

Trial Hearing
WITNESS: CIV-OTP-P-0381

(Open Session)

ICC-02/11-01/15

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 Tuesday, 14 November 2017
10 (The hearing starts in open session at 9.15 a.m.)
11 THE COURT USHER: [9:15:48] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:16:09] Good morning.
15 Good morning to you, Mr Witness
16 WITNESS: CIV-OTP-P-0381 (On former oath)
17 (The witness speaks French)
18 THE WITNESS: [9:16:19] (Interpretation) Good morning, Mr President.
19 PRESIDING JUDGE TARFUSSER: [9:16:22] I give the floor immediately to the
20 Defence for Mr Blé Goudé, Mr Knoops.
21 MR KNOOPS: [9:16:32] Good morning, Mr President, your Honours. Mr
22 Gbougnon will start the examination on behalf of our, team and I will conclude the
23 examination with some additional questions, Mr President. Thank you.
24 PRESIDING JUDGE TARFUSSER: [9:16:44] Thank you very much.
25 Maître Gbougnon, the floor is yours.

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1 MR GBOUGNON: [9:16:49] (Interpretation) Good morning, Mr President. Good
2 morning, your Honours.

3 QUESTIONED BY MR GBOUGNON: (Interpretation)

4 Q. [9:17:07] Good morning, Mr Witness.

5 A. [9:17:09] Good morning, Counsel.

6 Q. [9:17:10] I am Maître Jean Serge Gbougnon, lawyer at the Abidjan bar. Just like
7 those before me, I will put some questions to you, and given that we both speak
8 French, we should please observe the five-second rule so as not to overlap. Did you
9 understand that?

10 A. [9:17:39] Yes.

11 Q. [9:17:42] Mr Witness, let us backtrack to the process of archiving documents. You
12 stated to the OTP --*and I am referring to paragraph 18, and to the transcript
13 of 13 November 2017, page 71, line 23 to 28, and page 72, line 1 to 7. You stated that you
14 archived documents only after the documents had been processed; is that correct?

15 A. [9:18:46] Yes. I would like to point out that, as far as we are concerned, it was
16 not only the documents processed by the various units, that is, issued by the various
17 heads of division, but sometimes we can receive a document only for information.
18 So sometimes the document is not processed and it arrives as such in the archives.

19 Q. [9:19:51] So the decision to archive the documents, or to file it in the archives, is
20 the responsibility of your leaders; is that correct?

21 A. [9:20:08] Yes, if they have already seen the document. But it is possible that it
22 falls through the cracks. That is why in the archives unit I also have the
23 responsibility to follow up documents; so a chief may overlook the processing of a
24 document. So I'm compelled to take the document back to the boss and inquire
25 whether it is an oversight or whether it needs to be processed and sent to the other

1 units. In that case, he would treat the document or leave it to me.

2 Q. [9:21:00] The point remains that you always refer to the chief before archiving
3 the document?

4 A. [9:21:05] It is not up to the chief to my job as an archivist. I am the one filing
5 the documents in the archives. It is not the chief who tells me to do this or do that.
6 But the documents are the documents that he no longer needs in his office. So the
7 documents are sent to the archives, and if in the future he needs the documents, he
8 will tell me, "I need such-and-such a document," and I will retrieve it. That is how it
9 works.

10 Q. [9:21:42] You have testified here in this courtroom that at one point during the
11 crisis you no longer received any documents. As far as you know, why did you no
12 longer receive any documents?

13 A. [9:22:16] Let me correct what I said. I did not say I no longer received
14 documents. I said that the rhythm had slowed down. So the processing of
15 documents has slowed down because the crisis has intensified.

16 Q. [9:22:45] So the reason was the intense crisis?

17 A. [9:22:55] Yes. The administrative processes had slowed down.
18 And please, when you say whether this was the reason, well, there were other reasons
19 that I myself, I observed, because there were documents that the chief kept for himself,
20 and his first deputy did not even see those documents. He kept them in his office,
21 whereas in the past that had not been the case.

22 Q. [9:23:46] So the fact that you did not receive as many documents as before, did
23 that worry you?

24 A. [9:24:08] What was of concern to me even more is, because I went frequently to
25 the secretariat and to the commanders office to see the documents that were

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1 disturbing them or were cumbersome to them, because there could have been
2 documents there that needed to be in the archives. So that was one of my duties,
3 that is, to go to those offices and try to organise the preservation of documents.
4 On one occasion, I went to the office and I saw that a document had actually been
5 dispatched; whereas I'm the one who was responsible for correspondences, so I
6 wondered why that document had not been sent to the archives for filing.

7 Q. [9:25:23] Is it one of the reasons, that is, for not receiving many documents
8 during that period, that was one of the reasons that motivated you to gather up some
9 of the documents that you saw after the crisis?

10 A. [9:26:03] No, Counsel. I was always motivated to do my job. It was not that
11 particular thing that motivated me. I was simply doing my job as an archivist. I
12 have said that there were two things. The fact that the administration had come to
13 almost a standstill, at the level of the civilians, the public service no longer functioned
14 at all, but the army functions at approximately 15 per cent capacity.
15 Secondly, there were documents that still arrived which needed to be archived but
16 which were kept there. What was the reason? Whereas those documents had
17 already been processed and dispatched, as if something was being hidden. That is
18 what I was referring to.

19 Q. [9:27:17] Mr Witness, let me repeat my question, because you did not answer it.
20 Is it because of the fact that some of the documents no longer arrived in your office,
21 was that one of the reasons that prompted you to pick up the documents after the
22 crisis?

23 A. [9:27:43] No, it was not one of the reasons, Counsel. I was simply carrying out
24 my duties as an archivist.

25 Q. [9:27:54] I'll read your statement here. The realtime transcript of 13 November

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1 2017, page 83, and I will start with the question from my learned friend from line 24,
2 and I quote: "Still in paragraph 63 of your statement and at the top of the page in the
3 screen, you state that you told the investigators that you recovered the CPCO
4 documents. And you said, 'I took -- picked them up after the events.' Can you
5 explain to us what you mean by that, that you gathered them up after the events?"
6 Your answer, "In my statement, I said that at one point I was no longer receiving
7 documents in my archives." End of quote.

8 That was your answer to the question about picking up the documents.

9 Your first reaction was to say that you were no longer receiving documents. That is
10 why I asked you whether this was one of your reasons.

11 A. [9:29:44] And my answer was no.

12 Q. [9:29:47] Thank you, Mr Witness.

13 A. [9:29:52] You also asked me what I understood by "picking up or gathering up."

14 Q. [9:30:01] I'm going to pursue my questioning. You said that you were an
15 archivist within the human resources division, and I'm referring to page 52 of the
16 transcript of yesterday, lines 6 to 13. So my question is as follows: You were not
17 the archivist for the entire general staff; is that correct?

18 A. [9:30:48] Prior to the crisis, I was the archivist of the entire staff headquarters,
19 because I told you before, that before that there were no archives at the staff
20 headquarters. And since in the organisation and human resources division we
21 processed almost 90 to 95 per cent of the documents, it was becoming a great burden.
22 That is why the chef de cabinet who was there at the time asked me to organise the
23 archives of the cabinet of the general staff headquarters. So I advised him to recruit
24 another archivist to assist me. That is how come I devoted myself to the archives of
25 the organisation and human resources division.

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1 And since I was the only one who had a room, the other archivists handed over their
2 archives to me, because they did not have any archive units at the time.

3 Q. [9:32:21] Thank you, Mr Witness. I will read out to you your testimony here.
4 Realtime transcript, page 52. And I will start with the OTP question. That is from
5 line 3:

6 "In order to be sure that we have understood you well, are you saying that these types
7 of documents were not archived?"

8 Your answer: "It would depend on the documents. If indeed these
9 documents -- well, I was an archivist in a division. That is one of the structures of
10 the general staff headquarters. If those documents were related to the services of the
11 organisation and human resources division, then I would have those documents in
12 my archives." End of quote.

13 This is how you reacted when the OTP presented a document to you; that is, you said
14 that you were the archivist within the human resources division. So you received
15 documents only concerning that division. That was your testimony; is that correct?

16 A. [9:33:57] I explained at length that 90 to 95 per cent of the work of the staff
17 headquarters was assigned to the human resources division, and I told you what was
18 that division. It was at the very core of the military staff. *If you had 10 messages
19 coming to the general staff, that is, seven, at least, out of ten messages were related to
20 the human resources division. There were documents including messages for
21 circulation, for broad circulation amongst the staff, and there were documents that
22 were not processed and archived.

23 I explained all that to you. So I gave you a broad description, but you are focusing
24 on what you want.

25 Q. [9:35:27] Thank you, Mr Witness.

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1 Now, all the documents that you picked up or gathered after the crisis, did they
2 belong to the organisation and human resources division? Did all those documents
3 belong to that division?

4 A. [9:36:11] No. All of those documents were not addressed to the human
5 resources division. But I've told you that my priority duty as an archivist was to
6 take the documents.

7 Q. [9:36:34] My question was whether all those documents --

8 PRESIDING JUDGE TARFUSSER: [9:36:39] Maître Gbougnon, you're the first one
9 saying he should not overlap, and you are the first doing it. So, please, just slow
10 down.

11 THE INTERPRETER: [9:36:57] Thank you very much, your Honour.

12 MR GBOUGNON: [9:36:59] (Interpretation) Thank you, Mr President.

13 Q. [9:37:03] So as you have been saying, as an archivist, you gathered up and you
14 tried to save all the documents that you saw everywhere, either in the general staff
15 headquarters or outside of the staff headquarters. Now, the documents that were
16 not addressed to your division, were they conveyed to the divisions to which they
17 had been addressed?

18 A. [9:37:41] I did not pick up any papers outside of the general staff headquarters.
19 It was inside the staff headquarters, because when you say everywhere, that is not
20 what I said. I said inside the staff headquarters, and it is a limited space. So after
21 picking up those papers, what belonged to the other divisions, well, I handed those
22 ones over to them. What I was able to pick up I handed over to them. And there
23 are even some people who told me that since the crisis was still ongoing, we should
24 keep the documents pending their return to their own offices, and that is what I did.

