

Trial Hearing
WITNESS: CIV-OTP-P-0435

(Open Session)

ICC-02/11-01/15

1 International Criminal Court
2 Trial Chamber I
3 Situation: Republic of Côte d'Ivoire
4 In the case of The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé
5 ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera-Carbuccia and
7 Judge Geoffrey Henderson
8 Trial Hearing - Courtroom 1
9 Tuesday, 25 October 2016
10 (The hearing starts in open session at 9.36 a.m.)
11 THE COURT USHER: [9:36:24] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:36:55] Good morning. Good morning to
15 everybody. Good morning, Mr Witness. Good morning, Mr Witness.
16 WITNESS: CIV-OTP-P-0435 (On former oath)
17 (The witness speaks French)
18 THE WITNESS: [9:37:06] (Interpretation) Good morning, Mr President.
19 PRESIDING JUDGE TARFUSSER: [9:37:08] Here we are again for the continuation of
20 the -- to continue your questioning by the Defence of Mr Blé Goudé and therefore I give
21 the floor to -- yes, not to Mr Gbougnon, but Mr Wagemakers, who is asking for it.
22 MR WAGEMAKERS: [9:37:31] Yes, thank you, your Honour. It will take a short
23 while and then I will soon give Mr Gbougnon the opportunity to interrogate my client.
24 I spoke to my client this morning and he asked me to share his following concerns with
25 you. As we all know, my client is standing trial himself in the Ivory Coast, but he also

1 testifies in this trial. He also testified in the trial of Simone Gbagbo in the Ivory Coast.
2 In Ivory Coast proceedings, my client has no legal representation whatsoever, nor did he
3 have any counsel when he testified against Simone Gbagbo. I was not present myself
4 during that trial, but my client assured me and told me that during his interrogations in
5 the Simone Gbagbo trial, attempts, serious attempts, were made to extract information
6 from him as to the whereabouts and the security of himself, but more importantly, also to
7 the security of his family members.

8 I assured my client that I could myself not imagine that a similar thing would happen in
9 this Court, but he asked me to share this with you. So I've done that now, and I will now
10 give Mr Gbougnon the opportunity for the interrogation. Thank you.

11 PRESIDING JUDGE TARFUSSER: [9:39:00] Thank you, very much. Mr Wagemakers,
12 you are right, that could not happen and that will not happen in this Court, so don't worry.
13 I will be very vigilant that nothing about the whereabouts of your family, your wife or
14 yourself will be disclosed here. Thank you.

15 Mr Gbougnon.

16 MR GBOUGNON: [9:39:24] (Interpretation) Good morning, Mr President. Good
17 morning, your Honours.

18 Mr President, I would like to suggest that in order to answer the concerns of counsel and
19 also the emails sent by the OTP, I would request that the witness be brought out of the
20 Chamber, please.

21 PRESIDING JUDGE TARFUSSER: [9:39:47] But I said there is no such thing that we are
22 now debating on this. There will be no question allowed on the whereabouts of the
23 family of the witness and of the witness himself in Ivory Coast. There is no -- I'm not
24 referring to the email of Mr MacDonald, I'm not referring to the email of Mr Altit, and this
25 is a decision by the Chamber. So I don't think that it is material to be litigated.

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1 MR GBOUGNON: [9:40:31] (Interpretation) Mr President, it is not as to whether it is
2 relevant or not, but I find that what the OTP has been saying in this email is insulting with
3 regard to the Defence. Wanting to have people believe -- wanting to have people believe
4 that we want to use an audio recording in order to disclose anything at all is very
5 insulting. And, Mr President, he has been attempting to do this for quite some time now.
6 Before -- I'm trying to calm down. I'm trying hard to calm down.

7 Before disclosing this audio recording, the OTP had us chasing our tail. And yesterday,
8 Mr President, I was the one who requested that in my position of responsibility that we
9 move into private session for questions to be put, and no questions alluded to the location
10 of either the children or the spouse of the witness. And why is it that now people allow
11 themselves to send such an email? And it insinuates that we are the ones who are going
12 to disclose the location of the witness. I find this entirely insulting.

13 This item of evidence was attempted -- they attempted to hide it from us, like many
14 others, and now it is a manner of saying to the Chamber that we are the ones who are
15 going to disclose.

16 We are responsible individuals and we need to be respected as such. I needed to point
17 this out.

18 PRESIDING JUDGE TARFUSSER: [9:42:22] You are responsible individuals, you are
19 respected as such. I try to calm down as well now, and I invite you to continue with
20 your questioning. I will not open a debate on the email exchange. Please go ahead.

21 MR GBOUGNON: [9:42:42] (Interpretation) I will request that we move into private
22 session for me to move forward with my questioning.

23 PRESIDING JUDGE TARFUSSER: [9:42:49] Let's go into private session, please.

24 (Private session at 9.42 a.m.)

25 (Redacted)

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16 (Open session at 10.10 a.m.)

17 THE COURT OFFICER: [10:10:11] We're in open session.

18 PRESIDING JUDGE TARFUSSER: [10:10:20] Maître Gbougnon.

19 MR GBOUGNON: [10:10:27] (Interpretation)

20 Q. [10:10:28] *Mr Witness, as part of the familiarisation process and besides your
21 statement to the OTP investigators, were you given any other documents?

22 Let me explain.

23 If you don't understand the question, let me explain.

24 Before you came to give testimony, you have to be given your own statement; namely, the
25 statement summarising or setting out what you said to the OTP investigators over the

1 course of various interviews. You were supposed to have an opportunity to read them.

2 Now, other than those documents, were there other documents provided to you?

3 A. [10:11:35] The documents, those documents all had to do with the interview that I
4 had and the things I said.

5 Q. I didn't understand.

6 A. The documents had to do with my testimony or my statement.

7 Q. [10:12:03] Were you only given your statements, that is to say the recordings of the
8 interviews that you had with the OTP investigators? That is my question: Was it only
9 those documents? Because you were interviewed in Abidjan, and my question is this:
10 Were you just given the documents that had to do with your interviews with the OTP
11 investigators?

12 A. [10:12:36] Because those were the documents that had to do with my interviews
13 that were -- how should I say it? They were provided.

14 Q. [10:12:56] So they just gave you the record of the discussions you had with the
15 OTP; is that correct?

16 A. [10:13:09] During my interviews, there were thousands -- How should I say?
17 Well, there were sketches, documents I provided to the investigators, so those were the
18 documents that were shown to me.

19 Q. [10:13:38] Were you shown the records of the hearings at court in Abidjan?
20 I beg your pardon, I am referring to CIV-OTP-0093-0060. Those are the documents I'm
21 referring to; namely, this summary of the hearings of the trial of The Prosecutor versus
22 Simone Gbagbo in Abidjan. Were you given those documents?

23 A. [10:14:20] You mean the record of the Simone Gbagbo trial? I saw those.

24 Q. [10:14:32] When did you see those records?

25 A. [10:14:37] Before I came.

1 Q. [10:14:42] And who showed you those records? Who provided them to you?

2 A. [10:14:48] *The documents that I was supposed to read, it wasn't -- well, how can I
3 put it... it wasn't printed on paper. The documents were not printed on a piece of paper. I
4 don't know. Normally, it was the people from witness protection I think.

5 Q. [10:15:21] Please repeat. I didn't quite hear. The question is a simple -- please,
6 please, when I speak, allow me to finish what I am saying.

7 Who and when were you -- who gave you the documents I just mentioned, and when? If
8 it was a member of the victims unit - you made mention of protection - say so because I
9 asked you which documents you had access to before coming here and you said the
10 documents from the OTP, and I'm asking you. My second question is, did you have
11 access to the records of the first court hearing in the case of The Prosecutor versus Simone
12 Gbagbo? If you had access to those records, when were you given access to them?

13 A. [10:16:30] What I'm saying is that, well, it was before, before I left to come here. I
14 don't have the name of the person who was handling that. It was, I think, a director from
15 the Victims and Witnesses Unit. That is the answer I've given.

16 MR GBOUGNON: [10:16:57] (Interpretation) Your Honour, if we could have one
17 moment so that we can cross-check one particular item, with your leave.

18 (Counsel confers)

19 MR GBOUGNON: [10:17:21] (Interpretation) We shall continue, conduct our
20 cross-checks and then return to the matter which represents an enormous procedural
21 issue, but in any event we shall proceed.

22 Q. [10:18:00] We shall move on. Mr Witness, during your testimony before this
23 Chamber you mentioned an advanced position. What do you mean by that, an advanced
24 position?

25 PRESIDING JUDGE TARFUSSER: [10:18:29] Maître Gbougnon, when you say this,

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1 what are you referring to? Because you said, "during your testimony you mentioned an
2 advanced position," so it is in the translation. What are you referring to? I can't get it.

3 MR GBOUGNON: [10:18:49] (Interpretation) I'm making reference to the statement
4 made by the witness on 19 October 2016, official transcript page 47 -- I beg your pardon,
5 42, lines 18 to 20, quote:

6 "Our mission was to take part in the advanced positions."

7 That is why I'm asking this witness what he meant by the expression "an advanced
8 position."

9 THE WITNESS: [10:19:21] (Interpretation) An advanced position is a position that
10 you establish upstream or downstream from a base, a head or behind of a base - a military
11 base - in relation to a military base, that's all.

12 MR GBOUGNON: [10:19:49] (Interpretation)

13 Q. [10:19:50] You said upstream or downstream. Can you perhaps, just to make sure
14 that we have the -- you see, while we speak, the court reporters are not getting anything,
15 so could you try to -- well, perhaps turn off your microphone and I will speak and then,
16 when you turn on your microphone, that will allow the interpreters and court reporters a
17 moment.

18 Now, you said upstream or downstream. And when, when -- under what conditions is
19 the advanced position upstream and under which conditions is the advanced position
20 downstream?

21 A. [10:21:01] Well, upstream or downstream, when I say that because an advanced
22 post or position is to protect, it's to protect, it's like a position -- how should I put it? It's
23 like a scout who's sent forward and the persons at that advanced position are like scouts
24 and can warn of an attack upon the base. That is what people do at an advanced
25 position, be it upstream or downstream. They take up a position; it could be to the left,

1 to the right. It's like a belt or a perimeter in relation to an institution or a base, that is to
2 say you might have an advanced position to watch over the various access points to a
3 particular location and then you form a security border or perimeter around the base or
4 that particular place.

5 Q. [10:22:27] You mentioned various access points to a place.

6 A. [10:22:31] Yes, the various access points. An advanced position can -- if there's a
7 particular access point to a base or to a location.

8 Q. [10:22:50] And thus in 2004, where was this advanced position of yours?

9 A. [10:23:04] Sapia.

10 Q. [10:23:13] Just so that the Chamber understands, the Chamber is not in a position
11 to know this, *where Sapia is? *I am Ivoirian and I am able to know. In order to help the
12 chamber understand, could you perhaps draw something or could you point out the
13 location of Sapia in relation to Bondoukou -- if you could?

14 A. [10:24:04] I really can't sketch. You want me to draw a map for you? I really
15 can't --

16 Q. [10:24:13] I'm not asking you to sketch -- please, let me speak. I'm not asking you
17 to sketch a geographical map. I'm asking you -- *maybe you could just draw a line on
18 the paper, just to show us where Sapia is located in relation to Bondoukou.

19 A. [10:24:53] Okay, I'll just perhaps -- you're asking me about -- I'll draw something
20 here.

21 THE INTERPRETER: [10:25:09] Interpreter correction: The witness is being asked to
22 show Sapia in relation to another location, which is Bondoukou. Bondoukou.

23 MR GBOUGNON: [10:25:39] (Interpretation)

24 Q. [10:25:40] Now, this little sketch that you've just done for us, how do these
25 locations locate to Abidjan, north, south?

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1 A. [10:25:59] I think it would be easier if I had a map.

2 Q. [10:26:13] Mr Witness, I'm not asking you to be a cartographer, I'm just asking you
3 to situate us. Where are these two locations in relation to Abidjan?

4 PRESIDING JUDGE TARFUSSER: [10:27:36] But do we spend here all this time just to
5 know exactly where Bondoukou is because we can -- we must know from the witness
6 where Bondoukou is. I do not understand.

7 MR GBOUGNON: [10:28:26] (Interpretation)

8 Q. [10:28:28] Please turn off your microphone.

9 PRESIDING JUDGE TARFUSSER: [10:28:33] Can we not go ahead with the
10 questioning without asking where Bondoukou is? Because I have it here where
11 Bondoukou is.

12 MR GBOUGNON: [10:28:54] (Interpretation)

13 Q. [10:28:59] Thus, if I understand correctly, your advanced position, Sapia, would be
14 when you're leaving Abidjan on the way to Bondoukou? That would be before
15 Bondoukou; is that correct?

