

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 International Criminal Court
2 Trial Chamber I
3 Situation: Republic of Côte d'Ivoire
4 In the case of The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé
5 ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera Carbuccion and
7 Judge Geoffrey Henderson
8 Trial Hearing - Courtroom 1
9 Monday, 27 March 2017
10 (The hearing starts in open session at 9.34 a.m.)
11 THE COURT USHER: [9:34:59] All rise.
12 The International Criminal Court is now in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:35:42] Good morning. Good morning to
15 everybody here in the courtroom.
16 Good morning, Mr Gilissen.
17 I think, I don't know if there are any issues to be raised by the parties before starting
18 with the questioning of the next witness. That's why, in order to ask this, I asked the
19 court officer not to bring in immediately the witness, otherwise we start.
20 Maître Altit, I see you -- no? Okay.
21 So I would ask the court usher to bring in the witness.
22 (The witness enters the courtroom)
23 PRESIDING JUDGE TARFUSSER: [9:38:13] Good morning, Mr Witness. Bonjour.
24 WITNESS: CIV-OTP-P-0010
25 (The witness speaks French)

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 THE WITNESS: [9:38:25] (Interpretation) Good morning, Mr President.

2 PRESIDING JUDGE TARFUSSER: [9:38:27] Mr Witness, we start this questioning,
3 which will last for a few days, with your identification, first of all. So can you please
4 give us your complete -- your full name, your date of birth, your place of birth and
5 your nationality, please.

6 THE WITNESS: [9:38:56] (Interpretation) My name is Guiai Bi Poin Georges. I
7 was born in 1954, Gouriela, sub-préfecture of Vavoua, and I am of Ivorian nationality.

8 PRESIDING JUDGE TARFUSSER: [9:39:26] Can you also give me the date, the day
9 and the month, of your birth.

10 THE WITNESS: [9:39:33] (Interpretation) On my official documents it is 1954.

11 PRESIDING JUDGE TARFUSSER: [9:39:56] What is your current occupation?

12 THE WITNESS: [9:40:01] (Interpretation) At the time, for the time being, I'm on
13 retirement.

14 PRESIDING JUDGE TARFUSSER: [9:40:13] And in 2010-2011?

15 THE WITNESS: [9:40:25] (Interpretation) I was a general officer in the national
16 gendarmerie.

17 PRESIDING JUDGE TARFUSSER: [9:40:35] So thank you very much. Now, to put
18 you at ease, first of all, we all here, we will address you as "Mr Witness" or "Monsieur
19 le témoin," because this is how we address witnesses, and this is current practice in
20 this courtroom. You have been assigned a lawyer, which is sitting next to you, to
21 provide you with legal advice about possible self-incrimination. This has been done
22 because the Prosecutor has indicated that Rule 74, as we call it, Rule 74 assurances are
23 appropriate in your case.

24 Mr Gilissen is present with you, and if any concern arise during the course of your
25 testimony, he will be able to advise you as appropriate and to raise any concern with

1 the Chamber. The Chamber gives you the assurance pursuant to Rule 74(3) of our
2 Rules of Procedure and Evidence that your testimony will not be used either directly
3 or indirectly against you in any subsequent proceedings by this Court, except those
4 under Article 70 and 71, which are the offences against the Court if you do not say the
5 truth.

6 Accordingly, if any question is asked that could lead to your self-incrimination, we
7 will hear your answer in private session and keep this answer confidential. Each
8 questioning party is responsible for requesting private sessions prior to asking
9 questions that may lead you to incriminate yourself and, obviously also, duty counsel
10 should be alert to intervene if he deems it appropriate. And yourself, of course, you
11 may ask at any time for a private session if you deem this necessary.

12 Have you understood?

13 THE WITNESS: [9:44:12] (Interpretation) Yes, Mr President.

14 PRESIDING JUDGE TARFUSSER: [9:44:16] Now, I come to make you some
15 recommendation as far as the language, the language we all use is concerned, because
16 since you will be testifying in French and I'm speaking in English, we need
17 interpretation in order to understand each other. So it is important that you speak
18 slowly, as I'm speaking slowly, to help the interpreters and the court reporters to
19 interpret correctly and to write down correctly the questions and the answers.
20 So please, again, speak slowly and, after having listened to a question, wait for a
21 couple of seconds and then start to respond so to put also the interpreters and the
22 court reporters in the best position to do their job. This is even more important
23 when it comes to questions in the same language. If the questioner speaks with you
24 in French and you reply in French, obviously, the temptation to respond immediately
25 is very big.

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 But I will in any case sometimes give you some hint in order to slow down if you're
2 going too fast.

3 Now I come to your testimony. You are obviously aware that this Chamber has
4 been established to try the case of the Prosecutor against Mr Gbagbo and
5 Mr Blé Goudé. And you as a witness to this trial, you are called to assist us in the
6 search, in our search, for the truth. And in order to do so, you will be asked
7 questions by the Prosecutor and by both Defence teams, the Defence team of
8 Mr Gbagbo and the Defence team of Mr Blé Goudé.

9 And maybe you're also asked questions by the Chamber. If at any time you have
10 any problem to raise, you just raise them with me, and if you are tired, if you have
11 any problems, so I will take care of those problems you might raise with the
12 Chamber.

13 Is this okay with you?

14 THE WITNESS: [9:47:37] (Interpretation) Yes, Mr President.

15 PRESIDING JUDGE TARFUSSER: [9:47:41] Now, as a witness, you have one
16 obligation, the obligation to tell the truth, to answer truthfully to the questions the
17 parties put to you. And you're required by law prior to starting the questioning to
18 make a solemn undertaking to the effect that you will tell the truth. And therefore, I
19 would ask you to repeat the words which are set out in Rule 66(1) of our legal
20 framework of the Rules of Procedure and Evidence. Please, can you read out the
21 formula you have in front of you. Thank you.

22 THE WITNESS: [9:48:39] (Interpretation) Solemn undertaking: I solemnly
23 declare that I shall speak the truth, the whole truth, and nothing but the truth.

24 PRESIDING JUDGE TARFUSSER: [9:49:02] Thank you very much. The last thing I
25 have to tell you is that not saying the truth is an offence against the Court and as such

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 punishable. So please, I think now we have finished, I've finished this first part, and
2 we can start with the questioning.

3 And to this effect I give the floor to the Office of the Prosecutor, to Ms Pack, I
4 suppose.

5 MS PACK: [9:49:38] Yes. You suppose correctly, Mr President. Good morning,
6 Mr President, your Honours.

7 QUESTIONED BY MS PACK:

8 Q. [9:49:45] Good morning, Mr Witness. My name is Melissa Pack. We met last
9 week briefly at the courtesy meeting. I'll be asking you questions today on behalf of
10 the Prosecution. My colleague Ms Rodriguez sits to my left.

11 Just as his Honour has indicated, I too will be addressing you as "Mr Witness." I
12 mean no disrespect by that. I won't be referring to you by your rank. It's the
13 custom of this Court, as his Honour has said.

14 Now, I wanted to address first with you some preliminary matters related to your
15 background. Firstly, your rank, please.

16 A. [9:50:43] I was and I am a major general.

17 Q. [9:50:45] And your ethnicity, please?

18 A. [9:50:50] I am Gouro.

19 Q. [9:50:59] Now, I'd like to ask you a little bit about your university and military
20 education and qualifications. So if we could just start from university level, just if
21 you would briefly describe your education at that level and at the level of military
22 training.

23 A. [9:51:32] I attended the university of Abidjan. Then I went to the officers'
24 school. I attended the officers' academy in Côte d'Ivoire and then I travelled to
25 France. I attended two officers' schools in France, graduating as a lieutenant before

1 joining the gendarmerie of Côte d'Ivoire.

2 Q. [9:52:05] And what did you study at university? Can you tell us the subject?

3 A. [9:52:19] Law.

4 Q. [9:52:26] Now, going on from that, just if you would briefly summarise the
5 positions that you held in Côte d'Ivoire before your retirement?

6 A. [9:52:35] The last post that I occupied, I was a commander of the gendarmerie
7 school in Abidjan. At the same time, I was the commander of the command centre
8 for security operations, that is CECOS. Those were the last two positions that I
9 occupied. If you want me to go back in time, I can do that.

10 Q. [9:53:19] I think we can stay with that. Thank you.

11 And just again preliminary matters, you were interviewed by the Office of the
12 Prosecutor. And just to check that you recall you were interviewed, the long
13 interviews in October 2011, 10th to 12th of October and in September, 10th to 11th of
14 September 2013; is that correct?

15 A. [9:53:46] Yes.

16 Q. [9:53:58] Now, I wanted to deal with just one other preliminary matter. I'm
17 going to be asking you questions about the post-electoral crisis in Côte d'Ivoire in
18 2010 and '11. After the crisis, were there any legal proceedings initiated against you
19 in Côte d'Ivoire?

20 A. [9:54:14] Yes.

21 Q. [9:54:22] Could you tell us what those proceedings were and what the outcome
22 was of those proceedings?

23 A. [9:54:27] There were so many proceedings, I do not know where to begin. I
24 was charged with armed or hold-ups and then I was prosecuted for attack against the
25 security of the state. There were so many charges, I really do not remember all.

1 Q. [9:55:13] Just briefly then, what was the outcome of those charges or
2 prosecutions?

3 A. [9:55:19] The investigating magistrates who were in charge of the files
4 questioned me several times. Then I was placed under formal investigation and
5 indicted, but I remained free up till the present time.

6 Q. [9:55:58] Okay. I'm going to move on now more specifically to the roles that
7 you occupied during the post-electoral crisis. I'll start with your role as commander
8 of the gendarmerie school, the école de gendarmerie. Now, there are how many
9 gendarmerie schools in Côte d'Ivoire?

10 A. [9:56:25] Two.

11 Q. [9:56:28] And you were commander of the school in Abidjan; is that right?

12 A. [9:56:35] That is correct.

13 Q. [9:56:40] Who were you training there?

14 A. [9:56:45] I was training future non-commissioned officers of the gendarmerie
15 and future officers of the gendarmerie.

16 Q. [9:57:05] What were your duties as the commander of the school?

17 A. [9:57:16] It was to ensure all the trainings of the two cycles, that is the cycle for
18 the NCOs and the officers' cycle. To that effect, I had about a hundred instructors
19 under my responsibility, both officers and non-commissioned officers.

20 Q. [9:58:03] The instructors, who were they? What were their qualifications?

21 A. [9:58:14] The instructors were officers, were officers of the Côte d'Ivoire
22 gendarmerie, and some of them were commanders of units in Abidjan. There were
23 also magistrates, university lecturers who were part-time lecturers to give lectures to
24 the officers.

25 At the cycle of the NCOs, the instructors were both NCOs and officers of the national

1 gendarmerie.

2 Q. [9:59:02] And as commander of the gendarmerie school, who were you
3 subordinate to?

4 A. [9:59:16] The commandant superior of the supreme commander of the national
5 gendarmerie.

6 Q. [9:59:25] That was General Kassaraté; is that right?

7 A. [9:59:31] Yes, that's correct.

8 Q. [9:59:32] As commander of the gendarmerie school, did you have forces under
9 your command?

10 A. [9:59:42] No.

11 Q. [9:59:52] Were students at the school used during operations in any
12 circumstances?

13 A. [10:00:06] The instruments or texts provide that a gendarmerie school
14 constitutes a reserve that can become available to the supreme commander of the
15 gendarmerie of Côte d'Ivoire under specific circumstances and upon his request.

16 Q. [10:00:38] And what circumstances would those be in summary?

17 A. [10:00:46] In case of crisis and should the supreme commander deem it
18 necessary for intervention units to be reinforced, he can apply that provision of the
19 instrument whereby the gendarmerie school can provide reserves for purposes of
20 intervention.

21 Q. [10:01:24] And you mentioned there intervention units. I take it you're talking
22 about gendarmerie intervention units that might need to be reinforced?

23 A. [10:01:40] That is correct.

24 Q. [10:01:43] Which in particular?

25 A. [10:01:50] All gendarmerie units of the national gendarmerie of Côte d'Ivoire,

1 not only the intervention units in Abidjan, all intervention units across Côte d'Ivoire
2 regardless of their location.

3 Q. [10:02:07] Do you mean any particular intervention unit there? When you
4 think about Abidjan, can you just tell us, please, the intervention units for the
5 gendarmerie in Abidjan to which you're referring?

6 A. [10:02:25] I was not the commander of the national gendarmerie, and I cannot
7 talk to you about the units of the gendarmerie. Please put questions to me about the
8 gendarmerie school and I'll be able to answer.

9 Q. [10:02:42] You told us that General Kassaraté was the one who would make the
10 request for the students to reinforce intervention units. Who would he make that
11 request of?

12 A. [10:03:01] General Kassaraté, the supreme commander of the national
13 gendarmerie, does not make any requests. It is the instruments that provide that the
14 gendarmerie school shall be a reserve source, so to speak, for the gendarmerie, which
15 is available to him. So what he simply does is implement the said instrument.

16 Q. [10:03:32] You're commander of the school obviously, and you have students at
17 the school being trained. When they are to be deployed to gendarmerie intervention
18 units, is a request made of you by Kassaraté to use those students, to make them
19 available?

20 A. [10:03:52] Maybe we have a problem of semantics. The supreme commander
21 does not make requests of the commander of the school; he issues instructions to the
22 commander of the school.

23 Q. [10:04:18] Okay. Now, when the students go and reinforce units, gendarmerie
24 units, are they armed? Were they armed?

25 A. [10:04:36] First of all, we must say that not all students qualify to do that. It is

1 only students of the second year who have already received proper training in the
2 first year who can be assigned in such a manner. Some officers can also be assigned
3 accordingly. And officers are people who have already received two years of
4 training in military school before joining the gendarmerie. That's a point I would
5 like to clarify now, first point.

6 Secondly, when I receive instructions from the supreme commander to make
7 available to him reinforcements from the gendarmerie school, at the same time he
8 provides me with specifics as to the type of troops he wants, and so I send the troops
9 *where he wants me to send them, and these are the intervention units for which such
10 reinforcements have been requested. He manages all the rest, that is to say weaponry,
11 supervision deployment on the ground.

12 Q. [10:06:06] Yes. My question related to weapons equipment. So when the
13 students are then assigned to units, are they armed?

14 A. [10:06:20] That's exactly what I'm saying, that they receive weapons from the
15 units to which they have been assigned. When they are assigned, they are sent
16 without any weapons. They're dispatched without any weapons.