25 Q. [9:38:55] So amongst the documents that you picked up, I imagine, I would

1 suppose, that there was a bit of everything. There must have been documents that
2 had been initially in your archives and which was ransacked and that you found
3 again in the courtyard of the staff headquarters; is that correct?

4 A. [9:39:27] Yes.

5 Q. [9:39:27] And I would ask you this question: There were also documents that
6 you never archived and that you picked up; is that correct?

7 A. [9:39:40] Yes.

8 Q. [9:39:40] These documents that you had never archived that you said you
9 recognised as never having been in your archives, did you try to show those
10 documents to those responsible within your division?

11 A. [9:40:23] Counsel, you see, after the crisis, the chiefs or leaders who had been
12 there in the past were no longer there. That is the first point. And because of that, I
13 could simply not go and present those documents to them because they were no
14 longer there.

15 Q. [9:41:09] So am I to understand that the documents that had not been in your
16 archives before, you didn't show them to any commanders or chiefs, former or
17 present; is that correct?

18 A. [9:41:28] No, no, no. That is not what happened. I don't know how you
19 understand the word "to archive" or "archiving." These are documents that I picked
20 up. I have explained it to you. I picked up those documents and I gathered them in
21 piles at locations so as to ensure that they were secure.

22 There were so many documents, and while picking them up, I didn't look at the
23 substance because time was against us. We had to pick up those documents very
24 quickly from the courtyard. It was as time went on that I saw some of the
25 documents and then I showed them to the bosses as time went on.

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1 Q. [9:42:32] Mr Witness, I will read out your first answer. "Counsel, you see, after
2 the crisis, the chiefs who were there before were no longer there. And this, there
3 were documents that I could simply not go and present to them because they were no
4 longer there."

5 A. [9:43:16] Please, can you repeat the statement? I did not understand what you
6 said.

7 Q. [9:43:23] Mr Witness, you have just said that your former bosses were no longer
8 there. So you did not present the documents that you picked up to them; is that
9 your answer?

10 A. [9:43:44] Yes, because they were no longer there, so I couldn't present them to
11 people who were not there.

12 Q. [9:44:03] Was General Mangou one of your bosses?

13 A. [9:44:07] Yes, of course.

14 Q. [9:44:12] General Deto also?

15 A. [9:44:14] Yes.

16 Q. [9:44:17] General Mangou, well, until when did he stay on in his position?

17 A. [9:44:31] After the crisis. But he was no longer in the staff headquarters,
18 because the staff headquarters was occupied.

19 Q. [9:44:39] Thank you, Mr Witness.

20 I will show you a document presented to you yesterday by the OTP, and this is

21 CIV-OTP-0048-0351. Do you have the document on the screen?

22 Could you please press on the evidence button.

23 Can you see it now?

24 A. [9:46:12] Yes, I can.

25 Q. [9:46:16] This document is one of the documents that you gave to the

1 investigators from the OTP; am I not right?

2 A. [9:46:38] What do you mean you gave? Can you explain that word?

3 Q. [9:46:46] When the investigators came to your archives, they collected a few
4 documents. The document shown here is one of the documents that was taken by
5 them from your archives.

6 A. [9:47:13] I think they scanned that document. Everything that was scanned
7 was actually put in a sealed box.

8 Q. [9:47:26] But they scanned these documents from your archives?

9 A. [9:47:29] Yes.

10 Q. [9:47:30] You said yesterday, page 55 in your transcription as of line 16, "I think
11 that this document was not circulated because there is no date. And there was no
12 signature at the bottom of the document." End of quote.

13 Witness, as an archives officer, do you actually file documents as the ones described
14 here?

15 A. [9:48:21] There are certain documents like this that we file in our archives.
16 These are documents that are pending. So it's actually in a binder which is called
17 "cancellation", and the document is actually filed in this binder.

18 Q. [9:48:57] So you're actually saying to the Chamber that one of your superiors
19 actually put a document that was not dated, not signed, and he actually gave you this
20 document as a pending document?

21 A. [9:49:15] I said that it could happen. It's not that the boss refused to date it.
22 It's just that sometimes it happens that the documents land up like this, where there is
23 a reference *"TO n° 102 Tema". It's the military tribunal that actually sends the
24 documents to the headquarters. And once the document is seen by the army chief of staff,
25 he gives the order to *chief of the human resources division to process the document.

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1 And sometimes these documents come and we have to call them, we have to call the
2 headquarters. The documents could arrive after *the allotted date. But they do
3 come to the archives. These are documents that are not, in fact, archived properly.
4 Now, sometimes it could be a notification as well, if this document has been
5 transmitted. But since this could be, this could arrive after the allotted time, we
6 could call the unit and ask for clarifications from the military tribunal. So this is
7 sometimes normal course of action.

8 Q. [9:51:08] So now I'm going to read something. I'm going to read your
9 statement that you made yesterday, page 55 from your transcription. You said, as of
10 line 16:

11 "I think this document was not circulated because there is no number."

12 That's your statement.

13 A. [9:51:43] Yes, I did say it. It's pretty straightforward. It did not leave the
14 army headquarters. That's what I'm saying. When I say it was not circulated, that
15 means it did not leave the army headquarters. It happens, you see. We work at the
16 army headquarters, and sometimes things like that happen.

17 Q. [9:52:04] When you give -- when you gave such documents to the investigators
18 from the OTP, when they'd recovered these documents that are not signed, that are
19 not dated, and that were not circulated as you put it, did you explain all this to them?

20 A. [9:52:29] They had many documents. And they were actually focusing on
21 documents that were of interest. They read the document, if it's of interest to them,
22 they take it, they scan it.

23 Q. [9:52:56] Thank you, Witness.

24 THE INTERPRETER: Inaudible. Question inaudible.

25 PRESIDING JUDGE TARFUSSER: [9:53:26] Did you make -- put a question? No, it

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1 was not heard.

2 MR GBOUGNON: [9:53:31] [09:53:30] Ah, okay.

3 PRESIDING JUDGE TARFUSSER: [10:05:00] Okay.

4 MR GBOUGNON: (Interpretation)

5 Q. [9:53:32] I'm going to repeat my question. Did you read the Ivorian
6 constitution?

7 A. [9:53:40] No.

8 Q. [9:53:41] And yet you declared yesterday, and I'm referring to page 44, *line 10
9 of the transcription:

10 "Can we call them recruits? I don't know, because I think *what we call recruits are
11 -- this is what is said in our constitution. Each person *aged 18 or older should
12 actually go to the district of their town."

13 You declared that -- can I please finish?

14 A. [9:54:20] I'm not speaking; I'm just saying yes, that's all.

15 Q. [9:54:22] You said, you referred to the constitution, and you were referring to
16 the recruitment procedure. That is why I asked you if you've read the constitution.
17 And you said no now. So why did you refer to the constitution yesterday? You
18 talked about the recruitment procedure as stated in the constitution.

19 A. [9:55:00] Counsel, why did I refer to the constitution? I said according to the
20 constitution. Even as I replied no, I'm an archives officer, I do see a few things. In
21 my opinion, I make a distinction between recruitment and enrollment.

22 Q. [9:55:43] Don't worry. So, if I understand you well, you do not know the text of
23 the constitution?

24 A. [9:55:53] Can I please finish?

25 PRESIDING JUDGE TARFUSSER: [9:55:55] Please, Mr Witness, do so finish. And I

1 don't think that anybody knows the text of the constitution of his own country.

2 Please, finish what you want to say.

3 THE WITNESS: [9:56:15] (Interpretation) Your Honour, for me, I make a
4 distinction between recruitment and enrollment. They're two different things.
5 Recruitment is made depending upon the requirement or needs as defined in the
6 battle order. Enrollment is reserved for people who can use a weapon and go and
7 fight. You see, this is the major difference. So in some papers it says "recruitment",
8 but it's actually referring to enrollment.

9 So you're sometimes sending people who don't even know how to handle weapons to
10 battlefield, you see. Enrollment is reserved for people who know how to handle a
11 weapon, to use a weapon and who can fight.

12 PRESIDING JUDGE TARFUSSER: [9:57:37] Maître Gbougnon.

13 MR GBOUGNON: [9:57:50] (Interpretation)

14 Q. [9:57:54] You said yesterday that you were present when *Gallieni, when camp
15 *Gallieni *-- when Charles Blé Goudé called for enrollment. My question is as
16 follows: To the best of your knowledge, according to what you saw in camp
17 *Gallieni, were the young people enrolled or not?

18 A. [9:58:45] These young people were enrolled in another form, in another way. I
19 found out that there were lists prepared by the state where the word "recruitment"
20 was mentioned. And these youngsters were coming from different places. And
21 these, these lists, these documents were something that I did not receive in my
22 archives. So we've got designated departments for such recruitment. We've got a
23 designated department for recruitment. But here we were taking youngsters,
24 preparing lists and we were taking youngsters coming from different places. And
25 people were providing us with lists where the area of origin was being specified, was

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1 being provided.

2 So this was not recruitment for us, this was, for me, this was enrollment. And we
3 were actually referring to the reservists, reserve forces. And sometimes you had
4 people who were inept to use a weapon. So I was quite surprised to see the word
5 "recruitment".

6 You had a group in different colours and this was, for me, an enrollment. You had
7 people in coloured sweaters.

8 Q. [10:01:20] So in another statement that was given by you to the members of the
9 OTP, CIV-OTP-0049-2819, page 2817, paragraph 33, and I'm quoting:

10 "Thousands of young people came to the football stadium in camp *Gallieni. And I
11 went to see them by curiosity. They were in great numbers. They had actually
12 occupied all the ways leading to the camp. And they said, 'Give us weapons and we
13 will free the Côte d'Ivoire'. I don't know if there were any documents drawn up
14 with regards to this enrollment. I did not see it. I don't even know if these youth, if
15 these young people were enrolled or not." End of quote.

16 Mr Witness, this is what you said in the statement given to the OTP when the
17 investigators came to interrogate you, is this true, is this what you declared?

18 A. [10:02:46] Yes, I did. But I also explained yesterday, I did explain yesterday. I
19 think yesterday I explained.

20 Q. [10:03:15] Mr Witness, I would like to show you exhibit CIV-OTP-0048-1117.

21 PRESIDING JUDGE TARFUSSER: [10:03:34] Mr Jacobs.

22 MR JACOBS: [10:03:36] (Interpretation) I think the witness is going through his
23 statement. Could we just check that, please.