16 THE INTERPRETER: [10:29:24] Microphone, please.

17 THE WITNESS: [10:29:27] (Interpretation) You're asking me whether it was before
18 Bondoukou? What's your question?

19 MR GBOUGNON: [10:29:37] (Interpretation)

20 Q. [10:29:39] Judging by your sketch, Sapia is before Bondoukou. So my question is
21 this: This advanced position of yours, was it before Bondoukou? Sapia is before
22 Bondoukou; is that correct?

23 A. [10:29:57] Well, you reach Bondoukou on your way to Sapia, but you --

24 Q. [10:30:07] I've understood.

25 A. [10:30:09] Ask me -- ask me -- what's the point? You're asking -- what's the point,

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- 1 that Bondoukou is in front of Sapia, or Sapia is before Bondoukou? You're asking me --
- 2 Q. [10:30:27] Answer my question. You said that Bondoukou is before Sapia.
- 3 Thank you.
- 4 A. [10:30:35] *I already answered the question.
- 5 PRESIDING JUDGE TARFUSSER: [10:30:37] It depends from where you're coming, I
- 6 would say.
- 7 MR GBOUGNON: [10:30:44] Mr President.
- 8 PRESIDING JUDGE TARFUSSER: [10:30:46] I really don't understand the relevance of
- 9 this question. We're talking about 2004 again.
- 10 MR GBOUGNON: [10:30:55] (Interpretation) Your Honour, I would like for the
- 11 witness to be escorted out of the courtroom.
- 12 THE WITNESS: [10:31:02] (Interpretation) Your Honour, I beg your pardon.
- 13 MR GBOUGNON: [10:31:06] Please, your Honour, I insist. The witness must be taken
- 14 out of the courtroom.
- 15 PRESIDING JUDGE TARFUSSER: [10:31:11] Please, Mr Witness, you can -- you have
- 16 the time then to speak about what you want.
- 17 Please, court usher, could you ask the witness to leave the courtroom.
- 18 (The witness stands down)
- 19 PRESIDING JUDGE TARFUSSER: [10:31:35] Maître Gbougnon.
- 20 MR GBOUGNON: [10:31:38] (Interpretation) Mr President, since yesterday, or since
- 21 the beginning of his testimony anyway, we have a witness who is saying things and then
- 22 retracting. We are now obliged to have a great deal of patience. I have to proceed in
- 23 such a manner because we want to obtain things from him. Mr President, in his
- 24 statement the witness said that he was in the platoon of the gendarmerie in Bondoukou.
- 25 That's what he said to the OTP. He said that he was in the gendarmerie platoon in

1 Bondoukou, whilst here we hear him, and I was quoting the transcript of earlier on, he
2 said here that he was in Sapia. So I asked for this sketch because I know where Sapia is.
3 He talks about his advanced position. I know where Sapia is, but I want for the Chamber
4 to understand and that's why I asked him to do a sketch. For somebody who spent at
5 least a month there, he does not manage to place Sapia with regard to Bondoukou.
6 That's the problem, Mr President, he doesn't manage to situate it or locate it. It is a
7 touristic centre that everyone in Côte d'Ivoire knows about, Mr President, and for
8 approximately 30 minutes he is not able to locate Sapia with regard to Bondoukou. It's
9 about 15 kilometres below Bondoukou, on the way to Abidjan, and he's taken about 30
10 minutes to locate it, to situate it. What I'm asking here -- well, what I'm saying here is
11 that we have been brought a very un-credible witness.

12 PRESIDING JUDGE TARFUSSER: [10:33:30] This is now -- and, again, something
13 which is at a later stage you have to talk about commenting on the witness, on the
14 credibility or not. We are talking about facts and why this is, this questioning, line of
15 questioning, is relevant.

16 MR GBOUGNON: [10:33:50] (Interpretation) Mr President, you asked me and you
17 asked me the relevance and I explained that to you. I explained the contradictions of this
18 witness over the last two weeks. I have explained to him what he's been saying and the
19 difficulty that he has locating a specific point where he claims to have been.

20 PRESIDING JUDGE TARFUSSER: [10:34:10] I asked you the line of questioning and
21 not to comment on the consequences of this line of questioning.

22 MR MACDONALD: [10:34:19] Very briefly, I think it is very easy, your Honour.
23 Mr Gbougnon can just use the prior statement and say, "In your prior statement you said
24 this. In court you're saying that. Which version?" And then put it to him -- I'm not
25 done. I'm not done. Maître Gbougnon. Maître Gbougnon. Calmez.

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1 PRESIDING JUDGE TARFUSSER: [10:34:41] Yes, please. I would say yourself, I
2 mean, otherwise, we have to stop here.

3 MR MACDONALD: [10:34:45] It is calm right now.

4 PRESIDING JUDGE TARFUSSER: [10:34:46] No. Yes, but we are not talking to each
5 other, okay?

6 MR MACDONALD: [10:34:52] Therefore he can put afterwards, "Isn't it a fact that
7 Sapia is at -- or Sapia is at 15 kilometres?" Position avancer. He -- the drawing is indeed
8 not helpful and he can simply put the question.

9 PRESIDING JUDGE TARFUSSER: [10:35:08] Yes.

10 MR GBOUGNON: [10:35:13] (Interpretation) Mr President, I do apologise, the OTP is
11 not going to tell me ever how I'm going to conduct my questioning. I know where I'm
12 going and where I'm getting to. Mr President --

13 PRESIDING JUDGE TARFUSSER: [10:35:28] That's okay. I know. I know. I know
14 that the Prosecutor is not telling you how to put the questions and you're not telling the
15 Prosecutor how they put their questions.

16 So, please, will the witness come in again.

17 Maître N'Dry.

18 MR N'DRY: [10:35:47] (Interpretation) Yes, just a few seconds. Mr President, I'd like
19 to address the Chamber just so that we don't go what we went through earlier with the
20 witness in front of us and with the comments made by the Chamber as to we don't know
21 what you're getting at. I do understand what you're saying, but you should be aware
22 that with this witness we will be seeking a great deal of clarification from him because the
23 contradictions are numerous between his various statements. I would like to address the
24 Chamber that -- and request your indulgence in the matter. It is true that you might not
25 immediately grasp the thrust of the questions that Maître Gbougnon is putting, but we

1 would request your patience, please. The Defence knows precisely where it is going.

2 PRESIDING JUDGE TARFUSSER: [10:36:53] I am very patient. I just ask the
3 questions to be straight, without a long preamble, so that they are intelligible also to us
4 and also the witness. Well, first of all, to the witness and then to us.

5 Please bring in the witness.

6 (The witness enters the courtroom)

7 PRESIDING JUDGE TARFUSSER: [10:37:45] Maître Gbougnon.

8 MR GBOUGNON: [10:37:47] (Interpretation) Yes, thank you, Mr President.

9 Q. [10:37:51] Mr Witness, I'm going to put my question to you for one last time:
10 Now, when you leave Abidjan in the direction of Bondoukou, where is Sapia located,
11 before or after Bondoukou?

12 A. [10:38:09] Could you please repeat your question?

13 Q. [10:38:15] When you come from Abidjan, where is Sapia located with reference to
14 Bondoukou? Is Sapia located -- this is when you're coming from Abidjan, is Sapia before
15 Bondoukou or after you've gone through Bondoukou?

16 A. [10:38:47] Counsel, when we were detached to Bondoukou, *I told you that we
17 were sent to the platoon camp. When we were dispatched from the platoon camp, we
18 were put under the authority of a lieutenant whose name I provided, as well as his current
19 duty post. We were under his orders when we were sent to the advanced position in Sapia.
20 We are all Ivorians. We are all Ivorians and *it would be a lot easier if we had a map. We
21 did not go from Cocody and Abidjan to Sapia and then from Sapia to Bondoukou.

22 We were put in a vehicle and we went to Bondoukou, to the mobile platoon in
23 Bondoukou, and then we were sent to Sapia. The elements were dispersed and I, in
24 particular, were sent to Sapia with the officer whose name I've just mentioned.

25 PRESIDING JUDGE TARFUSSER: [10:40:03] Excuse me, Mr Witness, can you just

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1 not -- can you just not -- answer the questions. You can say, "I don't know," "I know,"
2 "before," "after," but just answer the question. The question was this time was quite clear:
3 When you go from Abidjan to Bondoukou, you arrive first to Sapia, or is Sapia after
4 Bondoukou?

5 THE WITNESS: [10:40:27] (Interpretation) Okay, when you get to Bondoukou and
6 then you go on to Sapia.

7 MR GBOUGNON: [10:40:38] (Interpretation) Thank you, Mr President. We're going
8 to continue.

9 PRESIDING JUDGE TARFUSSER: [10:40:55] By the way, how do you spell Sapia?

10 MR GBOUGNON: [10:41:03] (Interpretation) S-A-P-I-A.

11 PRESIDING JUDGE TARFUSSER: [10:41:10] Thank you.

12 MR GBOUGNON: [10:41:20] (Interpretation)

13 Q. [10:41:25] Mr Witness, we're going to -- well, we're moving forward slowly. I do
14 believe we're going to get there. We're going to talk about November 2004.

15 On 6 November 2004, I believe we can agree on this, this was the day when Mr Charles
16 Blé Goudé issued a call. I do not believe that the OTP will raise any difficulty in that
17 regard.

18 MR MACDONALD: [10:41:54] I think, your Honour, that date, I've even asked my
19 colleagues in the past to put it on the record, so definitely there's no problem, 6
20 November.

21 PRESIDING JUDGE TARFUSSER: [10:42:04] Okay.

22 MR MACDONALD: [10:42:11] But I don't know about the Altit team though -- sorry,
23 the Defence team of Mr Gbagbo, sorry.

24 PRESIDING JUDGE TARFUSSER: [10:42:25] Please go ahead.

25 MR GBOUGNON: [10:42:29] (Interpretation) I thank you, my learned colleague.

1 Q. [10:42:33] So on the evening of 6 November 2004, when Mr Charles Blé Goudé
2 issued a call, where were you to be found at that time?

3 A. [10:42:50] When the call was made by Mr Charles Blé Goudé, I was near
4 Treichville.

5 Q. [10:43:08] So you were near Treichville. Did you hear or look or watch the call
6 being issued?

7 A. [10:43:23] I did not follow it over the television.

8 Q. [10:43:32] But it was reported back to you?

9 A. [10:43:36] Yes, yes.

10 Q. [10:43:41] And so in Treichville, after having heard that call being issued, what did
11 you do?

12 A. [10:43:57] Well, as I said to you, I didn't follow it over the television. I didn't
13 follow it on the television. I was already in Treichville with the company of other
14 individuals even before that call was made over the television.

15 Q. [10:44:33] My question was this: At the time that the call was issued, you said
16 that you did not follow it over the television. I asked you whether that call was reported
17 back to you.

18 A. [10:44:47] Yes.

19 Q. [10:44:48] Please try not to talk at the same time as me, there are some people who
20 are trying to transcribe and then we won't overlap, if you would kindly turn your
21 microphone off. And that's why I'm asking you whether this was reported back to you
22 and what you did subsequently. So what I want is that the Chamber have a general
23 overview of not only where you were, but what happened. You said that you did not
24 watch it over the television. Did or was it reported back to you and when it -- if it was
25 reported back to you, when it was reported back to you, what did you do?

1 A. [10:45:49] That night I went to the 43rd BIMA. Do I turn my microphone off?

2 Q. [10:46:01] No. Well, yes, do turn it off.

3 Now, we'll get to the 43rd BIMA. We're going to go slowly before we get to the
4 43rd BIMA. Don't worry, we will get there.

5 My question is as follows. Before you got to the 43rd BIMA, there are a number of stages.
6 You said that when you got the call -- well, you didn't hear it, you were told about the call.
7 You were in Treichville. What, firstly, were you told, and then what did you do? What
8 were you told in terms of the call that was issued and then what did you do? That is my
9 question.

10 A. [10:46:55] There were a lot of people out and about. There were lots of young
11 people out and about and they were talking about this call having been issued and that
12 there was a coup d'état being prepared and that the French were behind it. You know,
13 everyone had a comment to make, their bit to add. People were talking in the street.
14 People were coming out into the streets.

15 Q. [10:47:41] Was what Mr Charles Blé Goudé said reported to you?

16 A. [10:48:02] What was conveyed to me was that Charles Blé Goudé had requested
17 that the youth come out, wherever they be, and that they set up roadblocks to stop the
18 French, and that the French were trying to remove Laurent Gbagbo from power and that
19 the youth had to rise up and set up roadblocks, they had to block the situation. Those
20 were the utterances that were conveyed to me.