17 Q. [10:06:46] And just closing up on this topic, you've mentioned second-year
18 students being assigned to go and reinforce these units and also officers. Who
19 would select the students and the officers who would then be deployed to reinforce
20 these gendarmerie intervention units? Who would make the selection?

21 A. [10:07:16] The school provides guidance under the leadership of its commander.

22 Q. [10:07:23] That's you, is it?

23 A. [10:07:29] Correct.

24 Q. [10:07:33] I'd like to look briefly at a document. If we can just turn to
25 CIV-OTP-0043-0225. It's item, for my friends, it's item 43 on the list of material, and

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 it's confidential.

2 Mr Witness, a document is going to appear on the screen in front of you. If you find
3 it difficult in any way to use the document on the screen, and sometimes it's easier to
4 have a hard copy, just please do let me know. We have hard copies available.
5 I hope you can see the document there appearing on the screen. Is it clear enough
6 for you?

7 A. [10:08:42] It is not on the screen yet.

8 Q. [10:08:48] Is it on the screen now?

9 A. [10:08:52] No.

10 THE COURT OFFICER: [10:08:56] The document is displayed on the evidence 1
11 channel.

12 MS PACK: [10:09:09]

13 Q. [10:09:12] Please do just take your time. And if we can just move slowly down
14 to the bottom of the page just to see the signature there and the stamp.
15 Is this a document that you recognise?

16 A. [10:09:51] Yes.

17 Q. [10:09:55] And just to read onto the record very briefly, dated 8 June 2010, it's a
18 in French, quote, (Interpretation) "Fiche: For the major general supreme commander
19 of the national gendarmerie."
20 (Speaks English) And we see at the bottom that it is signed with your name and title.
21 Is that your signature there in the stamp at the bottom?

22 A. [10:10:38] Yes, correct.

23 Q. [10:10:42] And it relates, at the top, again quoting in French, the objet as in
24 French (Interpretation) "Subject: Beginning of the academic year," end quote,
25 (Speaks English) in the year 2010-11.

1 Now, could you just tell us in brief what this document relates to?

2 A. [10:11:10] This is a fiche in French, as indicated in French, fiche or a note, which
3 contains proposals and suggestions to the supreme commander of the national
4 gendarmerie from the commander of the school.

5 Q. [10:11:40] And it relates -- let me just read the last paragraph, and you can just
6 help us with this, quote, (Interpretation) "This important reserve of staff thus made
7 available can become a choice reinforcement for the intervention units both during
8 the pre-electoral and post-electoral periods."

9 (Speaks English) If you can just tell us, please, does this document then relate to
10 preparations for the use of students during the electoral period of 2010?

11 A. [10:12:30] That is not the purpose of the note. The purpose of the note,
12 basically, is to ensure that students who pass the competitive examination are made
13 available to the school as of the month of September so that their training can begin,
14 their basic common training can begin. That is the purpose of the note.
15 The purpose of the note is not, basically, in relation to the pre-electoral or
16 post-electoral periods. However, since you have read this paragraph, it does indeed
17 allude to the instruments which provide that the gendarmerie school shall constitute a
18 pool of reservists at the disposition of the supreme commander. *I mentioned this
19 last paragraph in reference to this.

20 Q. [10:14:01] Okay. And the preceding paragraph, last sentence, just to ask you
21 then briefly about this, quote -- you've read that paragraph. Take a look. The last
22 sentence, (Interpretation) "... which makes it possible to envisage that this training
23 shall end around the 15th of October 2010."

24 (Speaks English) So was this about the calendar for getting the training of students
25 done by a certain date?

1 A. [10:14:38] We had timing or scheduling constraints that were peculiar to the
2 school. Basic training for students lasts for 45 days, and it is conducted outside of
3 Abidjan; that is, away from the location of the gendarmerie school. The idea,
4 therefore, was to make these students available at a time when that basic training can
5 be undertaken within what appeared to us to be reasonable time frames.

6 Q. [10:15:34] Okay. Well, I'm going to ask you a few questions about the early
7 2000s.

8 Your Honour, I'm very aware that I need to ask permission to do this. It will be
9 about 5 to 10 minutes of questions, the relevance of which will become clear, but
10 that's it on the early 2000s, if I may? I'm grateful.

11 PRESIDING JUDGE TARFUSSER: [10:15:58] Of course you can.

12 MS PACK: [10:16:01]

13 Q. [10:16:02] Still on the école de gendarmerie, I wanted to ask you about the early
14 2000s, so not at the period of the post-electoral crisis. Was there a time when there
15 was a mixed unit trained at the école de gendarmerie?

16 A. [10:16:26] What period are you referring to, please?

17 Q. [10:16:37] In 2002-2003, was there a time then when a mixed unit was trained at
18 the école de gendarmerie?

19 A. [10:16:51] Now, if you have any specific data, please help me. Remind me, and
20 then I'll be able to answer you specifically.

21 Q. [10:17:05] Okay. Let me just then take you to your interview, and I'll find the
22 relevant passage for you. It's 0051-0266. Now, I'm going to look there at page 0274.
23 Let me just find the page for you. Now, in fairness to you, let me just get the date.
24 You're talking about, on the preceding page, page 0274, the period 2000 to
25 approximately 2002, and then I'll take it from page 0275, and it's line 301. And it's

1 talking there about the minister of defence at the time, a Minister Bertin Kadet, and
2 you say this: (Interpretation)

3 "They contacted persons, some persons, to provide training, to provide training for
4 units of the army of the gendarmerie of the police. They set up mixed units, which
5 were to be trained by those persons who would provide the training." (Speaks
6 English) End quote.

7 The questioner says, (Interpretation) "Very well."

8 (Speaks English) I'll continue, quote (Interpretation):

9 Person being interviewed: "... to defend. That unit for training was based,
10 according to the instructions issued by the minister, were based at the gendarmerie
11 school."

12 Person interviewing number 1: "Okay."

13 Person being interviewed: "That unit was based at the école de gendarmerie. There
14 were gendarmes, soldiers and policemen providing training for that unit there."
15 (Speaks English) End quote.

16 And you go on just at line 311 to say, (Interpretation) "That was in 2002-2003."

17 (Speaks English) I leave it there. Can you confirm that these were the words that
18 you said in your interview with the Office of the Prosecutor? This would have been
19 in September 2013.

20 A. [10:21:28] Yes.

21 Q. [10:21:34] And are the contents there, what you say, is that true and accurate?

22 A. [10:21:44] Yes.

23 Q. [10:21:51] And let me then go on with some questions about this mixed unit.

24 When you say a mixed unit was formed, who to your knowledge formed a mixed
25 unit at this time?

1 A. [10:22:10] That unit was set up by the minister himself, and he gave instructions
2 to the supreme commander for that unit to be trained and hosted at the école de
3 gendarmerie, which therefore became the host and the trainer for that unit. But the
4 unit and the trainers of that unit were selected by the minister's cabinet. We received
5 instructions to make our facilities available to that unit during the entire period of
6 their training.

7 Q. [10:23:03] Can you tell us then, you were hosting the unit and the trainers for the
8 unit, can you tell us who the trainers were?

9 A. [10:23:16] The trainers were experts, as well as some men from the army, from
10 the police and from the gendarmerie.

11 Q. [10:23:36] The trainers you describe as experts, where were they from?

12 A. [10:23:49] I'm not able to tell you. But they were experts. They were not
13 Ivorian nationals and I don't know where they came from.

14 Q. [10:24:00] What language did they speak?

15 A. [10:24:04] Some of them spoke French, some spoke English, but, generally
16 speaking, everybody spoke French.

17 Q. [10:24:14] Were they white men?

18 A. [10:24:18] Yes.

19 Q. [10:24:22] How many of them were there?

20 A. [10:24:26] I don't know the number. I'm not in a position to tell you the
21 number.

22 Q. [10:24:35] How long did they use your facility, the école, to train this mixed
23 unit?

24 A. [10:24:51] I don't know how long it lasted, but several months, several months it
25 did.

1 Q. [10:25:03] Do you recall any of the names of the experts?

2 A. [10:25:14] These things happened a very long time ago, but maybe you can jog
3 my memory if you have some names.

4 Q. [10:25:25] Yes, I can do that. I'm referring to page 0276 of the interview, and
5 I'm just going to read the names actually rather than read the passage, but it's at line
6 338, one of them, and line 360 to 362. Does the name Richard Sanders mean
7 anything to you?

8 A. [10:25:53] Yes. He was one of those involved in the training. He was an
9 instructor.

10 Q. [10:26:04] And another name I get from page 0277, line 365, does the name
11 Commandant Marquez mean anything to you?

12 A. [10:26:16] Yes.

13 Q. [10:26:21] Who was he?

14 A. [10:26:23] He was one of the experts.

15 Q. [10:26:33] Do you know if these experts were paid?

16 A. [10:26:45] A short while ago I mentioned that the school only provided a facility
17 for the training. Now, those other details I am not able to answer. I don't know
18 where they came from. I don't know what they were. I knew when they were at
19 the school that they were experts assigned to provide the training.

20 Q. [10:27:12] Were any of them South African trainers?

21 A. [10:27:17] I am not in a position to provide you with a specific answer to that
22 question. Some of them spoke English while others spoke French. So I must
23 assume that they were from different backgrounds.

24 Q. [10:27:38] Now, we've been describing these men as experts. Were they
25 soldiers? What was their expertise?

1 A. [10:27:45] They were providing military training.

2 Q. [10:28:06] And can you describe the sort of training they were delivering?

3 A. [10:28:18] It was basically training in combat techniques, classical combat,
4 infantry training.

5 Q. [10:28:43] And let me just remind you of another part of your interview at page
6 0275. You tell us at line 314, sorry, 318, and I'm going to go to 323: (Interpretation)

7 Interviewer 1: "When you talk about these experts who were providing that training
8 at the gendarmerie school, who were they? They were people of which nationality?"

9 Person interviewed: "Well, they were South Africans."

10 Interviewer 1: "Black or white South Africans?"

11 Person interviewed: "White, white South Africans. And then there were, well,
12 there were others who spoke French very fluently. So I suppose that they were
13 French."

14 (Speaks English) Do you recall, is that accurate, what is stated there? Do you
15 confirm what you said there in your interview?

16 A. [10:30:27] Yes, indeed. Some of them spoke English. Some of those who
17 spoke English were South Africans. Sanders, according to the students, he said he
18 was South African, so I confirm what is on this document.

19 Q. [10:31:02] And just to finish up on this topic, when the mixed unit, when it left
20 the école de gendarmerie, where did it go?

21 A. [10:31:13] It was deployed in the field.

22 Q. [10:31:24] Which field?

23 A. [10:31:25] The field of operations. They went to Daloa and then to the west.

24 Q. [10:31:37] And what did they go to do there in the west?

25 A. [10:31:41] They were deployed in the field. When soldiers are deployed in the

1 field, they are deployed in the field. It was at the height of the crisis already.

2 Q. [10:31:56] Did the trainers go with the mixed unit to the field, the expert
3 trainers?

4 A. [10:32:10] Yes.

5 Q. [10:32:14] Do you know, and please do say if you don't, but when they were in
6 the field, this mixed unit and the experts that you've described, do you know who
7 they reported to when they were there? If you don't, please say.

8 A. [10:32:34] I do not know who they reported to.

9 Q. [10:32:41] Well, let me just remind you of something you said in your interview.
10 And again, I can just read the passage. It's at page 0278, the same interview. And
11 I'm going to read from line 436: (Interpretation)

12 Person interviewed: "They reported either to Mr Kadet or to another officer who
13 was at the Presidency. There are two people to whom they reported at the
14 Presidency, and these were Colonel Gléhy -- he is now deceased."

15 (Speaks English) And I'll end quote. Pause there and turn over to page 0279. And
16 you say at line 446, you pick up:

17 (Interpretation) Person interviewed: "They reported to him. They also reported
18 to the État-major."

19 (Speaks English) And you're asked who that was, and you say at line 452:

20 (Interpretation) "It was General Doué."

21 (Speaks English) And then you're asked at line 460 and 461 the role of Gléhy,

22 Colonel Gléhy, and you say -- the question at 460 (Interpretation) "What was his
23 position during that period? You say he was at the Presidency?"

24 Person interviewed: "Yes, he was the chief of the personal military staff."

25 Interviewer number 3: "Chief of the personal military staff of Mr Laurent Gbagbo?"

1 Person interviewed: "Yes."

2 (Speaks English) Now, is that what you said in your interview, that accurately records
3 what you said?

4 A. [10:35:48] That is precisely what I said. He did indeed report to those two
5 people. *And it is good that you remind me of this because this interview took place
6 quite some time ago.

7 Q. [10:36:08] Of course. Thank you.

8 And just on that issue, what was the source of your knowledge of the persons to
9 whom this unit and the experts reported? What was the source of your knowledge
10 of that information?

11 A. [10:36:23] The general staff itself provided that information, because when we
12 went to meetings at the État-major, they monitored all units involved in operations.
13 So they had reports from those units also, which were deployed in the west.

14 Q. [10:36:59] Now, I'm going to leave this topic now. I apologise; I was a bit
15 longer than I thought I was going to be. I would like to move on now to your role as
16 commandant of CECOS. So I'll ask you some questions about that.

17 Just a few preliminaries. Do you recall when CECOS was created, the year?

18 A. [10:37:31] 2005.

19 Q. [10:37:40] And you were appointed commander when?

20 A. [10:37:49] 2005.

21 Q. [10:37:52] So were you the first and only commander of CECOS from the start
22 right to and through the post-electoral crisis?

23 A. [10:38:00] Yes.

24 Q. [10:38:10] By whom were you appointed commander of CECOS?

25 A. [10:38:19] The chief of staff summoned me on one day, on a certain day, and

1 then he told me that he would like to propose me to the minister of defence as the
2 commander of a unit that had just been created. I asked him to give me at least 48
3 hours to think it over. I also asked him to give me the functions and structure of that
4 future unit. And when he provided all that information, he asked me to go and
5 think it over and come back after 48 hours. That is what I did.

6 And after I returned, I gave him my agreement. I told him, "General, I accept your
7 proposal." And shortly afterwards, I was appointed commander of CECOS by
8 decree.

9 Q. [10:39:36] Now, of course you've told us that you were commander of the école
10 de gendarmerie. Did you stay in that role at the same time as being the commander
11 of CECOS?

12 A. [10:39:54] Yes.

13 Q. [10:40:02] Why was it that you occupied both roles, both as the commander of
14 the school and also of this new unit?