24 PRESIDING JUDGE TARFUSSER: [10:03:48] Have you the statement before you?

25 Are you going through your statement?

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1 THE WITNESS: [10:03:59] (Interpretation) When he actually is speaking to me, I
2 can't see anything in the screen, so I have to go through the statement.

3 PRESIDING JUDGE TARFUSSER: [10:04:12] We have to put it on the screen, the
4 statement. And I don't think it's so dramatic in any case. So, okay.

5 THE COURT OFFICER: [10:04:39] So now the Registry shall display the statement
6 or the recent document called by Mr Gbougnon finishing by 1117.

7 PRESIDING JUDGE TARFUSSER: [10:04:48] Okay. Thank you.

8 MR GBOUGNON: [10:05:05] (Interpretation) It was the 1117.

9 Q. [10:05:15] Witness.

10 A. [10:05:18] Oui.

11 Q. [10:05:18] This is one of the lists that you recovered?

12 A. [10:05:23] Yes.

13 Q. [10:05:27] One second, please. Please, let me ask you the question first. You
14 said shortly before that these lists were given by certain authorities. Which authority
15 issued this list?

16 A. [10:06:06] Now, this list, this list, I said that certain lists, I saw certain lists where
17 the origin of these youth is mentioned.

18 Q. [10:06:30] You said that these lists would have been prepared and submitted by
19 authorities. Is this one of -- I'm asking you which authority issued this list?

20 A. [10:06:46] I said that some lists were issued by authorities and the origin of these,
21 these young people, were mentioned, and here, there is absolutely no mention of the
22 origin. And this particular list, this particular list was in the office of my former
23 superior. So this list was not even filed in my archives. This is actually a list I
24 gathered from the pile of rubbish that was lying around.

25 Q. [10:07:42] Did you pick it up from the pile of rubbish or from your superior's

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1 office?

2 A. [10:07:48] In fact, if it was in the office of -- if this document was there in the
3 office of my superior, I would have been reassured. But everything was outside.
4 Everything was lying around. It was actually in piles. All the documents that were
5 in piles, I just picked them up. I just collected them.

6 Q. [10:08:13] So you did not recover this document from the office of a superior,
7 but from outside?

8 A. [10:08:19] You see, you can't pick something up from the office. This is
9 something that was lying around, scattered on the floor, and I picked it up to put that
10 in safe storage.

11 Q. [10:08:34] Which is the signatory authority that signed this document, the
12 military authority that signed the document?

13 A. [10:08:43] I can't see any signature. I can only see the initial *"admiral". It's
14 written on the top "admiral", and I can see the Republic of Côte d'Ivoire ministry of
15 defence and the commissioner's department. And it says volunteers who have to go
16 for a medical checkup. So we do agree that the document has not been signed.
17 It's --

18 PRESIDING JUDGE TARFUSSER: [10:09:38] If it's not signed, it's not signed.

19 MR GBOUGNON: [10:09:39] (Interpretation)

20 Q. [10:09:40] Mr Witness, it says "admiral", something that's handwritten. You
21 can see that?

22 A. [10:09:46] Yes.

23 Q. [10:09:46] Witness, on 31 March when you left the camp *Gallieni where you
24 were staying, everyone had -- mostly everyone had deserted the camp; am I not right?

25 A. [10:10:18] Yes. Not deserted, we left the camp. We did not desert the

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1 camp. 31 March, our friends came back from the front. We were asked to
2 withdraw. You were right at the back. What do you do? We do not desert the
3 camp. We left the camp.

4 Q. [10:10:51] No, I did not mean in the military sense. I did not mean in the
5 military sense. So everyone left the camp, leaving the offices at the mercy of anyone
6 who could access these offices; am I right?

7 A. [10:11:11] Counsel, if you were in my shoes, you would have actually left
8 before 31 March. We who stayed behind, we did so in order to protect our lives,
9 because we weren't allowed to leave. We actually took the opportunity of the chaos
10 to leave.

11 Q. [10:11:39] So everyone left and you left behind the stamps, the rubber seals,
12 everything, right, in the offices?

13 A. [10:11:57] I think when the storm is charging at you, you're not going to look for
14 your umbrella. You will flee. You would want to run for your life. You see, you
15 can always buy things, material things, but can you buy your life back? No.
16 So you had to leave the camp, Counsel. You had to just leave behind everything.
17 That's the first thing you need to do is get away from the camp. Even if you have a
18 mobile phone, you're just going to leave that behind and you will flee.

19 Q. [10:12:42] Thank you, Witness. And after 11 April you came back and you
20 found your office completely pillaged. At least, you talked about the damage
21 inflicted. It was completely in shambles.

22 *Thank you, Witness. I'd like to give the floor to my colleague now.

23 PRESIDING JUDGE TARFUSSER: [10:13:31] Thank you, Maître Gbougnon.
24 Mr Knoops.

25 QUESTIONED BY MR KNOOPS:

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1 Q. [10:13:46] Good morning, Mr Witness.

2 A. [10:13:50] Bonjour.

3 Q. [10:13:51] My name is Alexander Knoops. I'm a lawyer admitted to the bar of
4 the Kingdom of The Netherlands, and I'm counsel for Mr Charles Blé Goudé.

5 Mr Witness, based on your military career, I derive that your knowledge on the army
6 archives goes back to October 2000, when you were promoted to the rank of corporal
7 and became in charge of the archives with at that time your superior adjutant, Mr
8 Kouassi Yao Lambert; is that correct? It's fair to say your knowledge on the military
9 archives goes back to October 2000?

10 A. [10:14:56] Yes, indeed.

11 Q. [10:15:06] Then, Mr Witness, can you tell us how many official recruitments
12 have been initiated by the army of Côte d'Ivoire since 2000, October 2000, a time when
13 you became familiar with the army archives?

14 A. [10:15:41] As far as I know, there have been two or three regular recruitments,
15 two or three. When the crisis erupted, and it was in 2003 when that started.

16 Q. [10:16:36] Do you know how many recruits were taken by the army when the
17 crisis started, when the Côte d'Ivoire came under attack in 2002-2003? How many
18 recruits were adopted, were admitted, into the army of young people?

19 A. [10:16:58] Well, as far as I know, roughly four and a half thousand. I would
20 say about 4,500 more or less.

21 Q. [10:17:29] Did you, Mr Witness, receive documents from the army staff
22 regarding this recruitment? We're speaking about this recruitment when Côte
23 d'Ivoire came under attack in 2002-2003.

24 A. [10:17:57] Yes, yes, because these elements were enrolled and given an army
25 number, which therefore identified them as being soldiers and there were mechanics

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1 as well which confirmed the fact that they now had to -- they were put on the army
2 payroll. And I have these papers in my archives.

3 Q. [10:18:47] That was indeed my question. Are those documents still available,
4 Mr Witness? You said yes. Did you hand them over to the Office of the
5 Prosecution, these documents relating to this first recruitment?

6 A. [10:19:03] Well, I don't quite understand what you mean by handing over.
7 What I said just now was that the investigators from the OTP came along. We gave
8 them access to the archives, and the documents that they were interested in, they took
9 away with them. No, I don't know how to answer your question. When you say
10 "gave to", I don't understand that.

11 Q. [10:19:41] But you're saying that these documents are still in your possession or at
12 least in the archives. At this very moment you say these documents are still there, right?

13 A. [10:19:53] Yes.

14 Q. [10:19:57] What about the second recruitment wave, you just spoke about two or
15 three, according to your recollection, when was the second recruitment wave initiated
16 by the Côte d'Ivoire army?

17 A. [10:20:10] *Oh, the events came one after the other. ... they happened in a
18 succession... they were taken into account from 3 January onwards, up until the 25
19 or 26 February, if I remember correctly.

20 Q. [10:21:06] Which year was this second recruitment wave?

21 A. [10:21:13] Counsel, you said to me when the Côte d'Ivoire was attacked in 2002,
22 19 September 2002, and then 2003, that was when the recruitment started, that's what
23 you, indeed, have just said to me. So these are the dates.

24 Q. [10:21:46] So you're telling us that you can confirm a recruitment wave when
25 Côte d'Ivoire came under attack in 2002. And after that, was there any other official

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1 recruitment operation conducted by the Côte d'Ivoire army as you can recall? And
2 we are speaking about the time frame of 2002 till 2011.

3 A. [10:22:22] No, I don't remember any other recruitments. I don't remember any
4 other recruitments.

5 Q. [10:22:34] Mr Witness, I've read in your statement, in paragraph 27, that you
6 were also in charge of the information which was submitted to the archives
7 concerning desertions. You say in paragraph 27 of your statement that the
8 documents -- one can find in the archives related also to the les dossiers de désertion;
9 is that correct?

10 A. [10:23:17] There are different types of messages. In these kinds of messages,
11 we have different categories of messages. The types of messages -- and I quoted as
12 examples the desertion files. There are also messages which have not been passed
13 on. That is one type of message. There are summons. There are transfers. There
14 are deaths. Everything I listed there, they're examples.

15 Q. [10:24:00] Can you recall, Mr Witness, a recruitment operation conducted by the
16 army of Côte d'Ivoire in relation to a desertion in the time frame of 2002 till 2010?

17 A. [10:24:20] Please, Counsel, could you go back over your question, please.

18 Q. [10:24:33] Can you recall whether the army of Côte d'Ivoire, in the time frame
19 of 2002 till 2010, conducted a recruitment campaign because of a desertion which took
20 place in the army of Côte d'Ivoire, "yes" or "no" or "I don't recall"?

21 A. [10:25:10] I think I don't understand your question. You are asking one
22 question inside another and I don't understand. I'm sorry, I don't understand.
23 Either you are talking about the desertions or you're talking about recruitment. I
24 really would like to try and understand, please.

25 Q. [10:25:32] Do you know whether there was within the time frame of 2002

1 till 2010 any form of mutiny in the army of Côte d'Ivoire which you discovered in
2 your archives to which you had access since October 2000 and which apparently is
3 your specialism, isn't it? So please tell us whether your archives give us any
4 indication whether there was at any point in time between 2002 till 2010 a mutiny
5 within the army of Côte d'Ivoire.