21 MR GBOUGNON: (Interpretation) Mr President, it is 10 to 11. I'm going to play a
22 video that lasts approximately -- the video is not lengthy. I don't know whether I can
23 play it and then we can take the break and then afterwards we can come back and put the
24 questions to the witness, if that is not bothersome to the Chamber, that is.

25 PRESIDING JUDGE TARFUSSER: [10:49:24] That's okay, but how long is the video?

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1 MR GBOUGNON: [10:49:31] (Interpretation) 18 seconds.

2 PRESIDING JUDGE TARFUSSER: [10:49:36] Then we can also put some questions
3 after 18 seconds. Thank you.

4 MR GBOUGNON: [10:49:44] (Interpretation) Thank you, Mr President.

5 The ERN number for the video, it's number *178 on our list of materials,
6 CIV-D25-0002-0013, and we will be playing the video in its entirety, Mr President.
7 (Viewing of the video excerpt)

8 MR GBOUGNON: [10:51:38] (Interpretation) Mr President, in view of the fact that
9 there is no transcript, I am going to say what Mr Charles Blé Goudé said so that you will
10 be able to follow with interpretation and hear what he said. I quote
11 Mr Charles Blé Goudé, he says, and I quote:

12 "I am not asking you to go and attack the poor French people who are at home and who
13 certainly -- and who certainly have nothing to do with the situation."

14 Q. [10:52:19] Mr Witness, this was the call that you were talking about?

15 PRESIDING JUDGE TARFUSSER: [10:52:27] I just think he says something more than
16 that. It's only a partial quotation because --

17 MR DEMIRDJIAN: [10:52:35] That's not the gist of my objection, your Honours.

18 PRESIDING JUDGE TARFUSSER: [10:52:39] Yes, I know, but that's my -- because
19 Maître Gbougnon said that he will say, make a quotation of what he -- what Mr Blé Goudé
20 on that occasion said, but you quoted only a small part out of this.

21 MR DEMIRDJIAN: [10:52:55] Your Honours. Sorry, go ahead.

22 MR GBOUGNON: [10:53:00] (Interpretation) It is on to me? Yes. Mr President, *we
23 will transcribe all that was said but for now, I've only had part of what he said *translated.
24 *I indeed said that I have only had part of what he said translated. The entire
25 *and comprehensive transcript of what was said will follow.

1 PRESIDING JUDGE TARFUSSER: [10:53:19] You know, it was just to put the transcript
2 straight, but it's not -- you have only quoted partially what Mr Blé Goudé said.

3 Mr Demirdjian.

4 MR DEMIRDJIAN: [10:53:33] Yes, good morning, your Honours. First of all, we've
5 heard the witness earlier said he has not seen this call on the television, he has not heard
6 about it, and now we're putting to him a portion of it. This is not the entire extract, by
7 the way. What the witness is shown is a very small extract. So we're, first of all, asking
8 him to comment on something he has not seen, which is being shown partially, so any
9 questions based on this video have no value. They should put to him questions directly
10 about the topic they're interested in, but not based on the video.

11 PRESIDING JUDGE TARFUSSER: [10:54:05] We don't know yet which question they
12 want to put it, so I will ask Maître Gbougnon to put the questions and then we will see
13 what it is about.

14 MR DEMIRDJIAN: [10:54:14] They already asked one question, "Is this the call you
15 were talking about?" How is the witness supposed to know if he has not seen the clip?

16 PRESIDING JUDGE TARFUSSER: [10:54:22] Well, the witness is able to say yes or no.
17 Please. Maître Gbougnon, please go ahead.

18 MR GBOUGNON: [10:54:33] (Interpretation) Mr President, I believe that in the future,
19 in order for people to say such things, it would be a good idea to have the witness brought
20 out, but it's already been done now. It was not a comment that I was requesting, it was
21 just a question. If he didn't see it, he didn't see it. It's quite simple, isn't it?

22 Q. [10:54:56] Now, Mr Witness, is that the video you're talking about or is it that -- the
23 call that you're referring to?

24 A. [10:55:12] I do not have the date of the video, but if this is the video that was made
25 on that day, then I do believe that that is the video in question. But as I said, I did not

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1 follow it myself, but it must have been that call.

2 MR GBOUGNON: [10:55:27] (Interpretation) Thank you, Mr President.

3 Mr President, I would suggest that we take the break now and that we come back later to
4 continue with my questioning.

5 PRESIDING JUDGE TARFUSSER: [10:55:36] So this is your decision? No.

6 MR GBOUGNON: [10:55:41] (Interpretation) I said in French, I said I suggested. It's
7 an application to the Chamber. It's not my place to take decisions for the Chamber, of course.

8 PRESIDING JUDGE TARFUSSER: [10:55:55] Okay, let's take the break and we come
9 back at 11.30.

10 THE COURT USHER: [10:56:01] All rise.

11 (Recess taken at 10.56 a.m.)

12 (Upon resuming in open session at 11.34 a.m.)

13 THE COURT USHER: [11:34:09] All rise.

14 Please be seated.

15 PRESIDING JUDGE TARFUSSER: [11:34:25] Good morning once again.

16 The floor is to Maître Gbougnon for the continuing of the questioning of the witness.

17 And I would recommend the witness to just be calm and respond to the questions. Okay.
18 Please.

19 MR GBOUGNON: [11:34:48] (Interpretation) Thank you, your Honour.

20 Q. [11:34:52] Good morning once again, Mr Witness.

21 A. [11:34:58] Good morning, Counsel.

22 Q. [11:35:07] Mr Witness, before we continue, I'd like us to return to one or two things
23 just to elicit clarifications. A few moments ago you said that you had been in Treichville
24 and you did not hear the call; is that correct, that you did not see or hear the call?

25 A. [11:35:37] I did not see that on television, no.

1 Q. [11:35:47] But people were in the street and you found yourself in the street with
2 them, is that not what you said?

3 A. [11:35:57] I said that there were people in the street subsequent to the call being
4 issued. *Many people had come out, indeed taken to and filled the streets.

5 Q. [11:36:12] And you didn't hear the call, but why did you go out?

6 A. [11:36:42] Myself, personally, I had already received information to the effect that
7 France was preparing to overthrow the government and put General Doué in as the head
8 of state in Côte d'Ivoire and that we were supposed to go to the 43rd BIMA and also to the
9 French district in Biétry. So we were already prepared to do those things. We didn't
10 know that a call was going to be issued calling upon people to go out and take to the
11 streets. But we already had our mission. We were supposed to go to 43rd BIMA and
12 we were to keep the French from overthrowing the government, as we had been told.

13 THE INTERPRETER: [11:37:57] Interpreter correction: Biétry was the location
14 mentioned.

15 THE WITNESS: [11:38:03] (Interpretation) I was in Treichville already before the call
16 was issued.

17 MR GBOUGNON: [11:38:20] (Interpretation)

18 Q. [11:38:20] Let's take things slowly. So you just said you already had information
19 to the effect that -- well, before the call when did you receive that information and from
20 whom did you receive the information?

21 A. [11:38:56] That information was received within the GPP from Zéguen Touré
22 Moussa, the president at that time.

23 Q. [11:39:11] And the call of Mr Blé Goudé and the call on the night in November, 6
24 November 2004, when did you -- well, when did you receive this information?

25 A. [11:39:40] I received the information -- well, the coup d'état that was being

1 prepared, so to speak, that the French were preparing, just before, just before, the night
2 before.

3 Q. [11:40:08] And so you are telling the Chamber on 5 November, the day before.

4 A. [11:40:21] I don't have the date. All I know is that it happened on the 6th, so the
5 day before would have been 5 November.

6 Q. [11:40:35] I hadn't finished, but in any event, continue. And so the day before,
7 because I think we all acknowledge that the call issued by Mr Blé Goudé was on 6
8 November. So you are telling us that on 5 November, you were informed -- you were
9 informed about what exactly? Specifically, what information did you receive from
10 Zéguen Touré?

11 A. [11:41:13] I said the day before we already had information that France was in the
12 process of organising a coup d'état *to install the former chief of staff, General Mathias
13 Doué as head of state. *We had received this information the evening before.

14 Q. [11:41:54] And Mr Touré Zéguen at that time -- at that time, well, did he say how
15 France was planning to go about overthrowing the government?

16 A. [11:42:24] When he informed us -- well, *he did not give us details because he
17 wasn't part of... he did not take part in the organization of the coup... the coup quote on
18 quote. He didn't have details. *As I said, we had received information that France was
19 preparing a coup d'état to bring in the former chief of general staff General Mathias Doué
20 as head of state. I had already received that information, namely, that a coup d'état was
21 being prepared. I was not told how they were going to do it; whether they were going to
22 use helicopters to shell or how else they were going to proceed. I did not know how...He
23 did not give me information on how those who were to carry out the coup d'état and how
24 they were going to proceed.

25 Q. [11:43:29] Would it be correct to say that the call by Mr Charles Blé Goudé was

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1 issued subsequent to the bombing of Ivorian aircraft by the French forces?

2 A. [11:43:50] Yes.

3 Q. [11:44:00] And thus what you're telling us is that *subsequent to Charles' call,
4 subsequent to this call, you were out in the streets with those who were already
5 there -- well, you hadn't heard the call but you were already out *in the streets. You had
6 already heard about an attempt to overthrow the government, and you had known about
7 it since 5 November and *it was M. Zeguen who had told you that?

8 A. [11:44:30] *Well, to be more specific, indeed, as I already said, on 5 November, we
9 had the information. I didn't really have the date in mind until you told me that it was
10 the 6th, then -- well, it follows chronologically that if the call was made on the 6th, yes, the
11 call was on the 6th.

12 Mr Zéguen, Mr Zéguen ordered us to detach two units.

13 MR GBOUGNON: [11:45:19] (Interpretation)

14 Q. [11:45:20] I'm sorry, I'm sorry, I need to interrupt you.

15 MR GBOUGNON: (Interpretation) If, your Honour, if the Prosecution is to object on a
16 substantive matter, the witness should be asked to leave the courtroom.

17 MR MACDONALD: [11:45:41] (Overlapping speakers) (No interpretation)

18 PRESIDING JUDGE TARFUSSER: [11:45:43] I don't hear anything because I was
19 listening to the translation.

20 MR MACDONALD: [11:45:45] I understand, your Honour, but the witness was giving
21 his answer. He was answering. My colleague stopped him in the middle of his answer,
22 where he was explaining the instructions that they had received --

23 MR GBOUGNON: [11:46:01] (Interpretation) Your Honour, your Honour, I cannot
24 allow. I'm sorry, I cannot allow this.

25 PRESIDING JUDGE TARFUSSER: [11:46:07] You, please, slow down. I don't like if

1 somebody here is starting to shout, okay?

2 Mr MacDonald, please, you -- I try to drive this hearing in a correct way. So, please, if
3 the witness is -- wants to explain further, obviously, he has the right to do so.

4 Please, Maître Gbougnon, please continue your questioning.

5 MR GBOUGNON: [11:46:46] (Interpretation)

6 Q. [11:46:48] Now, Mr Witness, you are saying that the day before, 5 November 2004,
7 Mr Zéguen Touré gave you information according to which there would be a coup d'état;
8 is that correct?

9 A. [11:47:11] Yes, that is correct.

10 Q. [11:47:15] That is why I am saying on 6 November, after this call issued by
11 Mr Blé Goudé, which you did not hear or see, so you based yourself on the instructions of
12 Mr Zéguen and thus took to the streets without hearing this call that had been issued by
13 Mr Blé Goudé; is that correct?

14 A. [11:47:48] Yes, that is correct.

15 Q. [11:47:59] When did you receive this information to the effect that Ivorian aircraft
16 had been destroyed?

17 A. [11:48:31] I don't have the exact date, but it was the same period of time. I can't
18 remember the exact date, but it was during the same period of time, same period of time.

19 Q. [11:48:52] And were these aircraft destroyed before or after the call issued by
20 Mr Charles Blé Goudé?

21 A. [11:49:15] I think it was before, before.

22 Q. [11:49:26] And thus you were in Treichville, you had not heard the call. What did
23 you then do?

24 A. [11:49:51] Well, the instructions we had received were to -- *well, for one unit to go
25 to the 43rd BIMA to stop the French from getting out, -- well, you see, we were not in

1 military uniforms, we were in civilian clothes and thus we were to go in amongst the
2 population and one unit was supposed *to stop the French, to block the French and stop
3 them – keep them from leaving their camp, while the other unit was to go to Biétry.

4 Q. [11:50:48] Now, Witness, let us go slowly. One thing at a time. We haven't quite
5 got to Biétry.

6 Now, if we could call up CIV-OTP-0063-2071, page 2078, *line 223 to 230 and *I will read
7 out the entire passage of your statement on that point. And I quote.