15 A. [10:40:16] You have to ask the question to our bosses. I was able to assume
16 those two positions at the same time, and that is what I did. Now, if you want to
17 know why, you ask my bosses.

18 Q. [10:40:39] Well, perhaps I can just ask you this. Was there something in the
19 way that CECOS was organised that meant that it was -- that it made sense for you to
20 retain your role as commander of the école de gendarmerie as well?

21 MR GBOUGNON: [10:41:12] (Interpretation) Mr President.

22 PRESIDING JUDGE TARFUSSER: [10:41:16] Maître Gbougnon.

23 MR GBOUGNON: [10:41:18] (Interpretation) Counsel is asking for the witness's
24 opinion.

25 MS PACK: [10:41:29] I am. But he's a very sophisticated and high-level witness,

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 and I think I can ask his opinion about his unit and the various roles he occupied,
2 your Honour, if I may.

3 PRESIDING JUDGE TARFUSSER: [10:41:39] Yes. But not as an opinion.

4 MS PACK: [10:41:41] Not as an opinion.

5 PRESIDING JUDGE TARFUSSER: [10:41:43] I ask you to reformulate --

6 MS PACK: [10:41:45] Of course.

7 PRESIDING JUDGE TARFUSSER: [10:41:46] -- the question. Thank you.

8 MS PACK: [10:41:52]

9 Q. [10:41:53] Let me just go to your interview. I think it might be easier, and I can
10 remind you of something you said during your interview. It's 0051-0266, and it's at
11 page 295 to -- yes, sorry. It's at page 0295. It's just about your double role. You're
12 asked about that at line 1066.

13 The interviewer says: (Interpretation) "And to your knowledge, was there an issue
14 about your dual role at that time as the commander of the gendarmerie school, and
15 you had now become the commander of CECOS, was there any issue ..."

16 Person interviewed: "From the onset, that is the decision that was taken because it
17 was necessary for that new unit to be based on what is known as a home unit or a
18 host unit, which has the resources and which has infrastructures already in place,
19 because the state could not and did not have the possibility of creating new
20 infrastructures. And so it was necessary for this new unit to be supported by a unit
21 that was already in existence by a corps that was already there in order to facilitate its
22 progression."

23 (Speaks English) Does that accurately record what you said in the interview, and are
24 the contents true?

25 A. [10:44:33] Yes.

1 Q. [10:44:33] Now, I wanted to ask a few questions then about your position in
2 CECOS. You were subordinate to whom as commander of CECOS?

3 A. [10:44:56] I was subordinate to the chief of staff of the armies and at the same
4 time to the minister of defence.

5 Q. [10:45:07] Who gave you instructions, orders, in your position as commander of
6 CECOS?

7 A. [10:45:20] You probably saw a document that is creating CECOS. The
8 provisions are sufficiently clear. You have seen it. So I was not receiving
9 instructions *on a daily basis in such conditions. From the onset, there was a work
10 framework, a regulatory framework which was there. So I was subordinate to the
11 chief of staff and to the minister of defence, and it was to those people that I reported.

12 Q. [10:46:13] What about Kassaraté, General Kassaraté, your superior at the école
13 de gendarmerie? Did you have a relationship with him in the -- reporting
14 relationship with him when you were commander of CECOS?

15 A. [10:46:29] I had a very good relationship with General Kassaraté. But in my
16 capacity as commander of CECOS, I did not report to him per se. But I had a
17 relationship with him because a good number of the members of CECOS were
18 members of the national gendarmerie.

19 Q. [10:46:56] Now, when you say you reported to the chief of staff, how did you
20 report to him in particular?

21 A. [10:47:10] I reported to him by phone. We had what we referred to as
22 summaries of daily activities, and he received those summaries, and he would know
23 what we had done during the day. But those summaries were also sent to General
24 Kassaraté and to the director general of the police.

25 Q. [10:47:52] What about the minister of defence, did he receive those summaries as

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 well?

2 A. [10:47:59] Yes. But at one point there was no specific unit within the ministry
3 to deal with those types of operational situations. So over time *we reported much
4 more to the chief of staff. But if there was an event that was very, very important, I
5 would report to the minister *on the telephone.

6 Q. [10:48:34] And you've spoken about written reporting and phone calls to the
7 chief of the general staff. Did you have in-person meetings also?

8 A. [10:48:51] In which circumstances?

9 Q. [10:49:02] Well, let's say during the post-electoral crisis, 2010-2011, as
10 commander of CECOS, were you having in-person meetings with the chief of the
11 general staff, the chef d'état-major, sorry, the chief of staff in English?

12 A. [10:49:26] The chief of staff regularly convened all the generals to meetings; that
13 is, all the generals that were in charge of major commands.

14 Q. [10:49:45] We'll come back to these later, but just briefly on this, we're talking
15 here about the post-electoral crisis 2010-2011. When you say that he regularly
16 convened meetings of all the generals in charge of the major commands, could we just
17 go through and identify who those generals were and over which units they had
18 command? We'll start with there was you, who else?

19 A. [10:50:22] The supreme commander, the director general of the national police.

20 Q. [10:50:32] Just pause a moment. Could you include also their names for the
21 Chamber and certainly for me. The supreme commander, that is of the gendarmerie,
22 that's Kassaraté; is that right?

23 A. [10:50:47] Yes.

24 Q. [10:50:49] Director general of the police, Bredou M'Bia; is that right?

25 A. [10:50:58] Brindou M'Bia.

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 Q. [10:51:01] And so who else, please?

2 A. [10:51:06] The commander of the land forces, General Detho; the commander of
3 the air force, General Aka; the commander of the navy, Admiral Faussignaux.

4 Q. [10:51:33] Anyone else?

5 A. [10:51:38] There were other officers. I no longer remember their names. There
6 were other officers who were not necessarily generals but who represented their
7 commands.

8 Q. [10:51:50] And just on the topic of the regularity of these meetings, when you
9 say regular meetings, what are you talking about? How frequently?

10 A. [10:52:00] I cannot give you an exact frequency. It was possible to take place
11 once a day in the afternoons, sometimes once every two days. It depended on the
12 chief of staff. And during those meetings, we spoke essentially about security.

13 MR ALTIT: [10:52:33] (Interpretation) Your Honour.

14 PRESIDING JUDGE TARFUSSER: [10:52:35] Maître Altit.

15 MR ALTIT: [10:52:36] (Interpretation) Thank you, Mr President. And I'm sorry
16 for interrupting you.

17 There are certain interventions that are indicated as inaudible in the transcript, and so
18 the reading and understanding of the exchanges are a bit difficult. So maybe we can
19 ask my learned friend to be a bit more slow and ask interpreters also to indicate when
20 there is a problem so that we should be able to understand better. Thank you.

21 PRESIDING JUDGE TARFUSSER: [10:53:22] Well, of course, speed is always an
22 issue here in speaking. But just to say that we have no inaudible on the English
23 transcript.

24 MS PACK: [10:53:36] Forgive me then.

25 PRESIDING JUDGE TARFUSSER: [10:53:38] That's why I didn't intervene.

1 Otherwise I would have intervened myself. Thank you, Mr Altit, Maître Altit.

2 Please, just speak slower.

3 MS PACK: [10:53:48] I think I need to wait a bit for the French translation,
4 interpretation to catch up. I apologise. I will make myself move more slowly.

5 Q. [10:53:58] Before you were interrupted, you were asked about the frequency of
6 meetings. Let me just remind you where you were. You told us about the
7 frequency of meetings with the chief of staff and other generals. Let me just move
8 on. We'll come back to those meetings later. I want to ask you a few more
9 questions, and unsurprisingly, with reference to the decree for CECOS that you
10 mentioned earlier, a few more questions about CECOS specifically.

11 The mission of your unit of CECOS was what?

12 A. [10:54:51] It is precisely what you have in the decree that you have in front of
13 you. It was to fight effectively against major delinquency and criminality in the
14 district of Abidjan.

15 Q. [10:55:15] Broadly, how was CECOS formed? Where did the elements come
16 from?

17 A. [10:55:29] It was a unit that included gendarmes, policemen and soldiers.

18 Q. [10:55:52] Just a few numbers. At the outset when the unit started up, how
19 many elements were there in CECOS?

20 A. [10:56:07] The objective that I had set was to go up to 1,500 or 1,700 men. But I
21 was not able to achieve that. So initially I was at about 1,400, 1,500.

22 Q. [10:56:27] And did you achieve the objective over time of 1500, 1700 men?

23 A. [10:56:40] No, quite to the contrary. The staff strength actually reduced. We
24 had many -- or, rather, much fewer people. So in 2010-2011, we had gone down to
25 around 1,200 men.

1 Q. [10:57:17] And let's just look then at 2010-11. At that time, can you tell us
2 roughly the proportion of gendarme, police and also soldiers in CECOS?

3 A. [10:57:46] What I'm going to tell you is not actually accurate. It is just
4 approximate. There was about 50 per cent of gendarmes, 45 per cent of policemen
5 and about 5 per cent of soldiers.

6 Q. [10:58:14] Who made these different elements available to you? So let's start
7 with the gendarme. Who made those available to you for purposes of CECOS?

8 A. [10:58:36] I would express our needs to the *senior commander, and then that's
9 what he did, assign gendarmes to the CECOS.

10 Q. [10:58:53] And how about the soldiers, who made those available to CECOS?

11 A. [10:58:58] The chief of army staff.

12 Q. [10:59:09] And of course we're talking from the start when CECOS was created
13 about here General Mangou; is that correct?

14 A. [10:59:17] Yes.

15 Q. [10:59:24] And what about the police, who made those available to you?

16 A. [10:59:31] The minister of the interior and the director general of the police.

17 Q. [10:59:46] Now, we spoke a bit earlier about your role, your dual role as
18 commander of the gendarmerie school and also of CECOS. Can you help us with
19 this: Once the elements from the police, from the gendarmerie, from the army were
20 appointed to CECOS, did they too -- or what was their relationship with their original
21 units in the gendarmerie, in the police, in the army?

22 A. [11:00:39] Those people were always under the organic command of their units
23 of origin.

24 MS PACK: [11:00:53] Mr President, I realise it's 11 o'clock. Is now a convenient
25 time to stop, pause?

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 PRESIDING JUDGE TARFUSSER: [11:01:00] Yes, it could be, yes, yes. It's one
2 minute after so we can.

3 MS PACK: [11:01:06] I apologise.

4 PRESIDING JUDGE TARFUSSER: [11:01:07] Because we know, because we started a
5 little bit later than 9.30. But it's okay. So we stop here. We have half an hour of
6 break for you also to rest, and we come back at 11.30 for the continuing of the
7 testimony. Thank you very much. The hearing is adjourned.

8 THE COURT USHER: [11:01:30] All rise.

9 (Recess taken at 11.01 a.m.)

10 (Upon resuming in open session at 11.33 a.m.)

11 THE COURT USHER: [11:33:25] All rise.

12 Please be seated.

13 PRESIDING JUDGE TARFUSSER: [11:33:51] Good morning once again.

14 The floor is immediately to the Office of the Prosecutor for its questioning. Thank
15 you.

16 MS PACK: [11:34:07] Thank you, Mr President, your Honours.

17 Q. [11:34:10] Good day to you again, Mr Witness.

18 A. [11:34:17] Good morning.

19 Q. [11:34:21] Now, we'll resume where we left off, but I'll remind you where we
20 were. We were talking about CECOS. And I'd asked you about the relationship of
21 CECOS elements with their original units in the gendarmerie and in the police and in
22 the army. And you said -- let me just remind you. Your answer was, "Those people
23 were always under the organic command of their units of origin," just to remind you.

24 A. [11:35:07] Thank you.

25 Q. [11:35:11] Just to follow on from that, so when the elements were part of CECOS,

1 did they also fall under the command of CECOS officers and commanders?

2 A. [11:35:45] Please be specific in your question. I'm not quite clear what it is that
3 you're asking for, please.

4 Q. [11:35:50] We'll come back actually to the specifics in a moment.

5 In practice, in times of peace, what were the activities of CECOS elements, broadly
6 speaking?

7 A. [11:36:12] To provide security for persons and their property in Abidjan district;
8 that is, in the ten communes of Abidjan. That is what was effectively outlined in the
9 decree that you read a short while ago.

10 Q. [11:36:40] And what about in times of crisis?

11 A. [11:36:49] In times of crisis, some CECOS detachments, within the framework of
12 peacekeeping and maintaining order, some detachments of CECOS are made
13 available to the police authorities.

14 Q. [11:37:25] Okay. We'll come back to that later. Let me just ask you, the
15 territorial competence of CECOS was which area?

16 A. [11:37:42] At the very onset, it was the district of Abidjan.

17 Q. [11:38:00] And did it include another area later?

18 A. [11:38:05] Yes, of course. Yes, of course. Basically, the north highway, the
19 northern highway. The northern highway, because there was an increasing number
20 of attacks on the northern highway; therefore, the minister of the interior had planned
21 to set up highway police precincts, but that had not yet been done, so we were asked
22 to be present along the northern highway to fight off highway robbers in that area,
23 *the distance of which was about 140 kilometres for the highway, for the northern
24 highway.

25 Q. [11:39:16] Now, I'm going to ask you to look at the decree establishing CECOS.

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 It's at CIV-OTP-0025-0958. And it's presently marked as confidential.

2 It is item 37, for my learned friends, on the list of material.

3 Now, if you would prefer a hard copy of this document, please do say, Mr Witness,
4 again. Shall I make one available?

5 We have a hard copy of the decree. If perhaps the court officer could make that
6 available for the witness. And in fact, I'm informed the decree can be made public,
7 can be publicised. Thank you. This is just item 37 on the list of material.

8 PRESIDING JUDGE TARFUSSER: [11:40:47] We have said we don't do this anymore,
9 no.

10 MS PACK: [11:40:50] It's not marked or anything.

11 PRESIDING JUDGE TARFUSSER: [11:40:51] No, no. But we said at the beginning
12 that we are not -- we are trusting each other that it's not -- that it is a clean document
13 and that we are not showing it around.

14 MS PACK: [11:41:14]

15 Q. [11:41:14] Now, you can see it in front of you, Mr Witness, a decree dated 2 July
16 2005 which establishes CECOS. Do you recognise it?

17 A. [11:41:28] Yes.

18 Q. [11:41:34] And as you anticipated, I'm going to ask you to look at a few of the
19 articles of the decree, which start with the first article, Article 1. And I will not read
20 it all out. You can see what it says. But I note there that this article states that
21 CECOS is a, quote, (Interpretation) "a major permanent operational command under
22 the sole authority of the minister of defence."