6 A. [10:26:28] You're not talking about desertion here, you're talking about a mutiny.
7 Yes, there was a mutiny, yes. Young people who were recruited in 2003, they, there
8 was a mutiny from these people. But that's not a desertion. Desertion is not the
9 same thing as mutiny.

10 Q. [10:26:51] When, in which year this mutiny took place according to your
11 knowledge?

12 A. [10:27:01] That goes back quite a while, and I don't remember, I'm afraid. Sorry,
13 I don't remember.

14 Q. [10:27:15] You know the places where this mutiny took place?

15 A. [10:27:25] Yes, of course, of course in Côte d'Ivoire, the mutiny started in the 1st
16 battalion, and it spread to the western front where the young soldiers were in the rear
17 bases. And they wanted to be paid more and they wanted to get more money.

18 Q. [10:28:09] Do you know, Mr Witness, as a result of this mutiny that the army of
19 Côte d'Ivoire conducted an official recruitment campaign to remedy this mutiny, and
20 if so -- no, let me first ask you this question. Do you know whether this mutiny
21 resulted in a recruitment campaign by the army?

22 A. [10:28:36] No, I don't think so. I don't think so. The young soldiers were
23 wanting something. These were young people and I think the authorities had to
24 negotiate on the basis of specific criteria to see who could then be re-employed in the
25 police, and the gendarmerie, in the forestry commission, the waters department. I

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1 had two people working for me in the archives department, one went to work in the
2 town hall and two of them, in fact, two others went to the water and forest
3 department.

4 The president was very attentive to this, and he offered them this opportunity. And
5 if I remember, I think they got 90,000 francs as a bonus plus another 100,000. I think
6 that was done to bring the pressure down and to get the message over to the
7 youngsters.

8 Q. [10:30:19] But I understand your evidence such that you cannot confirm, nor
9 your archives, that this mutiny resulted in a recruitment campaign by the forces of
10 Côte d'Ivoire?

11 A. [10:30:54] If really you could reform your question. (Overlapping speakers)

12 PRESIDING JUDGE TARFUSSER: [10:31:00] No, that's just a conclusion of what you
13 already said, which I think is quite clear. Okay, so there is no need for
14 reformulation.

15 MR KNOOPS: [10:31:13] No.

16 PRESIDING JUDGE TARFUSSER: [10:31:14] Mr Leddy.

17 MR LEDDY: [10:31:15] Thank you, your Honour. The Prosecution would object to
18 this line of questioning.

19 PRESIDING JUDGE TARFUSSER: Well --

20 MR LEDDY: It's our understanding that counsel has to ask permission in order to go
21 into this temporal scope, the 2002-2003 time frame.

22 PRESIDING JUDGE TARFUSSER: [10:31:21] Yes, but -- okay.

23 MR LEDDY: [10:31:23] It's also a bit repetitive.

24 PRESIDING JUDGE TARFUSSER: [10:31:26] Mr Knoops, please, go ahead.

25 MR KNOOPS: Well, it's --

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1 PRESIDING JUDGE TARFUSSER: Please go ahead.

2 MR KNOOPS: [10:31:29] It's not repetitive.

3 PRESIDING JUDGE TARFUSSER: Let's not --

4 MR KNOOPS: It's not being --

5 PRESIDING JUDGE TARFUSSER: [10:31:34] No, I don't understand the relevance.

6 MR KNOOPS: [10:31:38] Well, anything to do with the completeness of the archives,

7 Mr President.

8 PRESIDING JUDGE TARFUSSER: [10:31:43] Yes.

9 MR KNOOPS: [10:31:43]

10 Q. [10:31:43] Mr Witness, there is evidence before this Court that in 2008 there was
11 a mutiny and in December 2009 there was an official recruitment operation which led
12 to the recruitment of 2000 young people into the army. Are you familiar with that
13 operation, yes or no?

14 A. [10:32:14] No, I am not aware of that operation. I know that just after the crisis
15 erupted in 2003, I think it was in January, and then in February there were two big
16 waves of recruitment. But as for the rest, and I have documents on that in my
17 archives. I said it, two or three, there was a recruitment wave in January 2003,
18 around then, and then in February or maybe March, the second wave of recruitment
19 was then. And it was these youngsters who later on provoked a mutiny. But
20 whether there were any more waves of recruitment, honestly, I don't have records of
21 that in my archives.

22 Q. [10:33:30] Can you recall that it was the third recruitment wave conducted by
23 the forces of Côte d'Ivoire in January 2011?

24 A. [10:34:02] Are you talking about a third wave of recruitment? I mean, that goes
25 back in time a lot, from 2003 up to 2008 and then 2010, a third wave of recruitment.

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1 What I think, and I've already said this, is that once Mr Blé Goudé --

2 Q. [10:34:26] Mr Witness, I'm sorry to interrupt you. It's not a matter of what you
3 think. My question is simply to ask whether you are familiar with the third
4 recruitment wave in January 2011, not what you think what might happened. Please
5 answer my question with "yes" or "no" or "I don't know."

6 A. [10:34:59] No.

7 Q. [10:35:02] Can you remember, Mr Witness, that you informed the investigators
8 of the Office of the Prosecution when you gave them access to these archives that you
9 informed them about an official recruitment in January 2011?

10 A. [10:35:31] I don't remember. I don't remember.

11 Q. [10:35:46] You cannot remember that you spoke on 31 July 2013 with two
12 investigators about this subject?

13 PRESIDING JUDGE TARFUSSER: [10:35:54] Why don't you, why don't you read
14 him out the part.

15 MR KNOOPS: [10:35:59] I will, Mr President.

16 PRESIDING JUDGE TARFUSSER: [10:36:01] Yes.

17 MR KNOOPS: [10:36:01] I will. But at first I think it's appropriate to lay the
18 foundation for the confrontation.

19 PRESIDING JUDGE TARFUSSER: [10:36:08] Yes. But you have already done two
20 or three times. Just read it.

21 MR KNOOPS: [10:36:13]

22 Q. [10:36:14] You cannot recall, right?

23 A. [10:36:20] I don't remember. It's a bit vague. My memory is not serving me
24 well here.

25 Q. [10:36:28] I call up document CIV-OTP-0051-0166, and it's page 168, 0168. At

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1 the top of that page is the investigator's report, number 66 on the Prosecution list of
2 materials, first paragraph. You, Mr Witness, you confirmed that the human
3 resources archives contains messages related to recruitments in 2002 to 2011 and you
4 had managed to salvage these documents from pillaging and destruction.

5 So apparently, according to this report, you did remember in 2013 that there was an
6 official recruitment, isn't it?

7 PRESIDING JUDGE TARFUSSER: [10:37:58] Mr Leddy.

8 MR LEDDY: [10:37:59] It's a minor point, your Honour. The English transcript
9 indicates a misquoting of the paragraph here. The English says 2002 to 2011,
10 whereas the document says 2010 to 2011. I just want to make sure it was translated
11 correctly.

12 PRESIDING JUDGE TARFUSSER: [10:38:21] Okay.

13 Mr Witness, yes, please, say.

14 THE WITNESS: [10:38:28] (Interpretation) What I have in front of me, it's in
15 English.

16 PRESIDING JUDGE TARFUSSER: [10:38:35] I have the same in English in front of
17 me.

18 MR KNOOPS: [10:38:42] We have also only the English version.

19 PRESIDING JUDGE TARFUSSER: [10:38:46] Yes. But the question is, do you recall
20 this, yes or no?

21 THE WITNESS: [10:39:01] (Interpretation) I was concentrating on the text. Maybe
22 you could restate your question, please.

23 MR KNOOPS: [10:39:10]

24 Q. [10:39:11] Mr Witness, you testified under oath just a few minutes ago, second
25 ago, that you cannot recall a recruitment campaign by the forces of Côte d'Ivoire in

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1 2010-2011. Now, this report states that you told the investigators of the Office of the
2 Prosecution in July 2013 that you had information about such a recruitment operation
3 in 2010-2011.

4 And my question is, is this report correct in saying that you informed the
5 investigators accordingly in 2013, yes or no?

6 A. [10:40:17] Yes, I informed the investigators, yes, that there had been
7 recruitments, yes. Not proper recruitment, but enrollments, that took place, yes. I
8 remember that.

9 Q. [10:40:47] Why did you say a few seconds ago that you didn't remember it?
10 Now you remember it?

11 A. [10:40:56] Because you are asking several questions at once, several questions at
12 once. Now that you've explained things properly, I understand.

13 Q. [10:41:18] In this document is being referred to messages. What type of
14 messages you refer to?

15 A. [10:41:33] I don't understand your question when you say what type of
16 messages.

17 PRESIDING JUDGE TARFUSSER: [10:41:47] The question is the following. In this
18 report, written in English, there is written that you confirmed that the human
19 resources archives contained messages related to recruitments 2010-2011. The
20 question is: What kind of messages?

21 THE WITNESS: [10:42:09] (Interpretation) It was the lists of the -- the lists and
22 papers which I had collected from the rubbish piled up outside.

23 MR KNOOPS: [10:42:40]

24 Q. [10:42:40] Mr Witness, there is evidence before this Court actually given by
25 General Mangou that in January 2011, speaking about recruitment, more than 3,184

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1 persons, young people, were officially recruited at that time. Can you confirm this
2 based on your knowledge of the archives?

3 PRESIDING JUDGE TARFUSSER: [10:43:08] What should he confirm? Something
4 what the general said?

5 MR KNOOPS: [10:43:12] Well, the figures.

6 THE WITNESS: [10:43:19] (Interpretation) They had the figures in front of them.
7 I said roughly four and a half thousand. I said roughly four and a half thousand;
8 that's what I said. Whereas they, they were the bosses, and they had all the facts and
9 figures in their possession. But what I had in my archives, and I did an analysis of
10 this, and when you look at the different soldiers who were active but who had not
11 been struck off and who were not part of the elements who were recruited there back
12 in 2003, then I said roughly four and a half thousand. And the higher officers, they
13 had the facts whereby they could say once they'd struck off a certain number of
14 soldiers then they were left with a figure of 3,000 and whatever.
15 So it might be a coincidence or not. I don't know.

16 Q. [10:44:53] The only difference is, Mr Witness, that your figure goes back to 2002.
17 We're speaking here about 2011. We're speaking about another recruitment of 3,184
18 persons at the least. And you cannot confirm that?

