A. [12:00:56] I don't know.

5 Q. [12:00:57] Very well. Do you remember how you came to be registered as a
6 victim, how it happened?

7 A. [12:01:13] I went there, they asked my name and I gave them my name. That's
8 it.

9 Q. [12:01:18] Very well. Did they take any photographs of you?

10 A. [12:01:23] No, they did not take any photographs of me.

11 Q. [12:01:29] Very well. At paragraph 15 of your statement, this is what is
12 recorded referring to the Abobo mayor's office, quote:

13 "I went there and gave my statement. And at the mayor's office they took a
14 photograph of my injury and they took down my story and that was it. I did not
15 sign anything and I don't know what became of my file." End of quote.

16 A. [12:01:57] The photograph was taken at the house, not at the mayor's office. It
17 was taken at my house. Not at the mayor's office.

18 Q. [12:02:04] Very well. You told us just a while ago that you gave your name.

19 A. [12:02:11] Yes, I gave my name. But the photograph was taken at my house.

20 Q. [12:02:15] You didn't tell your story to the people at the mayor's office?

21 A. [12:02:20] They asked me if I had been injured and I said yes, and that was it,
22 and then I left.

23 Q. [12:02:28] Madam Witness, you're a member of the group Lumière Association;
24 is that correct?

25 A. [12:02:44] Yes.

- 1 Q. [12:02:45] How long for?
- 2 A. [12:02:47] For a long time now.
- 3 Q. [12:02:48] When was this association set up, roughly?
- 4 A. [12:02:52] A long time ago. I really don't remember the date.
- 5 Q. [12:02:58] Was that a few years before the event started, before the crisis?
- 6 A. [12:03:03] Even years and years before the events.
- 7 Q. [12:03:07] Where is this association based?
- 8 A. [12:03:15] At Abobo Mobil.
- 9 Q. [12:03:20] Who is the president of this association?
- 10 A. [12:03:25] Sanogo Madouso.
- 11 Q. [12:03:32] Do you know what his political affiliation is?
- 12 A. [12:03:36] No. I don't do politics. The association is not there for politics.
- 13 Q. [12:03:40] Did this association help the victims after the crisis?
- 14 A. [12:03:43] No.
- 15 Q. [12:03:44] Very well. Madam Witness, how did the investigators of the OTP
- 16 get in touch with you? Was there any kind of intermediary?
- 17 A. [12:04:05] No. Well, I don't know how they got my number because when I
- 18 was injured, somebody came to my house at Abobo Mobil, but I was at the hospital at
- 19 that time. And the person who was there gave my name I think.
- 20 Q. [12:04:34] You said your "beau". What do you mean by that?
- 21 A. [12:04:37] I mean my brother-in-law.
- 22 Q. [12:04:39] The first time you met investigators of the OTP 13 January 2012, do
- 23 you remember if there was a psychologist there?
- 24 A. [12:04:50] No, I don't know.
- 25 Q. [12:04:51] Fine. Can you tell me if the investigators of the OTP asked you to

1 show them where the incident took place?

2 A. [12:05:09] Yes, they did.

3 Q. [12:05:11] Did you do that?

4 A. [12:05:12] Yes, I did.

5 Q. [12:05:16] And when you -- I beg your pardon. And when you had finished
6 with the investigators of the OTP, when they had finished taking down the notes, did
7 they read your statement back to you?

8 A. [12:05:33] Yes, they did.

9 Q. [12:05:34] And you, Madam Witness, did you suggest any names to the OTP or
10 people that they could talk to?

11 A. [12:05:44] No, I didn't.

12 Q. [12:05:50] After the meeting with the white doctor at the PISAM, did you meet
13 any other doctors from the OTP after that?

14 A. [12:06:07] I don't remember.

15 Q. [12:06:07] Did you see a psychologist from the OTP before you came to testify
16 here?

17 A. [12:06:12] Yes.

18 Q. [12:06:14] Fine. Now, Madam Witness, in paragraph 8, it says that the
19 investigators of the OTP informed you of the existence of the section for victims
20 participation to participate as a victim here in the procedure ongoing at the ICC. Did
21 the investigator suggest that you meet the people from the victims department? Do
22 you remember that?