23 (Speaks English) Now, I note there there's no reference to the chief of staff. What
24 does that then mean, Article 1, that language related to the minister?

25 A. [11:42:47] Madam, I am not sure I have understood your question.

1 Q. [11:42:54] This article talks about CECOS being under the, placed under the,
2 quote, (Interpretation) "sole authority," (Speaks English) end quote, of the minister of
3 defence.

4 As commander of CECOS, what did that mean? Was he your only superior or does
5 it mean something else?

6 A. [11:43:28] Let me repeat once again that I was under the authority of the chief of
7 general staff and of the minister of defence.

8 Q. [11:43:46] Now, I'd just like to move just to the following paragraph there. It
9 talks about, quote, (Interpretation) "elements for the intervention of the Forces of
10 Defence and Security, which he leads -- rather, the operations of which he leads and
11 coordinates in the city and districts of Abidjan."

12 So what did that mean then that CECOS was doing in relation to the principal
13 elements of intervention of the FDS?

14 A. [11:44:59] The main elements of the FDS are made available to the CECOS
15 commander by their organic structures of origin for the purpose of discharging the
16 mission of relentlessly and vigorously fighting major criminality in various centres, as
17 clearly stated in Article 2, with a view to restoring security in the town and districts of
18 Abidjan.

19 Q. [11:45:34] And just to be clear, which are the main elements of intervention of
20 the FDS?

21 A. [11:45:52] These would be the officers and non-commissioned officers made
22 available by their cause or units of origin that make up the CECOS. And before the
23 break, we said CECOS was made up of soldiers, policemen and gendarmes. That is
24 it.

25 Q. [11:46:16] Were there particular units in the FDS, whether it's police, whether it's

1 gendarmerie, whether it's the army, were there particular units from which CECOS
2 received its elements?

3 A. [11:46:42] Let me repeat myself. CECOS was made up of elements from the
4 gendarmerie. And a short while ago when you asked me about the proportions, I
5 said that there were 50 per cent of gendarmes. Some of the elements came from the
6 police, and still in 2010 the proportion was about 45 per cent. And it was also made
7 up of soldiers, and in 2010 it was made up of about 5 per cent of soldiers.
8 So those are the major components of CECOS, namely, troops from the Forces of
9 Defence and Security within the Côte d'Ivoire.

10 Q. [11:47:41] Okay. We'll move on for the moment just to the following Article.
11 You've already addressed this, in fact, Article 2, the mission of CECOS. I'll leave it at
12 that.

13 Let's go, please, to Article 4, and I'll just quote the first paragraph, (Interpretation)
14 "CECOS shall be headed by a commander, who will be assisted by a deputy
15 commander."

16 (Speaks English) Did you have a deputy commander?

17 A. [11:48:31] Yes.

18 Q. [11:48:32] Who was that?

19 A. [11:48:39] Captain Mory Sangankoko, captain.

20 Q. [11:48:47] Was he your deputy commander or was he your, quote, "officier
21 adjoint"?

22 PRESIDING JUDGE TARFUSSER: [11:49:03] It seems to me the same thing.

23 MS PACK: [11:49:05] Actually, it isn't. I'll just go to the bottom of the page here.

24 If you look at the last paragraph, it says, (Interpretation) "The commander of
25 CECOS shall be assisted by a deputy officer" and so on and so forth.

1 Q. [11:49:31] (Speaks English) So these are different roles, are they, the officer
2 adjoint and the commandant adjoint? Not the same?

3 A. [11:49:39] It's not the same thing.

4 Q. [11:49:41] Who was the, quote, "commandant adjoint"?

5 A. [11:49:49] That is more specific. The deputy commander of CECOS was
6 Brindou M'Bia, commissioner, who became general subsequently.

7 Q. [11:50:03] When he was the deputy commander of CECOS, what parallel role in
8 the FDS did he also occupy?

9 A. [11:50:31] I don't fully like the word "parallel" because there's a connotation to it.
10 Now, maybe you can simply say: What were his other functions in his corps, in his
11 unit of origin?

12 Q. [11:50:42] Of course. What was his other function? What was his other role in
13 the FDS at that time?

14 A. [11:50:50] The commissioner, while working at CECOS, was the director of the
15 intervention units at the national police.

16 Q. [11:51:14] And of course we know later that he moved to another appointment.
17 Who replaced him as director of the police intervention units?

18 A. [11:51:39] He was replaced by another police commissioner, Commissioner Yoro,
19 who did not occupy that position for long, but was called back by the police. He
20 occupied that position for about one year and was recalled to the police. So at the
21 same time he was the deputy director of CECOS and director of the police
22 intervention units.

23 Q. [11:52:16] This was Mr Yoro?

24 A. [11:52:18] Yes.

25 Q. [11:52:25] And Commissioner Yoro, when was he at the same time deputy

1 director of CECOS and also director of the police intervention units? Which years, if
2 you can remember?

3 A. [11:52:41] He's the one who took over from Commissioner Brindou. So if
4 Commissioner Brindou left CECOS and was appointed elsewhere in 2008 or 2009, I
5 don't remember, it was at that time that he was replaced by Commissioner Yoro.

6 Q. [11:53:17] Okay. And after Commissioner Yoro was deputy director of CECOS,
7 who took over his position after he left, after the year that he was the deputy director,
8 deputy commander?

9 A. [11:53:44] The police did not appoint another commissioner.

10 Q. [11:53:56] And you mentioned this a little earlier, the, quote, "officier adjoint,"
11 (Interpretation) deputy officer (Speaks English) who assisted you, what was his name?
12 Could you repeat that, please?

13 A. [11:54:24] Commissioner Mory, Lieutenant Captain Mory Saganoko. Mory is
14 spelled M-O-R-Y. Saganoko is spelled S-A-G-A-N-O-K-O, Saganoko.

15 Q. I'm just waiting for the spelling to be -- if it's correct in the English and if it's
16 missed it. Certainly I heard a spelling in the English which may not be the right
17 spelling. Let me repeat the first name, *Sanganoro. Is this correct,
18 S-A-N-G-A-N-O-R-O?

19 A. [11:55:32] No. There's no R. S-A-G-A-N-A-K-O.

20 Q. [11:55:42] Now, your deputy officer, was he a gendarme or was he police?

21 A. [11:55:49] He was a gendarme.

22 Q. [11:55:55] What were his responsibilities?

23 A. [11:56:02] Well, he managed the schedule of the CECOS commander. In fact,
24 he was like the chef de cabinet of the CECOS commander.

25 Q. [11:56:26] That's you?

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

- 1 A. [11:56:27] Yes.
- 2 Q. [11:56:28] And did he report to you directly?
- 3 A. [11:56:35] Yes.
- 4 Q. [11:56:41] Now, turning to other persons who occupied commanding roles in
5 CECOS, was there a (Interpretation) Operations planning division?
- 6 A. [11:57:07] Yes.
- 7 Q. [11:57:08] Who commanded that division?
- 8 A. [11:57:15] Commissioner Robé.
- 9 Q. [11:57:23] That's R-O-B-É, for the record. And was he -- you say he was a
10 commissioner. He was a policeman, was he?
- 11 A. [11:57:41] Yes.
- 12 Q. [11:57:49] And what was his role within CECOS?
- 13 A. [11:57:55] He was in charge of planning all the activities of the CECOS units,
14 and then he would put together a report and collect statistics on the activities of
15 CECOS.
- 16 Q. [11:58:18] And when he planned the activities of CECOS units, was he able then
17 to implement the plans he prepared or did he have to have those plans approved?
- 18 A. [11:58:47] All the activities of CECOS were under the command of the
19 commander of CECOS, at least.
- 20 Q. [11:58:56] And so Commissioner Robé, who was he subordinate to?
- 21 A. [11:59:07] To the commander of CECOS, namely, myself.
- 22 Q. [11:59:14] Where was he based physically?
- 23 A. [11:59:23] At the CECOS headquarters, which was located in Cocody *near the
24 Lycée classique.
- 25 Q. [11:59:36] Where were you based?

1 A. [11:59:50] Either at the CECOS headquarters or at the gendarmerie school.

2 Q. [11:59:57] Did Commissioner Robé have a deputy?

3 A. [12:00:11] Certainly he did, but I don't really recall who. Whether he had a
4 deputy who were the officers in his division, I no longer recall. He did have officers
5 in his division, but I'm not in a position to know who they were anymore or have
6 their names in mind anymore.

7 Q. [12:00:45] Just to confirm, with Commissioner Robé, he's in this position -- I'm talking
8 about the period 2010-11, just to be certain. He's in the position that you've described as
9 commander of the division de le planification des opération during 2010-2011?

10 A. [12:01:13] That is correct.

11 Q. [12:01:14] Does the name Captain Zoh Loua mean anything to you?

12 A. [12:01:24] Yes.

13 Q. [12:01:27] What was his position?

14 A. [12:01:48] He was working at the CECOS at a divisional level, and he was
15 taking -- well, *he was especially in charge of training the men.

16 Q. [12:01:55] When you say he was in charge of instructions to be imparted to the
17 men at a divisional level, did that mean he was working under Commissioner Robé?

18 A. [12:02:14] Yes.

19 Q. [12:02:22] Can you recall his position?

20 A. [12:02:32] * I can tell you that he took care of training problems, he took care of
21 training. I can tell you that he was in charge of recycling men. There we are.
22 Now, as to what he was doing in the division itself, I am not in a position to know
23 what he was doing there really.

24 Q. [12:03:01] Okay. Let me just refer you to your interview. Again, this is the
25 2013 interview, CIV-OTP-0051-0392. It's page 0394. And just if we can look at,

1 please, line 51. Let's start at line 51.

2 You were asked about Officer Jean Zoh Loua. And at line 51 you said, quote,
3 (Interpretation) "He was the deputy to Commissioner Robé. He was the deputy to
4 Commissioner Robé. He was in charge of operational associated issues."

5 A. [12:04:51] Well, that was -- well, go ahead, go ahead.

6 Q. [12:04:55] I think you're probably going to answer my question. Is that
7 accurate? Is that true, that he was, Zoh Loua, deputy to Robé?

8 A. [12:05:05] Well, this is a misuse of terms here because according to the
9 organisational chart, Commissioner Robé does not have a deputy. He is in charge of
10 the division. He doesn't have a deputy. But he has a number of officers at his
11 disposal within the division, and he gives them missions according to what he deems
12 fit. And some are in charge of statistics, some are in charge of operations, some are
13 in charge of planning training for units. But this was a misuse of terms here because,
14 you know, strictly speaking, he does not have a deputy.

15 Q. [12:05:48] Okay. But you don't deny that this is what you said in your
16 interview?

17 A. [12:05:56] I did say it. I did say it, yes. It's written there that I did say that.
18 But it was a misuse of terminology because in the document itself there is no deputy
19 to the chief of the division.

20 Q. [12:06:17] And specifically what then -- I think you've -- let me just check if
21 you've answered this question then. You say that Zoh Loua was in charge of
22 instructions to be imparted to the men. So what specifically was his role then under
23 Robé? Can you be more specific?

24 A. [12:06:41] Well, he was sort of setting up the schedule for training, for example,
25 associated with issues such as shooting, intervention out in the field, you know,

1 simulation activities. He would draw up a schedule for that. And whenever we
2 had to conduct exercises, those were the ones who would pilot that operation and
3 those exercises would come into play, and then they would judge as to whether it had
4 gone well or not and whether it had to be repeated or not, and then the instruction
5 would continue. *That is what he was, in charge of training, of in-service training.

6 Q. [12:07:34] So Zoh Loua was a trainer? Is that your evidence?

7 A. [12:07:44] Well, for us, he was, he was that within the division for CECOS, yes;
8 that's what he was embodying.

9 Q. [12:07:59] Was he a gendarme or police?

10 A. [12:08:10] He was a gendarme.

11 Q. [12:08:13] Where was he based?

12 A. [12:08:18] At the CECOS headquarters.

13 Q. [12:08:26] Where did he live?

14 A. [12:08:30] He lived at the gendarmerie academy.

15 Q. [12:08:37] Before he had this position you describe in CECOS, what was his role?

16 A. [12:08:53] He was an instructor at the école de gendarmerie, the gendarmerie
17 academy.

18 Q. [12:09:03] And who was he subordinate to there?

19 A. [12:09:10] Well, an officer who was in charge of all of the training for the
20 non-commissioned officers at the école de gendarmerie.

21 Q. [12:09:30] Did he himself, Zoh Loua, receive any special training himself at any time?

22 A. [12:09:40] He came out of the school having completed his officer training, and
23 then he came to fine-tune his training and continue it at the école de gendarmerie in
24 Abidjan, and then *he came out and he was appointed instructor at the école de
25 gendarmerie by the senior commander. In his career path he did follow a number of

1 internships abroad, notably in China and elsewhere.

2 Q. [12:10:28] And what sort of training did he get in China?

3 A. [12:10:33] He went to China with a view to following training in a weapon that
4 the Chinese had sold to Côte d'Ivoire in the year 2002. And so he went in the
5 company of other soldiers. He was not the only person. They all went together
6 with a view to seeking training in the handling of said weapon.

7 Q. [12:11:03] What was the weapon?

8 A. [12:11:10] It is a flame-launching weapon.

9 Q. [12:11:22] Who selected him to go on this training?

10 A. [12:11:26] Well, it was the superior command of the gendarmerie that selected
11 him.

12 Q. [12:11:41] During the post-electoral crisis, did Zoh Loua, did he command a
13 unit?

14 A. [12:11:50] No, he didn't.

15 Q. [12:11:59] I'm going to ask you to look back at the decree now. If we can just
16 have that shown. It's CIV-OTP-0025-0958. We are going to put that back up on the
17 screen.

18 And you have that there in front of you, Mr Witness.

19 If we could just scroll down on this, please, to Article 3.

20 If you could look, Mr Witness, at Article 3 in the document in front of you, first page.
21 Article 3 talks about a, quote, (Interpretation) "The CECOS has a command and
22 coordination organ at a central level."

23 (Speaks English) Where was this central organ, where was this central organ of
24 command and coordination based?

25 A. [12:13:32] Well, I would refer you to Article 5, 6, 7 and 8. Let's read that

1 together.

2 Q. [12:13:51] Well, can you answer that question? Can you tell us where the
3 central command organ was based for CECOS? Was that the Cocody HQ that
4 you've referred to earlier?