19 A. [10:45:17] No, I can't confirm that. I don't have that in my records.

20 Q. [10:45:23] So we can conclude that considering the evidence given by the chief of
21 staff, your archives are not complete when it concerns the exact figures of all the
22 official recruitment operations by the forces of Côte d'Ivoire, which, according to this
23 evidence, indicates that almost 10,000 young people were recruited since 2002
24 officially, legally by the forces of Côte d'Ivoire, and yet your archives do not indicate.
25 So, at least you have no knowledge and you are telling this Court that your archives

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1 are complete.

2 PRESIDING JUDGE TARFUSSER: [10:46:11] This is a conclusion we will then try to
3 take from what was said. It's not a conclusion. It's not the conclusion that the
4 witness has said. The witness has given testimony answering the questions, and we
5 draw the conclusions from that. It's not the witness who draws the conclusions.

6 MR KNOOPS: [10:46:30] I give the witness an opportunity to respond to this
7 conclusion.

8 PRESIDING JUDGE TARFUSSER: [10:46:33] No. Come on.

9 MR KNOOPS: [10:46:36] If not, then, of course it's up to the Court. And then we
10 have no final questions, if the Court doesn't wish the response of the witness --

11 PRESIDING JUDGE TARFUSSER: [10:46:42] No, I don't want that he draws
12 conclusions from what he said. I mean, you are putting in his mouth the conclusion
13 he has to draw.

14 MR KNOOPS: [10:46:48] No, no. Not at all. I gave him the chance to respond to
15 the observation that there is a discrepancy between the evidence before this Court
16 and the archives.

17 PRESIDING JUDGE TARFUSSER: [10:46:58] Yes. But the discrepancy is for us to
18 discuss upon.

19 MR KNOOPS: [10:47:02] Okay. Then we have no final questions.

20 PRESIDING JUDGE TARFUSSER: [10:47:04] If there is a discrepancy, I don't know.

21 MR KNOOPS: [10:47:08] Thank you. I just note --

22 PRESIDING JUDGE TARFUSSER: [10:47:10] Okay.

23 MR KNOOPS: [10:47:11] -- that we've given the witness an opportunity.
24 Apparently it's not appreciated.

25 PRESIDING JUDGE TARFUSSER: [10:47:15] It's not that it's not appreciated.

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- 1 Come on. It's not -- it's not his, the job of the witness to draw conclusions.
- 2 MR KNOOPS: [10:47:32] Thank you, Mr President. We have no further questions.
- 3 PRESIDING JUDGE TARFUSSER: [10:47:35] Thank you very much.
- 4 Is there a request for re-questioning?
- 5 MR LEDDY: [10:47:40] No, your Honour.
- 6 PRESIDING JUDGE TARFUSSER: [10:47:42] Thank you very much.
- 7 Mr Witness, this concludes your testimony in front of the International Criminal
- 8 Court. I wish you a safe trip back home. And thank you for having been here and
- 9 answered the questions of the Office of the Prosecutor and the Defence team. Thank
- 10 you very much. You can now leave the court.
- 11 The hearing is adjourned to this afternoon, 2.30.
- 12 (The witness is excused)
- 13 THE COURT USHER: [10:48:10] All rise.
- 14 PRESIDING JUDGE TARFUSSER: [10:48:11] Thank you very much.
- 15 (Recess taken at 10.48 a.m.)
- 16 (Upon resuming in open session at 2.30 p.m.)
- 17 THE COURT USHER: [14:30:28] All rise.
- 18 Please be seated.
- 19 PRESIDING JUDGE TARFUSSER: [14:31:11] Good afternoon.
- 20 Good afternoon also to you, Madam Witness.
- 21 WITNESS: CIV-OTP-P-0567
- 22 (The witness speaks Dioula)
- 23 THE WITNESS: [14:31:39] (No interpretation)
- 24 PRESIDING JUDGE TARFUSSER: [14:31:42] Can you hear me?
- 25 THE WITNESS: [14:31:51] (No interpretation)

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- 1 PRESIDING JUDGE TARFUSSER: [14:31:53] I don't receive any translation, but I
2 think owó means yes.
- 3 THE WITNESS: [14:32:03] (Interpretation) Yes, I can hear you now, Mr President.
- 4 PRESIDING JUDGE TARFUSSER: [14:32:05] Okay.
- 5 THE WITNESS: [14:32:06] (Interpretation) I can hear you now.
- 6 PRESIDING JUDGE TARFUSSER: [14:32:07] Okay. Now just relax. You'll be here
7 asked some questions and you will answer them. Just stay relaxed, okay? It all
8 looks much worse than it is.
- 9 Now, can you tell us your name, please?
- 10 THE WITNESS: [14:32:45] (Interpretation) My name is Camara Fatoumata Bintou.
- 11 PRESIDING JUDGE TARFUSSER: [14:32:53] And you are born 2 September 1990
12 in Yopougon; is this correct?
- 13 THE WITNESS: [14:33:07] (Interpretation) Yes.
- 14 PRESIDING JUDGE TARFUSSER: [14:33:09] What is your ethnicity?
- 15 THE WITNESS: [14:33:18] (Interpretation) I'm a Dioula.
- 16 PRESIDING JUDGE TARFUSSER: [14:33:22] And your faith?
- 17 THE WITNESS: [14:33:30] (Interpretation) I'm a Muslim.
- 18 PRESIDING JUDGE TARFUSSER: [14:33:32] Are you working?
- 19 THE WITNESS: [14:33:37] (Interpretation) No, I do not work.
- 20 PRESIDING JUDGE TARFUSSER: [14:33:42] Now, Ms Camara, I want just before
21 starting, I want to tell you that you will receive all the assistance you need. You will
22 have assistance in reading. And if at any moment you need something more, some
23 break or something, whatever will be necessary, you tell me, okay, and we will try to
24 address your needs, okay?
- 25 THE WITNESS: [14:34:33] (Interpretation) Yes, understood.

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1 PRESIDING JUDGE TARFUSSER: [14:34:36] Okay. Now, you are speaking
2 Dioula, a language I do not understand unfortunately, but to that effect we have
3 people here in the booth, interpreters, who translate it in French and English so that
4 we all understand what you're saying. But to understand the best possible I would
5 ask you, I ask you to speak slowly, okay? Did you understand?

6 THE WITNESS: [14:35:32] (Interpretation) Yes, I have understood you.

7 PRESIDING JUDGE TARFUSSER: [14:35:34] Now, you are a witness in this case,
8 which is the case of the Prosecutor against Mr Gbagbo and Mr Blé Goudé. And as a
9 witness you have an obligation and the obligation is to respond truthfully to the
10 questions which will be put to you during this testimony. And to that effect, the law
11 asks you to make a solemn undertaking, therefore, I would ask you to say with me
12 the following words: I solemnly declare that I will speak the truth --

13 THE WITNESS: [14:36:48] (Interpretation) I solemnly declare that I will speak the
14 truth --

15 PRESIDING JUDGE TARFUSSER: [14:36:55] -- the whole truth and nothing but
16 the truth.

17 THE WITNESS: [14:37:01] (Interpretation) -- the whole truth and nothing but the
18 truth.

19 PRESIDING JUDGE TARFUSSER: [14:37:07] Thank you. Now, before I give the
20 floor to the Office of the Prosecutor, I have another thing to tell you, we have
21 something else to discuss before. So is it right that you have given a statement in
22 July 2013 to the Office of the Prosecutor? Do you recall that you have given a
23 statement, that you have signed a statement before the investigators of the Office of
24 the Prosecutor? You remember this?

25 THE WITNESS: [14:37:58](Interpretation) Yes, I do remember that statement quite

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1 well.

2 PRESIDING JUDGE TARFUSSER: [14:38:05] I'm referring to statement

3 CIV-OTP-0069-0051, annex 0067.

4 Now, the document/statement should be before you. Is this the statement you gave
5 to the Office of the Prosecutor? Can you recognise your signature?

6 THE WITNESS: [14:39:01] (Interpretation) Yes.

7 PRESIDING JUDGE TARFUSSER: [14:39:01] Okay. Now, this Chamber has
8 decided on 6 June 2017 that this statement you gave to the Office of the Prosecutor
9 can be introduced into the record of the case under Rule, what we call, Rule 68(3) of
10 the Rules of Procedure and Evidence. What this means is that, rather you having to
11 repeat orally here all what you said in the statement, the Chamber can use this
12 statement, but, nevertheless, you would be asked questions by the Office of the
13 Prosecutor and by the Defence teams so as by the Legal Representative of Victims.
14 But before doing so, I need, the law says that we need the agreement of the witness,
15 so I would ask you if you agree that this statement is, as such, introduced in the
16 record of the case. Do you agree with this?

17 THE WITNESS: [14:40:43] (Interpretation) Yes.

18 PRESIDING JUDGE TARFUSSER: [14:40:44] Okay, thank you.

19 Now, in light of the fact that you're here, that you're available for examination by
20 parties and Chamber, the Chamber notes that all requirements of Rule 68(3) are met
21 and that the introduction of your statement in the record of the case is allowed, and
22 I'm referring to the statement and the numbers, the annex, the numbers I read out just
23 before. And, therefore, these items are considered submitted.

24 Now, we can start with the testimony. And to that effect, I give the floor to the
25 Office of the Prosecutor, so that she can put some questions to you, okay? And

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1 remember, the only obligation you have is to respond truthfully to the questions,

2 okay? Understood?

3 THE WITNESS: [14:42:10] (Interpretation) Yes, understood.

4 PRESIDING JUDGE TARFUSSER: [14:42:12] Okay. Ms Henderson.

5 MS HENDERSON: [14:42:17] Thank you, Mr President. Good afternoon. Good
6 afternoon, your Honours.

7 QUESTIONED BY MS HENDERSON:

8 Q. [14:42:24] And good afternoon, Ms Camara. My name is Claire Henderson.

9 I'm a lawyer from the Office of the Prosecutor. We met very briefly on Friday last
10 week in our courtesy meeting. I want to thank you for coming to testify today. My
11 questions will be very brief, and they are simply on the subject of your father.