8 PRESIDING JUDGE TARFUSSER: [11:51:25] What are we talking about? What is it?

9 MR GBOUGNON: [11:51:33] (Interpretation) I beg your pardon, if I give an
10 explanation, I'm afraid that means we will have to ask the witness to leave the courtroom.

11 PRESIDING JUDGE TARFUSSER: [11:51:44] No, just to know from where you are
12 quoting, not an explanation. You are quoting from CIV, but what is it, the document?

13 MR GBOUGNON: [11:51:55] (Interpretation) I beg your pardon, I think I

14 said -- perhaps it was not transcribed. The statement made by the witness to OTP
15 investigators in May 2014.

16 PRESIDING JUDGE TARFUSSER: [11:52:14] Maybe it was me not having overheard it,
17 but thank you.

18 MR GBOUGNON: [11:52:24] (Interpretation) Thank you, your Honour.

19 Q. I quote lines 223 to 230:

20 "We received a call from General Blé Goudé, who asked all the people of Côte d'Ivoire - he
21 did not say the GPP, he said to all the people of Côte d'Ivoire - to go out. It was at night.

22 He said that the French were planning a coup d'état and they wanted to remove

23 President Gbagbo from power. So that night, that night it was necessary -- it was

24 necessary that automatically we, that we go out. I was in Treichville, that is to say on the

25 other side. Treichville there. I was -- I took Boulevard Giscard d'Estaing directly. I

1 went out, Koumassi, Koumassi, Port-Bouët is not far. Well, quickly." End of quote.

2 Now, Mr Witness, this is what you said to the OTP investigators and that is why I asked
3 you what you had done when the call by Mr Charles Blé Goudé was issued and you
4 found yourself in the street. And here you make no mention of instructions.

5 Let's go slowly. When you received the instructions from Mr Charles Blé Goudé, you
6 said that from Treichville you went to Koumassi, and then after that Port-Bouët; is that
7 right?

8 A. [11:54:28] Yes, that is correct.

9 Q. [11:54:29] And so after this call you went from Koumassi to Port-Bouët. And then,
10 after that, what happened? I beg your pardon, I beg your pardon. Right now, what
11 time is it approximately?

12 A. [11:55:03] It was at night, at night around 10 p.m.

13 Q. [11:55:17] Very well. So after 10 o'clock in the evening, you were in Port-Bouët.
14 Where?

15 A. [11:55:39] Port-Bouët at the former -- the former restaurant. How should I say?
16 How should I put it? Not far from the Akwaba statue around -- there's the roundabout,
17 Akwaba, in Akwaba.

18 Q. [11:56:11] After 10 p.m. you were not far from that statue in Port-Bouët, and then
19 what did you do?

20 A. [11:56:41] We went to the 43rd BIMA. And then we went to the 43rd BIMA, me
21 and two GPP members.

22 Q. [11:57:01] So you're telling the Chamber that from Akwaba intersection you went
23 to the 43rd BIMA, and you are telling the Chamber - and let's take it slowly - you are
24 telling the Chamber that you heard this call and you walked and you got to Port-Bouët,
25 and from Port-Bouët you went to the 43rd BIMA? Is that what you are telling us?

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1 A. [11:57:26] Yes, that is correct.

2 Q. [11:57:31] I'm now going to read your statement back to you, Mr Witness. Once
3 again, CIV-OTP-0063-2071, and this is at -- I will -- *I'll spare the Chamber the trouble, and
4 I'll start at line 242, relating to after you had been to Port-Bouët:

5 *"Then go meet Zeguen as well for instructions... to get instructions. Thus, when later he
6 called me back he, he said -- "Well, that we were going to regroup at -- at Marcory around
7 the current head office of Orange. So, we regrouped." That was from lines 242 to 244.

8 Is that what you said, Mr Witness, to the OTP investigators? You said to them that from
9 Port-Bouët you went -- well, you turned back and you went to Marcory, but you didn't
10 say anything about going to Biétry; is that correct?

11 MR DEMIRDJIAN: [11:59:08] (Interpretation) You said "Biétry." I don't think that's
12 what the witness said.

13 MR GBOUGNON: [11:59:20] (Interpretation) *I meant to say that he said that from
14 Port Bouët they went to the 43rd BIMA. Thank you.

15 Q. [11:59:26] Please go ahead, Mr Witness.

16 A. [11:59:39] *The 43rd BIMA is in Port-Bouët -- the 43rd BIMA itself is in Port-Bouët to
17 begin with. I think that when you ask a question and just when I start providing details,
18 you interrupt me. Now, you have asked me a direct question. Well, you asked where
19 we went from Port-Bouët. I already told you that we went to the 43rd BIMA with the
20 troops.

21 THE INTERPRETER: [12:00:13] Inaudible.

22 THE WITNESS: [12:00:14] *When I got -- when I arrived, in fact, when I moved, not all
23 of us were -- well, the men I was with on a mission, you see, we were not all together at
24 that time. I was -- I got to Port-Bouët, and then from Port-Bouët it was then that together
25 we went off. All those who were supposed to go to the 43rd BIMA, we all went to the 43rd

1 BIMA together.

2 MR GBOUGNON: [12:00:53] (Interpretation) Your Honour, this may seem to be a bit
3 lengthy, but I'm afraid I'm going to have to read the witness's statement again, namely,
4 what he told the OTP investigators, so that the Chamber can be well located, so to speak,
5 to know what locations we are talking about.

6 Q. [12:01:16] Mr Witness, after telling -- now, I read the lines to you and -- well, let's
7 start with Port-Bouët. Once again, we're talking about document CIV-OTP-0063-2071.

8 Let's start at line 232, and I'm afraid I'm going to have to read. Quote:

9 "And like that we will contact one another. And then 'Hello, hello. Yes, where are you?
10 What's your position? Position. Position.'"

11 And, well, "Interviewer 1: So who did you communicate with?

12 Interviewee: With my brothers-in-arms."

13 Then you said: "The ones I was with, with the body of the gendarmerie, all of them. I
14 first called my squadron commander and all that, Commander Odé Willy (phon), to say,
15 'Okay, we're good to go.' He said to me that it was good. He left to see the general
16 quickly and then Jeff."

17 Then the interviewee said: "Which one, which general?"

18 Then you said: General Jeff and then going to also see Zéguen to get instructions. So
19 when after he called me back, he said to me, good, we were going to gather at the -- at
20 the -- at that place Marcory, around the current headquarters of Orange. So we gathered
21 there. We were there, we were more than 100, but we made units of 50-50. Those were
22 the instructions that we had received. We, the 50 there, we went to the 43rd BIMA.
23 There was already a crowd of Ivorians. The ones from Koumassi, Port-Bouët, they were
24 already in front there." End of quote.

25 And so this gathering at the Orange headquarters came after you got to Biétry? This is

1 what I understand from the timeline that you gave to the OTP; is that correct?

2 MR DEMIRDJIAN: [12:04:19] I'm sorry --

3 THE WITNESS: [12:04:23] (Interpretation) I did not --

4 MR DEMIRDJIAN: [12:04:25] -- there's been a reference to Biétry and I think my
5 learned friend is mistaken each time, but let's just make it clear for the record, not to
6 confuse the witness.

7 MR GBOUGNON: [12:04:35] (Interpretation) Thank you, learned colleague for your
8 help. I was referring to the 43rd BIMA instead.

9 THE WITNESS: [12:04:50] (Interpretation) Could you rephrase your question, please?

10 MR GBOUGNON: [12:04:58] (Interpretation) I will repeat the question, not rephrase it.

11 Q. [12:05:05] You have just stated here that from Port-Bouët you went to the
12 43rd BIMA. What I have just read out states exactly the contrary. At the time of your
13 interview with the OTP, you did not refer to having been with other troops. You said
14 you went to Port-Bouët and then you called up a number of persons and received
15 instructions. And when I say you come back, it might be a deduction, but I do
16 understand that Port-Bouët is situated after Marcory. So if you say that you gather again
17 in Marcory, what that means is that you turn back, turn around with the troops, but
18 contrary to what you have said here, from Port-Bouët you didn't go to the 43rd BIMA; is
19 that correct?

20 A. [12:06:12] That is why I explained that from Port-Bouët we went to the 43rd BIMA
21 with other troops of the GPP. I had left Treichville and gone to Koumassi and then to
22 Port-Bouët. But we needed to gather or assemble before leaving. I was not the only one
23 involved in the mission. This mission involved a group of persons, a specific unit that
24 had been designated for the mission. That is why we all assembled in Marcory before
25 leaving, since we had to receive a last briefing. And then those who were to go to Biétry

1 went to Biétry, while we went to the 43rd BIMA.

2 Q. [12:07:20] Yes, we will get to that and I believe we'll find agreement.

3 Now, contrary to what you say here, from Port-Bouët -- you said you went to Port-Bouët.
4 From Port-Bouët, you didn't go to the 43rd BIMA but you went back to Orange, Marcory
5 and then assembled for a briefing; is that correct?

6 A. [12:07:43] That is correct, but let me say that from the carrefour Akwaba -- the
7 carrefour Akwaba is basically at the 43rd BIMA.

8 Q. [12:08:02] That was not my question. I wasn't asking whether we were close to or
9 far away from the 43rd BIMA. Now, what I am putting to you is the following, and you
10 may or may not agree. When you went to Port-Bouët, you did not go directly to the
11 43rd BIMA. You went back, you backtracked to Marcory to receive a briefing with your
12 troops; is that what happened? Is that correct?

13 A. [12:08:41] I don't know how to explain this to you, how to get you to understand
14 what I am thinking. Let me explain. Maybe you will understand, Counsel.

15 Our mission was not designed to be done in a dispersed manner, it was assigned to a
16 specific unit so if the troops of the unit were not all together, they couldn't act in an
17 isolated manner. I went towards Port-Bouët, but I was not the only one involved in the
18 operation, there were other troops that were involved. So we went to the Akwaba
19 roundabout, carrefour Akwaba, and the number of men for the unit, the 50 which
20 were -- was to be assigned to that mission, we had not gathered up to one-third of those
21 men yet.

22 So instructions were given for us to assemble at the Orange headquarters in order to build
23 up those units so that each person would know where to go. Now, we were in a crowd
24 of people and it is only thereafter that we would have known how to position ourselves
25 and not lose sight of each other. So we were not going to be informed or to get all those

1 instructions while we were still in the crowd to be able to know each person's position.
2 For that reason we had to gather or we had to assemble for a briefing, and that briefing
3 took place in Marcory. It is from Marcory that those who had to go to Biétry went to
4 Biétry while we went to the 43rd BIMA.

5 Q. [12:11:09] Mr Witness, please be assured that I am not attempting to cross-check
6 your thoughts. We are here to seek the truth, to establish the facts. Now, if we are
7 putting any questions to you, it is because we want the Chamber to understand, we want
8 everybody to understand. Unfortunately, we were not with you on that evening and our
9 questions seek to elicit information from you that will help us to understand exactly how
10 that evening unfolded. Please be reassured that I am not trying to interpret your
11 thoughts, I am simply seeking the facts.

12 Now, we are, therefore, agreed that from Port-Bouët you went back to Marcory, where
13 you had a briefing with the troops. Now, thereafter, what did you do?

14 A. [12:12:14] I explained that we then went to the 43rd BIMA while the others went to
15 Biétry.

16 Q. [12:12:31] How were you dressed? What were you wearing?

17 A. [12:12:35] We were dressed in civilian attire. Civilian attire.

18 Q. [12:12:44] What did you do then?

19 A. [12:12:56] We went to the 43rd BIMA and we merged with the crowd which was
20 there to stop the French from leaving with their vehicles.

21 Q. [12:13:19] After the briefing, each of the groups was set up and then you -- after the
22 briefing, each of the groups was set up and then you went to the 43rd BIMA while the
23 others went to the Biétry; is that correct?

24 A. [12:13:33] Yes.

25 Q. [12:13:37] At that time what type of weapons or arms did you have with you?

1 A. [12:13:58] We had some Uzis.

2 Q. [12:14:21] At what time were the Uzis distributed to you?

3 A. [12:14:47] The Uzis were transported by General Jeff, the then chief of staff.

4 Q. [12:14:56] To be specific, I wasn't asking you who -- please switch off the
5 microphone so that we don't overlap. My question was as follows: When, at what time,
6 not by whom, at what time were the Uzis distributed to you?

7 A. [12:15:32] At the briefing in Marcory, when we were there.

8 Q. [12:15:43] In your statement when you refer to the briefing, you do not mention the
9 Uzis, why?

10 A. [12:16:06] I think I mentioned them in my statement. I think I did.

11 Q. [12:16:20] Let me read out to you what you said to the investigator after the
12 briefing. Document CIV-OTP-0063-2071, page 2078. After the briefing at line
13 258 -- *sorry, line 200 sorry line 254. After the briefing *this is what you stated:

14 "I had put on my -- or each one of us had their own jacket, each person each person either
15 a dagger or a cord or something like that."