5 A. [12:14:07] Well, that was the infrastructure. This was *the Cocody area which
6 is next to the lycée. Well, the command structure, we can talk about that whilst
7 reading through these various articles, which will enable us to understand it better.

8 Q. [12:14:30] Okay. Physically, the command was based in Cocody; is that right?

9 A. [12:14:38] Just next to the Lycée technique -- no, sorry, the Lycée classique.

10 Q. [12:14:57] And we'll look at these articles now that you've referred to, Article 6
11 and following, in the various divisions. Article 6, we can see it. It talks about the,
12 quote, division planification et opérations (Interpretation) the planning and
13 operations division.

14 (Speaks English) We've talked about that earlier, of course. It's the division
15 commanded by Robé, Commissar Robé; is that right?

16 A. [12:15:49] Yes. Well, if I asked you that we return to these articles, it's not that
17 we take them one by one, those divisions, for us to look through their various
18 missions. That was not my objective. My objective was to tell you that in response
19 to your question, that is it, that is, the organ of command and coordination of the
20 CECOS is the entirety of these divisions. Articles 6, 7, 8, 9 and 10, these are the
21 various structures that are part of the command and coordination organ of the
22 CECOS.

23 Q. [12:16:35] And were these different divisions -- to whom were they subordinate?

24 A. [12:16:45] To the CECOS commander; that is to say, me.

25 Q. [12:16:52] The, quote, "division renseignement," end quote, in Article 7, who is

1 the commander of that division?

2 A. [12:17:10] Captain Katy Bi.

3 Q. [12:17:15] Where was he based physically?

4 A. [12:17:20] To make matters easier for you, all of these structures were based at
5 the CECOS headquarters in Cocody next door to the Lycée classique. That's in so
6 saying we won't need to revisit the subject.

7 Q. [12:17:41] And just while we're on that subject, to be clear about where that is,
8 physically, can you locate for us, for the Chamber, how far away is that headquarters
9 from the RTI?

10 A. [12:17:59] Let's just say a kilometre.

11 Q. [12:18:14] Okay. I'll ask you to look at that on a map later, but let's move on
12 and just deal with the specifics. Article 8 talks about a, quote, "division moyens."
13 Who led that division?

14 A. [12:18:42] Well, there were a number of people who succeeded each other, but
15 the last colonel, Kolai (phon), is deceased. So we no longer had anybody in post, and
16 I had to detach Captain Mory, whom I appointed to that position, and he now heads
17 up that division.

18 Q. [12:19:16] Okay. So your own deputy officer ended up being appointed to
19 head up that position. Can you tell us when that was? In terms of dates, when was
20 that?

21 A. [12:19:25] Well, I don't have a specific idea in terms of dates, but I think it must
22 have been in the years 2008-2009. I can't be specific.

23 Q. [12:19:44] And do you recall who headed it after him?

24 A. [12:19:50] Before or after?

25 Q. [12:19:54] After.

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 A. [12:19:57] After Mory? Well, he was the last person to be in that position. He
2 was the last.

3 THE INTERPRETER: [12:20:03] Message from the interpreter: Could counsel
4 please not overlap the speaker, the witness. Thank you.

5 PRESIDING JUDGE TARFUSSER: [12:20:08] Can you please not overlap the
6 witness.

7 MS PACK: [12:20:11] Of course. I apologise, Mr President, and to the interpreters.

8 Q. [12:20:17] So he occupies the position from 2008 or '9 right through to the end of
9 the crisis; is that right?

10 A. [12:20:33] Yes.

11 Q. [12:20:40] And just to pause a little bit on the division renseignement, can we
12 look at, please, the article, Article 7. And I won't read it, but it describes various
13 activities of the division. Is that an accurate description of the role, in fact, of the
14 division under Katy Bi?

15 A. [12:21:15] Yes, that's what he did, with the exception that on some occasions I
16 would ask him, and I did at least once, if I had information on the activities of the unit,
17 I would ask him to have a close look and to confirm whether what we were told was
18 correct or not. Otherwise, what is described here is what he did.

19 Q. [12:21:49] And the last one there at Article 9, of course, is the, quote, "cellule
20 communication," end quote. Do you recall who headed that unit?

21 A. [12:22:13] Commander Nouko, Nouko Ange.

22 Q. [12:22:21] Could you repeat the second name. I'm not sure that I received the
23 second name correctly, Ange?

24 A. [12:22:33] Nouko, Nouko.

25 Q. [12:22:39] Right. We can go to the following page, please, 0960, ERN, Article 12.

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 Just take your time to look at that. It talks about five sectors. Can you tell us then,
2 how was the CECOS's area of competence divided, in brief?

3 PRESIDING JUDGE TARFUSSER: [12:23:37] It's written here.

4 MS PACK: [12:23:38] We can see it exactly, we can read it, your Honour.

5 PRESIDING JUDGE TARFUSSER: [12:23:41] It's in here how it is divided.

6 MS PACK: [12:23:43]

7 Q. [12:23:43] So it's divided into five sectors, and I'm going to ask you about each of
8 them. The sectors 1 to 5, did each of these sectors have a commander?

9 A. [12:23:57] Yes.

10 Q. [12:24:00] Were there bases for each sector, within each sector?

11 A. [12:24:07] Yes.

12 Q. [12:24:12] What were the duties of the sector commanders?

13 A. [12:24:20] Well, I'd have to specify that the sectors are, generally speaking, based
14 within a given unit or an FDS barracks. The Yopougon sector is based within the
15 BAE barracks.

16 Q. [12:24:49] Okay. Let's go through them all then. So Yopougon was based in
17 the BAE barracks. And who was commander of that sector during the post-electoral
18 crisis, this is between, say, November 2010 to April 2011?

19 A. [12:25:13] Captain Gneba from the national police.

20 Q. [12:25:19] Can you spell that name, please?

21 A. [12:25:26] G as in Golf, N November, E as in Echo, B-A.

22 Q. [12:25:45] Now, the BAE camp, who was the commander of that camp? Not
23 from CECOS, but who was commander of the BAE camp?

24 A. [12:25:56] The BAE commander was Commissioner Loba.

25 Q. [12:26:06] Was he at any time also the CECOS sector commander in Yopougon?

1 A. [12:26:17] At a given moment in time before the years 2009-2008, he was within
2 the CECOS, he was in charge of the intelligence division. He was moved by the
3 national police to the BAE, and he went to the BAE. And, generally speaking, he
4 was the person who should have been in charge of the CECOS, but the national police
5 decided, because there was a new BAE barracks that was set up that was 5 kilometres
6 afield from the former one, that they were going to set up in the BAE, in the new
7 barracks, so that that remained then the CECOS barracks. *And so Captain Gnéba
8 was put in charge. And Commissioner Loba was then entirely given over to his
9 responsibility of commanding the BAE.

10 Q. [12:27:30] And you say that generally speaking, because he was commander of
11 the BAE based in Yopougon, and that is where the CECOS sector was based, you say
12 that generally speaking he should also have been the CECOS sector commander for
13 that sector. Why is that? Is that how it worked with each of the sectors?

14 A. [12:27:52] Well, yes, and we were talking about that earlier, because you put the
15 question to me as to why I had the functions of the commander of the school and the
16 commander of CECOS. All the sector commanders within CECOS are at the same
17 time, well, they fulfil responsibilities of the commanders of the unit from their
18 original corps. And in the case of Loba, before Loba, it was like that. But when
19 Loba arrived, this coincided with the installation of the BAE in a new barracks that
20 was far enough afield from the former barracks. So he did not take on those two
21 roles at the same time. He was entirely dedicated to his new functions as
22 commander of the BAE. But the Abobo, Abidjan and Cocody, and Abidjan Centre,
23 Cocody South, that's how things were in those areas.

24 MR ALTIT: [12:29:13] (Interpretation) Mr President.

25 PRESIDING JUDGE TARFUSSER: [12:29:15] Maître Altit.

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 MR ALTIT: [12:29:16] (Interpretation) Thank you, Mr President. Now, Mr
2 President, we have had a succession here of inaudible moments made mention of in
3 the transcripts which will make it difficult for us to prepare our cross-examination.
4 There's an entire succession and things are getting a little bit difficult.

5 PRESIDING JUDGE TARFUSSER: [12:29:33] The inaudible, as I was told, are - I'm
6 talking to the Prosecutor - the inaudible are related to the fact that you overlap with
7 your questions. You are not waiting for the witness, not to have finished the answer,
8 but the translation. You don't wait the ending of the translation into English,
9 therefore the first part is inaudible. Therefore, I urge you to really wait also for the
10 translation to be completed before starting with your further question.

11 I think the inaudible is in the English, in the questioning more than in the response,
12 because I don't have any inaudible in the response.

13 MR ALTIT: [12:30:29] (Interpretation) It's not systematic. But it simply happens
14 usually at the beginning of the answer from the witness.

15 PRESIDING JUDGE TARFUSSER: [12:30:41] Yes. Well, this is due to this overlap
16 of questions and answers. Okay. So please to both of you, wait until the translation
17 is completed. Thank you. Yes.

18 MS PACK: [12:31:02]

19 Q. [12:31:03] Mr Witness, we were talking about the sector commanders. To
20 whom were they subordinate?

21 A. [12:31:16] The sector commanders were subordinate to the CECOS commander,
22 that is myself.

23 Q. [12:31:28] We had been talking specifically about Yopougon, the sector 1
24 Yopougon commander who you identified as someone called Gneba. Could you
25 give us, please, his full name?

1 A. [12:31:51] Unfortunately, I do not recall his full names. But Captain Gneba, I
2 used to call him that way normally. And that's what I remember.

3 Q. [12:31:59] You've already mentioned the other sectors, so let's just go through
4 those. Sector 2, Abobo, that was based at where?

5 A. [12:32:17] Abobo was based at the gendarmerie barracks in Abobo.

6 Q. [12:32:28] Was the commander of the CECOS sector based there also
7 commander of the gendarmerie barracks?

8 A. [12:32:49] Yes, at some point in time up until early 2011 or late 2010, it was the
9 same person who held both positions. Then he was a commander and then
10 promoted to the rank of lieutenant colonel in the gendarmerie. *In the gendarmerie,
11 he could not remain as the head of a squadron, because he had acquired a higher rank
12 than the rank of those who command squadrons. For that reason, he was transferred
13 and promoted to another unit.
14 As soon as he left, we felt that the new replacement would be able to do the job. But
15 when Captain Obéniéré, the replacement, arrived, he did not discharge his duties
16 properly. So we had to appoint a police commissioner in 2011, early 2011,
17 Commissioner Drissa, to become the head of the Abobo sector.

18 Q. [12:34:22] I'm going to ask you to go through some of those names. Now, the
19 gendarmerie camp, is that Camp Commando?

20 A. [12:34:34] Yes.

21 Q. [12:34:39] The Captain Obéniéré, is that Barthélémy Obéniéré Ouattara?

22 A. [12:34:49] Yes.

23 Q. [12:34:51] The other person, Drissa, is that Drissa Ouattara?

24 A. [12:35:05] I don't remember his second name. I don't know whether it was
25 Ouattara. But I regularly referred to him as Commissioner Drissa. It could have

- 1 been Ouattara, but I don't know. I'm not certain.
- 2 Q. [12:35:17] The commander in situ before Obénieré, what was his name, please?
- 3 A. [12:35:26] Lieutenant-Colonel Goué Léopold.
- 4 Q. [12:35:38] Now, sector 3, Abidjan Centre, was based at where?
- 5 A. [12:36:06] It was based in the facilities of the Adjamé police district.
- 6 Q. [12:36:18] And the commander was whom?
- 7 A. [12:36:24] Captain Fofana.
- 8 Q. [12:36:33] Do you have a full name?
- 9 A. [12:36:38] Fofana is all I can remember.
- 10 Q. [12:36:45] Sector 4, Cocody, where was that based?
- 11 A. [12:36:52] At the Agban camp, at the gendarmerie barracks in Agban.
- 12 Q. [12:37:05] And who commanded that CECOS sector?
- 13 A. [12:37:15] Commander Abéhi Jean-Noël.
- 14 MS PACK: [12:37:22] It's Abéhi for the English record, A-B-E-H-I.
- 15 Q. [12:37:30] Sector 5, Abidjan Sud, where was that based?
- 16 A. [12:37:43] Within the Camp Commando of the Koumassi gendarmerie.
- 17 Q. [12:37:53] And the commander of that CECOS sector?
- 18 A. [12:37:56] The commander of the gendarmerie squadron was known as Captain
- 19 Zakpa, Z-A-K-P-A, Zakpa, Lobognon being the second name.
- 20 Q. [12:38:23] So he was both commander, was he, of the gendarmerie squadron and
- 21 also the CECOS sector in Koumassi?
- 22 A. [12:38:30] Yes, yes.
- 23 Q. [12:38:40] Now, I'm going to just move on from Article 12. Articles 13, I won't
- 24 ask you to go through the detail, but could you please help us just briefly to describe
- 25 the duties of the CECOS sector commanders.

1 A. [12:39:19] Each sector commander has under his authority a group of gendarmes,
2 policemen and soldiers. The strength could be between 200, 250 and 300 men
3 according to the period in question. The sector commander has the duty of
4 implementing within his geographical sector the same overall missions assigned to
5 CECOS as outlined in the first article of the decree we have been looking at, namely,
6 to fight, to prevent delinquency and criminality within various neighbourhoods, as
7 well as to repress any such activities.

8 Q. [12:40:14] So to understand how that worked more specifically, if you have, let's
9 say, the CECOS sector commander at the BAE camp in Yopougon, so the elements
10 under him, would they come from the military, from the gendarmerie and also from
11 elements based at the camp, BAE elements also based at the camp? Can you explain
12 how that worked?

13 A. [12:41:10] Yes. That is how it worked. But not exactly that way. What
14 happens is that a number of troops are made available to him. Now, within the
15 CECOS we made some requests, as I had indicated earlier, requests to the police, to
16 the gendarmerie and to the army, which calls made available to us a number of men
17 to be in our service.

18 We then in turn assigned these men to our various sectors, depending on the levels of
19 criminality and delinquency within those various neighbourhoods.

20 So Cocody could not receive the same number of men as Cocody and Yopougon,
21 because Cocody is a neighbourhood where the level of delinquency is not extremely
22 high. And that is how we proceeded.

23 Q. [12:42:21] So the CECOS elements that were subordinate to the CECOS sector
24 commander, let's say in Yopougon, where would they be based? Would they be
25 based also at the BAE camp?