23 A. [12:06:48] No, I don't remember.

24 Q. [12:06:51] Thank you very much indeed, Madam Witness.

25 MR ALTIT: [12:06:53] (Interpretation) Your Honour, ladies and gentlemen, this

- 1 finishes the questioning of the witness for the Defence of Mr Gbagbo.
- 2 PRESIDING JUDGE TARFUSSER: [12:07:04] Thank you very much.
- 3 Now, Madam Witness, it is time for the Defence for Mr Blé Goudé to put you some
- 4 questions, and I give the floor to that effect to Maître N'Dry.
- 5 MR N'DRY: [12:07:19] (Interpretation) Your Honour, thank you very much. The
- 6 questioning by the team for the Defence of Mr Charles Blé Goudé will be headed up
- 7 by Mr Gbougnon.
- 8 PRESIDING JUDGE TARFUSSER: [12:07:38] Mr Gbougnon, yours the floor.
- 9 MR GBOUGNON: [12:07:46] (Interpretation) Good morning, your Honour.
- 10 Ladies and gentlemen of the Court, good morning to you.
- 11 QUESTIONED BY MR GBOUGNON: (Interpretation)
- 12 Q. [12:07:54] Good morning, Madam Witness.
- 13 A. [12:07:56] Good morning.
- 14 Q. [12:07:57] My name is Jean Serge Gbougnon. I'm a barrister at the Abidjan bar.
- 15 I'm going to ask you just a few short questions - this will not be very long - on behalf
- 16 of Charles Blé Goudé. So just a few questions of detail, in fact.
- 17 You said here that in the course of the crisis you lived in Abobo Mobil, correct?
- 18 A. [12:08:29] Yes.
- 19 Q. [12:08:33] When I ask my questions, could you wait just a little bit before you
- 20 answer because we need to wait for the interpretation.
- 21 A. [12:08:44] Yes.
- 22 Q. [12:08:45] At that time where did your son live?
- 23 A. [12:08:53] He lived with me.
- 24 Q. [12:09:05] You also said that he was injured at PK18 beside the bridge or behind
- 25 the bridge; is that correct?

1 A. [12:09:13] Yes.

2 Q. [12:09:17] You said that the limit in the crisis was at the gendarmerie. You
3 couldn't go to PK18. How did he get to PK18?

4 A. [12:09:44] That was after the results. It was after the results that we couldn't
5 get to PK18. The limit was the gendarmerie. Before, you could get through.

6 Q. [12:09:58] After the results, because you also said -- we just need to get this clear.
7 You also said that after the results your son was injured. So this is why I'm asking at
8 what time. At what time after the results could you no longer get through to PK18?

9 A. [12:10:21] After, it was after the results, you couldn't get through. Before, you
10 could get through for your travels and so on. But afterwards you couldn't, because
11 the results were given. People could still come to the house from PK18. It was
12 when they came to the house that they had their accident on the road.

13 Q. [12:10:54] Thank you. Before the incident at the Abobo market, when you were
14 at the Abobo market, had there already been roadblocks set up by the young people
15 in your neighbourhood?

16 A. [12:11:24] No. That was after the incident.

17 Q. [12:11:30] I'd like to read from your statement which you made to the
18 investigators when they came to see you, paragraph 48, and I'm going to read the
19 whole paragraph out so that we understand each other:

20 "Already from the moment Gbagbo's victory was announced, the young Ébrié had
21 started to set up roadblocks. There were roadblocks on the Avocatier road right up
22 to Anonkoua. To go up to town you had to go past, or through, Avocatier. At that
23 point there was a roadblock with young Ébrié and young Dioula -- correction. There
24 was a roadblock of young Ébrié, and the young Dioula could not go past through that
25 road to go into town because they would be stopped and killed.

1 As the young Ébrié had set up the barrier, had set up the roadblock at Avocatier, as
2 the young Ébrié had set up the roadblock at Avocatier, the young people from Abobo
3 also set up their roadblocks at Abobo." End of quote.

4 So you seem to be saying here that, before your incident, the young Ébrié had set up a
5 roadblock, and in response to that the young people from Abobo did the same thing;
6 they set up a roadblock. And that was before 17 March. That is what you said.

7 A. [12:13:12] That was in my neighbourhood. That's what I've just said. I didn't
8 go out of my house. I only went out of my house to go to the market. Otherwise I
9 didn't go out. The roadblocks were in my neighbourhood on the road. In the other
10 neighbourhoods, I don't know what was going on there.