16 And this was after the briefing. But then *you do not refer to the Uzi after the briefing, is
17 that correct?

18 A. [12:17:53] Well, I think that as we were leaving and from a chronological
19 standpoint, I believe that even though I did not mention it at that time, I must have talked
20 about it later on. And that is what must be contained somewhere in my statement,
21 because I went on at some point to explain that we had received some Uzis for the mission
22 while other troops had received PAs as well. And so we later on crossed the bridge, and
23 at that time those who had crossed, some of them had their PAs on themselves and they
24 crossed the bridge with their PAs.

25 It is possibly true that at the time of the briefing I didn't refer to these things, but

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1 somewhere else in my statement I explained that we had some Uzis in the course of that
2 operation.

3 Q. [12:19:00] Mr Witness, let us proceed step by step. Now, still in the same
4 document, and I'm referring once again to CIV-OTP-0063-2071, at page 259, now, after
5 describing what you had as material or equipment to the investigator he asks you at line
6 258 what then did you do. And you answer from line 259 as follows:

7 "Well, we -- well, we had received instructions to throw stones at the 43rd BIMA in the
8 crowd -- in the crowd, could go into the 43rd BIMA, the crowd could even attempt to
9 enter, and so we had to fight the French and so we had to set up roadblocks with
10 containers at the entrance."

11 Now, thus far you haven't mentioned anything about Uzis; is that the case, Mr Witness?

12 PRESIDING JUDGE TARFUSSER: [12:20:23] Mr Prosecutor.

13 MR DEMIRDJIAN: [12:20:25] Your Honours, I do have an objection on the line of
14 questioning. However, it would be better to express this objection in the absence of the
15 witness so that we're not accused of contaminating him.

16 PRESIDING JUDGE TARFUSSER: [12:20:39] Please bring the witness out for a minute.
17 (The witness stands down)

18 PRESIDING JUDGE TARFUSSER: [12:21:03] Mr Demirdjian.

19 MR DEMIRDJIAN: [12:21:05] Thank you, Mr President. I understand my learned
20 friend's line of questioning is to get the witness to say whether or not he had an Uzi when
21 he went to the 43rd BIMA. He is quoting from page 2078 of the interview. However,
22 I'm sure he's read the entire interview, four or five pages later the witness says that when
23 he went to the 43rd BIMA he had Uzis.

24 So maybe the specific page that the counsel was on does not mention it, but to be fair and
25 not to be misleading, counsel cannot refer to one portion of the interview and Uzis are not

1 mentioned and ignore that portion where Uzis are mentioned and where the witness
2 correctly says he had them when they were at the 43rd BIMA. So I think this line of
3 questioning is confusing and misleading the witness. Thank you, your Honours.

4 PRESIDING JUDGE TARFUSSER: [12:21:58] Thank you, Mr Demirdjian.

5 Mr Gbougnon.

6 And by the way, the witness said himself that he made mention of Uzis if he recalls well.

7 Maître Gbougnon.

8 MR GBOUGNON: [12:22:13] (Interpretation) Mr President, well, I think that -- and

9 you know the OTP has rightly pointed out that I deliberately asked the witness to narrate

10 what happened that evening from the time he got to Port-Bouët until they got to the

11 43rd BIMA. I believe that maybe the investigator was not careful enough and that is why

12 I asked him to tell us what happened.

13 The chronology of events as he provides in court here, Mr President, does not correspond,

14 and that is what I am trying to clarify. I think that and I believe that we will realise that

15 he caught up later on, because he stated that their instructions were that they throw stones

16 or that they use stones. He had had a meeting with his men at Giscard d'Estaing

17 according to his statement. And at that time he doesn't mention that they had received

18 any Uzis.

19 But it is only incidentally that later on in his statement, three or four pages later on that he

20 states they had been given Uzis.

21 Now here when I ask him at what time did you receive the Uzis, his answer was in

22 relation to General Jeff. But General Jeff does not appear in the statement to have gone to

23 Orange in Côte d'Ivoire. That is why I want the witness himself as he narrates the facts, I

24 want him to tell us at what specific time they received the Uzis.

25 First of all, *he started by an untruth, saying first that from the 43rd BIMA, from Port-Bouët

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1 he went to the 43rd BIMA. I had to insist for him to recognize that he actually went back
2 to have a meeting with his troops in Orange, Côte d'Ivoire. They had a briefing in
3 Orange, Côte d'Ivoire, but he doesn't at any time mention that Uzis were involved. At no
4 point whatsoever does he refer to Uzis. Now, the investigator asks him later on: What
5 did you do? He said we had received instructions to throw stones. *A stone is quite
6 different from an Uzi, Mr President, quite different, Mr President.

7 And as usual, as usual -- and I don't want to say it, but I must -- I think that Uzis never
8 existed, and that is why I want to establish that point. If there had been any Uzis, he
9 would have said it to the investigators that at this time, during the briefing, and given that
10 it is at the time of the briefing that we should have received the Uzis for the mission. But,
11 you see, the Uzi is not -- Uzis are not given to them at that time.

12 He says simply that *they had cords because they were going to throw or sling stones.
13 That's the reason for which I'm conducting my cross-examination in this manner,
14 Mr President.

15 PRESIDING JUDGE TARFUSSER: [12:25:28] In any case, if the witness mentioned the
16 Uzis also sometime later in the statement, I think one should be fair to him and tell him
17 that this has been done a few times later. My further concern is another one. Two days
18 ago on the questioning by the OTP, and the position was raised as to the question that was
19 out of context or out of the charges. We are talking now one hour about the 5th and 6th
20 November 2004, which is out of charges as well. So I would really ask you to go a little bit
21 further in the questioning. We cannot spend the whole day on 5 November. This is -- so --

22 MR GBOUGNON: Monsieur le Président.

23 PRESIDING JUDGE TARFUSSER: You can conclude. It is not a problem. But just to
24 remind that it was from the Defence coming the supposition that questioning was out of
25 charges. I just say these questions are out of charges as well.

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1 Please, let's introduce -- no? Did you want to say something?

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17 PRESIDING JUDGE TARFUSSER: [12:28:17] I didn't say -- no, Maître Gbougnon, that's

18 it. I didn't say that you should not make, put questions on this matter, but it's now one

19 hour that we are talking about the same thing.

20 So I think we should --

21 MR DEMIRDJIAN: [12:28:34] Your Honours, that's fine, I think you've said enough on

22 the issue. However, I just wanted to point out that counsel was arguing rather than

23 answering to the objection we made on the procedure, and there is no need to argue about

24 the facts.

25 PRESIDING JUDGE TARFUSSER: [12:28:47] Yes. Thank you. Of course, there is no

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1 need to argue about the facts.

2 Please, can the witness be brought in again.

3 (The witness enters the courtroom)

4 PRESIDING JUDGE TARFUSSER: [12:29:19] Maître Gbougnon.

5 MR GBOUGNON: [12:29:28] (Interpretation) Thank you, Mr President. Now, when
6 it comes to closed session, I am quite responsible enough to know when to ask for a closed
7 session, and I don't think we're there yet, Mr President. I will ask the Chamber for that if
8 we get there.

9 Q. [12:29:54] Now, Mr Witness, when -- when you -- well, I read your statement to
10 you a short while ago. Now, what happened when you got to the 43rd BIMA?

11 A. [12:30:25] We were at the 43rd BIMA. We went into the crowd and the French
12 soldiers had put up barricades around the main part of the base, around the containers, at
13 the entrance, basically, and we were -- we threw stones and the crowd too -- we were
14 amongst the crowd throwing projectiles.

15 Q. [12:31:19] Now, who gave the instructions to loot the French people's possessions
16 in Biétry?

17 A. [12:32:05] *We in particular were at the 43rd BIMA when our units -- there was
18 another unit at Biétry -- We received our instructions from the same person since -- I
19 think I already explained earlier that the unit that was at Biétry and our unit had received
20 instructions from the same person.

21 Q. [12:32:44] You mentioned during testimony here that Mr Yves Dibopieu allegedly
22 said that each person should get his own *Frenchman. *Was that in the night of
23 6 November 2004, is that when he said that?

24 A. [12:33:37] Well, as I said, I did not hear anything on the television that day. I
25 didn't hear Mr Charles Blé Goudé's message or Mr Dibopieu, but it was -- it was the call of

1 Mr Dibopieu who said everyone should go get a Frenchmen. It was during those events as well.

2 Q. [12:34:11] When you say during those events because -- no, no, no, let me finish,
3 please. Mr Charles Blé Goudé issued his call and *when you say "during those events," do
4 you mean he made the call the same evening, the next day or two days later? I'm asking
5 you because those events lasted several days. If you didn't look... did he issue the call
6 on the same time?

7 A. [12:35:00] I think it was after Charles Blé Goudé's call.

8 Q. [12:35:08] Very well. Thank you. I'd like to go back to one point: Who gave
9 instructions to attack the homes in Biétry?

10 A. [12:35:43] I explained how we found ourselves to be there and that it was those
11 instructions from Mr Touré Zéguen that we -- it was on those instructions that we took
12 part in those events. I don't know -- the question was who instructed us in Biétry? The
13 instructions were -- the instructions were to also attack the French and do as much harm
14 so that they would leave the country.

15 Q. [12:36:46] So if I understand correctly it was Zéguen Touré who gave you those
16 instructions; is that correct?

17 A. [12:36:53] That's correct.

18 Q. [12:36:56] Very well. Now, when you were at the 43rd BIMA, after, what
19 happened? What did you do after the 43rd BIMA, that same night?

20 A. [12:37:12] That same night we -- *those of us who were at the 43rd BIMA -- we were
21 not all able to come together, so some of us, I was one of them, we -- we turned back and
22 went back and crossed the Houphouët-Boigny bridge and went back *to the other side of
23 the city. *So I crossed from Treichville to Plateau.

24 Q. [12:38:03] And after le Plateau?

25 A. [12:38:10] After the Plateau we went to Cocody.

1 Q. [12:38:18] Why?

2 A. [12:38:25] We were supposed to meet up with Zéguen at Cocody at the Cité rouge.

3 Q. [12:38:37] And who asked you to go back and meet up with him?

4 A. [12:38:48] The commander of the squadron, Commander Odé Willy.

5 Q. [12:39:08] Commander Odé or was it Willy, Commander Willy who asked you to
6 go back to the red city to meet up with Zéguen; is that what you're saying?

7 A. [12:39:19] Yes.

8 Q. [12:39:20] I'll read out your statement to you. Once again same statement

9 CIV-OTP-0063-2071, at page 2081, line 359. And I quote:

10 "I was going to spend at least some time in Yopougon, at least to -- well, at least to put
11 something a bit -- and then my commander called me to tell me to meet up with him again
12 in Cocody."

13 Then the investigator said: "Your commander?"

14 And you said: "Yes, Droh."

15 Are Droh and Commander Willy the same person?

16 A. [12:40:33] Yes.

17 Q. [12:40:38] And when Droh, also known as Willy, called you, you were at the Cité
18 rouge; is that correct?

19 A. [12:40:50] Yes.

20 Q. [12:40:51] When? What time?

21 A. [12:41:02] We got -- I got to the cité at around 6, 6 in the morning, maybe 7. Early
22 in the morning. Quite early in the morning.

23 Q. [12:41:21] And then?

24 A. [12:41:37] And then because we -- they explained to us why they needed us to be
25 there because we were supposed to go to hôtel Ivoire.

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1 MR GBOUGNON: [12:42:02] (Interpretation) Your Honour, I think that we should go
2 into private session for the rest of this line of questioning.

3 PRESIDING JUDGE TARFUSSER: [12:42:11] So let's go into private session, please.

4 (Private session at 12.42 p.m.)

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- 18 (Recess taken at 12.57 p.m.)
- 19 (Upon resuming in open session at 2.35 p.m.)
- 20 THE COURT USHER: [14:35:21] All rise.
- 21 Please be seated.
- 22 PRESIDING JUDGE TARFUSSER: [14:35:35] Good afternoon.
- 23 Good afternoon, Mr Witness.
- 24 I immediately give the floor to Maître Gbougnon for his questioning. Yours the floor.
- 25 MR GBOUGNON: [14:35:54] (Interpretation) Merci, Mr President.

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1 PRESIDING JUDGE TARFUSSER: [14:36:00] And I would just ask you, at the end of the
2 day when the witness is out, just before we close and we go to after tomorrow, because
3 tomorrow Mr Wagemakers is not available so we go to Thursday, to have an estimate on,
4 because we have -- well, we'll talk about it when we finish.

5 Yours the floor.

6 MR GBOUGNON: [14:36:36] (Interpretation) Thank you, Mr President. I think we
7 were in private session. I'm not yet done, and I think we should start up in private
8 session before going to open session.