1 A. [12:42:30] They would assemble prior to carrying out any services at the BAE
2 barracks, the former BAE barracks. That is where their chief is based and that is
3 where they all assemble every day before being deployed on the ground to conduct
4 their activities. And after the day's activities, they reconvene at that barracks for
5 briefing and reporting before a new unit is then deployed in turn.

6 Q. [12:43:17] And let's say you have a BAE element who is based at the BAE camp,
7 in any event, and then he is also a CECOS element; would he be reporting to both the
8 sector commander and also to the commander of the BAE in Yopougon? Or how
9 would that work, those two positions?

10 A. [12:43:51] The elements are designated pursuant to a decision. If you have
11 been identified as being made available to CECOS for assignment, then you are no
12 longer answerable to your unit of origin because you are now available to the
13 commander of CECOS for service.

14 Q. [12:44:18] Thank you. Now, I want to ask you, please, about Article 14,
15 communications. Did you have radio communications within CECOS? Did you
16 have your own radio network?

17 A. [12:44:46] Yes, we had a radio network which was available to the various
18 elements of CECOS.

19 Q. [12:45:07] Do you recall the call sign for the CECOS command post?

20 A. [12:45:20] The various sectors had *the call sign "Soleil" followed by the number
21 for the sector.

22 Q. [12:45:47] And what about for the command post that is referred to here? Was
23 there a call sign for that command post that you recall?

24 A. [12:46:00] Yes, there was a call sign, but I no longer remember it.

25 Q. [12:46:13] Does the call sign Luciole mean anything to you?

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 A. [12:46:23] Yes, yes.

2 Q. What was that?

3 A. I think it was the call sign of the CECOS base, if I'm not mistaken, the call sign of
4 the CECOS base.

5 Q. [12:46:48] Did you yourself use a radio?

6 A. [12:46:59] I had a radio, but I rarely, rarely used it.

7 Q. [12:47:13] How mostly then did you communicate to CECOS sector
8 commanders?

9 A. [12:47:33] By telephone.

10 Q. [12:47:37] Mobile telephone?

11 A. [12:47:42] Always.

12 Q. [12:47:46] And what about your superiors, like Mangou, during operations, how
13 would you communicate with Mangou?

14 A. [12:48:00] By telephone.

15 Q. [12:48:06] What did you use the radio for, the CECOS radio, what did you use it
16 for? Did you follow communications on the network?

17 A. [12:48:26] If I was warned of any delicate operations taking place in a particular
18 sector, for example, a sector from which inhabitants have called to talk about a
19 hold-up in a neighbourhood and there is an ongoing intervention, if I were aware of
20 that in advance, I could decide to follow the events by listening to the radio. But for
21 very specific cases, but not systematically and not in a permanent manner.

22 Q. [12:49:14] Did you listen to the other radio networks, not the CECOS ones, but
23 police, gendarmerie?

24 A. [12:49:23] No. Well, from time to time the gendarmerie, yes, because that was
25 my corps or unit of origin. So if there were matters pertaining to the gendarmerie, I

1 could listen from time to time.

2 Q. [12:49:44] So did you have a separate call sign for your -- at the école de
3 gendarmerie?

4 A. [12:50:03] The école de gendarmerie was not an intervention unit. I had a call
5 sign, but I hardly ever used it.

6 Q. What was it?

7 A. I no longer remember.

8 Q. [12:50:24] Now, let me just ask you, please, about Article 11. Just going back,
9 I'm afraid. It's page 0959. It talks about an, quote, "officier de liaison." And then it
10 says in the last sentence, quote (Interpretation) "Establish links between CECOS and
11 the general staff headquarters and ensure that the CECOS arrangements are
12 reversible."

13 (Speaks English) So did CECOS have liaison officers at the police -- sorry, the
14 État-major?

15 A. [12:51:30] We never implemented Article 10 throughout my time in command at
16 the CECOS. Article 10 was never implemented. So that appointment was never
17 made.

18 Q. [12:51:55] Okay. Well, in the ordinary course, how would you coordinate then
19 with the police, the gendarmerie, with the army?

20 A. [12:52:09] In normal times, there is no need for coordination because everybody
21 carries out their mission. Under normal circumstances, there is no need for
22 coordination as each party carries out its mission.

23 Now, when from time to time we run into problems on the ground and there is a
24 police unit nearby, we can call for help from them. And if the police runs into
25 trouble on the ground, they can also call for help from us on a one-off basis as need be,

1 but not on an ongoing basis.

2 Q. [12:52:56] Before we break for the lunch adjournment, it's in a few minutes, but I
3 just wanted to cover a couple of topics, if we can. I want to ask you about specific
4 units within CECOS, specific units. So firstly, BMO, does that mean anything to you?

5 A. [12:53:31] I set up two different structures *of units groups, that is to say two
6 different structures that I set up within CECOS: the law maintenance brigade and the
7 support groups known as the Python units; we called them the support groups, we
8 called them the support groups. Why did I set up those two groups or those two
9 sectors? Well, the support group was designed to provide safety on the highways
10 where there were hold-ups occurring, often culminating in several people being killed.
11 Now, the BMO was set up to provide support to the police, and gendarmerie where
12 called up to do so within their duties of law and peace maintenance.
13 The minister of defence at the time granted authorisation for me to set up those two
14 structures after I made the request of him. And those two structures were in place
15 until the end of CECOS.

16 Q. [12:54:59] Who was the commander of the BMO; that's the, quote, "Brigade de
17 maintien de l'ordre"? Who was the commander of that unit?

18 A. [12:55:18] Captain Ouidi, Captain Ouidi.

19 Q. [12:55:29] Can you spell the name for the record, please?

20 A. [12:55:31] O, U for Uniform, I for India, D for Delta and I for India.

21 Q. [12:55:48] Do you know his full name or is that the only part you recall?

22 A. [12:55:51] His second name is Zokoury.

23 Q. [12:56:03] And that's Z-O-K-O-U-R-Y; is that right?

24 A. [12:56:11] Correct.

25 Q. [12:56:14] Where was he based?

- 1 A. [12:56:18] At the gendarmerie school.
- 2 Q. [12:56:25] To whom was he subordinate, Captain Ouidi?
- 3 A. [12:56:39] He was subordinate to the CECOS commander.
- 4 Q. [12:56:52] Who gave him then orders?
- 5 A. [12:56:54] The CECOS commander.
- 6 Q. [12:56:56] That's you?
- 7 A. [12:56:56] Myself.
- 8 Q. [12:56:57] Can you tell us briefly how -- what was the size of the unit, the BMO?
- 9 A. [12:57:06] Initially we were looking at 300 men. We managed more or less to
- 10 reach that target, but we did not quite make it.
- 11 Q. [12:57:28] And where did the elements come from? Did they come from army,
- 12 gendarmerie, police?
- 13 A. [12:57:34] It was made up essentially of gendarmes and policemen.
- 14 Q. [12:57:51] Ouidi, was he gendarme or police?
- 15 A. [12:57:56] A gendarme.
- 16 Q. [12:58:03] How were men selected for membership of this unit?
- 17 A. [12:58:20] When I got authorisation from the minister to set up those two new
- 18 units, quite naturally, I referred to the major command facility, that is, the
- 19 gendarmerie and the police forwarding to them my requests for troops or elements,
- 20 providing the necessary figures. So they decided to make available a number of men
- 21 according to what was available within their own ranks.
- 22 Q. [12:59:09] Did they receive any special training to be part of this group?
- 23 A. [12:59:16] They were involved in law enforcement exercises so that they could
- 24 become *more familiar with their mission.
- 25 MS PACK: [12:59:43] Mr President, I'm aware it's 1 p.m.

1 PRESIDING JUDGE TARFUSSER: [12:59:45] Well, we didn't start -- we started later,
2 so we can go on another 3, 4 minutes.

3 MS PACK: [12:59:52]

4 Q. [12:59:52] The other group we were talking about, quote, "groupe d'appui," you
5 called it also Python. Is that the other name it was known by?

6 A. [13:00:06] Well, it wasn't quite that because these are the radio call signs that
7 have entered sort of, you know, general language. That was their radio call sign.

8 Q. [13:00:26] This unit, who was the commander?

9 A. [13:00:33] Captain Fofana.

10 Q. [13:00:44] And was his first name Aboubakar?

11 A. [13:00:47] Yes, indeed.

12 Q. [13:00:51] Was he gendarme or police?

13 A. [13:00:59] A gendarme.

14 Q. [13:01:07] And the members of this unit, where did they come from?

15 A. [13:01:18] The policemen and gendarmes and maybe also some soldiers, that's
16 what they were.

17 Q. [13:01:30] About how many men?

18 A. [13:01:37] They were less numerous, approximately 80 in number.

19 Q. [13:01:49] To whom was Aboubakar Fofana subordinate?

20 A. [13:02:01] To the CECOS commander.

21 Q. [13:02:06] Just a couple more questions on this group. Where were they based?

22 A. [13:02:13] They were based at the gendarmerie school.

23 Q. [13:02:21] And in relation to this group and the men who were part of this group,
24 how were they selected?

25 A. [13:02:32] They were gendarmes too who were from the gendarmerie and from

1 the police. The profile was given out of the men that we were looking for.

2 Generally speaking, they were going to be young, quite sporty. There we are.

3 Q. [13:02:58] And finally, before we break, did they receive any special training?

4 A. [13:03:07] Yes, we did provide training, training for them with regard to the
5 missions that they were going to be conducting along the highway.

6 Q. [13:03:29] And what did that training entail then?

7 A. [13:03:34] They had to be in a position or able to open fire, to drive swiftly, to
8 manoeuvre vehicles, to be able to catch up with the villains and other military
9 exercises, because that is of course the basis, you know, combat exercises, et cetera.

10 PRESIDING JUDGE TARFUSSER: [13:04:11] Thank you. Thank you. Now we
11 break for the lunch break and we come back at 2.30. Thank you very much.

12 THE COURT USHER: [13:04:20] All rise.

13 (Recess taken at 1.04 p.m.)

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

15 THE COURT USHER: [14:32:32] All rise.

16 Please be seated.

17 PRESIDING JUDGE TARFUSSER: [14:32:42] Good afternoon.

18 The floor is immediately to the Office of the Prosecutor for this third session of
19 questioning for today. Ms Pack, please, yours the floor.

20 MS PACK: [14:33:00] Thank you, Mr President, your Honours.

21 Q. [14:33:02] Good afternoon, Mr Witness.

22 A. [14:33:07] Good afternoon.

23 Q. [14:33:09] Now, before we broke off we were talking about two particular units
24 of CECOS, the, quote, "BMO" and the, quote, "groupe d'appui."

25 Just on the groupe d'appui, you talk about it operating on a road, an auto-route.

1 Could you specify which auto-route you're referring to, where the auto-route leads?

2 A. [14:33:59] This is the northern highway going from Abidjan to Yamoussoukro.

3 But at that moment in time it did not finish in Yamoussoukro. It stopped *140

4 kilometres afield from Abidjan.

5 Q. [14:34:22] And which of the areas did the auto-route goes through as it goes up
6 and out of Abidjan?

7 A. [14:34:31] Through the region of Sikensi, Ndouci, Agboville, and then it stopped
8 in Yanoa (phon).

9 Q. [14:35:00] And is this the road that goes through Anyama?

10 A. [14:35:05] No, it is not, ma'am.

11 Q. [14:35:06] Now, again before the break you were talking about, I asked you
12 about the activities of CECOS elements, and you said this, and I'm going to quote to
13 you from the French realtime transcript at page 34, line 3, I asked you what the
14 activities of CECOS elements were in times of peace, and you said, quote,
15 (Interpretation) "It was to provide security for individuals and their possessions in the
16 district of Abidjan, the ten communes of Abidjan, and that was what was defined in
17 the decree that you read at an earlier stage." End of quote.

18 How did those activities that you describe differ from the activities of the police?

19 A. [14:36:23] I specified a few moments ago saying that the missions of the CECOS
20 that are contained in the decree that you and I have before us were sufficiently
21 complete. But at the same time I told you that in view of all the serious offences that
22 were being committed along that northern highway, the minister of the interior, who
23 had the intention of setting out one or two police stations along that northern
24 highway in order to provide security requested office colleague from the defence
25 whether the CECOS could prolong its actions along that highway whilst waiting for

1 the police units to be put in place for them to be able to supervise the motorway.
2 I then received an instruction from the minister of the defence to provide security for
3 this northern highway, and that is what I did through that very unit that I then
4 requested that they prioritise this security endeavour along this northern highway
5 during the nighttime and daytime. And I think we had very good results, I should
6 say, because before that people could not travel by night.

7 Q. [14:38:14] Okay, understood. Putting the auto-route to one side, you've
8 described CECOS's ordinary activities. And my question is: How did those
9 activities differ to those of the police?

10 A. [14:38:41] The activities of making individuals and their property secure are
11 common to the gendarmerie, to the police and to the CECOS. We are part of a
12 French system, and as such we often complicate things that we might do quite simply.
13 So we have the gendarmerie and the police who fulfil the same missions in normal
14 times, but in Abidjan, we also added the CECOS because of the level of criminality
15 and delinquency that was present, and that's why we added CECOS, in order to
16 enable the police to have access to reinforcements and also to enable the CECOS to
17 specifically target large-scale criminality within Abidjan.

18 And you're asking me what the difference is, well, it's the same mission, the CECOS is
19 made up of policemen, gendarmes and a small detachment of soldiers.

20 Q. [14:39:52] Now I'd like you to mark -- and I know this takes a little time, your
21 Honour -- just mark the CECOS sectors bases on a map.

22 I gather, let me give the ERN number, it's CIV-OTP-0092-0410. And I hope -- there it
23 is. It's come up nice and quickly. Thank you very much to the court officer for that.

24 PRESIDING JUDGE TARFUSSER: [14:40:22] This is the agreed map, correct?

25 MS PACK: [14:40:25] Yes, this is indeed.

1 Q. Now, I'd like to just zoom in first, please, on the CECOS headquarters, which
2 were, you've already described, in Cocody. And I'd like you to mark whereabouts, if
3 we can just look at this map, the headquarters were.

4 You've already described its location as next to the lycée in Cocody. And if we could
5 just try and zoom in on the map as much as we can to Cocody.

6 There should be in front of you a facility I think to mark on the screen locations.

7 Now, if you can, just looking at that, is it sufficiently magnified for you, can you mark
8 the location of the CECOS HQ, headquarters?