12 Could you tell us, Ms Camara, how old approximately your father is today?

13 A. [14:43:08] I really do not know. I do not know his age.

14 Q. [14:43:22] Can you say even just approximately? It doesn't have to be exact.

15 A. [14:43:45] He must be 60-something years old.

16 Q. [14:43:55] Thank you. And, Ms Camara, as you heard, we already have your
17 statement in the Court record, your statement detailing how your brothers and
18 another man were killed. I know the next question might be difficult, but could you
19 tell us how those events affected your father?

20 A. [14:44:37] He is old and he's really sad his children died and he is really
21 distraught.

22 Q. [14:45:04] Thank you, Ms Camara. Those were the only questions that we
23 have. We understand that the legal representative for the victims might have more
24 questions for you.

25 MS HENDERSON: [14:45:19] Thank you, your Honours.

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1 PRESIDING JUDGE TARFUSSER: [14:45:20] Thank you very much.

2 Now I give the floor to the Legal Representative of Victims, Madam Massidda.

3 MS MASSIDDA: [14:45:31] Thank you, Mr President.

4 QUESTIONED BY MS MASSIDDA: (Interpretation)

5 Q. [14:45:39] Good afternoon, Madam Witness.

6 A. [14:45:47] Good afternoon.

7 Q. [14:45:50] How are you doing?

8 A. [14:45:52] I'm fine. I hope it's the same with you.

9 Q. [14:46:04] Madam Witness, I have a few questions relating to the witness
10 statement that you gave to the Office of the Prosecutor and that the Presiding Judge
11 referred to a short while ago.

12 Now, for the record, I'm referring to document CIV-OTP-0069-0051, and more
13 specifically to paragraph 23 of that witness statement.

14 In that paragraph, and I would ask you, Madam Witness, to listen very carefully to
15 what I will tell you. In paragraph 23 you state as follows, and I quote:

16 "The following morning" -- and before that statement you talked about what had
17 happened in Mami Fatai on 11 April 2011.

18 "The following morning, when the neighbourhood became calm again, I left the house
19 with my brothers, Camara Mamadou, Camara Dou, Camara Inza and Diawara Issa.

20 With friends from the neighbourhood, we decided to walk together in the direction of
21 the location from where we had heard gunshots the previous night. Upon arrival at
22 a parking lot located in the middle of Mami Fatai close to the Sainte Marita primary
23 school, we saw dead bodies. There were 18 of them. I know that because I counted
24 them myself. All of them were young men from the Mami Fatai neighbourhood.

25 Amongst them there were adults and adolescents. All of them were of Dioula

1 ethnicity."

2 Madam Witness, can you explain to us why you are able to state that all of them were
3 of Dioula ethnicity?

4 A. [14:49:15] Because they were my immediate neighbours.

5 Q. [14:49:24] I understand that these were people that you saw frequently and
6 associated with; is that correct?

7 We didn't hear your answer, Madam Witness.

8 A. [14:50:04] I said that these were our immediate neighbours. We lived in the
9 same area, the same neighbourhood.

10 Q. [14:50:14] You also state in that same paragraph of the statement that you
11 recognised some of the people that you saw lying on the ground. Madam Witness,
12 do you know anyone called Doumbia Abdoulaye? I don't want to give us any
13 details on this person because we are in open session. Just answer yes or no.

14 A. [14:50:57] Yes, I know him. He is the village chief.

15 Q. [14:51:14] Amongst the 18 bodies that you saw on that day, did they include
16 the son of Mr Doumbia Abdoulaye?

17 A. [14:51:25] Yes, his children were amongst the dead.

18 Q. [14:51:39] Do you know Mr Doumbia's children well?

19 A. [14:51:49] I know them.

20 Q. [14:51:56] Thank you, Madam Witness.

21 Now, Madam Witness, can you explain to us what are the consequences of those
22 events on your life.

23 A. [14:52:30] Ever since those events started, the world has never been the same
24 because all those who were taking care of me are all dead.

25 Q. [14:52:46] Madam Witness, you were also injured in your eye because of the

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1 events; is that correct?

2 A. [14:52:58] Yes.

3 Q. [14:53:04] Is it possible for you to see with your left eye?

4 A. [14:53:17] I can see just a little bit.

5 Q. [14:53:23] Do you need to concentrate more because of the state of your vision?

6 A. [14:53:39] Sometimes I cannot remember things.

7 Q. [14:53:47] Do you also suffer from headaches?

8 A. [14:53:53] Yes, I quite often have headaches.

9 Q. [14:54:04] Does your physical condition prevent you from finding a job?

10 A. [14:54:17] Yes, it prevents me from working, it really prevents me from
11 working.

12 Q. [14:54:29] And prior to the events, what type of occupation would you have
13 wanted to do or to become a part of?

14 A. [14:54:48] I really wanted to study, but unfortunately I can no longer attend
15 school.

16 Q. [14:55:03] Do you currently receive medical treatment?

17 A. [14:55:21] I was receiving medical treatment, but since my father does not have
18 money, I was compelled to stop that treatment.

19 Q. [14:55:35] When you say that you were receiving medical treatment, when did
20 you start receiving that treatment, immediately after the events or when specifically?

21 A. [14:55:57] It was after the events that I started receiving treatment, otherwise
22 that did not happen before that.

23 Q. [14:56:10] Madam Witness, I would like to move on to one last topic with you.

24 In paragraph 11 of the witness's statement, and it is the same document,

25 CIV-OTP-0069-0051, in paragraph 11, you stated the following, and I quote:

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1 "In 2014, I also met with an American woman at Deux Plateaux. I went to the
2 appointment with Mayabra Kamara, who I consider as a sister."

3 My first question, I think there is an error in the name in the statement. Were you
4 really referring to Mayabra Kamara?

5 A. [14:57:37] Yes, indeed, Kamara Mayabra.

6 Q. [14:57:45] Just for the record, M-A-Y-A-B-R-A, and then the next name is
7 K-A-M-A-R-A.

8 Why do you say, Madam Witness, that you consider Madam Kamara as a sister?

9 A. [14:58:18] Because she is a friend to my elder sister, so I also consider her as
10 my elder sister.

11 Q. [14:58:28] And have you known Madam Kamara for a long time?

12 A. [14:58:41] Yes, I have known her since the year 2000.

13 Q. [14:58:45] And I understand that you met regularly with Madam Kamara?

14 A. [14:58:58] Yes. We live in the same neighbourhood.

15 Q. [14:59:01] Madam Witness, during one of the first times that we met, I
16 explained to you and you filled out an application form as a victim during these
17 proceedings, and this happened in 2014; do you remember having filled out an
18 application for participation in the proceedings in 2014 as a victim?

19 A. [14:59:46] I no longer remember.

20 Q. [15:00:06] Can I ask the court officer, please, to kindly display that document
21 on the screen, and it is CIV-OTP-0069-0318. Just the first page, please.

22 Madam Witness, I know that you have problems reading, but I want you to just take a
23 look at the document.

24 Madam Witness, can you look at the screen in front of you, there is a document on it.

25 Have you ever seen this document before? Just from the way it looks, does it ring a

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1 bell?

2 A. [15:01:25] No, I do not remember this document.

3 MS MASSIDDA: [15:01:42] (Interpretation) Mr President, I'm sorry, I would like
4 to do a last attempt. Is it possible to show to the witness the document, it's not an
5 annotated one, just the original of the application form?

6 PRESIDING JUDGE TARFUSSER: [15:01:55] Yes. Yes, of course.

7 MS MASSIDDA: [15:01:59] Probably simple. Thank you.

8 Q. [15:02:13] (Interpretation) So, Mrs Witness, you have a document before you.
9 Can you just look at it and tell me whether you remember having ever seen that
10 particular document?

11 A. [15:02:38] If I -- if I had, I can't remember, because all that was a long time ago.

12 Q. [15:02:45] You're absolutely right, it is a long while ago. Do you remember
13 whether Mrs Kamara ever helped you fill out a document similar to this one? Does
14 that ring a bell?

15 A. [15:03:12] Yes, absolutely.

16 Q. [15:03:16] Yes, absolutely, that means that you remember that she helped you
17 fill out such a form?

18 A. [15:03:30] Yes, that's right.

19 Q. [15:03:32] Why did Mrs Kamara fill out that form and not you directly?

20 PRESIDING JUDGE TARFUSSER: [15:03:39] Because she has problems to write.
21 We know. Of course if we --

22 MS MASSIDDA: [15:03:44] Thank you, Mr President, but I wanted just the witness
23 to confirm.

24 PRESIDING JUDGE TARFUSSER: [15:03:47] Yes, but we are giving reading
25 assistance, so I think this is enough.

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- 1 MS MASSIDDA: [15:04:05] I understand your point, Mr President.
- 2 PRESIDING JUDGE TARFUSSER: [15:04:08] Good.
- 3 MS MASSIDDA: [15:04:09] But I think --
- 4 PRESIDING JUDGE TARFUSSER: [15:04:11] Yes.
- 5 MS MASSIDDA: -- that because the Defence challenge constantly the participation
6 of victims in these proceedings and the way in which application forms has been
7 redacted or drafted or taken, for us it's important that the point is made openly on
8 how the application forms are compiled.
- 9 PRESIDING JUDGE TARFUSSER: [15:04:31] Yes, let's take it for granted that the
10 victim has problems with reading, that's why she's been granted the assistance, so we
11 can go ahead.
- 12 MS MASSIDDA: [15:04:52] Thank you.
- 13 Q. [15:04:53] (Interpretation) Thank you very much, Mrs Witness. I have
14 nothing further. Thank you very much.
- 15 PRESIDING JUDGE TARFUSSER: [15:05:00] Now, Madam Witness, now it's time
16 for the Defence to question you. And I give the floor to Mr Altit, which is the
17 Defence counsel for Mr Gbagbo.
- 18 Maître Altit.
- 19 MR ALTIT: [15:05:23] (Interpretation) Your Honour, the examination of the
20 witness will be conducted on behalf of the Gbagbo defence by Madam Baroan and
21 then Ms Naouri will put one or two questions after her colleague.
- 22 PRESIDING JUDGE TARFUSSER: [15:05:39] Okay. The floor is yours.
- 23 MS BAROAN: [15:05:59] (Interpretation) Good afternoon, your Honour.
- 24 QUESTIONED BY MS BAROAN: (Interpretation)
- 25 Q. [15:06:15] My name is Agathe Baroan. Can you see more clearly? I am

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1 Mr Gbagbo's counsel. Today I have one or two questions to put to you, Mrs Witness,
2 but not everything will be done in the language I'm currently speaking, but I will
3 switch to French, but I wanted to welcome you in your own language.