9 PRESIDING JUDGE TARFUSSER: [14:36:48] Please, now closed session. Can you go in
10 private session, please. Thank you. Not for long.

11 MR GBOUGNON: [14:37:03] (Interpretation) Not for long, I don't think so.

12 PRESIDING JUDGE TARFUSSER: [14:37:06] Okay.

13 (Private session at 2.37 p.m.)

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- 11 (Open session at 2.54 p.m.)
- 12 THE COURT OFFICER: [14:54:10] We're in open session, your Honour.
- 13 PRESIDING JUDGE TARFUSSER: [14:54:12] Thank you very much.
- 14 Maître Gbougnon.
- 15 MR GBOUGNON: [14:54:18] (Interpretation) Thank you, Mr President.
- 16 Q. [14:54:24] Mr Witness, you stated as follows, and I'm referring to the transcript of 20
- 17 October 2016, at page 6, line 3 to 7. This is what you said and I quote:
- 18 "When he gave us that money, he said that the mission had been ordered by Mr
- 19 Mamadou Coulibaly and Mr Charles Blé Goudé, and he therefore did not directly say that
- 20 Mr Charles Blé Goudé or Mr Mamadou Coulibaly had given us the money. However, he
- 21 said that they were the ones who had asked him to -- to take charge of that mission, and
- 22 so he gave us the money." End of quote.
- 23 That's what you said; is that correct?
- 24 A. [14:55:44] Yes, that's what I said.
- 25 Q. [14:55:55] Now, let me read out to you what you said when the Prosecutor examined

1 you in Abidjan.

2 MR MACDONALD: [14:56:08] Sorry. Sorry, your Honour, just to interrupt my
3 colleague, these topics, when they were addressed on that date previously were done in
4 closed session. I'm raising it right now just to flag it to the Chamber. And you may
5 remember that this whole discussion had been at the request of the counsel of the witness.

6 PRESIDING JUDGE TARFUSSER: [14:56:44] I can't recall, but I'm sure counsel of the
7 witness can recall and also Maître Gbougnon.

8 MR GBOUGNON: [14:56:52] (Interpretation) Thank you, Mr President. I think that so
9 far I've been careful enough to ensure that the witness does not self-incriminate or say
10 things in public in that manner.

11 I am responsible enough to be mindful of that, Mr President. Thank you.

12 MR MACDONALD: [14:57:12] Your Honour, the question is that was dealt with in
13 confidential sessions. So now I understand we want to deal in public on a topic that was
14 dealt in confidential session.

15 PRESIDING JUDGE TARFUSSER: [14:57:23] Yes.

16 MR MACDONALD: [14:57:23] That is -- that is the situation at the moment.

17 PRESIDING JUDGE TARFUSSER: [14:57:26] That is the situation at the moment because
18 here it is about self-incrimination or not self-incrimination, and I think it's up to the
19 witness himself and his counsel --

20 MR MACDONALD: [14:57:38] Thank you.

21 PRESIDING JUDGE TARFUSSER: [14:57:40] -- And to the person who is questioning to
22 be careful not to touch, to touch upon things which could lead to self-incrimination.
23 Please go ahead, but be aware of this. Thank you.

24 And you, Mr Wagemakers, as well.

25 MR GBOUGNON: [14:58:03] (Interpretation) Thank you, Mr President.

1 Q. [14:58:12] Now, I was saying, I was saying that I'll quote from line 498, page 2085.
2 "Then thereafter there were problems because, well, when it comes to matters of money,
3 well, there were rumours, rumours at the same time about money, that the money that
4 had been given, well, Zéguen had done something with it and that it wasn't 50,000 francs
5 we were supposed to receive per day, but rather one million per person."
6 Now at line 503 you say: "And that it will be 100 million that Blé Goudé and Mamadou
7 Coulibaly are alleged to have given."
8 That was your statement to the OTP in May 2014 when you were interviewed. Was that
9 your statement?

10 A. [14:59:19] Yes, that was my statement.

11 Q. [14:59:29] Therefore in May 2014, you referred to rumours, and I say rumours
12 whereby money is alleged to have been given to Mr Zéguen. On 20 October 2016, you
13 assert that Zéguen told you allegedly, now you go from a rumour to an assertion that
14 Zéguen allegedly told you that the money had come from Mr Blé Goudé and
15 Mr Mamadou Coulibaly. What is the truth in all of that, Mr Witness?

16 A. [15:00:16] You say that I said that these are rumours and then you say that I said that
17 Zéguen was the one who told me that it was Mr Mamadou Coulibaly and Mr Blé Goudé
18 who financed this operation. Is that the question that you are putting to me, Counsel?

19 Q. [15:00:47] Sorry. Please, please, please.

20 A. [15:00:54] Please repeat the question.

21 Q. [15:00:59] Please, we can't speak at the same time because, you know, there are
22 people who are doing quite a difficult job up there. So, you know, we don't want to have
23 them complaining about it at the end of every day. Do you want me to read back your
24 statement to you?

25 A. [15:01:22] I believe that you were reading the statement of 20 October 2016. You

1 said that, if I read correctly, on 20 October 2016, that I stated that Zéguen allegedly said
2 that this money might have come from Blé Goudé or Coulibaly.

3 Q. [15:01:45] Mr Witness, we're going to make things very simple. If you have not
4 understood, it's true that we want to go quickly, but we are here to ascertain the truth, and
5 if you would like, I shall read the contents of both statements to you, namely, the one that
6 you provided before this very august Chamber, after which I will read to you the
7 statement that you made before the members of the Office of the Prosecutor. If you have
8 not understood, I do not mind.

9 A. [15:02:20] Please do that, Counsel. Thank you.

10 MR GBOUGNON: [15:02:29] (Interpretation) Now, Mr President, with your
11 permission I shall read again.

12 So transcript of 20 October --

13 PRESIDING JUDGE TARFUSSER: [15:02:40] No, and say when you quote and end quote
14 so it comes up on the record. Thanks.

15 MR GBOUGNON: [15:02:49] (Interpretation) Thank you, Mr President. That was
16 what I was about to do.

17 Q. [15:02:58] So I was saying transcript dated 20 October 2016, page 6, from line -- well,
18 from line 1 to line 7. Line 1, the answer is, and I quote, please, the answer is: "Mr
19 Zéguen."

20 And the question from the Prosecutor: "Did he tell you where that money came from?"

21 Answer: "When he handed over the money to us, he said that the mission was ordered
22 by Mr Mamadou Coulibaly and Mr Charles Blé Goudé. He did not say directly that Mr
23 Charles Blé Goudé or Mr Mamadou Coulibaly handed over the money to us, but he said
24 that it -- they had requested that he take care of that mission, and he handed over the
25 money to us." End of quote.

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1 That was what you stated on 20 October 2016 before this Chamber.

2 On 14 May 2014 -- no. I apologise. In May 2014, I do not have the precise date, but you
3 were heard or interviewed at length by the Office of the Prosecutor. I do not have the
4 specific date, but it is contained in the statement, and in fact it is 16 May 2014,
5 CIV-OTP-0063-2071, page 2085, line 498, and I quote:

6 *"So subsequently after that, there were issues because, well, money problems, ah, and at
7 the same time there were rumours that "Ah, the money that was given ... Zéguen had
8 reduced the amount and dipped into it and that it wasn't 50,000 francs that we were due
9 to have on a daily basis but one million, for each of us."

10 And at *line 503 you went on to say that "it was 100 million that Blé Goudé and Mamadou
11 Coulibaly allegedly provided." End of quote.

12 That is what you say in your statement.

13 A. [15:06:09] Counsel, I do not see any contradiction therein.

14 Q. [15:06:18] Thank you, Mr Witness.

15 MR GBOUGNON: [15:06:34] (Interpretation) Mr President, you know, we're going to
16 get there. We're going to get to 2010. We're going to move forward in time.

17 PRESIDING JUDGE TARFUSSER: [15:06:41] This is good news.

18 MR GBOUGNON: (Interpretation)

19 Q. [15:06:56] Mr Witness, December 2010, precisely on 16 December 2010, in the day or
20 during the day in the morning, in fact, of 16 December 2010, where were you to be found?
21 And give us the timeline, please.

22 A. [15:07:33] I can't answer that question. On the 16th, I don't know. I can't answer
23 that question. The date does not ring a bell.

24 Q. [15:07:53] On 16 December 2010, that was the day of the march on the RTI. Where
25 were you during the morning of that march on the RTI on 16 December 2010?

- 1 A. [15:08:15] I was in Adjamé.
- 2 Q. [15:08:23] And where was Mr Bouazo?
- 3 A. [15:08:29] Mr Bouazo was in Adjamé.
- 4 Q. [15:08:35] Were you together?
- 5 A. [15:08:40] We were together, but then we parted company, because at a given
- 6 moment in time I was moving around. So I wasn't within our premises.
- 7 Q. [15:09:11] Did you know or did you come to learn that on that day the opponents or
- 8 the opposition at the time had organised a march?
- 9 A. [15:09:25] Yes.
- 10 Q. [15:09:29] How did you come to learn of this?
- 11 A. [15:09:36] The march was announced by Mr Soro Guillaume.
- 12 Q. [15:10:02] And so this is a question: So you followed the announcement of Mr
- 13 Guillaume Soro on that very same day, on the 16th, or on another day?
- 14 A. [15:10:21] I didn't say that I followed it. I said that the march had been announced
- 15 by Mr Guillaume Soro. It was announced I believe two or three days beforehand, before
- 16 the day of the march itself.
- 17 Q. [15:10:39] So the march took place on the 16th. You say that the call or the
- 18 announcement, to use your words so that the OTP doesn't object, the announcement of the
- 19 march was made two or three days beforehand; is that what you said?
- 20 A. [15:11:02] Yes.
- 21 Q. [15:11:05] And how do you know that?
- 22 A. [15:11:10] It was announced on the channel over which they made their
- 23 announcements, the TCI channel.
- 24 Q. [15:11:34] And so you didn't watch the TCI channel two or three days beforehand,
- 25 did you?

1 A. [15:11:49] I had some people that I knew who had been watching this on their
2 telephones.

3 Q. [15:12:04] And so you watched it on the telephone?

4 A. [15:12:11] Well, I followed it.

5 Q. [15:12:14] And you followed this event when?

6 A. [15:12:21] The day before, the day before the march, the day before I had this on my
7 telephone.

8 Q. [15:12:46] So that was the day before the march on the RTI. So you had the call
9 issued by Mr Guillaume Soro on your telephone?

10 A. [15:12:59] That is correct, that is what I just said.

11 Q. [15:13:04] Did Mr Bouazo watch those images together with you?

12 A. [15:13:25] He was also informed of the fact that this call had been made or issued for
13 a march in order to install a new director at the RTI.

14 Q. [15:13:48] You're not answering my question. My question is as follows: Did Mr
15 Bouazo watch those images with you or at least the call that was issued?

16 A. [15:14:01] He did see those images. I showed him the images. When I saw them I
17 showed them to him, but he was already in the know as to that march, he was already
18 informed.

19 Q. [15:14:21] You showed him, you showed him, but he was already in the know.
20 How do you know that he was already in the know?

21 A. [15:14:34] Before the march, already before the march he had been informed, because
22 there had been a meeting with the former Minister Tagro where he was briefed as to the
23 conduct to be adopted, he was already informed of this march.

24 Q. [15:15:21] Mr Witness, if you do not understand my question, ask me and I shall
25 repeat it. I would request that you answer my questions. How do you know that Mr

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1 Bouazo was informed that there was a march?

2 MR DEMIRDJIAN: [15:15:42] Your Honours, counsel --

3 PRESIDING JUDGE TARFUSSER: [15:15:48] Mr Demirdjian.

4 MR DEMIRDJIAN: [15:15:50] Yes. Counsel already asked the question. He got an
5 answer. He doesn't seem to be satisfied with it and tells the witness: "If you don't
6 understand my question, ask me to clarify."

7 He gave an answer as to how Mr Bouazo received the information. He's asking the
8 question a second time now. The answer is already on the record.

9 PRESIDING JUDGE TARFUSSER: [15:16:12] Mr Witness, please answer this question.

10 MR GBOUGNON: [15:16:20] (Interpretation) Thank you, Mr President.

11 Q. How do you know that Mr Bouazo had that piece of information? How do you
12 know that?

13 PRESIDING JUDGE TARFUSSER: [15:16:44] Do you know that? Do you know that?
14 And if yes, how?

15 THE WITNESS: [15:16:48] (Interpretation) As I have already said, *we followed the
16 news item, the call made by Mr Soro. He was calling upon the youth of the RHDP to
17 *come out and march with a view to installing a new director at the RTI.