11 Q. [12:13:31] So in your neighbourhood before the events at the market, the young
12 people of your neighbourhood had set up a roadblock?

13 A. [12:13:40] That was afterwards, afterwards.

14 Q. [12:13:59] In what I've just read out, you've said that before the announcement
15 of Gbagbo's victory, the young Ébrié had set up roadblocks. And in response to that
16 roadblock, or these roadblocks, the young people of Abobo also set up roadblocks.
17 Now, you situate this before the events. When the young people set up the
18 roadblocks, the young people of Abobo also set up roadblocks. That's what you said.
19 That is what you said to the investigators; is that correct?

20 A. [12:14:41] No. When you said the young Ébrié set up roadblocks, well, it's as if
21 I was there where the roadblocks were set up. I wasn't there. I was in my
22 neighbourhood. I don't know what was happening in the other neighbourhoods. I
23 was talking only about my neighbourhood.

24 Q. [12:15:02] We agree on the neighbourhood point. We agree on that
25 neighbourhood point. But now we have to look at the date. You are saying that,

1 before, you say in this paragraph, already from the moment Gbagbo's victory was
2 announced, that means a long time before the incident at the market, that the young
3 Ébrié had been setting up roadblocks. And in response to that the young people of
4 Abobo in your neighbourhood, too, perhaps were setting up roadblocks; is that
5 correct?

6 A. [12:15:33] Yes.

7 Q. [12:15:33] Les jeunes de votre quartier qui ont fait des barrages; est ce que c'est
8 quelqu'un qui leur a demandé de faire les barrages?

9 A. [12:16:05] No, nobody asked them to do that.

10 Q. [12:16:11] Mr Blé Goudé, before you see him, actually saw him here, had you
11 ever seen him previously, seen him face to face physically?

12 A. [12:16:25] Once.

13 Q. [12:16:30] Where and on what occasion?

14 A. [12:16:37] At Abobo, Abobo Avocatier.

15 Q. [12:16:43] On what occasion?

16 A. [12:16:49] There was a parliament at Abobo Avocatier. I had been going to see
17 my sister just by there, and that was where I saw him. There were a lot of young
18 men, but there were an awful lot of men, and there were a lot of traffic, and I saw him.
19 And that was how I saw him. People said to me that it was Blé Goudé who had
20 come there, and I said, okay, I'll go and see him. So I saw him, and then I left and
21 went to the house. So that was, that's really the second time I'm seeing him.

22 Q. [12:17:29] So that day you stopped off to listen to the meeting. Did you hear
23 what was being said?

24 A. [12:17:46] No, no, no. As I said, I don't like politics. I just saw him and then I
25 went off to the house. I didn't stop and listen to what was being said.

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1 Q. [12:17:59] Thank you very much, Madam Witness. Thank you. That's the end
2 of my questions.

3 We have no more questions, your Honour.

4 PRESIDING JUDGE TARFUSSER: [12:18:15] Thank you very much.

5 Now I revert to the Office of the Prosecutor, asking if there is a request for
6 re-questioning.

7 MS RODRIGUEZ: [12:18:27] No questions, your Honour.

8 PRESIDING JUDGE TARFUSSER: [12:18:29] Thank you very much. Madam
9 Witness, this concludes your testimony here in front of the International Court. I
10 thank you for having been here, for having answered the questions, and wish you a
11 safe trip back home. Thank you very much.

12 The witness can be escorted out of the courtroom.

13 (The witness is excused and exits the courtroom)

14 PRESIDING JUDGE TARFUSSER: [12:19:09] The hearing is adjourned to 2.30 in the
15 afternoon, where we start with the next witness. This will be an in-camera,
16 completely in-camera proceeding via video link. So the hearing is adjourned to 2.30.
17 Thank you very much.

18 THE COURT OFFICER: [12:19:31] All rise.

19 (Recess taken at 12.19 p.m.)

20 (Upon resuming in closed session at 2.32 p.m.)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12

13 Page redacted – Closed session

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0554

(Closed Session)

ICC-02/11-01/15

- 1 (Redacted)
- 2 (Redacted)
- 3 (Redacted)
- 4 (The hearing ends in closed session at 3.18 p.m.)