4 So please, relax. You must say what happened. I know what happened to your
5 family, we need to know that, and that's why questions will be put to you from our
6 bar.

7 But put yourself in a proper state of mind. All this happened a long while ago. It's
8 very difficult for you, but we need to know everything. And if you have any
9 questions at any point, then you can ask them.

10 I will now switch to French to start my examination. Thank you very much,
11 Madam Witness.

12 Your Honour, I would like to move into private session very briefly, with your leave?

13 PRESIDING JUDGE TARFUSSER: [15:07:43] Let's go into private session.

14 THE INTERPRETER: [15:07:48] Correction from the interpreter: Closed session.

15 (Private session at 3.07 p.m.)

16 (Redacted)

17 (Redacted)

18 (Redacted)

19 (Redacted)

20 (Redacted)

21 (Redacted)

22 (Redacted)

23 (Redacted)

24 (Redacted)

25 (Redacted)

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- 1 (Redacted)
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- 14 (Redacted)
- 15 (Open session at 3.16 p.m.)
- 16 THE COURT OFFICER: [15:16:44] We are back to open session, Mr President.
- 17 PRESIDING JUDGE TARFUSSER: [15:16:51] Yes. The floor is back to you.
- 18 MS BAROAN: [15:16:59] (Interpretation)
- 19 Q. [15:17:00] Mrs Witness, were there a number of young people in your district?
- 20 A. [15:17:07] Yes.
- 21 Q. [15:17:08] And was there an organisation that those young people belonged
- 22 to?
- 23 A. [15:17:22] There were a great many of these young people, but I don't know.
- 24 I'm not aware of the existence of any organisation.
- 25 Q. [15:17:33] There wasn't the president of the young people living in the

1 neighbourhood?

2 A. [15:17:41] Yes. Yes, that's right, in fact. There was the president of youth.

3 Q. [15:17:48] And how was he appointed to that position?

4 A. [15:18:04] We voted to elect him to the position of youth president.

5 Q. [15:18:11] And did you cast a vote in that election?

6 A. [15:18:19] Yes, I did.

7 Q. [15:18:21] And the person who entered office, was the person who you voted
8 for to become president?

9 A. [15:18:38] Yes.

10 Q. [15:18:39] Was it a friend of your brother? Was it somebody who you knew
11 in particular?

12 A. [15:18:53] We knew each other quite well. *We had ties. Let's put it that way.

13 Q. [15:19:08] And he was the president of what group exactly?

14 A. [15:19:27] What type of association?

15 Q. [15:19:29] What ethnic group did the president belong to?

16 A. [15:19:39] He was Guéré.

17 Q. [15:19:43] You're Malinké, so you voted for a Guéré despite your own ethnic
18 group, Malinké?

19 A. [15:19:59] Yes.

20 Q. [15:20:02] And your brother, did he have many friends among the Guérés?

21 A. [15:20:11] Yes.

22 Q. [15:20:15] And these Guérés, did you associate with them and meet them on a
23 regular basis?

24 A. [15:20:24] Yes. They came to see us, we chatted together, and things like that.

25 Q. [15:20:38] And do you remember when those elections took place, roughly?

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1 A. [15:20:52] I don't remember because I wasn't involved in the elections. I
2 didn't vote.

3 Q. [15:21:03] Here, I'm talking about the elections where you did cast a vote.
4 When was that exactly?

5 A. [15:21:20] I don't remember. It's a long time ago.

6 Q. [15:21:26] Well, there was the -- there was April, the month of April, and over
7 and beyond the ones *we'll be talking about later on, there was gunfire in the
8 district?

9 A. [15:22:10] In the district there was, indeed, gunfire.

10 Q. [15:22:14] And at that particular time, did you learn whether the FRC were at
11 Yopougon?

12 THE INTERPRETER: [15:22:28] FRCI, corrects the interpreter.

13 THE WITNESS: [15:22:32] (Interpretation) I don't know; I wasn't told.

14 MS BAROAN: [15:22:34] (Interpretation)

15 Q. [15:22:34] And after the fact you learned that there was indeed the FRCI in that
16 locality?

17 A. [15:22:42] Yes.

18 Q. [15:22:48] Do you know the names of the leaders of the FRCI?

19 A. [15:22:55] No.

20 Q. [15:22:58] If I tell you Chérif Ousmane, does that name ring a bell?

21 A. [15:23:12] I heard talk of him, but I don't know him personally.

22 Q. [15:23:17] And what were you told about him?

23 A. [15:23:30] Nothing specific. I was told that he was a member of the FRCI and
24 that was it.

25 Q. [15:23:42] You didn't learn that he had abducted young people at Yopougon?

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1 A. [15:23:55] I was never aware of that.

2 *Q. [15:23:57] Are you familiar with the name Koné Zakaria?

3 THE INTERPRETER: [15:23:59] Request from the interpreters: Could counsel
4 please observe a pause between questions and answers.

5 THE WITNESS: [15:24:08] (Interpretation) I had heard speak of him.

6 PRESIDING JUDGE TARFUSSER: [15:24:11] Could counsel please observe a pause.
7 Thank you.

8 MS BAROAN: [15:24:26] (Interpretation)

9 Q. [15:24:26] Over and beyond that, you didn't actually learn of what he was
10 doing?

11 A. [15:24:38] No.

12 Q. [15:24:42] All right. Thank you very much. I move on to another area.
13 Earlier on, we spoke of your eye defect. Did you go to a medical centre for your
14 eyes?

15 A. [15:25:17] Yes, I did.

16 Q. [15:25:23] And where was that?

17 A. [15:25:31] I went to the HNA hospital.

18 Q. [15:25:34] Do you remember anything about the doctor who treated you?

19 THE INTERPRETER: [15:25:40] Interpreter clarification: HMA hospital.

20 THE WITNESS: [15:25:46] (Interpretation) I forget his name.

21 MS BAROAN: [15:25:49] (Interpretation)

22 Q. [15:25:49] It doesn't matter. When he received you, did he examine you, or
23 did he run analyses, or did he just simply examine your eye?

24 A. [15:26:13] He looked at my eyes with some equipment.

25 Q. [15:26:23] And he gave you any -- or, he asked you to go and have some

1 examinations done?

2 A. [15:26:36] He suggested that I went off and had a scan.

3 Q. [15:26:43] And were you able to have that done?

4 A. [15:26:57] I was able to do the scan.

5 Q. [15:27:02] And with the results of the scan, was he able to tell you what you
6 were suffering from?

7 A. [15:27:24] He said that I would no longer be able to see through the affected
8 eye.

9 Q. [15:27:30] And he drafted a report following the medical visit?

10 A. [15:27:47] He drew up a medical report which I still have.

11 Q. [15:27:51] We're going to see whether this is the same report, therefore.

12 Can we have on our screens CIV-OTP-0086-1280, number 10 in the list of materials.

13 We also have a hard copy, if this could be ...

14 Madam Witness, if you can't make out what you see on the screen, I can have brought
15 to you a hard copy.

16 Have you had an opportunity to look at the document, Madam Witness?

17 A. [15:29:55] Yes, I have.

18 Q. [15:30:00] Can you look at the first paragraph, please.

19 A. [15:30:18] I can see it but I can't read it.

20 Q. [15:30:36] "I, the undersigned, Doctor Loba Adjou, ophthalmologist working at
21 the military hospital of Abidjan, attest to tracking medically since 27 July 2012,
22 Mademoiselle Camara Fatoumata, aged 17, without profession or without
23 professional activity, for a reduction in vision in both eyes, reduction in visual acuity
24 in both eyes. She was operated on both eyes at the age of eight months for bilateral
25 congenital cataract using the technique of intracapsular extraction. Corrective

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1 glasses have been prescribed since the age of seven years. Her medical, surgical and
2 obstetrical medical history are of no particular -- are not particularly noteworthy."
3 The doctor saw you on 27 July 2012, roughly a little more than one year after
4 April 2011, and here he doesn't talk about any consultation after the blow you
5 received to your eye. So I'm trying to understand what happened. Why is it that
6 we do not see any mention of the visit after you received the blow to your eye? Can
7 you explain that to us?

8 A. [15:34:20] I didn't understand the question which you've asked me; I'm sorry.

9 Q. [15:34:35] I will try to restate that and make it simpler.

10 In what we have just read, the doctor explains that your eyesight problems are
11 problems you've had since the age of eight months and that this is why he has been
12 looking after you and he asked for all the examinations which he has prescribed.
13 Now, you explained to us that it was after that you had received a blow that your
14 eyesight got worse and that this is why you went to the ophthalmologist at HMA.
15 So my question is, why does the doctor not mention this essential point of the blow
16 which led you to consult? He does not talk about this in his medical report. We
17 would like to know what happened. Did you not explain that you were consulting
18 because you had received a blow?

19 MS HENDERSON: Your Honours.

20 PRESIDING JUDGE TARFUSSER: [15:36:06] Yes, Ms Henderson.

21 MS HENDERSON: [15:36:09] The objection to the question is on two bases.

22 Firstly, on the basis that the beginning misrepresents the report of the doctor that's
23 being put to the witness. To quote my learned friend -- this is at page 58,
24 line 17 -- "In what we have just read, the doctor explains that your eyesight problems
25 are problems you've had since the age of eight months and this is why he has been

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1 looking after you."

2 Your Honours, in our submission that's not apparent on the face of this document; it's
3 a misstatement of two sentences put together.

4 And secondly, your Honour, the objection is on the basis of the special measures and
5 the need particularly for short and simple open-ended questions under paragraph 2.2.

6 PRESIDING JUDGE TARFUSSER: [15:37:01] The real problem is that the questions
7 are too complicated.

8 Ms Witness, I put to you this question. After 12 April 2011, did you go to a doctor to
9 check your eyes.

10 THE WITNESS: [15:37:38] (Interpretation) In 2011, April, there were no dispensaries
11 so I didn't go. In 2012, I did go.

12 PRESIDING JUDGE TARFUSSER: [15:37:53] Was this on 27 July 2012, the first
13 time that you went to a doctor to check your eyes after the events of 12 April 2011?