18 *And when we were watching this news, Bouazo and I, he was already informed. He
19 said that he was already aware. He was already aware that the march was due to take
20 place, a march by the youth of the RHDP.

21 PRESIDING JUDGE TARFUSSER: [15:17:56] Maître Gbougnon.

22 MR GBOUGNON: [15:17:59] (Interpretation)

23 Q. You might say I'm belabouring the point, Mr President, but when you watched the
24 item of information, you say that you watched that item of information with Bouazo.

25 When you watched it, Bouazo informed you that he was already in possession of that

1 piece of information; is that correct?

2 A. [15:18:29] Yes.

3 Q. [15:18:33] And how had he already received that piece of information?

4 A. [15:18:40] I believe that I said that Mr Bouazo had had a meeting with the leaders of
5 the defence -- forces of defence and security and Minister Tagro, who had informed him
6 of the line of conduct to be adopted were this march to take place. Now that's the
7 answer that I can provide you with.

8 Q. [15:19:22] Mr Witness, I'm going to read to you what you stated before the
9 investigators of the Office of the Prosecutor. This is document CIV-OTP-0063-1765, page
10 1789, from line 854 to line 857.

11 I'm quoting: "When the other, when Guillaume Soro said those things, the instructions
12 he gave in the morning, he gave his instructions there and then from the Golf Hotel.
13 And also Bouazo came out and when Bouazo returned, he returned with the arm bands.
14 He came back with the little ropes."

15 So there we are. That is what you stated to the members of the OTP. That is what you
16 stated. You say that after Bouazo heard the call made by Mr Soro, he went out. So the
17 meeting did not take place beforehand, did it? Is that correct?

18 A. [15:21:39] There was a call that was issued by Soro before the march. And on the
19 day of the march, he reiterated that call. The march was announced before the day in
20 question. I don't have the specific, but before the date of the 16th, the march had been
21 announced and Bouazo had a meeting with the authorities to know what line of conduct
22 was to be adopted were that march to be held, because the government had forbidden it.
23 And in view of the fact that it was -- it went ahead, the measures were taken, we went out
24 in the streets with our little ropes in Adjamé.

25 Q. [15:23:04] Mr Witness, Mr Soro, how many calls did he issue? Let me finish. You

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1 talked about a first call that dated back two or three days before the march itself. Were
2 there -- were there any other calls that were issued? Because we're talking about or
3 you're talking about reiterations, were there a number of calls made by Mr Soro, and if so,
4 on which days?

5 A. [15:23:45] On the day of the march, there was a message issued by Mr Soro
6 requesting that the youth of the RHDP go to the RTI. And after the RTI, they were due
7 to go to the prime minister's office. But even before that day, the march had already been
8 announced. I don't know whether it was two or three days beforehand, but before that
9 date of the 16th, the march had already been announced by Mr Guillaume Soro, and there
10 were a number of videos that were out there in addition to the statement that was made,
11 there was a video at the Golf Hotel where we saw Mr Guillaume Soro in the company of
12 Mr Watao boosting the morale of the soldiers there. And there were a number of videos.
13 I can't tell you about all those videos that were published because I didn't follow this. I
14 don't know, I can't tell you exactly how many videos were made, but I know that *before
15 the march, a call had been issued and the day of the march was confirmed on which the
16 RHDP youth were to go to the RTI.

17 Q. [15:25:28] So let's make things simple. The statement that I have just read to you
18 that you made before the Office of the Prosecutor in which you said that after the call
19 issued by Mr Soro, Mr Bouazo went out. So which call are we talking about here? Was
20 that the call that was made on the day of the march itself?

21 A. [15:25:48] That was the call issued on the day of the march itself.

22 Q. [15:26:16] Thank you.

23 Let me now play a video to you. This might help us all. The ERN number is
24 CIV-D15-0010-0570. And this will be from 2.32 to 3.34.

25 (Viewing of the video excerpt)

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1 MR MACDONALD: [15:28:14] At this -- I'm sorry to interrupt my colleague. At this
2 stage, your Honour, I will have to ask permission for the Chamber -- for the witness to
3 withdraw so that we can address the Chamber in relation to this video. There is
4 metadata issues. It's important that we discuss the timeline in the absence of the witness
5 because it's a recurring discussion that we're having in relation to this video which is
6 already submitted on record. So if you -- with your permission?

7 PRESIDING JUDGE TARFUSSER: [15:28:52] Yes, the witness is out.

8 (The witness stands down)

9 MR MACDONALD: [15:29:02] Now, this video, your Honour, was shown on RTI at the
10 end of December 2010 for the first time. I don't have the exact date with me right now,
11 but I think it's around the 29th or so.

12 So any questions related to that obviously may impact on -- my colleague can ask
13 questions but, for the Chamber's information, it is important for the chronology that the
14 Chamber know that this video was not shown on 14, 15 or 16 December. The first time it
15 appeared to be shown on national television was later. So I just want to put that on
16 record, a reminder. We can go back to the testimony, I think, of Witness 625 where this
17 was mentioned and repeated, and I think it may be the third time that I stand up to recall
18 this so that there is no confusion.

19 Now, I understand the witnesses seem to be indicating that videos were circulating. He
20 referred to a mobile phone. I don't know. But shown on television, that's a different
21 story. That's all I'm saying. Thank you.

22 PRESIDING JUDGE TARFUSSER: [15:30:33] Mr O'Shea.

23 MR O'SHEA: [15:30:35] It's a puzzling intervention by my learned friend, I must say.
24 How on earth can the Prosecution confirm what's just been confirmed?

25 It may very well be that this video has its own metadata. Insofar as when those images

1 were shown on TV in Ivory Coast, I'm afraid it's impossible for my learned friend to make
2 that confirmation.

3 MR MACDONALD: [15:30:58] Actually, it is. And the Defence will find out, because
4 we have all the videos of la RTI, except a few before the PEV, all of them during the PEV
5 for the 8 p.m. ones, and when RTI was closing in April we have less of them because it
6 wasn't operational on some dates. And it is our intention to provide a full and complete
7 analysis of these videos in due course where you'll have everything, will be discussed.

8 But it is in the disclosure that we've been giving you. And if you look at the metadata,
9 it's on 30 December. And we've used it in re-examination previously. I'm just reading
10 from the information that I've been sent. Transcript 29, page 48, lines 22 to 25.

11 So therefore, your Honour, it's -- the only indication is it is that. And that's a certainty.

12 And I wouldn't be standing up to mislead the Chamber or my colleagues or this Chamber
13 on this point.

14 PRESIDING JUDGE TARFUSSER: [15:32:18] But this is what you know about the 29th or
15 30th December. It's not that this was not shown on the --

16 MR MACDONALD: [15:32:26] It was not shown --

17 PRESIDING JUDGE TARFUSSER: [15:32:27] -- on a different day.

18 MR MACDONALD: [15:32:30] On a different platform maybe.

19 PRESIDING JUDGE TARFUSSER: [15:32:32] No, no, on a different day --

20 MR MACDONALD: [15:32:37] On a different day, I can --

21 PRESIDING JUDGE TARFUSSER: -- by RTI.

22 MR MACDONALD: It wasn't shown prior to that day on RTI, your Honour.

23 MR O'SHEA: [15:32:42] Well, I maintain my position. That's impossible to say.

24 Images can be copied. They can be transferred. It's a statement which my learned
25 friend is making, but it's a statement which he cannot possibly support as a certainty.

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1 PRESIDING JUDGE TARFUSSER: [15:32:59] Yes, but we're not --

2 MR MACDONALD: [15:33:02] I know we're not going to debate it.

3 PRESIDING JUDGE TARFUSSER: (Overlapping speakers)

4 MR MACDONALD: -- but if you look at the rapportage as it was shown on la RTI and
5 how they're using these images, they're going back in time to the events in question using
6 these vivid images that they obtained in the meantime for the first time.

7 PRESIDING JUDGE TARFUSSER: [15:33:19] Okay.

8 Maître Gbougnon, do you want to intervene on this?

9 MR GBOUGNON: [15:33:27] (Interpretation) Yes, Mr President. I think we are
10 touching on speculation here because the Judges have already agreed that the video can
11 be played and then subsequently parties can discuss the issues of date with Witness 647.
12 That was the case.

13 I think furthermore that I was quite honest with the witness. I asked him on several
14 occasions when he saw the video, which video he saw, and he is the one who indicated it.
15 I never pushed him to tell the Court the date on which he viewed the video. He told us
16 that he saw it on 7 December in the morning. And the Prosecutor is aware, we are aware
17 of where we are going. And the witness is providing objective answers to the questions
18 in relation to what he saw or he did not see. Whether he is credible or not we will come
19 to that later on, Mr President. Thank you.

20 PRESIDING JUDGE TARFUSSER: [15:34:25] Yes, of course. I just would like to state
21 that the Defence of Mr Gbagbo put on record that this video was broadcasted on 30
22 December 2010, and this is to be found in T-29, page 48, lines 22 and 24.
23 So this was the Defence for Mr Gbagbo saying that this was broadcasted on 30 December
24 2010. So that's it.

25 MR GBOUGNON: [15:34:54] (Interpretation) Mr President, one last thing, one last

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1 thing. As you can see, I'm satisfied because this tallies with the position I have taken
2 *from the very beginning of my examination. If it is said that the video was shown
3 on the 16th, or 18th or 30th for the first time and the witness says that he saw the witness
4 on the morning of the march, then you can see what witness we're dealing with. I'm
5 putting the questions objectively. I want us to go slowly. But unfortunately this is
6 the witness that the Prosecution has brought before us and we must get to the bottom
7 of the matter.

8 MR MACDONALD: No, no.

9 PRESIDING JUDGE TARFUSSER: [15:35:33] No, no. I mean, now we introduce the
10 witness. We cannot play ping-pong on this. This was -- this is on the record what I said.

11 MR O'SHEA: [15:35:40] Well, this is what I wanted to say.

12 PRESIDING JUDGE TARFUSSER: Yes, please.

13 MR O'SHEA: This is what I want to address, your Honour. Your Honour has just said
14 it's on the record. We have to be clear what is on the record.

15 The Prosecution referred to the metadata of a video. And the Defence confirmed that
16 that metadata of that video confirmed the date of the 30th as the date of broadcast. That
17 does not mean that the Defence is confirming that it was never broadcast before.

18 PRESIDING JUDGE TARFUSSER: [15:36:09] No. I didn't say that.

19 MR O'SHEA: [15:36:11] Okay.

20 PRESIDING JUDGE TARFUSSER: [15:36:12] I just said what is on the record.

21 MR O'SHEA: [15:36:14] All right.

22 PRESIDING JUDGE TARFUSSER: Okay.

23 MR O'SHEA: So the point that my learned friend is coming to is essentially that he
24 doesn't want Mr Gbougnon to mislead the witness about something that couldn't possibly
25 have been shown earlier.

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- 1 PRESIDING JUDGE TARFUSSER: [15:36:24] No. I want --
- 2 MR O'SHEA: [15:36:26] And my point is that it could have been so there's no question of
- 3 misleading here.
- 4 PRESIDING JUDGE TARFUSSER: [15:36:30] I would say that we let -- introduce again
- 5 the witness and we ask him if he has ever seen this video and when and where.
- 6 MR MACDONALD: [15:36:40] But that's my whole point because it's not to induce the
- 7 Chamber in error --
- 8 PRESIDING JUDGE TARFUSSER: [15:36:44] No, but --
- 9 MR MACDONALD: [15:36:44] -- because the -- I'm not protecting the --
- 10 PRESIDING JUDGE TARFUSSER: [15:36:50] Don't worry.
- 11 MR MACDONALD: [15:36:51] -- witness here, your Honour.
- 12 PRESIDING JUDGE TARFUSSER: Don't worry about the Chamber.
- 13 MR MACDONALD: I'm protecting the Chamber --
- 14 PRESIDING JUDGE TARFUSSER: No, you're --
- 15 THE INTERPRETER: Overlapping speakers.
- 16 MR MACDONALD: -- so the Chamber can appreciate the credibility of the witness on
- 17 that point, because the witness may indeed be mistaken on that.
- 18 PRESIDING JUDGE TARFUSSER: [15:36:57] Yes.
- 19 MR MACDONALD: [15:36:57] That's what I'm saying.
- 20 PRESIDING JUDGE TARFUSSER: [15:36:59] Yes, but --
- 21 MR MACDONALD: [15:37:00] So as an officer of the Court, I'm making sure that the
- 22 Chamber is fully aware of the facts.
- 23 PRESIDING JUDGE TARFUSSER: [15:37:09] Thank you very much. We appreciate
- 24 very much that we are led.
- 25 Please let the witness come in again.