9 A. [14:41:52] It must be here, there, here at that location (Drawing).

10 MS PACK: [14:41:57] Thank you. Can we save that screenshot? And I'm not sure
11 if we can mark other locations on this at the same time or if we need to get to a new
12 screenshot. We'll do another --

13 THE COURT OFFICER: [14:42:16] Both options are possible. If you want to keep
14 going on this map, we can keep going on this map.

15 MS PACK: [14:42:23] In fact, it may be better to use different maps because we're
16 going to magnify on different areas. So I think perhaps we'll do that. We'll save
17 this one, please.

18 PRESIDING JUDGE TARFUSSER: [14:42:33] Yes, but I think it's easier then to have
19 one map with all the places on that. I think it's easier to read in the second moment,
20 if this is possible from a technical point of view.

21 MS PACK: [14:42:42] As I look at this, I think we've actually just -- we've so
22 magnified that we've got to move to a completely different area now. So if we could
23 now -- in fact, we'll have to save this. It's my mistake. We'll save this one and then
24 move to another area. It will be to sector 1 area, Yopougon, so if we could now -- in
25 fact, we'll have to save this. It's my mistake. We save this one and then we move

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 to another area. It'll be to sector 1 area, Yopougon. So if we can move to the
2 Yopougon area, and then I'll ask you to mark the sector 1 base in Yopougon.
3 Now, if possible, can you mark on this the location of the sector 1 base, the BAE camp,
4 if possible.

5 THE COURT OFFICER: [14:44:35] Ms Pack, I'm sorry to interrupt, but could you
6 please indicate if this exercise could be published to the outside of the courtroom?

7 MS PACK: [14:44:44] Yes, my apologies for not stating earlier. Yes, of course, it's a
8 public exercise.

9 Q. If not feasible, I can get a close-up on hard copy and we can deal with it later.
10 That's fine.

11 A. [14:45:47] Yes, because I can't see the specific location. There is no point of
12 reference that enables me to identify the location.

13 Q. [14:45:57] We've discovered that before, actually, with this map, so no problem
14 at all. We'll move on to the third one if we can, which is moving up to Abobo, and
15 this is the --

16 PRESIDING JUDGE TARFUSSER: [14:46:04] Let's try to do it. Otherwise, when we
17 come back we have to restart again. I mean, I would think that if we can give to the
18 witness a hard copy so he can identify it on the hard copy, and then put it on the
19 screen if this is possible.

20 MS PACK: [14:46:24] I don't have a hard copy of the close-up right now, so what I
21 am going to do is try and get that for the end of the day and we can quickly deal with
22 it then, rather than taking your Honours' time up with trying to find it now. But I
23 can deal with the other locations that maybe they're easier to find on this map.
24 So perhaps we can go up to Abobo.

25 A. [14:46:43] Oui.

1 Q. [14:46:47] Yes.

2 A. [14:46:48] Can you see where it is written "Nouveau quartier," the new quarter,
3 can you see that? There we are, "Nouveau quartier." You go down a little bit, there
4 is a green spot, a green rectangle, just to the south. There we are. There it is, the
5 green rectangle. If you go to the west of that green rectangle -- no. That's too far.
6 Come back to the right. Come back to the right. Come back. More, more, more, a
7 bit more. There we are.

8 It's at that very location. That is approximately where the former BAE barracks were
9 located.

10 Q. [14:48:10] All right. And then we'll then just deal with -- we'll try then, please,
11 Abobo, which would be the third location to mark, which is the sector 2 Camp
12 Commando base.

13 A. [14:49:37] It would seem to me that it is here, because there is just the university
14 opposite, the university campus.

15 Q. [14:49:52] Okay. Thank you. And then the final, I think, page, there is two
16 more pages we would want to focus in on. Just to go now to the Camp Agban base
17 and sector 4 in the police district Adjamé base; that's sector 3. I think we can have
18 the same part of the map. It should be Adjamé area. Perhaps you could mark with
19 a circle the police district Adjamé, and then we'll go to the next point after that.

20 A. [14:51:41] (Drawing)

21 Q. [14:51:49] Great. Thank you. Then if we can just mark with an X the Camp
22 Agban sector 4 base.

23 A. [14:52:11] (Drawing).

24 Q. [14:52:13] Thank you. And finally, I'm not sure that the École de gendarmerie
25 appears on this one in fact, de la gendarmerie. Does it appear on this map, école de

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 la gendarmerie?

2 A. [14:52:39] Yes.

3 Q. [14:52:51] If you could mark that with another, mark it with another X. I think
4 that's fairly obvious, because the Camp Agban is also marked as a camp of the
5 gendarmerie.

6 A. [14:53:06] (Drawing)

7 Q. [14:53:08] Thank you. That's fine for that screenshot. Then there is just one
8 more, which is the sector 5 Camp Commando Koumassi, which would be going down
9 to Koumassi, and then that's it. Thank you very much, Mr Witness.

10 I just wanted to check we saved those screenshots, the previous? Thank you. I see
11 these Xs and things are still on this, but they'll come off.

12 And then it's just the Camp Commando Koumassi on this Koumassi end of the map.

13 A. [14:54:38] I'm going to note that down, but I'm not at all sure. I think it must be
14 around here (Drawing).

15 Q. [14:54:53] Thank you.

16 If we could save that too and then the map's done. So we'll note you're not sure
17 about the last one.

18 Now, I would like to move on, please, from the maps. I'd like to move to the
19 equipment that was available to CECOS. So we can move from the maps now.

20 Let me just start, please, with the vehicles that were available to CECOS. How many
21 and what type of vehicles did CECOS have?

22 A. [14:55:45] I wouldn't be in a position to provide you with a number, but I know
23 that most of the vehicles were dual cabin four-by-four vehicles.

24 Q. [14:56:06] Did they have a distinctive colour, particular colour?

25 A. [14:56:12] Not specially, apart from the BMO vehicles that are blue and the

1 groupe d'appui vehicles that are green; the other sectors didn't have any specific
2 colour. However, there were sector numbers on the actual vehicles in order for us to
3 be able to identify them on the basis of their numbers.

4 Q. [14:56:41] So there would be a sector number, let's say for Yopougon 01, and
5 then would there be more numbers after that or would that just be the only number?

6 A. [14:56:53] No.

7 Q. [14:56:53] Please go on.

8 A. [14:57:01] For Yopougon it began with a 1, so we have either the numbers 11, 12,
9 13, et cetera, according to the numbers of the vehicles.

10 Q. [14:57:14] And then the same would apply for sector 2, 3, 4, 5?

11 A. [14:57:23] Yes.

12 Q. [14:57:25] Were there any vehicles with the number starting zero?

13 A. [14:57:32] Yes.

14 Q. [14:57:34] Which unit did that relate to?

15 A. [14:57:42] These were vehicles that were given over to the groupe d'appui.

16 Q. [14:57:49] Was there an emblem on the vehicles?

17 A. [14:57:55] All CECOS vehicles have an emblem.

18 Q. [14:58:03] What's that emblem?

19 A. [14:58:05] Well, it's a feline head in a circular image.

20 Q. [14:58:26] And when you say these numbers are written on the vehicles, can you
21 say whereabouts the numbers are written?

22 A. [14:58:36] On the left-hand and right-hand side of the vehicle and also on the
23 bonnet of the car, the front bonnet.

24 Q. [14:58:55] And what colour are the numbers written in?

25 A. [14:59:01] There was no specific colour. It depended on the colour of the

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 vehicle itself. If the vehicle is white, it might be written in red or in blue so that it
2 stands out well.

3 Q. [14:59:23] You've mentioned the groupe d'appui having a number starting zero
4 on the vehicles. What sort of vehicles did the groupe d'appui have?

5 A. [14:59:39] They have the same type of vehicles, the dual cabin, the four-by-four
6 dual cabin vehicles. These are the same vehicles that everyone had.

7 PRESIDING JUDGE TARFUSSER: [15:00:03] Excuse me, just for the consistency of
8 the record, just to read out the numbers of the five screenshots, otherwise we lose it.
9 So it goes on the record. Thank you.

10 Madam court officer.

11 THE COURT OFFICER: [15:00:17] Thank you, Mr President. The first annotated
12 map will bear the number CIV-REG-0001-0140. The second one will bear the
13 number CIV-REG-0001-0141. The third annotated maps will be bearing the number
14 CIV-REG-0001-0142. The fourth map will be registered under CIV-REG-0001-0143,
15 and the last one will bear the number CIV-REG-0001-0144.

16 An email will be sent to the parties and participants when those documents are
17 uploaded under eCourt and released to you.

18 PRESIDING JUDGE TARFUSSER: [15:01:19] Thank you very much.

19 The floor is back to you.

20 MS PACK: [15:01:21] Much obliged, Mr President, much obliged to madam court
21 officer.

22 Q. [15:01:28] So far as the BMO is concerned, which vehicles were available to that
23 unit?

24 A. [15:01:36] The BMO had four-by-four double cabin vehicles and about two troop
25 transport vehicles.

1 Q. [15:01:57] So far as a serial number was concerned or an identification number,
2 did the BMO also have on their vehicles any sort of identifying number?

3 A. [15:02:13] No. There were capital letters "BMO" written on the sides of the
4 BMO vehicles.

5 Q. [15:02:35] Did those vehicles have a particular colour, the BMO vehicles?

6 A. [15:02:46] Whenever possible, their vehicles would be painted blue.

7 Q. [15:03:04] And the lettering would be in what colour?

8 A. [15:03:09] White, if I remember correctly. It is possible that I might have
9 forgotten, but it was in white.

10 Q. [15:03:26] Now, I'm going to ask you now about the weapons that were available to
11 CECOS elements. So generally, what weapons were available to CECOS elements?

12 A. [15:03:53] CECOS elements did not have their own specially allotted weapons.
13 Each corps that sent men to us would provide them with weapons.

14 Q. [15:04:13] All right. So the BMO elements, this unit which had had men
15 assigned to it, like you described earlier, from the gendarmerie and the police, what
16 weapons did the elements of the BMO have?

17 A. [15:04:53] Just like in the other CECOS sectors, the BMO elements came with
18 their weapons from their unit of origin. I can say there were 200 people, but we did
19 not have 200 weapons. We had about 40 weapons *for the BMO because the corps
20 gave us weapons rather reluctantly. They gave us men but very few came with
21 weaponry. So generally speaking, CECOS was very, very poorly armed because we
22 did not have our own weapons. So the weapons that were there came from the
23 gendarmerie, the police and the army. So they only made available to us what they
24 wanted to give to us.

25 Q. [15:05:56] Okay. So when you have the BMO, for example, with 200 people, do

1 you not know how the members of this unit are armed?

2 A. [15:06:19] That's not what I told you, ma'am. This is what I said. The
3 elements of the BMO were like the other elements of CECOS from other sectors.
4 They came from other corps, from the gendarmerie and the police. So they came
5 with the weapons that their corps of origin gave to them. And since the corps, the
6 various units were reticent to give out their own weapons, *because we had huge
7 weaponry problems in Côte d'Ivoire, they made available to us very few weapons
8 through their men. So I told you that out of the about 200 plus people from the BMO,
9 we had all in all just about 40, 45 individual weapons.

10 Q. [15:07:29] And what weapons are you talking about here? What weapons did
11 they have then, these members of the BMO?

12 A. [15:07:39] You mean the types of weapons?

13 Q. [15:07:50] Yes. That's what I mean.

14 A. [15:07:57] They had individual weapons, AK-47s.

15 Q. [15:08:05] And the groupe d'appui -- stay with the BMO. Apart from the
16 AK-47s, was there any other equipment? You can move away from weapons.
17 What other equipment did the BMO have, BMO elements?

18 A. [15:08:34] Yes. At my request, the gendarmerie had accepted to place at the disposal
19 of the BMO shields, batons and a few grenades, tear gas grenades and smoke grenades, just
20 in case they needed to intervene for purposes of ensuring law and order.

21 Q. [15:09:13] Okay. Now, the groupe d'appui, did that have any particular
22 weapons?

23 A. [15:09:32] The groupe d'appui also had AK-47s, about 30 weapons. Now, these
24 were people who were working on the highway, and it was extremely dangerous.
25 So the gendarmerie had accepted to loan to them two 12.7 weapons as well as two

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 PKM weapons. PKMs are 62 calibre weapons just like the AK-47s. So those were
2 the types of weapons that the groupe d'appui carried.

3 Q. [15:10:37] Let me just check for the record, the PKM, what calibre are these
4 weapons?

5 A. [15:10:48] The PKMs are 7.62 calibre weapons, just like AK-47s, but they have
6 belts. *The munitions are belt-driven.

7 Q. [15:11:19] And the 12.7 calibre weapons, can you describe them?

8 A. [15:11:27] The 12.7 weapons are weapons that are mounted on vehicles. It is a
9 bigger calibre. And these two weapons were loaned to us by the gendarmerie. But
10 I should point out that they were constantly broken down and quite often they would
11 be sent to the gendarmerie repairs workshop. They would be repaired and then
12 brought back, and then they will break down again. So they were not as effective as
13 one would have thought.

14 Q. [15:12:13] Let me just take you to a document that you've seen before actually.
15 It's CIV-OTP-0043-0206. And it's item number 195 on the list of evidence.

16 All right. This document is dated, just for the record, it's dated 8 March 2011, stated
17 to be from the, quote, "Commandant école gendarmerie Abidjan." And I'd ask you
18 just to look at the stamp and signature at the bottom. Is that a stamp and signature
19 you recognise?

20 A. [15:14:02] Yes.

21 Q. [15:14:04] Can you tell us what it is?

22 A. [15:14:09] The stamp or the signature?

23 Q. [15:14:15] Both, please.

24 A. [15:14:20] The signature is mine and the stamp is the stamp of the école de
25 gendarmerie.

1 Q. [15:14:29] I don't need to read it. You can just tell us, please, what does this
2 document describe? What does it relate to?

3 A. [15:14:40] I told you a short while ago that the two 12.7 weapons made available
4 to us by the gendarmerie were frequently in a state of disrepair, *so we did not
5 always shoot. And usually when they were sent for repairs in the gendarmerie
6 workshop, after they are brought back, then they are taken for test-firing. And this is
7 done in the firing range belonging to the 1st mobile gendarmerie legion. So I sent
8 this message to the legion to inform them that I wanted to test-fire these two weapons
9 that had just been repaired. So that is the document in front of you.