14 THE WITNESS: [15:38:22] (Interpretation) Yes.

15 PRESIDING JUDGE TARFUSSER: [15:38:24] That's it.

16 Yours, the floor.

17 MS BAROAN: [15:38:33] (Interpretation) Thank you.

18 Q. [15:38:41] So after what the Presiding Judge has said, my question is as follows:
19 Why does the doctor not refer to the blow --

20 PRESIDING JUDGE TARFUSSER: [15:39:02] I think this said you have to ask the
21 doctor and not the witness. Come on. You ask the witness why the doctor didn't
22 refer to this? I don't know.

23 MS BAROAN: [15:39:20] Oui --

24 PRESIDING JUDGE TARFUSSER: [15:39:21] No. The question is: Did you tell
25 the doctor about what happened on 12 April?

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1 THE WITNESS: [15:39:44] (Interpretation) I don't know how to explain this to you.

2 PRESIDING JUDGE TARFUSSER: [15:39:49] I would suggest with your own
3 words.

4 So, excuse me, you went to the doctor on 27 July, because this is a document which
5 says that you went to this doctor on 27 July 2012. And you went to the doctor who
6 checked your eyes, okay, what we call an ophthalmologist, an eye doctor. Now, the
7 question is: Why did you go there and what did you tell him and, in particular, did
8 you tell him also about the events or what happened on 12 April a year before, a year
9 and three months before?

10 THE WITNESS: [15:41:02] (Interpretation) I was in pain, so I went to the doctor.

11 My head was really hurting, and this is why the scan was done to see what the state
12 of my eyes was.

13 PRESIDING JUDGE TARFUSSER: [15:41:18] Yes, but the question is: Did you tell
14 the doctor, did he ask about your pain and why you have pain and what happened in
15 your life that you -- to try to find out what the origin of this pain is? Did he ask you
16 or did you tell him about 12 April, what happened on 12 April the year before?

17 THE WITNESS: [15:42:03] (No interpretation)

18 PRESIDING JUDGE TARFUSSER: [15:42:05] I didn't get the translation.

19 THE WITNESS: [15:42:16] (Interpretation) I didn't say that to the doctor. I just said
20 I was in pain, otherwise I didn't explain the circumstances.

21 PRESIDING JUDGE TARFUSSER: [15:42:22] Okay, thank you.

22 The floor is back to you.

23 MS BAROAN: [15:42:27] (Interpretation) Thank you, your Honour.

24 Q. [15:42:42] And just to finish with the story of the pain in your eyes, once the
25 doctor had said that you had been operated on at eight months, after this operation

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1 were you followed by a doctor?

2 THE INTERPRETER: [15:43:22] English booth: No interpretation coming
3 through.

4 Q. (No interpretation)

5 PRESIDING JUDGE TARFUSSER: [15:43:41] No, we didn't get any interpretation.

6 THE INTERPRETER: [15:43:53] The Dioula booth did not receive the
7 interpretation into their booth and had a technical problem. Could we go back over
8 that question, please? It's a request from the Dioula booth.

9 PRESIDING JUDGE TARFUSSER: [15:44:07] Yes, on request of the Dioula booth,
10 we should go over that question. But I would really ask you, it is already hard, so if
11 we don't, we try not to make her repeat things, it would be much better.

12 The question is as follows: After -- when you were a child, you have been operated
13 on the eyes, right?

14 THE WITNESS: [15:44:55] (Interpretation) Yes.

15 PRESIDING JUDGE TARFUSSER: [15:44:56] The question is: Have you been
16 followed regularly by a doctor in your childhood, during your childhood?

17 THE WITNESS: [15:45:18](Interpretation) I don't know. But when I was seven or
18 eight, I went to see a doctor.

19 PRESIDING JUDGE TARFUSSER: [15:45:25] Okay.

20 The floor is back to you.

21 MS BAROAN: [15:45:39] (Interpretation)

22 Q. [15:45:41] After the age of seven, were you looked after by a doctor for your
23 eyes?

24 A. [15:45:52] I wore glasses.

25 Q. [15:45:57] Were you wearing them in April as well?

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1 A. [15:46:06] I had glasses, but not the ones I'm wearing today.

2 Q. [15:46:13] And those you had, did you wear them all the time or just from time
3 to time?

4 A. [15:46:28] All the time, but sometimes I set them to one side.

5 Q. [15:46:32] Thank you very much, Madam Witness.

6 Let's move on to the events. And to understand what happened properly, we're
7 going to run through the events one by one, starting with the beginning of the day.
8 So let's start with 11 April 2011. We'll not start in the morning, we'll start at the point
9 where you learnt of the arrest of Mr Laurent Gbagbo.

10 Can you tell us how you learnt of this piece of news?

11 A. [15:48:02] We were sitting in front of our door and we heard people saying
12 that Mr Gbagbo had been arrested.

13 Q. [15:48:16] So you were in front of your courtyard with whom?

14 A. [15:48:27] My brothers and my father.

15 Q. [15:48:32] So you heard, but you didn't see this news on television, you just
16 heard people talking about it?

17 A. [15:48:42] I didn't see this on the television.

18 Q. [15:48:48] So then what did you do?

19 A. [15:48:56] I didn't do anything, because our father told us that we should stay
20 inside the house.

21 Q. [15:49:09] Did you learn of the news when you were inside the house or
22 outside of your house?

23 A. [15:49:26] In front of the house.

24 Q. [15:49:31] So that was after your father asked you to go inside?

25 A. [15:49:40] Yes, indeed.

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- 1 Q. [15:49:44] And what time was that, roughly?
- 2 A. [15:49:53] Between 1 and 2 p.m.
- 3 Q. [15:49:58] When you went into the courtyard, what happened?
- 4 A. [15:50:04] Nothing, nothing happened.
- 5 Q. [15:50:10] So you stayed in the courtyard all day long?
- 6 A. [15:50:15] Yes.
- 7 Q. [15:50:20] And after that, when you went to bed?
- 8 A. [15:50:29] When night fell, we went to bed.
- 9 Q. [15:50:35] Nothing happened during the night?
- 10 A. [15:50:43] During the night we heard weapons being fired.
- 11 Q. [15:50:55] Had you any idea where these shots were coming from, which
- 12 direction they were coming from?
- 13 A. [15:51:06] The shots were coming from the Sainte Marita school.
- 14 Q. [15:51:18] Did you know these shots came from the Sainte Marita school?
- 15 A. [15:51:51] Yes.
- 16 Q. [15:51:53] On 11 April, when you went to bed, did you know that these shots
- 17 were coming from Sainte Marita school?
- 18 A. [15:52:11] The Sainte Marita school is not very far from our house, so we heard
- 19 the shots.
- 20 Q. [15:52:22] Yes, I understand that from what you say Sainte Marita is not very
- 21 far away. I'm really trying to find something out. There's a small nuance here
- 22 which you'll understand, and this is why I'm asking you if it really was at
- 23 Sainte Marita that the shots were being fired, if you knew that the shots were coming
- 24 from there?
- 25 A. [15:52:57] Yes, because I know the places, and the sounds were coming from

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1 the direction of where the school is.

2 Q. [15:53:14] Very well. And what happened after that?

3 A. [15:53:28] Nothing happened. We were in bed.

4 Q. [15:53:37] Let me read an extract from what you said concerning the shots.

5 This is exhibit CIV-OTP-0069-0056, paragraph 22. And so let me read that out:

6 "The shots which I heard that evening were very close to the house, and I knew that
7 they came from the district. I don't know how long the shots went on for."

8 So when you were asked you said in a more vague fashion that the shots were coming
9 from the surrounding district.

10 MS HENDERSON: [15:55:15] There's been no question, it's a commentary at this
11 stage.

12 PRESIDING JUDGE TARFUSSER: [15:55:18] Yes, I know. And then?

13 MS BAROAN: [15:55:30] (Interpretation) The question I asked was to know if she
14 was absolutely sure that the shots came from Sainte Marita or not, and this is why I
15 read out this excerpt, because she said in her statement.

16 PRESIDING JUDGE TARFUSSER: [15:55:54] From that direction, from that
17 direction, I don't know which one, in that direction.

18 MS BAROAN: [15:56:00] (Interpretation) From that district, from that direction, it's
19 not the same thing, because then she said "Sainte-Marita." And then she said that
20 there was noise coming from the district. That could indicate a circle around the
21 house.

22 PRESIDING JUDGE TARFUSSER: [15:56:26] Yes, of course. So the question
23 would be: Why did you not say the court -- how is it called, Sainte Marita -- why did
24 you not say Sainte Marita when you were asked by the Office of the Prosecutor?

25 THE WITNESS: [15:56:53] (Interpretation) Sainte Marita is in our district, it's in our

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1 neighbourhood.

2 PRESIDING JUDGE TARFUSSER: [15:57:02] Okay, Ms Baroan.

3 MS BAROAN: [15:57:05] (Interpretation) Thank you, your Honour. We'll
4 continue running through the day of the 11th.

5 Q. [15:57:17] And you heard the shots fired. So what happened after that?

6 A. [15:57:38] We heard the shots and I asked what time it was, I was told it was
7 about midnight. We went to bed, then woke up.

8 Q. [15:57:53] Very well. Thank you, Madam Witness. So that takes us on, in
9 fact, through to the day of 12 April, 12 April 2011. Can you tell us what happened in
10 the course of that day?

11 A. [15:58:19] In the morning we woke up, we went towards the place where we'd
12 heard the shots coming from the night before, and we saw bodies lying, and we heard
13 more gunshots, and we went back to the house.

14 Q. [15:58:38] Thank you.

15 MS BAROAN: [15:58:41] (Interpretation) Your Honour, I see that time is moving
16 on and I intend to move on to another topic, really.

17 PRESIDING JUDGE TARFUSSER: [15:58:48] Okay, so we stop here for today.

18 We come back tomorrow morning, you go to have a rest, we come back tomorrow

19 morning at 9.30, same place. And then we continue with the questioning by the

20 Defence for Mr Gbagbo followed by the questioning by the Defence for Mr Blé Goudé,
21 okay?

22 The hearing is adjourned to tomorrow 9.30. Thank you very much.

23 THE COURT USHER: [15:59:28] All rise.

24 (The hearing ends in open session at 3.59 p.m.)