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1 MR N'DRY: [15:37:25] (Interpretation) Mr President, at the next opportunity when the
2 Prosecutor wants to speak, would he please allow the witness to leave the courtroom
3 entirely because he started speaking and the witness must have heard that the discussion
4 was focusing on an issue of date. That's very important. We don't have much time and
5 I'll stop at that, Mr President.

6 PRESIDING JUDGE TARFUSSER: [15:37:47] Well, I don't think the witness has heard
7 anything about this discussion.

8 Yes, please.

9 (The witness enters the courtroom)

10 PRESIDING JUDGE TARFUSSER: [15:38:32] Mr Witness, you have seen the video which
11 was shown to you before you left the courtroom. Do you want to look at it again?

12 THE WITNESS: [15:38:54] (Interpretation) No, Mr President.

13 PRESIDING JUDGE TARFUSSER: [15:38:59] A question: Have you ever seen this
14 video before?

15 THE WITNESS: [15:39:08] (Interpretation) Yes, Mr President.

16 PRESIDING JUDGE TARFUSSER: [15:39:13] Can you tell us when and on which, in
17 which occasion or on which electronic device, say, to be general?

18 THE WITNESS: [15:39:39] (Interpretation) This video was broadcast over channel TCI,
19 a television station that was broadcasting from the Golf Hotel.

20 PRESIDING JUDGE TARFUSSER: [15:39:58] And do you know when you,
21 approximately if you recall, when you have seen it? And I'm referring now to the march.

22 THE WITNESS: [15:40:13] (Interpretation) The video was, so to speak, shot before the
23 march, was filmed before the march.

24 PRESIDING JUDGE TARFUSSER: [15:40:22] Yes. But when have you seen it?

25 THE WITNESS: [15:40:32] (Interpretation) I saw the video the day before the march.

1 PRESIDING JUDGE TARFUSSER: [15:40:41] Okay. Thank you very much.

2 Yours the floor, Maître Gbougnon.

3 MR GBOUGNON: [15:40:49] (Interpretation) Before we proceed, let me say that we
4 stopped the video at 3.21 rather than 3.31 -- 3.34. So it was stopped at 3 minutes 21.

5 Q. [15:41:09] Now, Mr Witness, you watched that video the day before the march. So
6 if I understand you properly, you saw another video on the day of the march. The one
7 you saw with Mr Bouazo, was it another video?

8 A. [15:41:39] The video of the day of the march was different from this one. It was not
9 a video with -- it was different from this one.

10 Q. [15:42:04] Therefore, this video mentioned in your statement of May 2014, and I just
11 want us to agree so that we can move forward, that video -- Mr Witness, if you have any
12 problem, any concern, maybe you're tired or something, if you have any concern
13 whatsoever, please, you can tell the Court, tell the Bench, because I seem to be under the
14 impression that you look somewhat tired. If you are tired, please tell the Court and they
15 will take whatever measures are necessary?

16 A. [15:42:43] I was going to say that I have a headache, but it looks like we are -- maybe
17 in the next 15 minutes or so we should be done, so we can proceed.

18 PRESIDING JUDGE TARFUSSER: [15:42:57] Mr Witness, we have other, as you said,
19 around 15 minutes, and then tomorrow there is no hearing. So we continue now if you
20 agree these 15 minutes and then tomorrow you have a rest.
21 Please, go ahead.

22 MR GBOUGNON: [15:43:32] (Interpretation)

23 Q. [15:43:34] So on that 16 December, the day of the march, that 16 December, you
24 watched another video with Mr Bouazo, and it is following the broadcast of that video
25 that Mr Bouazo leaves; is that correct?

1 A. [15:43:56] Yes.

2 Q. [15:43:58] Why did Mr Bouazo have to leave? Was he called off? What
3 happened?

4 A. [15:44:16] He received a phone call, then he left, and it is upon his return that he
5 brought the arm bands and the ropes, cordelettes.

6 Q. [15:44:42] The period is December 2010, and to be specific 16 December 2010. If I'm
7 not mistaken, in December 2010, you are chief of general staff, if not deputy chief of
8 general staff of the GPP; is that correct?

9 A. [15:45:10] Yes, that's correct.

10 Q. [15:45:11] And Mr Bouazo was the president of the GPP; is that correct?

11 A. [15:45:14] Yes, Counsel.

12 Q. [15:45:17] According to your explanations, you said that you were the one handling
13 military matters; is that correct?

14 A. [15:45:25] Yes.

15 Q. [15:45:28] Now, according to your testimony, Bouazo left to meet with authorities to
16 discuss a military issue. Why is it that you are not the one who went out or who left?

17 A. [15:45:54] I took a personal decision and during those movements, I always went
18 around with him, except when it was not necessary. If it wasn't necessary, I wouldn't go
19 around or about with him apart from the base whenever he went out. It was very rarely
20 that we would be together in a location outside of the base.

21 So he explained before -- well, I explained before the cross-examination that besides being
22 the president of the GPP, *Bouazo also had the rank of general in the GPP. And he had
23 been managing a unit of the GPP for a long time *and was therefore able to address
24 military issues. So I did not necessarily have to be there myself. Even if there was ... the
25 equipment at the base was under my responsibility, well, except he gave me orders to the

1 contrary, I was able to make a number of decisions and arrangements according to the
2 situation at hand, except guided otherwise by him.

3 Q. [15:47:47] From what moment did you as chief of general staff in charge of military
4 matters, when did you decide not to go with Bouazo to meet with the military authorities
5 if there was any such meeting at all?

6 A. [15:48:09] When I started working closely with Bouazo and even before I joined him,
7 when there were a number of GPP meetings, *and even some of which did not require my
8 presence in the room, although I may have been around, I preferred to stay outside.
9 Because even while I was in the security services of General Jeff, I was the one in charge of
10 the external security for the locations at which we had meetings. So usually I avoided as
11 much as possible to -- or I avoided being noticed whenever we had meetings. *I did so as
12 much as possible, and I tried to avoid exposing myself in such circumstances when there
13 were matters relating to the GPP.

14 Q. [15:49:35] You say that Mr Bouazo allegedly went to fetch some ropes or cordelettes.
15 How do you know the location from which he got them and how do you know who gave
16 him those ropes?

17 A. [15:50:11] Although I didn't move about with him, whenever there was some
18 information, he would pass it on to me. He would pass it on to me. So when he went to
19 meetings and things like that, unless the confidentiality level would exclude me, he would
20 normally inform me about such and such a thing that had been done, such and such a
21 thing that he had undertaken, such and such an authority that he had just been to visit.
22 He always kept me informed.

23 Q. [15:51:05] So it is Bouazo who told you about the person who gave him the
24 cordelettes, is that correct, or the ropes; is that correct?

25 A. [15:51:21] Before he left he received a phone call. Before he left he had received a

1 phone call before leaving the base, the Adjamé base. He had received a phone call even
2 before we split ways.

3 Q. [15:51:54] That doesn't answer my question. What I'm saying is how did you
4 become aware of the source of the cordelettes or the ropes? Is it Bouazo who told you?

5 A. [15:52:08] Yes.

6 Q. [15:52:14] Once again I'll read from your statement. CIV-OTP-0063-1765, page 1789,
7 line 863. And this is what you say to the investigator: "And I did not tell him: 'My
8 chief, who gave you the orders?' You know? I did not ask him, not that I wasn't
9 interested in it." This is what you say to the OTP because indeed Bouazo did not provide
10 you with that information.

11 A. [15:53:55] Well, you quoted the answer but not the question.

12 Q. [15:54:13] Please switch off your microphone, we can hear you singing.

13 MR GBOUGNON: [15:54:38] (Interpretation) Mr President, I will have to read out the
14 witness's statement, which is somewhat lengthy, in order to put him in context. I don't
15 know whether I can do that now.

16 PRESIDING JUDGE TARFUSSER: [15:55:03] Do that, please.

17 MR GBOUGNON: [15:55:17] (Interpretation)

18 Q. [15:55:18] The same document, page 1789, line 852. And the investigator is
19 speaking, I quote, "Mm-hmm. When did you receive instructions relating to the march?"
20 Your answer, and I quote, "When the other, Soro Guillaume, started those things, his call,
21 that call in the morning, he issued the call from the Golf Hotel. There again Bouazo then
22 left. When Bouazo came back, he came back with the armbands and the ropes. So it is
23 from there ...

24 Yes, agreed, agreed." That's the investigator's answer.

25 Then you continue and say as follows, I quote, "Because as soon as he launched it,

1 someone called Bouazo and asked him to come. When he came, he was told, 'Well, find
2 some men and do this' and that is the way the instructions, my instructions were received.
3 I did not ask any questions.

4 Mm-hmm.

5 And I did not tell him, 'Chief, who gave you the orders?' You see, I did not ask him, not
6 that I was not interested in it."

7 That was your testimony to the OTP.

8 A. [15:57:16] I think that I stated that before Bouazo left, he had received a phone call.
9 Before he left, he had received a phone call. Then he went out. And upon his return he
10 had the armbands and the ropes.

11 I was asked to put together a few men and make the necessary arrangements at the
12 Adjamé area to ensure that people marching from Cocody would be intercepted or others
13 who were attempting to join the march.

14 Well, as I said to the investigator, I did not raise any questions with him. What I needed
15 to know is what I am told, and it happens in relation to the level of confidentiality.

16 Now, whatever they have discussed or whatever their recommendations were, if they're
17 not within my level of confidentiality, he will not tell me. But I was with him when he
18 was called out. And when he came back he gave me instructions. He knows who
19 called him. But he didn't tell me.

20 Although he did not tell me, I did not ask him whether it is the person who had called
21 him who had given those items to him. Now, if somebody were to ask me whether
22 Bouazo told me that from his own mouth, my answer would be that he did not or that I
23 did not ask him the question. And it's much the same for knowing who it is that may
24 have called him.

25 MR GBOUGNON: [15:59:36] (Interpretation) Mr President, it's 4 p.m. We're already

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1 in 2010, and I believe that from Thursday we can continue to deal with these issues of
2 2010 if this is amenable to you as we resume at that time. Thank you, Mr President.

3 PRESIDING JUDGE TARFUSSER: [15:59:57] Thank you very much. Thank you very
4 much.

5 I ask now the court usher to accompany the witness outside.

6 (The witness stands down)

7 PRESIDING JUDGE TARFUSSER: [16:00:21] Thank you.

8 MR DEMIRDJIAN: [16:00:22] Your Honours, sorry, just for the --

9 PRESIDING JUDGE TARFUSSER: [16:00:25] Yes.

10 MR DEMIRDJIAN: [16:00:26] There is an error in the transcript for your understanding
11 in English. The witness answered at the end of his intervention now, he said, "But I
12 know whom called him. So it's through him that I knew who called him."

13 This was not reflected in the record, so I would ask the court reporter --

14 PRESIDING JUDGE TARFUSSER: [16:00:46] In the English?

15 MR DEMIRDJIAN: [16:00:48] Yes, in the English. So I would ask the court reporters to
16 check that bit in French and make sure it appears in the English version. Thank you.

17 PRESIDING JUDGE TARFUSSER: [16:00:56] Okay.

18 MR GBOUGNON: [16:00:59] (Interpretation) Mr President, I think that there is even an
19 error in the French transcript, because the witness did not say that he heard it through
20 him. So when the witness comes back, we might be able to clarify this issue. We'll put
21 that question back to him on Thursday. He said when he was -- he was there when the
22 gentleman called, but that he knew who had called, but Mr Bouazo did not tell him who
23 had called.

24 So on Thursday I will ask him how it is that he managed to find out who was calling.

25 Thank you, Mr President.

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1 PRESIDING JUDGE TARFUSSER: [16:01:33] Okay. And this is now not so much for
2 the Court, but also for the Registry to arrange, to organise. I think we have also some
3 duties from a managerial point of view, because we have to know where we stand and
4 where we go, because we will have now four full days of hearings before the mini break.
5 So I would just ask the Defence for Mr Blé Goudé what sort of an estimate on how much
6 time he will need?

7 MR GBOUGNON: [16:02:21] (Interpretation) Mr President, maximum two days. But
8 I hope that it will be less than that because, unfortunately, we're only discussing the first
9 event of 2010, and then many things were broached by the OTP subsequent to that. So I
10 am willing to make it less than two days, but, you see, it will depend. The witness is a
11 bit -- it's a bit difficult, you know. If things go as we want, then it might be less than two
12 days.

13 PRESIDING JUDGE TARFUSSER: [16:02:59] I have no doubt that it's difficult, but it's
14 just as a matter of orientation for the Registry in order to, and the VWU, in order to deal
15 with this witness.

16 So now we adjourn the hearing to Thursday at 9.30. The hearing is adjourned.

17 THE COURT USHER: [16:03:18] All rise.

18 (The hearing ends in open session at 4.03 p.m.)