10 Q. [15:15:44] And were these weapons stored at the école de gendarmerie?

11 A. [15:15:55] Which weapons, please?

12 Q. [15:16:04] Well, the weapons that are the topic of this. Does this relate to the
13 particular weapons you've been talking about, this testing of weapons? Does it
14 relate to any of the particular weapons you've been talking about?

15 A. [15:16:28] Yes. Those two weapons had been given to us, loaned to us by the
16 gendarmerie school. And we assigned them to the groupe d'appui. And since they
17 were based at the gendarmerie legion, it is in that premises that the weapons were
18 kept.

19 Q. [15:16:56] Okay. I'd like you to look at another document, please. It's
20 CIV-OTP-0043-0226, and it's item 66 on the list of material.

21 Now, this document just for the record is again from the, it's stated to be from the
22 école de gendarmerie Abidjan, and it is dated 22 November 2010. And it is stated at
23 the top to be from you. And looking at the text, it describes a shooting range being
24 made available for a two -- for a 12.7 millimetre machine gun. Can you tell us, does
25 that relate to the machine guns you've been describing to us?

1 A. [15:18:30] Yes, indeed. I told you a short while ago that these were defective
2 weapons that frequently broke down, and each time they came from the repair shop,
3 they had to be tested. Either the Agban shooting range was not available and we
4 were asking to use another shooting range or Agban was available and we would use
5 it. But we always had to send a notification for the person -- to the person
6 responsible for the shooting range for authorisation to use that range. But it is in fact
7 the same weapons.

8 Q. [15:19:12] And here you're using the shooting range of the 1st infantry battalion
9 in Akouédo? It's the one you want to use; is that right?

10 A. [15:19:28] Yes.

11 Q. [15:19:33] Who's the -- what is the name that appears on the stamp on this
12 document? Are you able to figure that out, surmise that from the letters that you can
13 see there?

14 A. [15:19:47] Lieutenant Colonel Ayemou, and this was the deputy of the
15 commander of the gendarmerie school. He's the one who signed the document, but
16 on my behalf.

17 Q. [15:20:09] Okay. Now, let me just ask you a little more then about the
18 particular weapons that the CECOS elements had. You've spoken about AK-47s and
19 another 7.62 millimetre weapon and also the 12.7 millimetre weapons. Did CECOS
20 members have grenades of any type?

21 A. [15:20:47] The grenades were tear gas grenades as well as smoke grenades that
22 were assigned to the BMO, as well as some stun grenades.

23 Q. [15:21:17] Broadly in the FDS as a whole, what were the different types of
24 grenades that were available?

25 A. [15:21:27] I cannot tell you because I do not know. I am not familiar with the

1 equipment of the units of the land forces. So I do not think I'm really in a position to
2 answer that question.

3 Q. [15:21:56] Do you not know, for example, then what defensive grenades are or,
4 quote, "grenade défensives mortelles"?

5 PRESIDING JUDGE TARFUSSER: [15:22:11] Maître Gbougnon.

6 MR GBOUGNON: [15:22:13] (Interpretation) Mr President, the witness has
7 answered the question. Then a comment has been made by counsel for the
8 Prosecution which is speculative. And then she has mentioned a type of grenade
9 that was never mentioned by the witness. So she's totally out of scope here.

10 PRESIDING JUDGE TARFUSSER: [15:22:42] Can you please rephrase just -- here
11 you are saying, "Do you not know?" for example.

12 MS PACK: [15:22:50] Okay.

13 PRESIDING JUDGE TARFUSSER: [15:22:51] I mean, what is the basis for this?

14 MS PACK: [15:22:53] I'm just asking a man who's in a unit which combines the army,
15 the police and the --

16 PRESIDING JUDGE TARFUSSER: [15:22:58] I do know, but --

17 MS PACK: [15:23:00] -- what it is, what this grenade is.

18 PRESIDING JUDGE TARFUSSER: [15:23:02] Yes. But have you something to
19 refresh or to confront the witness with?

20 MS PACK: [15:23:05] I'm asking this man as a man who had working under him
21 soldiers. All I want to know is what these type of grenades are. I consider that he
22 would be able to answer the question. But I can move on and ask another question.
23 I would have thought he can describe, he can say if he can't, but if he's heard of a
24 grenade défensive mortelles, then that would be my question: Can you describe
25 such a thing? It's not calling for a comment.

1 PRESIDING JUDGE TARFUSSER: [15:23:41] No. But may I ask, what is a
2 defensive grenade? The question is: What is a defensive grenade? And if there is
3 a defensive grenade, there must be also an offensive grenade. So please explain
4 what an offensive grenade is and what a defensive grenade is. What is the
5 difference?

6 THE WITNESS: [15:24:14] (Interpretation) Thank you, Mr President. The
7 question put to me was whether they were in the units that I was familiar with, and I
8 said no.

9 Now, regarding my knowledge as a soldier, if you want me to tell you about
10 offensive grenades and defensive grenades, then I can answer you.

11 A defensive grenade is a grenade that explodes into several splinters, and the soldiers
12 throw these grenades. It is full of splinters and so it is lethal.

13 An offensive grenade is a grenade that makes a lot of noise. So it produces a sucking
14 effect within a specific perimeter; so it takes in, it dissipates the oxygen and then
15 creates heat. So there's a lot of heat and lead shots also. That is the difference that I
16 can make between the two types of grenades.

17 PRESIDING JUDGE TARFUSSER: [15:25:53] But they are both lethal? With both --

18 THE WITNESS: [15:26:01] (Interpretation) Absolutely.

19 PRESIDING JUDGE TARFUSSER: [15:26:02] And did the CECOS have these sort of
20 grenades, and if yes, which one of the two or both types of grenades?

21 THE WITNESS: [15:26:17] (Interpretation) To my knowledge, CECOS did not have
22 those types of grenades as far as I know. We had stun grenades. We had tear gas
23 grenades and smoke grenades for law and order purposes.

24 PRESIDING JUDGE TARFUSSER: [15:26:42] The floor is back to you, Madam Pack.

25 MS PACK: [15:26:45] Thank you very much.

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 PRESIDING JUDGE TARFUSSER: [15:26:46] Thank you.

2 MS PACK: [15:26:47] Thank you, Mr President.

3 Q. [15:26:50] Let me ask you about ammunition. Did you have ammunition
4 available for CECOS elements?

5 A. [15:27:07] At CECOS, the ammunition was just like the weapons. They would
6 come from the original units, and since I was a gendarme and I had a good
7 relationship with the supreme commander of the gendarmerie, I could ask him for
8 ammunition. But it was really rationed, because he himself did not have enough
9 ammunition.

10 Q. [15:27:44] Did you as a unit, CECOS, did you order ammunition yourself via the
11 appropriate routes to be used by the elements, CECOS elements?

12 A. [15:28:04] Ordered from whom?

13 Q. [15:28:18] Which organ was responsible for the logistics, CECOS logistics?

14 A. [15:28:32] We requested all our logistic means from the ministry of defence. So
15 they were the ones who provided us with logistics. But at the time of the creation of
16 CECOS, Côte d'Ivoire was under embargo, and this was as early as 2005. And since
17 the minister of defence was not able to provide ammunition, we had to ask for
18 ammunition from the various corps. The gendarmerie had, for example, some small
19 stocks dating back to 2002-2003.

20 MS PACK: [15:29:23] Perhaps we can go into private session, your Honour, briefly?

21 PRESIDING JUDGE TARFUSSER: [15:29:41] For purposes of Rule 74?

22 MS PACK: [15:29:44] Yes.

23 PRESIDING JUDGE TARFUSSER: [15:29:45] So let's briefly go into private session.

24 (Private session at 3.29 p.m.)

25 (Redacted)

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Private Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted – Private session

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Private Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted – Private session

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Private Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted – Private session

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Private Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted – Private session

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Private Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted – Private session

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Private Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted – Private session

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Private Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted – Private session

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Private Session)

ICC-02/11-01/15

1

2

3

4

5

6

7

8

9

10

11

12 Page redacted – Private session

13

14

15

16

17

18

19

20

21

22

23

24

25

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Private Session)

ICC-02/11-01/15

1 (Redacted)

2 (Redacted)

3 (Redacted)

4 (Redacted)

5 (Redacted)

6 (Redacted)

7 (Redacted)

8 (Redacted)

9 (Redacted)

10 (Redacted)

11 (Redacted)

12 (Redacted)

13 (Redacted)

14 (Redacted)

15 (Redacted)

16 (Open session at 3.53 p.m.)

17 THE COURT OFFICER: [15:53:34] We are back in open session, Mr President.

18 PRESIDING JUDGE TARFUSSER: [15:53:40] Madam Pack.

19 MS PACK: [15:53:42]

20 Q. [15:53:43] As CECOS commander, you told us you met with the chief of staff

21 during the crisis in 2010-11 regularly. And you described earlier today who else,

22 which other generals specifically met with you and with him. At these meetings, can

23 you tell us what did the chief of staff do? What was he doing in those meetings?

24 A. [15:54:24] Well, it would depend on the period of the crisis. There were a

25 number of sequences. So it would depend upon the sequence of events. And there

1 was certainly a centre of interest, a point of interest around which the generals would
2 come together and the point of discussion on the agenda would be discussed,
3 instructions were given, and then the measures were taken according to the
4 instructions given.

5 I can't just tell you first off to say that we met then to discuss such and such a thing.
6 It depended upon the period and the sequence of events and the thing that was
7 happening at the time.

8 Q. [15:55:25] Did you also meet separately with the commanders of the forces
9 armées nationales of Côte d'Ivoire, the armed forces? Did you meet separately with
10 those commanders as a group?

11 A. [15:55:46] No. We would all meet at staff headquarters, and when things had
12 finished, the meeting was over, we would speak informally amongst ourselves and
13 then we would all go back to our separate bases.

14 And if my chief, General Kassaraté within the gendarmerie, would call me to go and
15 see him, then I would of course defer to this invitation. But otherwise we would part
16 ways after our meetings.

17 Q. [15:56:17] Now, I want to ask you about a particular meeting at the état-major,
18 one of the meetings where you were assembled with the generals and with General
19 Mangou and others. Is the name Séka a name that you recognise?

20 A. [15:56:45] Yes.

21 Q. [15:56:50] And who is Séka?

22 A. [15:56:54] He was an officer of the gendarmerie who was in service under the
23 president of the republic.

24 Q. [15:57:09] And what was his particular role?

25 A. [15:57:17] He was the aide de camp for the first lady.

1 Q. [15:57:23] Can you give us his full name for the record?

2 A. [15:57:29] Séka Yapo Anselme.

3 Q. [15:57:41] Now, I want to ask you if there was a time when you saw Séka at the
4 état-major?

5 A. [15:57:53] Yes. I've already told you about that. Well, anyway, I told the
6 investigators who questioned me. If you want me to repeat it for the Court, I shall
7 do so.

8 MS PACK: Yes.

9 PRESIDING JUDGE TARFUSSER: [15:58:06] Yes, please, because what you are
10 saying here is the testimony; what you said to the investigators is just for the
11 investigation purposes. So your testimony is now and here. So please, if you
12 answer the question. Thank you.

13 THE WITNESS: [15:58:25] (Interpretation) Thank you, Mr President.

14 During a meeting at the état-major, the chief of the état-major informed us that
15 Commander Séka wanted to be given five minutes to provide us with some
16 information. A lot of generals and senior officers in the room were divided in
17 opinion. Some didn't want it *at all and the chief of staff and others wanted it: "No,
18 we need to listen to what he has to say. Let's listen."

19 And in the end we came to an agreement to give him a few moments to tell us what
20 he wanted to tell us. So he was shown into the room and he came in and he told us
21 how he perceived the crisis. We thought that he was suggesting us information and
22 approaches that were a little bit different from those followed by the chief of general
23 staff.

24 He talked about a number of things and his viewpoint, his manner of viewing how
25 operations were unfolding and how he thought we could go about making things

1 more efficient.

2 When he had finished holding forth, the chief of staff thanked him. He left the room
3 and the generals and officers drew the attention of the chief of staff that at our
4 meetings, we should not authorise all and sundry to come and make suggestions to
5 us when he has not yet reached a level of knowledge, of requisite knowledge.

6 So that is what happened when Séka Séka came to the état-major to request that he be
7 able to address the meeting of generals and officers.

8 PRESIDING JUDGE TARFUSSER: [16:00:34] Excuse me. And what did he suggest
9 in that meeting, in the merits, what did he say? What did he propose? With what
10 did he not agree?

11 THE WITNESS: [16:00:52] (Interpretation) Generally speaking, well, I do not have
12 all the details now, but in a nutshell, his approach to defeat the Commando Invisible
13 in Abobo, he thought we could act in a more intensive manner by bringing in more
14 troops.

15 And yet our own analysis that we had done, and that is why his meeting with us did
16 not last very long, based on our own analysis, we were facing an asymmetric type of
17 warfare and we could not act systematically by sending more weapons and more men
18 because there was no way of distinguishing between the Commando Invisible and the
19 members of the population. They were fighting while wearing civilian clothing.
20 They were hiding amongst the population. They were taking them hostage and
21 using them as human shields. *they were shooting at the troops, they (inaudible) at
22 people. But we had obligations. We could not act like the Commando Invisible by
23 shooting at the crowds, even though our troops were suffering quite a bit.

24 But that was his own approach, and that is why when he left we did not deem it
25 necessary to take into account the few suggestions that he made. And this is just a

Trial Hearing
WITNESS: CIV-OTP-P-0010

(Open Session)

ICC-02/11-01/15

1 summary. This happened a long time ago, Mr President, so I cannot give you all the
2 details of what he proposed.

3 PRESIDING JUDGE TARFUSSER: [16:02:50] Now, a last question and then I think
4 we adjourn to tomorrow. Can you say more or less when this happened, in
5 which -- have you a date or a period when this meeting took place?

6 THE WITNESS: [16:03:04] (Interpretation) Probably in February, Mr President. I
7 cannot give you a precise date. If I'm not mistaken, it was probably in February.

8 PRESIDING JUDGE TARFUSSER: [16:03:20] 2011?

9 THE WITNESS: [16:03:24] (Interpretation) 2011, yes, February 2011.

10 PRESIDING JUDGE TARFUSSER: [16:03:28] Okay. I think we can stop here for
11 today and adjourn to tomorrow morning at 9.30.

12 Thank you, Mr Witness, for your time. See you tomorrow morning at 9.30.

13 The hearing is adjourned. Thank you.

14 THE COURT USHER: [16:03:46] All rise.

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